

New Law “On the Register of Beneficial Owners (RBO)”

March 2021

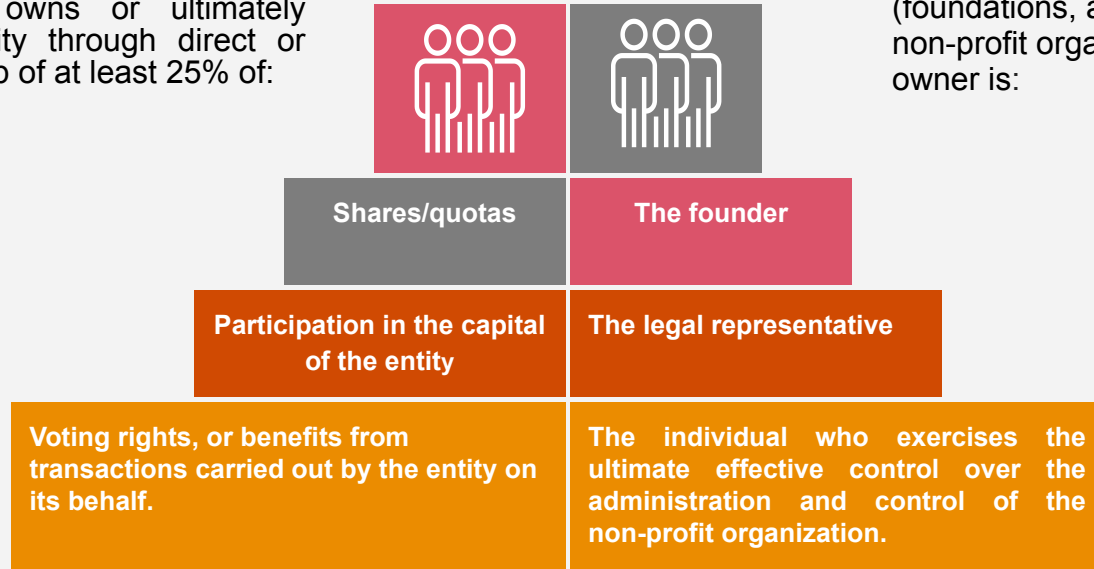


Definition of the Beneficial Owner (or the so called "Ultimate Beneficial Owner - UBO")

1

A “Beneficial Owner” is defined as follows:

Beneficial owner is defined as the individual who owns or ultimately controls the entity through direct or indirect ownership of at least 25% of:



For non-profit organizations (foundations, associations, branches of non-profit organizations) the beneficial owner is:

In exceptional cases, when the ultimate beneficial owner can not be identified, the reporting entity after having exhausted all possible means to identify the beneficial owner and if there is no reason for doubt, may register as beneficial owner the individual who:



In addition to the documents listed above, a written statement must be submitted in which are precisely defined the steps taken to identify the beneficial owner and the reasons for identification no later than 30 (thirty) calendar days from the date of initial registration of the reporting entities.

Documents required to be submitted in the Register of Beneficial Owners

2

The documents that must be uploaded by the applicant on the e-albania portal are as follows:

1. Historical extract of reporting Albanian entity

2. ID Card/passport of the registered beneficial owner of the reporting Albanian entity and permanent residence

5. Agreement/ contract or any other documents attesting that the registered individual is the beneficial owner of the reporting entity

