

LAW Nr.9917, date May 19, 2008
“ON THE PREVENTION OF MONEY LAUNDERING AND FINANCING OF TERRORISM”

Pursuant to Articles 78 and 83/ 1 of the Constitution, upon the proposal of the Council of Ministers,

THE ASSEMBLY OF THE REPUBLIC OF ALBANIA
DECIDED

CHAPTER I
GENERAL PRINCIPLES

Article 1
Purpose

The purpose of this law is to prevent laundering of money and proceeds, derived from criminal offences, as well as, the financing of terrorism.

Article 2
Definitions

The terms used in this law have the following meaning:

1. **“Responsible authority”** is the General Directorate of Money Laundering Prevention that reports directly to the Minister of Finances, and serves as Financial Intelligence Unit of Albania.
2. **“Shell bank”** means a bank, which does not have a physical presence, including lack of administration and management, and, which is not included in any regulated financial group.
3. **“Correspondent bank”** means a bank that provides banking services in the interests of another bank (initiating bank) or its clients to a third bank (receiving bank) based on an agreement, or a contractual relation reached between them for this purpose.
4. **“Financing of terrorism”** has the same meaning as provided by articles 230/a through 230/d of the Criminal Code.
5. **“Bearer’s negotiable instruments”** means unconditional payment orders or promises, which are easily transferable from a person to another and, which must meet a set of criteria including the criteria hereby defining that they must be signed by the issuer or the bearer, they must be a guaranteed and unconditional payment order or promise, they must be payable to the holder or according to the order upon request or after a specified deadline. This includes but is not limited to cheques, cambial, promise notes, credit cards and traveler’s cheques.
6. **“Client”** means every person, who is or seeks to be party in a business relation with one of the entities referred to in Article 3 of this law.
7. **“Business relation”** means any professional or commercial relationship, which is related to the activities exercised by this law entities and their clients and, which, once established, is considered to be a continuous relation.
8. **“Cash”** means banknotes (paper banknotes and coins, national and foreign) in circulation.
9. **“Laundering of criminal offence proceeds”** has the same meaning as provided by Article 287 of the Criminal Code.

10. **“Politically exposed persons”** means persons who are obliged to declare their properties pursuant to law Nr. 9019, date April 10, 2003 “On the declaration and auditing of properties and financial obligations of elected officials and public employees”.

11. **“Criminal offence proceeds”** has the same meaning as provided by Article 36 of Criminal Code.

12. **“Beneficiary owner”** means the individual or legal entity, which owns or, is the last to control a client and/or the person in whose interest a transaction is executed. This also includes the persons executing the last effective control on a legal person. The last effective control is the relationship in which a persons:

- a) owns, through direct or indirect ownership, the majority of stocks or votes of a legal entity,
- b) owns by himself the majority of votes of a legal entity, based on an agreement with the other partners or shareholders,
- c) de facto controls the decisions made by the legal person,
- d) in any way controls the selection, appointment or dismissal of the majority of administrators of the legal person.

13. **“Property”** means the right or property interest of any kind over an asset, either movable or immovable, tangible or intangible, material or non material, including those identified in an electronic or digital form including, but not limited to, instruments such as bank loans, traveler’s cheques, bank cheques, payment orders, all kinds of securities, payment bills, and letters of credit, as well as any other interest, dividend, income or other value that derives from them.

14. **“Entity”** is a person or legal entity, which establishes business relations with clients in the course of its regular activity or, as part of its commercial or professional activity.

15. **“Money or value transfer service”** means the performance of a business activity to accept cash and other means or instruments of the money and/or payment market (cheques, bank drafts, bills, deposit bills, credit or debit cards, electronic payment cards etc.), securities, as well as any other document to hereby confirm the existence of a monetary obligation or any other deposited value, and to pay to the beneficiary of a corresponding amount in cash, or in any other form, by means of communication, message, transfer or by means of the clearing or disbursement service, to which the service of the transfer of money or value belongs.

16. **“Transaction”** means a business relation or an exchange that involves two or more parties.

17. **“Linked Transactions”** means two or more transactions (including direct transfers) where each of them is smaller than the amount specified as threshold according to the article 4 of this law and when total amount of these transactions equals or exceeds the applicable threshold amount.

