



PARLIAMENT

LAW

No. 69/2018

**ON SOME ADDITIONS AND AMENDMENTS TO
THE LAW NO. 10 129, DATED 11.5.2009, "ON CIVIL
STATUS", AS AMENDED**

Pursuant to articles 78, 81, point 1 and 83, points 1 and 2 of the Constitution, upon the proposal of the Council of Ministers and a group of deputies,

PARLIAMENT

OF REPUBLIC OF ALBANIA

DECIDED:

In Law no. 10 129, dated 11.5.2009, "On Civil Status", as amended, the following additions and changes are made:

Article 1

In Article 2, point 7, after the words "are the names" the words "and surnames" are added.

Article 2

In Article 27, point 3 is changed as follows:

"3. Acts of Birth, Marriage and Death for Albanian Citizens, Foreign Citizens and Stateless Persons permanently resident in the territory of the Republic of Albania held by the civil status of foreign states or by our diplomatic representations or consular officers there, shall be forwarded to the respective civil status offices for further proceedings, either by the person concerned or through the ministry responsible for external affairs, in the General Directorate of Civil Status. "

Article 3

In Article 33, point 2 is changed as follows:

"2. The National Register shall be administered by the responsible institution defined by a decision of the Council of Ministers. "



Article 4

In the Article 34 removes the word "municipality".

Article 5

In Article 36, these changes and additions are made:

1. The title of the article is changed as follows: "Completions and corrections in the National Register"
2. After the letter "c" is added a paragraph with this content:
"For the correction as a proven material error of name, surname, father's name, mother's name, the procedure provided for in Article 57/7 and following of this law shall be followed."

Article 6

After Article 38 is added Article 38/1 with the following content:

“Article 38/1

Birth Act Issued Abroad

1. In cases where the act of birth issued in another country has incomplete or inaccurate data, the court shall certify the legal fact of birth for purpose of registration in the civil status offices.
2. The request for verification of the legal fact of birth may be submitted by the subjects provided for in Article 40 of this law.
3. The request shall be examined by the court of the judicial district in which the parent or parents of the child for whom the registration is required.
4. The court who is examining the case for verification of the legal fact of birth shall take a decision within 45 days from the filing date of the request, presenting the interested person to the civil status office.
5. If an appeal is filed against the decision of the court of first instance, the appeals court shall examine the appeal, in the counseling room, within 30 days from the date of filing. "

Article 7

In Article 40 are made the following changes:

1. At point 2, the words "units for the protection of the child" are added after the words "bodies of the local government unit".
2. After point 2 is added point 3 with the following content:
3. "If the declaration of the birth of the child is not performed within 60 days of birth, by the persons defined in point 1, the declaration is made by the subjects provided in point 2 of this article. Detailed rules for the implementation of this provision are defined by a sub-legal act of the Minister responsible for civil status. "



Article 8

The Article 41 is changed as follows:

1. After point 2 is added point 3 with the following content:

"3. For children born out of the territory of the Republic of Albania by Albanian citizens permanently residing in Albania, the birth registration of the child is performed in the civil status of that country. When this is impossible, birth registration may also be completed at the Albanian diplomatic or consular missions in the country where the birth occurred. "

2. The Point 6 is abrogated.

Article 9

After Article 41 is added Article 41/1 with the following content:

“Article 41/1

Reporting and registration of births by special procedure

1. All health, state, public and private entities that have the right to certify birth are obliged to send to the civil status offices where the parents have their place of residence, documentation, / relevant notices. This process is done every Monday, for the preceding week.
The modalities, the type of documentation, the form and the way of communication between these institutions are determined by a joint instruction of the respective ministers covering the aforementioned institutions.
2. For each reported birth, according to point 1 of this Article, the relevant civil status office reflects the birth in the temporary register.
The responsible Minister for civil status defines detailed guidelines for the establishment and administration of the temporary register of reported births.
3. If the registration of the child's birth is not completed within 60 days from the date of birth, the civil servant informs the child protection unit, near the local unit, which undertakes concrete actions for the assessment of the situation and the birth registration in the office civil status.
Detailed rules for the implementation of this provision are defined by a sub-legal act of the responsible Minister for civil status. "

Article 10

In Article 45, after point 3 is added point 3/a with the following content:

"3 / a. When in the act of birth held outside the country the name column is incomplete, its completion is done in accordance with the administrative procedure, determined by a sub-legal act of the responsible Minister for civil status.



Article 11

In Article 46, point 1, the words "administrative unit" are removed.

Article 12

In the Article 52 are made the following changes:

1. In point 1, letter "c" is changed as follows:

“c) when the deadline provided for in point 3 of this Article has expired, and no declaration of death has been made by the subjects specified in letters " a "and" b "of this point, the special mayor of the municipality makes a statement to the office of civil status where the deceased citizen has had his place of residence or temporary residence at the time of his death " .

2. At the end of point 4 is added the sentence with the following content:

"Detailed rules for the implementation of this point shall determine in a joint instruction of the responsible Minister for civil status with the ministers covering the institutions referred to in this point."

3. The point 9 is abrogated.

Article 13

In Article 53, point 1, the second sentence shall be changed as follows:

"The citizen is estimated to have died in fact even in cases where a court decision of the first instance verifies the legal fact of death. The request for verification the legal fact of death is entitled to make the subjects specified in point 1 of Article 52 of this law. " .

Article 14

In Article 56, point 1, the words "in whose jurisdiction the birth occurred" are replaced with the words "having the obligation to hold the birth act".

Article 15

In Article 60, point 1, in the third sentence, the word "administers" is removed.

Article 16

In Article 61, letter "c", the words "administrative unit" are removed.



Article 17

In Article 62 the words "administrative unit" are removed.

Article 18

In Article 63, point 3, the words "administrative unit" are removed.

Article 19

After Article 64, is added Article 64/1 with the following content:

“Article 64/1

The employment relationship of the civil servant of civil status service

The employment relationship of the civil servant of civil status service in the municipality and in the civil registry office at the district prefect is regulated in accordance with the provisions of the Labor Code.

Article 20

In the Article 65 are made the following changes:

1. In the letters "d" and "g", the words "administrative unit" are removed.
2. Letter "c" is abrogated.

Article 21

In Article 68, points 2 and 3, the words "administrative unit" are removed

Article 22

In Article 69 the following additions and changes are made:

1. In letter "a", at the end of the sentence, the words "and provide the civil status service to citizens residing within their territorial jurisdiction" shall be added;
2. The letter "dh" is changed as follows:
"dh) Inform the Mayor, as well as the Civil Registry Offices, by the district prefect, of their activity, upon their request."

Article 23

In Article 70, letter "b" shall be changed as follows:

- "b) Administer the archive of registers and civil status acts of administrative units under the jurisdiction of the Municipality of Tirana".



Article 24

In the Article 74, point 1, are made the following changes:

1. In letter "a", after the words "in Article 52", the number "3" is removed.
2. In letter (b), the words "in Article 41, point 6" shall be replaced by the words "in Article 41/1, point 1, ".

Article 25

Transitional provision

The foreseen fine for violation or non-compliance with the provision specified in letter "ç" of point 1 of article 74 of the law shall be suspended for 6 months from the entry into force of this law.

Article 26

By-laws

The responsible Minister for the civil status is in authority for releasing the sub-legal acts pursuant to articles 9, 10 and 12 of this law, within 3 months of its entry into force.

Article 27

Entry into force

This law comes into force 15 days after its publication in the Official Gazette.

SPEAKER

Gramoz RUÇI

Approved on 11.10.2018