3. Extract of the foreign entity owned by the individual shareholder of the reporting Albanian entity

4. Articles of Association (by law) of the foreign entity

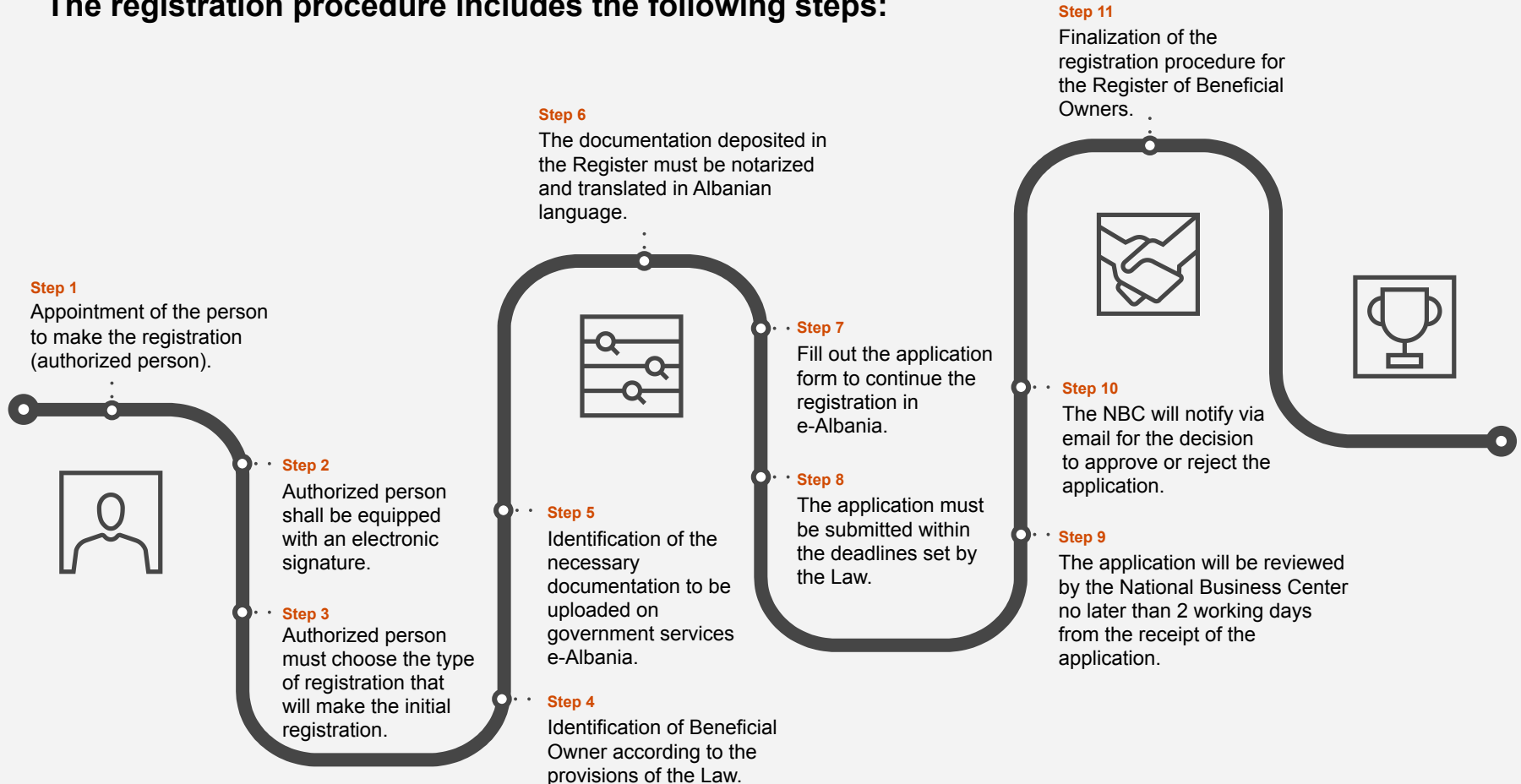


- **Important note:** Documents of the foreign country must be **in original or notarized** and duly **legalized/apostilled** with the competent authorities. They must be translated in Albanian language by a certified translator.

Registration Procedure

3

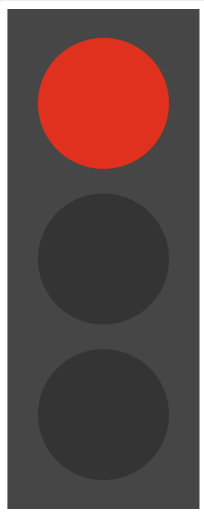
The registration procedure includes the following steps:



Penalties for non-compliance

4

In case of non-compliance with the declaration/ registration of beneficial owners the following penalties are imposed by the law:



- Initial non-registration of data for its beneficiary owner within the deadline is punishable by a fine in the amount of **500,000** (five hundred thousand) ALL (**250,000 ALL** for existing entities);
- Non-registration of any change in the registered data and in the accompanying documents, which are deposited in the register, within the term is punished with a fine in the amount of **250,000** (two hundred and fifty thousand) **ALL**;
- Administrative penalty in the amount of **150.000 ALL** to the legal representative of the Albanian legal entity.

Let's talk!

For further information, please contact:

PricewaterhouseCoopers Albania
Str. "Ibrahim Rugova", Sky Tower, 9/1

Telephone: +355 4 22 90 700

Email: al_pwc_albania@pwc.com

Web: www.pwc.com/al