18. **“Direct electronic transfer”** means every transaction made in the name of a first mandating person (individual or legal entity) through a financial institution, through electronic or wire transfer, with the purpose of putting a certain amount of money or other means or instruments of the money and/or payment market at the disposal of a beneficiary in another financial institution. The mandator and the beneficiary can be the same person.

19. **“Trust”** means a good faith agreement, in which the ownership rests with the entrusted on behalf of the beneficiary.

20. **“Enhanced Due Diligence”** is a deeper control process, beyond the “Know Your Customer” procedure, the aim of which is to create sufficient security to verify and evaluate the client’s identity, to understand and test the client’s profile, business, and bank account activity profile, to identify information and to assess the possible risk of money laundering/terrorism financing pursuant to the

decisions, the purpose of which is to provide protection against financial, regulatory or reputation risks in addition to compliance with legal provisions.

21. **“Know Your Customer”** procedure is a set of rules applied by financial institutions, which have to do with the client’s identification policies and their risk administration

Article 3 **Entities subject to this law**

Entities of this law include:

- a) Commercial banks;
- b) Nonbank financial institutions;
- c) Exchange offices;
- d) Saving and credit companies and their unions;
- e) Postal services that perform payment services;
- f) Any other physical or legal entity that issues or manages payment means or handles value transfers (debit and credit cards, cheques, traveller’s cheques, payment orders and bank payment orders, e-money or other similar instruments);
- g) Stock exchange and any other entity (agent, broker, brokerage house etc.), which carries out activities related to issuing, counselling, mediation, financing and any other service related to securities trading;
- h) Companies involved in life insurance or re-insurance, agents and their intermediaries as well as retirement funds;
- i) The Responsible State Authority for Administration and Sale of Public Property and any other public legal entity, which engages in legal transactions related to the public property alienation and granting of usufruct over it or which carries out recording, transfer or alienation of public property;
- j) Gambling, casinos and hippodromes, of any kind;
- k) Attorneys, public notaries and other legal representatives, when they prepare or carry out transactions for their clients in the following activities:
 - i) transfer of immovable properties, administration of money, securities and other assets;
 - ii) administration of bank accounts;
 - iii) administration of capital shares to be used for the foundation, operation or administration of commercial companies;
 - iv) foundation, functioning or administration of legal entities;
 - v) legal agreements, securities or capital shares transactions and the transfer of commercial activities;
- l) Real estate agents and evaluators of immovable property;
- m) Authorized independent public accountants, independent certified accountants, as well as, financial consulting offices;
- n) The Agency for Legalization, Urbanization and Integration of Informal Areas/ Constructions;
- o) Any other individual or legal entity, except for those mentioned above, engaged in:
 - i) The administration of third parties' assets/ managing the activities related to them;
 - ii) Financial lease;
 - iii) Constructions;
 - iv) The business of precious metals and stones;
 - v) Financial loans;
 - vi) Financial agreements and guarantees;
 - vii) Buying and selling of art master pieces, or buying and selling in auctions of objects valuable 1,500,000 ALL or more;
 - viii) Insurance and administration of cash or liquid securities in the name of other persons;
 - ix) Cash exchange;
 - x) Trade of motor vehicles,
 - xi) Transportation and delivery;
 - xii) Travel agencies.

CHAPTER II DUE DILIGENCE

Article 4 Identification of clients

1. The entities should identify their clients and verify their identities by means of identification documents:
 - a) Before establishing a business relation;
 - b) when the client carries out or, is willing to carry out in cases other than those referred to in letter “a” of this paragraph, the following:
 - A direct transfer inside or outside the country;
 - A transaction at an amount equal to:
 - (i) Not less than 200,000 (two hundred thousand) ALL or its equivalent in foreign currency for buying or selling of gambling coins or their electronic equivalent, such as the case of gambling, casinos and hippodromes of any kind;
 - (ii) Not less than 1 500 000 (one million five hundred thousand) ALL or its equivalent in foreign currency in the case of a sole transaction or several transactions linked to each other. If the amount of the transaction is unknown at the time it is executed, the identification shall be made as soon as the amount is made known and the aforementioned limit is reached.
 - c) When there are doubts about the identification data previously collected
 - d) In all cases when there is reasonable doubt for money laundering or terrorism financing.
2. The entities should identify the beneficiary owner.

