

ANNEX 2

NORMATIVE ACT NO. 3, DATED 15.03.2020

“ON TAKING SPECIAL ADMINISTRATIVE MEASURES DURING THE PERIOD OF INFECTION CAUSED BY COVID-19”

Pursuant to Articles 101 of the Constitution, on the proposal of the Minister of Health and Social Protection and the Minister of State for Reconstruction, the Council of Ministers

DECIDED

Article 1

The object and the subjects

This normative act aims at defining special measures to be taken against natural / legal persons or individuals, Albanian or foreign, regardless of their domicile, who violate the rules, decisions, orders and instructions issued by the competent authorities, during the entire duration of the infection period caused by COVID-19.

Article 2

Purpose

This normative act aims at defining and strengthening the implementation of the rules, decisions, orders and instructions issued by the competent authorities, throughout the territory of the Republic of Albania, to prevent and combat the spread of infection caused by COVID-19.

Article 3

Special administrative measures

1. Subjects exporting medicines and medical equipment from the Republic of Albania, without the special authorization of the Minister of Health and Social Protection, for the performance of this activity, shall be punished by a fine of 5,000,000 (five million) ALL and seized of all the quantity of medicines / medical equipment. In the event of a recurrence, the prohibition on the export of medicines / medical equipment may be increased by up to 6 months.
2. Entities or individuals organizing the development of public and non-public activities, such as sports, cultural and conference activities, or mass gatherings indoors or outdoors, such as concerts, gatherings and public hearings, shall be fined up to 5,000,000 (five million) for organizers and banning the activity.
3. Access of patients' companions and / or family members to emergency medical facilities, health care facilities, hospital service facilities where patients are receiving inpatient treatment, unless such a request comes from the Directorate hospital, shall be fined in the amount of 500,000 (five hundred thousand) ALL for the patient's companion and / or family member and for the person responsible for the implementation of this rule.
4. A fine of 700,000 (seven hundred thousand) ALL shall be fined:
 - a) The citizen who enters the territory of the Republic of Albania and does not declare his / her arrival from the areas affected by the COVID-19 infection declared by the competent authorities, domestic or foreign or international;
 - b) The citizen, who enters the affected areas in the territory of the Republic of Albania, which is not self-quarantined for a period of 14 days in the premises of his residence, as a preventive measure for the non-spread of the infection caused by COVID-19;
 - c) A citizen coming from the affected areas and failing to comply with an order issued by the competent authorities for compulsory self-quarantine;
 - ç) Citizen who has proved positive and does not comply with the order issued by the competent authorities for compulsory self-quarantine.