Article 5 Required documents for client’s identification

1. For the purposes of confirmation and identification of the identity of clients, the entities must register and keep the following data:
 - a) In the case of individuals: name, father’s name, last name, date of birth, place of birth, place of permanent residence and of temporary residence, type and number of identification document, as well as the issuing authority and all changes made at the moment of execution of the financial transaction;
 - b) In the case of individuals, which carry out for-profit activity: name, last name, number and date of registration with the National Registration Centre, documents certifying the scope of activity, Taxpayer Identification Number (TIN), address and all changes made in the moment of execution of the financial transaction;
 - c) In the case of private legal entities, which carry out for-profit activity: name, number and date of registration with the National Registration Centre, documents certifying the object of activity, Number of Identification as Taxable Person (NIPT), address and all changes made in the moment of execution of the financial transaction;
 - d) In the case of private legal entities, which do not carry out for-profit activity: name, number and date of court decision related to registration as legal person, statute and the act of foundation, number and date of the issuance of the license by tax authorities, permanent location, and the type of activity;
 - e) In the case of legal representatives of a client: name, last name, date of birth, place of birth, permanent and temporary residence, type and number of identification document, as well as the issuing authority and copy of the affidavit.
2. To gather data according to the stipulations of this article, the entities shall accept from the client only authentic documents or their notarized authentic photocopies. For the purposes of this Law, the entity shall keep in the clients’ file copies of the documents submitted by the client in the above form stamped with the entity’s seal, within the time limits of their validity.

3. When deemed necessary, the entities should ask the client to submit other identification documents to confirm the data provided by the latter.

Article 6
Monitoring of the business relation with the client

The entities must carry out continuous monitoring of business relations with their clients, in order to make sure that they are in conformity with the entity's information about the clients, the scope of their activity and their classification according to the level of risk they represent. The entities must periodically update the client data in accordance with paragraph 1 of this Article and immediately when they have reasons to suspect that the conditions and the actual situation of the client have changed.

CHAPTER III
ENHANCED DUE DILIGENCE

Article 7
Enhanced due diligence

In order to reduce the risks of money laundering, the entities shall specify categories of clients and transactions, in addition to those referred to in Articles 8 and 9 of this law, against whom they will apply the enhanced due diligence.

In order to implement the enhanced due diligence, the entities should require the physical presence of clients and their representatives in the cases provided hereunder:

- a) prior to establishing a business relationship with the client;
- b) prior to executing transactions in their name and on their behalf.

Article 8
Categories of clients subject to enhanced due diligence

1. The entities should verify, based on the list referred to in Article 28, paragraph 2 of this law, if a client or a beneficiary owner is a politically exposed person and when this is the case:

- a) Obtain the approval of the higher instances of administration or management before establishing a business relation with the client;
- b) Obtain a declaration on the source of the client's wealth that belongs to this financial action;
- c) Perform an increasing and continuous monitoring of the business relations.

2. When an existing client becomes a politically exposed person, the measures provided in the paragraph 1 of this Article shall be applied.

3. For clients that are non-profit organizations, the entities shall hereby:

- a) Gather sufficient information about them, in order to completely understand the financing sources, the nature of the activity, as well as, their administration and management approach;
- b) Verify by using public information or other means the clients' reputation;
- c) Obtain the approval of the higher instances of administration/management before establishing a business relation with them;
- d) Perform extended monitoring of the business relationship;

Article 9
Categories of transactions subject to enhanced due diligence

1. With regard to correspondent cross border banking services provided by banks subject to this law, they should, before establishing a business relationship, perform the following:

- a) Gather sufficient information about the correspondent institution, in order to fully understand the character of its activity;
- b) Determine the reputation of the recipient institution and the quality of its supervision through public information;
- c) Evaluate whether or not the internal auditing procedures of the recipient institution against money laundering and financing of terrorism are satisfactory and effective;
- d) Obtain the approval of the higher instances of administration/management and document the respective responsibilities of every institution.
- e) Draft special procedures for the constant monitoring of direct electronic transactions.

2. The entities shall not carry out correspondent banking services with banks, the accounts of which are used by shell banks. The entities shall terminate any business relationship and report to the responsible authority, if they notice that, the accounts of the corresponding bank are used by shell banks.

3. The entities must examine through enhanced due diligence all complex transactions and all types of unusual transactions that do not have a clear economic or legal purpose.

4. The entities must apply enhanced due diligence to business relation and transactions with non-resident clients.

5. The entities must verify and apply enhanced due diligence to business relationships and transactions with clients residing or acting in countries that do not apply or partly apply the relevant international standards on the prevention and fight against money laundering and financing of terrorism.

6. The entities must apply enhanced due diligence to business relations and transactions with trusts and joint stock companies.

7. The entities must apply enhanced due diligence to business relations and transactions carried out by clients in the name of third parties, including the representation documents with which third parties have authorized the transactions.

8. The entities must adopt policies or respond appropriately according to the circumstances, in order to prevent the misuse of new technological developments for the purposes of money laundering or terrorism financing.

9. If an entity fails to fulfil its enhanced due diligence obligations, as prescribed in this article then:

- a) it shall therefore not establish or carry on business relations with the client;
- b) It shall report to the Responsible Authority its inability to fulfil its enhanced due diligence obligations and declare the reasons for this.

Article 10

Money or values transfer service obligations

1. The entities, the activities of which include money or value transfers, must ask for and verify first name, last name, permanent and temporary residence, document identification number and account number, if any, including the name of the financial institution from which the transfers is made. The information must be included in the message or payment form attached to the transfer. In case there is no account number, the transfer shall be accompanied by a unique reference number.

2. The entities transmit the information together with the payment, including the case when they act as intermediaries in a chain of payments.
3. If the entity referred to in paragraph 1 receives money or value transfers, including direct electronic transfers, which do not include the necessary information about the ordering person, the entity must request the missing information from the sending institution or from the beneficiary. If it fails to register the missing information, it should refuse the transfer and report it to the responsible authority.

Article 11
Prevention measures to be undertaken by entities

1. According to this law and bylaws pursuant to it, the entities shall have the following obligations:
 - a) draft and apply internal regulations and guidelines that take into account the money laundering and terrorism financing risk, which can originate from clients or businesses, including but not limited to:
 - (i) A clients acceptance policy, and
 - (ii) A policy for the application of procedures of enhanced due diligence in the case of high-risk clients and transactions.
 - b) nominate a responsible person and his deputy for the prevention of money laundering, at the administrative/management level in the central office and in every representative office, branch, subsidiary or agency, to which all employees shall report all suspicious facts, which may comprise a suspicion related to money laundering or terrorism financing.
 - c) establish a centralized system, in charge of data collection and analysis;
 - d) apply fit and proper procedures when hiring new employees, to ensure their integrity.
 - e) train their employees on the prevention of money laundering and terrorism financing through regular organization of training programs.
 - f) assign the internal audit to check the compliance with the obligations of this law and of the relevant sublegal acts;
 - g) make sure that branches, sub-branches, as well as their agencies, inside or outside the territory of the Republic of Albania act in compliance with this law. If the laws of the country where the branches or agencies have been established stipulate impediments against meeting the obligations, the entity should report about those impediments to the responsible authority and, as per the case, to its supervising authority.
 - h) submit information, data and additional documents to the responsible authority, in accordance with the provisions and time limits set forth in this law. The responsible authority may extend this time limit in writing for a period of no more than 15 days.

2. The entities shall be prohibited to start or maintain business relations with anonymous clients or clients using fake names. The entities shall not be allowed to open or maintain accounts that may be identified only based on the account number.

3. If the number of the employees of the entities referred to in this law is less than 3 persons, the obligations of this law shall be met by the administrator or by an authorized employee of the entity.

CHAPTER IV

OBLIGATION TO REPORT

Article 12

Reporting to the responsible authority

1. When the entities suspect that the property is proceeds of a criminal offence or is intended to be used for financing terrorism, they shall immediately present to the responsible authority a report, in which they state their doubts by the time limit set forth in the sublegal acts pursuant to this law.