5. Educational institutions, kindergartens and kindergartens, public and non-public, which do not close their activities for the period specified by the competent authorities, shall be punished by a fine of 5,000,000 (five million) ALL for educational institutions, public / non-public, and in the amount of ALL 1,000,000 (one million) for kindergartens and kindergartens, public / non-public. In case of repetition, the activity is closed for a period of 6 months.
6. Subjects or individuals, public or private, conducting activities in indoor recreation facilities for children and young people, gyms, sports centers, swimming pools, internet centers, cultural centers, which do not comply with the order of the competent authority for their closure, shall be punished by a fine 1,000,000 (one million) ALL, and in the event of recidivism, the termination of their activity shall be added for a period of six months.
7. Entities or individuals who fail to comply with orders issued by the competent authorities for the non-closure of bars, premises, restaurants and clubs shall be punished by a fine of up to 1,000,000 (one million) ALL and in case of recidivism the activity shall be closed. for a period of 6 months.
8. Subjects and individuals, public or private, who contrary to the orders of the competent authorities, allow the development of sports, social, cultural, educational excursions organized by educational institutions, public and private, at home and abroad, are punished by: a fine in the amount of 1,000,000 (one million) ALL and in case of recidivism the activity shall be closed for a period of six months.
9. The postal service authorities should ensure continuity of service and develop a plan of measures to limit employee contact with the public and to avoid crowding at counters or other indoor facilities. Failure to comply with this obligation shall be punishable by a fine of 1,000,000 (one million) ALL and in the event of a repetition, it shall be further terminated for a period of six months.
10. Immediate measures shall be taken to prohibit the collection of non-patients in the internal premises or special structures of healthcare institutions, polyclinics, hospitals, public and non-public, where outpatient visits and consultations are held. Failure to comply with this obligation shall be punishable by a fine of 1,000,000 (one million) ALL and in the event of a repetition, it shall be further terminated for a period of six months.
11. Drivers who fail to enforce the prohibition of circulation of public and private vehicles, including private vehicles, in the zones and schedules specified by the competent authorities shall be punished by revocation of the driving license for a period of three years and by blocking of the vehicle. This rule excludes persons authorized by the competent authorities.
12. Increase in the selling price of all foodstuffs, medicines, medical devices and services as compared to their regular sale price, traded in the preceding months from the date of entry into force of this normative act, and for seasonal products, according to the price traded in the same period in the preceding year from the date of entry into force of this normative act, when it does not result from the increase of the price from their import, shall be punished by a fine of 5,000,000 (five million) ALL for wholesalers and 100,000 (one hundred thousand)ALL for retailers. In case of repetition, the activity is closed for a period of 6 months.
13. All audiovisual broadcasts with more than two persons in the same tele-visual studio shall be punished by a fine of up to 1,000,000 (one million) ALL and in the event of repetition, the blocking, partial or full, shall be added broadcasting by audiovisual media as well as blocking and / or stopping the operation of the equipment, after a decision is taken by the ministry responsible for health and implemented by the competent body.
14. Failure to provide services by pharmacies, wholesalers and medicines manufacturers, by applying the safety criteria set by the competent authorities, shall be punishable by a fine of 10,000,000 (ten million) ALL to wholesalers and 50,000 (fifty thousand) ALL for retailers. In case of repeated blocking of the whole quantity of goods and closure of activity for a period of three years.
15. Failure to provide services by entities / individuals trading foodstuffs, wholesalers or retailers, by applying the security criteria set by the competent authorities, shall be punishable

by a fine of 10,000,000 (ten million) ALL to wholesalers and to the extent 50,000 (fifty thousand) ALL for retailers. In case of repetition with the blockage of the whole quantity of goods and closure of the activity for a period of three years.

16. Depending on the dynamics of hospitalization of those affected by COVID-19 infection, by order of the Minister of Health in charge, private hospital, outpatient, hotel, ambulance and ambulance and related staff, health and support staff are also available.

Failure to comply with this order is punishable by a fine of 5,000,000 (five million) ALL and in the event of a recurrence, the activity is suspended, placing the facility at the disposal of the public health service throughout the duration of the COVID-19 infection. In this case, the relevant health and support staff are required to serve under the guidance of state health structures. Failure to comply with this obligation by the relevant health and support staff shall be punishable by a fine of 100,000 (one hundred thousand) ALL and in case of repetition, the right to exercise the profession for a period of 10 years shall be added.

“17. Individuals who fail to comply with an order issued by the competent authorities to prohibit pedestrians from traveling within the prescribed times shall be punished by a fine of up to 10,000 (ten thousand) ALL and with a 3-month suspension of the private vehicle if available.

18. Individuals who fail to comply with an order issued by the competent authorities to restrict movement in open parks and green areas, in urban areas, or other open public areas shall be punished by a fine of up to 20,000 (twenty thousand) ALL and with a 3 month suspension of the private vehicle, if one is available.

19. For individuals who, by virtue of the violations of points 17 and 18 of this Article, ride a bicycle, a moto cycle or a motor vehicle, the accompanying measure of blocking the vehicle for 3 months shall apply”.

Article 4

Competent authorities for issuing administrative measures

1. The competent body according to the area of responsibility and, in any case, the State Police, shall have the right to impose administrative measures as provided for in Article 3 of this normative act.

2. For the cases referred to in Article 3 of this normative act, the same administrative measure is not granted simultaneously by two or more competent bodies. In such cases, the fine given by the body which first ascertained the violation shall apply.