2. When the entity, which is asked by the client to carry out a transaction, suspects that the transaction may be related to money laundering or terrorism financing, it should immediately report the case to the responsible authority and ask for instructions as to whether it should execute the transaction or not. The responsible authority shall be obliged to provide a response within 48 hours.

3. The entities shall be required to report the following to the responsible authority within the time limits set forth in the sublegal acts pursuant to this law:

- a. all cash transactions, equal to or greater than 1,500,000 (one million and five hundred thousand) ALL or its equivalent in other currencies,
- b. all non-cash transactions, equal to or greater than 6,000,000 (six million) ALL or its equivalent in other currencies executed as a single transaction or as series of linked transactions.

Article 13

Exemption from reporting

The transactions hereunder described shall be exempted from reporting to the responsible authority:

- a. cross bank transactions, except the ones performed on behalf of their customers
- b. transactions between entities of this law and the Bank of Albania;
- c. transactions performed on behalf of public institutions and entities;

Article 14

Exemption from legal liability of reporting to the responsible authority

The entities or supervising authorities, their managers, officials or employees who report or submit information in good faith in compliance with the stipulations of this law, shall be exempted from penal, civil or administrative liability arising from the disclosure of professional or banking secrecy.

Article 15

Tipping Off Prohibition

The employees of the entity shall be prohibited to inform the client or any other person about the verification procedures regarding suspicious cases, as well as any reporting made to the responsible authority.

Article 16
Obligations to maintain data

1. The entities must store the documentation used for the identification of the client and the client's beneficiary owner for 5 years from the date of the termination of the business relation between the client and the entity. When requested by the responsible authority, the information shall be stored longer than 5 years.
2. The entities must keep data registers, reports and documents related to financial transactions, national or international, regardless of whether the transaction has been executed in the name of the client or of third parties, together with all supporting documentation, including account files and business correspondence, for 5 years from the date of the execution of the financial transaction. With the request of the responsible authority, the information shall be stored longer than 5 years, even if the account or the business relation has been terminated.
3. The entities must keep the data of the transactions, including those specified in article 10, with all the necessary details to allow the re-establishing of the entire cycle of transactions, with the aim of providing information to the responsible authority in accordance with this Law and the sub legislation pursuant to it. This information shall be stored for 5 years from the date when the last financial transaction has been carried out. This information shall, upon the request of the responsible authority, be stored longer than 5 years.
4. The entities must make sure that all client and transaction data, as well as the information kept according to this article, shall immediately be made available upon the request of the responsible authority.

Article 17
Customs authorities reporting

1. Every person, Albanian or foreigner, that enters or leaves the territory of the Republic of Albania, shall be obliged to declare cash amounts, negotiable instruments, precious metals or stones, valuables or antique objects, equal to or greater than 1,000,000 ALL, or the equivalent amount in foreign currency, explain the purpose for carrying them and produce supporting documents. The customs authorities shall send a copy of the declaration form and the supporting document to the responsible authority. The customs authorities shall report immediately and no later than 72 hours to the responsible authority every suspicion, information or data related to money laundering or financing of terrorism for the activities under their jurisdiction.
2. Customs Authorities shall apply the provisions of article 11 of this law.

Article 18
Tax authorities reporting

Tax authorities identify their clients, according to procedures set in article 4 of this law, and report in all cases to the Competent Authority immediately and no later than 72 hours, every suspicion, indication, notification or data related to money laundering or terrorism financing.
Tax authorities apply the requirements of the article 11 of this law.

Article 19
Central Immovable Properties Registration Office Reporting

1. The Central Immovable Properties Registration Office shall report on the registration of contracts for the transfer of property rights for amounts equal to or more than 6,000,000 (six million) ALL or its equivalent in foreign currencies.

2. The Central Immovable Properties Registration Office shall report immediately and no later than 72 hours to the responsible authority every suspicion, information or data related to money laundering or terrorism financing for the activities under its jurisdiction.
3. The Central Immovable Properties Registration Office shall apply the provisions set forth in the article 11 of this law.