3. The fines given under this normative act constitute an executive title and their pattern is determined by the competent body according to the area of responsibility and, in each case, by the State Police.

4. The fines collected under this normative act shall be paid 100% to the state budget.

5. The review and issuance of administrative measures shall be in accordance with the provisions of the Code of Administrative Procedure.

Article 5

Decision making by collegial bodies

Collegiate decision-making during the duration of the infection status caused by COVID-19 is also accomplished through electronic means of communication.

“Article 5/1 Contracts for cleaning and public transport of local self-government units

The local self-government units, in the framework of taking measures during the duration of the infection period caused by COVID-19, with the consent of economic operators, may make amendments to contracts they have with cleaning operators and public transport operators for the provision of these services, according to the needs dictated by the emergency situation. The contract enters into force after approval by the relevant municipal council. The contract is signed by the head of the contracting authority.

The expenses will be borne by the budget of the local self-government units.”

Article 6

Duration and implementation

1. This normative act shall be of a provisional nature and shall apply for the duration of the period of infection caused by COVID-19.
2. Implementation of this normative act, for the duration of the infection period caused by COVID-19, shall take precedence over the provisions of other acts concerning administrative measures.
3. In any case, this normative act shall not preclude the application of the legislation in force for the prevention and control of infectious diseases or other legal acts, insofar as they are not contrary to the provisions of this act.

Article 7

Entry into force

This normative act enters into force immediately and is published in the Official Journal.

PRIME MINISTER

Edi Rama

Signed, Sealed

NORMATIVE ACT

No. 8, dated 24.3.2020

ON SOME ADDITIONS AND AMENDMENTS TO NORMATIVE ACT NO.3, DATED 15.3.2020, OF THE COUNCIL OF MINISTERS, "ON TAKING SPECIAL ADMINISTRATIVE MEASURES DURING THE PERIOD OF INFECTION CAUSED BY COVID-19"

Pursuant to Article 101 of the Constitution, on the proposal of the Minister of Health and Social Protection and the Minister of the Interior, the Council of Ministers

DECIDED:

Article 1

Article 3 shall be amended as follows: After the first sentence, point 16, is added the sentence with this content:

“On the proposal of the Minister responsible for Health and the Minister responsible for Reconstruction, any other structure / facility deemed necessary shall be made available to cope with the situation caused by COVID-19.”

Point 17 is amended as follows:

“17. Individuals who fail to comply with an order issued by the competent authorities to restrict movement only on fixed time schedules and unaccompanied by other persons on their side are fined ALL 10,000 (ten thousand), as well as non-benefit from the financial package. of solidarity and blocking 3 (three) months of a private vehicle if one is available.”

Article 2

After Article 3, Article 3/1 is added, with the following content:

“Article 3/1

Binding measures

1. All entities trading in foodstuffs and other wholesale products necessary to deal with the epidemic situation are obliged to take measures to maintain stocks trading for a period of 3 months or in accordance with the longevity of the epidemic product, in order to cope with the situation caused by COVID-19 infection. Goods purchased for the purpose of coping with the situation, if they have not been sold on the free market at the conclusion of the epidemic situation, may be sold to the General Directorate of Material Reserves of the State, upon invoice, upon the request of the entity, which these goods are purchased. The rules and procedures for the purchase of such goods by the General Directorate of Material Reserves of the State shall be determined by decision of the Council of Ministers.
2. All entities wholesaling medicines / medical devices, entities producing medicines and medical devices and entities providing health services shall be alert and take all necessary measures to ensure supplies of medicines and medical equipment; and to provide necessary health services, in the context of coping with the emergency situation caused by COVID-19.
3. Failure to take measures as provided for in paragraphs 1 and 2 of this Article shall be punishable by a fine of up to 5 000 000 (five million) ALL and by exclusion from public procurement procedures for a period of 3 years from the Agency Public Procurement.”.

Article 3

Entry into force

This normative act enters into force immediately and is published in the Official Journal.

PRIME MINISTER

Edi Rama

Signed, Sealed

5 / 5