Article 20

Non-profit Organizations

Every authority that registers or licenses non-profit organizations shall report immediately to the responsible authority every suspicion, information or data related to money laundering or terrorism financing.

Article 21

Organization of the Responsible Authority

1. The General Directorate of Money Laundering Prevention shall, pursuant to this law, exercise the functions of the responsible authority as an institution subordinate to the Minister of Finances. This directorate, within its scope of activity, shall hereby be entitled to define the way of handling and resolving cases related to possible money laundering and to financing of possible terrorist activities.
2. The General Directorate of Money Laundering Prevention shall, pursuant to this law, operate as a specialized financial unit for the prevention and fight against money laundering and terrorism financing. Moreover, this directorate shall operate as the responsible national center for collection, analysis and dissemination to law enforcement agencies of information and the potential money laundering and terrorism financing activities.
3. Labour relations of the staff of this Directorate shall be regulated by the law no. 8549, date November 11, 1999 "On the Civil Servant Status" and by the Labour Code for the assistant staff.
4. The organization and functioning of the Directorate shall be hereby regulated by Council of Ministers' Decision.

Article 22

Duties and functions of the responsible authority

The General Directorate of Money Laundering Prevention, as financial intelligence unit, shall, pursuant to this law, have the duties and functions hereunder described:

- a) collect, manage and analyze reports and information from other entities and institutions in accordance with the provisions of this law;
- b) access databases and any information managed by the state institutions, as well as in any other public registry in compliance with the authorities set forth in this law;
- c) request, pursuant to its legal obligations, financial information from the entities on the completed transactions with the purpose money laundering and financing of terrorism prevention;
- d) supervise the compliance of the entities with the obligations to report set in this Law, including on site inspections alone or in collaboration with relevant supervising authorities;
- e) exchange information with any foreign counterpart, entity to similar obligations of confidentiality. The provided information should be used only for purposes of preventing and fighting

money laundering and financing of terrorism. Information may be disseminated only upon parties' prior approval;

- f) enter in agreements with any foreign counterpart, which exercises similar functions and is subject to similar obligations of confidentiality;
- g) exchange information with the Ministry of Interior, State Intelligence Service and other responsible law enforcement authorities regarding individuals or legal entities, if there is ground to suspect that this entity has committed money laundering or financing of terrorism;
- h) inform, in cooperation with the prosecution office, the responsible authority on the conclusions of the registered criminal proceedings on money laundering and terror financing;
- i) may issue a list of countries in accordance with paragraph 5 of article 9 of this law, in order to limit and/or check the transactions or business relations of the entities with these countries;
- j) order, when there are reasons based on facts and concrete circumstances for money laundering or financing of terrorism, blocking or temporary freezing of the transaction or of the financial operation for a period not longer than 72 hours. In case of observing elements of a criminal offence, the Authority shall, by this time limit, file the case with the Prosecution Office by submitting also a copy of the order on transaction temporary freezing or on the account freezing, pursuant to this law, in addition to all the relevant documentation;
- k) maintain and administer all data and other legal documentation on the reports or any other kind of documentation received over 10 years from the date of receiving the information on the last transaction;
- l) provide its feedback on the reports presented by the entities to this authority;
- m) organize and participate, together with public and private institutions, in training activities related to money laundering and terrorism financing, as well as, organize or participate in programs aimed at raising public awareness;
- n) notify the relevant supervising authority when observing that an entity fails to comply with the obligations set forth in this law;
- o) publish by the first quarter of each year the annual public report for the previous year on the activity of the responsible authority. The report shall include detailed statistics on the origin of the received reports and the results of the cases referred to the prosecution.

Article 23

Coordination Committee for the Fight against Money Laundering

1. The Coordination Committee for the Fight against Money Laundering shall be responsible for planning the directions of the general state policy in the area of the prevention and fight against money laundering and terrorism financing.
2. The Prime Minister shall chair the Committee consisting of the Minister of Finances, the Minister of Foreign Affairs, the Minister of Defence, the Minister of Justice, the General Prosecutor, the Governor of the Bank of Albania, the Director of the State Information Service and the General Inspector of High Inspectorate for the Assets Declaration and Auditing.
3. The Committee shall convene at least once a year to review and analyze the reports on the activities performed by the responsible authority and the reports on the documents drafted by the institutions and international organizations, which operate in the field of the fight against money

laundering and terrorism financing. The general director of the responsible authority shall provide advice to the Committee upon its request and act as an advisor during the meeting of the Committee.

4. Ministers, members of the parliament, managers or representatives of institutions and experts of the field of prevention and fight against money laundering and financing of terrorism may be invited to the meetings of the Committee.

5. The Committee may establish technical and/ or operational working groups to assist in the execution of its functions, as well as, to study money laundering and terrorism financing typologies and techniques.

6. The operation rules of Committee shall be defined in its internal regulation to be adopted by this Committee.

Article 24

Functions of supervisory authorities

1. The Supervising Authorities are:

- a) The Bank of Albania for the entities referred to in letters “a”, ”b”, “c”, “d” and “e”, of Article 3,
- b) The Financial Supervisory Authority for the entities referred to in letters “f”, “g” and “h” of Article 3,
- c) Respective ministries for the supervision for the entities referred to in letters “i” and “j” of Article 3,
- d) The National Chamber of Advocates for lawyers;
- e) The Ministry of Justice for notaries;
- f) The relevant authorities for supervising entities defined in letters “l”, “m”, “n” and “o” of Article 3,

1. The supervising authorities shall supervise, through on site inspections, the compliance of the activity of the entities with the obligations set forth in Articles 4, 5, 6, 7, 8 and 9, 10, 11 and 12 of this Law.

2. The Supervising Authorities shall immediately report to the responsible authority on every suspicion, information or data related to money laundering or financing of terrorism for the activities falling under their jurisdiction.

3. The Supervising Authorities shall also perform the following other duties:

- a. check implementation by the entities of programs against money laundering and terrorism financing and make sure that these programs are appropriate;
- b. take the necessary measures to prevent an ineligible person from possessing, controlling and directly or indirectly participating in the management, administration or operation of an entity;
- c. cooperate and provide expert assistance according to the field of their activity in the identification and investigation of money laundering and terrorism financing, in compliance with the requests of the responsible authority;
- d. cooperate in drafting and distribution of training programs in the field of the fight against money laundering and terrorism financing;

- e. keep statistics on the actions performed, as well as, on the sanctions imposed in the field of money laundering and financing of terrorism.

Article 25

Exclusion from speculation with professional secrecy or its benefits

1. Entities shall not use professional confidentiality or benefits deriving from it as a rationale for failing to comply with the legal provisions of this law, when information is requested or when, in accordance with this law, the release of a document, which is relevant to the information, is ordered.
2. Attorneys and notaries shall be subject to the obligation of reporting information about the client to the responsible authority, in accordance with this law. Attorneys shall be exempted from the obligation to report on the data that they have obtained from the person defended or represented by them in a court case, or from documents made available by the defendant in support of the needed defence.

Article 26

License revoking

1. The responsible authority may request the licensing/supervisory authority to restrict, suspend or revoke the license of an entity when:
 - a) it ascertains or has facts to believe that the entity has been involved in money laundering or terrorism financing;
 - b) when the entity repeatedly commits one or several of the administrative violations set forth in article 27 of this law and the sublegal acts.
2. The licensing / supervisory authority shall review the application of the responsible authority based on the accompanying documentation, which shall represent the suspicions or the data, based on concrete circumstances and facts, according to the paragraph 1 of this article. The licensing/supervisory authority shall make a decision to accept or refuse it in compliance with the provisions of this law and with the legal and sublegal provisions, which regulate its activity and the activity of the entities licensed and supervised by it.

Article 27

Administrative sanctions

1. Unless being a criminal offence, the violations committed by the entities shall be classified as administrative ones, while the entities shall be subject to sanctions;
2. In the cases when they fail to apply monitoring and identification procedures, as well as customer due diligence versus the client and transactions according to their risk level that they present as set forth in articles 4, 5, 6, 7, 8 and articles 9, paragraph 1 through 8, and the sub legislation pursuant to this law, the entities shall be subject to the following fines:
 - a) individuals: from 100,000 ALL up to 500,000 ALL;
 - b) legal entities: from 500,000 ALL up to 1,500,000 ALL;
3. In the cases of failing to collect data according to article 10 of this law:
 - a) individuals: from 400,000 ALL up to 1,600,000 ALL;
 - b) legal entities: from 1,200,000 ALL up to 4,000,000 ALL;
4. In the cases when they shall fail to apply the provisions of article 9, paragraph 9, and article 10, paragraph 3, entities shall be subject to the following fines:
 - a) individuals: from 500,000 ALL up to 2,000,000 ALL;
 - b) legal entities: from 2,000,000 ALL up to 5,000,000 ALL;
5. In the cases when the entities shall fail to implement the preventive measures set forth in article 11 of this law, they shall be subject to the following fines:

- a) individuals: from 300,000 ALL up to 1,500,000 ALL;
 - b) legal entities: from 1,000, 000 ALL up to 3,000,000 ALL;
6. In cases when failing to meet the reporting obligations as set forth in 12 of this law, the entities shall be subject to the following fines;
- a) individuals: from 5 to 20 percent of the amount of the unreported transaction;
 - b) legal entities: from 10 to 50 percent of the amount of the unreported transaction;
7. For the violations prescribed in article 15 and 16 of this law, the entities shall be subject to the following fines:
- a) individuals: 2,500,000 ALL;
 - b) legal entities: 5,000,000 ALL;
8. In addition to what is prescribed in the paragraphs 2, 3, 4, 5, 6, 7 of this article, when a legal entity is involved and the administrative violation is committed by :
- a) an employee or non administrator of the entity, the person who has committed the violation shall be fined from 60,000 ALL up to 300,000 ALL.
 - b) from an administrator or a manager of the entity, the person who has committed the violation shall be fined from 100,000 ALL up to 500,000 ALL.
9. The fines shall be defined and set by the responsible authority.
10. The responsible authority shall inform the supervising/licensing authority on the sanctions imposed.
11. The procedures for the appeal against the decisions shall be performed in accordance with the Law No. 7697, dated July 04, 1993 “On the Administrative violations”, as amended.
- The execution procedures of the administrative sanctions will be enforced in accordance with the articles 510 through 526/a of the Civil Procedures Code.

Article 28

Passing of regulations

1. The Council of Ministers, with the proposal of the Minister of Finance, shall, pursuant to this law, adopt, within 6 months of its coming into effect, detailed rules on the form, methods and data reporting procedures for the licensing and supervising authorities, the Central Immovable Properties Registration Office, and the Agency for the Legalization, Urbanization and Integration of Informal Areas and Buildings.
2. General Inspector of High Inspectorate for the Assets Declaration and Auditing shall regularly, although not less than twice per year, present to the responsible authority the complete and updated list of the politically exposes persons drafted based on the provisions set forth in Law No. 9049, date April 10, 2003 “On the declaration and auditing of assets and financial obligations of the elected officials and of a number of public servants”.
3. The Minister of Finance shall, upon the proposal of the responsible authority, adopt, within 6 months from the publishing of this law in the Official Journal, detailed rules related to the following:
 - a) Approaches and procedures for the reports of the entities described in article 3 of this law
 - b) Methods and procedures for the reports of the customs authorities,
 - c) Methods and procedures for the reports of the tax authorities,
 - d) Applicable standards or criteria in addition to the time limit for reporting suspicious activities, according to tendencies and typologies, in compliance with international standards,
 - e). Detailed procedures for the verification of administrative violations committed by the reporting entities.

Article 29

Transitional Provisions

Provisions of the Law No. 8610, date May 17, .2000, “On the Prevention of Money Laundering”, as amended, shall be applied until this Law enters into effect.

All other sub legal acts issued pursuant to Law No. 8610 shall be applied as long as they do not contravene this law and shall be effective until they are substituted by other sub legal acts to be issued pursuant to this Law.

Article 30
Repealing Provision

The Law No. 8610, date May 17, .2000, “On the Prevention of Money Laundering”, as amended shall be repealed.

Article 31
Coming into effect

This law shall come into effect 3 months after being published in the Official Journal.

Promulgated upon Decree No. 5746, date June 09, 2008 of the President of the Republic of Albania, Mr. Bamir TOPI.