ALBANIAN INSTITUTE of SCIENCE

Addressed to:	The Ministry of Economy and Entrepreneurship Ms. Delina Ibrahimaj, Minister of Economy and Entrepreneurship
From:	AIS – the Albanian Institute of Science, which promotes Open Data Albania
Date:	18.08.2026
Subject:	Proposals submitted by AIS, which promotes Open Data Albania, as part of the public consultation on the draft Law "On the Register of Beneficial Owners"

Dear Madam Minister,
Dear Ministry officials,

AIS, which promotes Open Data Albania, would like to express its appreciation for your work. Having reviewed the draft Law "On the Register of Beneficial Owners", AIS wishes to take part in the public consultation, which closes on 18 August 2026.[1]

As part of the public consultation, AIS proposes several amendments and additions to the draft law. The main proposals are to extend beneficial ownership reporting requirements to additional categories of entities, lower the reporting threshold for certain entities that pose a high risk to the economy and national security, and grant access to the register's data to institutions responsible for verifying assets and preventing conflicts of interest.

We also recommend that the draft law and its accompanying explanatory memorandum clearly identify the laws and subordinate legislation that will need to be reviewed, amended or adapted once the law is adopted. This will help ensure that the new legal framework is implemented fully and consistently.

We recognise the role of civil society organisations and other actors working to promote good governance, strengthen transparency and combat corruption, as well as the role of business organisations. In addition to the online public consultation, we propose holding a roundtable with representatives from both groups. The roundtable would allow for a more in-depth discussion of the practical implications of the proposed changes and help refine the draft law.

AIS has previously contributed to efforts to improve beneficial ownership transparency and strengthen the legal and institutional framework in this area through policy papers[2][3], roundtable discussions[4] and training[5].

Finally, we recommend that the draft law be considered by the parliamentary committees responsible for economic and legal affairs and by the committee responsible for national security. Beneficial ownership rules also play a role in promoting transparency of ownership, preventing undue influence in the economy and protecting sectors of strategic importance to the country.

The following sections set out AIS's proposed amendments and additions to the draft Law "On the Register of Beneficial Owners" in detail and explain the rationale for each proposal.

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[1] https://www.konsultimipublik.gov.al/Konsultime/Detaje/1020
[2] https://ais.al/new/wp-content/uploads/Integrity-control-of-public-contractors-EU-practices-vs-contracting-in-the-Albanian-context.pdf
[3] https://ndiqparate.al/wp-content/uploads/2025/01/Raporti-i-Politikes-Regjistri-i-Pronarit-Perfundimtar.pdf
[4] Policy Paper – Integrity control of public contractors: EU practice and contracting in the Albanian context – Albanian Institute of Science
[5] Transparency with Beneficial Ownership: Issues of Legislation, Practice, and Empowerment of Actors Working for Transparency – Open Data Albania

Proposal No. 1 – Expanding the categories of entities required to declare their beneficial owners
After paragraph 1 of Article 2, entitled **"Scope of Application"**, of the draft law published for consultation, which reads as follows:
"This Law applies to entities required to report to the Register of Beneficial Owners, namely the following legal persons registered in the Republic of Albania:" Add one or more paragraphs as follows:

- Any economic or commercial entity that competes in the Republic of Albania for the award of a public procurement contract or for participation in a public-private partnership procedure;
- Any economic or commercial entity that competes in the Republic of Albania for an award under a privatisation procedure or for a benefit under an economic programme through which it acquires a right in rem over state-owned immovable property, including, inter alia, through long-term land-use agreements;
- Any economic or commercial entity that applies or competes for a benefit under a project or competitive procedure run by a company in which the State holds more than 50% of the shares. This category includes, among others, competitive procedures conducted by the Albanian Investment Corporation (joint-stock company);
- Any economic or commercial entity that acquires, holds or issues shares or equity interests in companies wholly or partly owned by the State;
- Any economic or commercial entity that applies for a national licence in a strategic sector governed by specific legislation, such as energy, banking, commercial seaports, mining or civil airports, if the entity is not registered with the National Business Centre (QKB);
- Any economic or commercial entity that applies for a permit from the National Council for Territory and Water.

Rationale
Put simply**, AIS, a non-governmental organisation, proposes extending beneficial ownership reporting requirements beyond entities that are required or eligible to register in the National Business Register (QKB). This would ensure that entities competing for contracts, licences, privatisation awards or public procurement contracts in the public and state-owned sectors are subject to prior checks.**

The proposed provision seeks **to ensure** ownership transparency and oversight of legal entities that enter into contracts with the State, cooperate with it or receive licences from it, regardless of whether they are registered in the National Business Register.
The proposed provision aims to ensure that ownership structures are **checked in advance** and to safeguard the integrity of strategic sectors and of ownership in the Republic of Albania. It seeks to prevent the misuse of legal entities for money laundering, terrorist financing and the financing of the proliferation of weapons of mass destruction, while **strengthening confidence** in the business environment and public institutions.
The proposed provision also seeks to strengthen the integrity of the financial and economic system by preventing entities on sanctions lists from gaining access to it and guarding against undue influence or interference that could compromise economic activity and decision-making.

Proposal No. 2 – Changing the beneficial ownership reporting threshold
Lower the beneficial ownership reporting threshold from **25% to 10%** for economic and commercial entities operating in specified economic sectors or in high-risk sectors, or, in exceptional cases, require **reporting with no minimum threshold**.
We propose amending Article 3 ("Definitions") by adding a paragraph that sets a beneficial ownership reporting threshold of **10% for direct or indirect holdings in specified entities** and identifies the strategic or high-risk sectors in which that threshold would apply.

Rationale
Albania participates in the Extractive Industries Transparency Initiative **(EITI)**. Countries implementing this standard commit to increasing transparency about the beneficial owners of entities operating in the

extractive sector, including those that hold or apply for licences to prospect for, explore for or extract oil, gas or minerals.
In several countries, the EITI has played an important role in putting **beneficial ownership transparency (BOT)** on the public policy agenda. One standard applied in this context is to disclose the identities of beneficial owners who hold **10% or more** of the ownership or controlling interests.
This standard could also apply to other high-risk sectors or sectors of particular importance to national security and the public interest, such as **ports, airports and national infrastructure**.
The provision should also apply to economic entities that participate in **public-private partnerships (PPPs)** or benefit from programmes funded through the state budget.

Proposal No. 3 – Granting ILDKPKI full access to the Register of Beneficial Owners
Add the **High Inspectorate for the Declaration and Audit of Assets and Conflicts of Interest (ILDKPKI)** to the list of institutions entitled to full access to the documents and data held in the Register of Beneficial Owners.
To this end, we propose adding a provision to Article 3(17) of the draft law.

Rationale
This amendment directly relates to ILDKPKI's powers to verify beneficial ownership data and documentation concerning entities subject to asset declaration and audit, and to identify and verify cases of conflict of interest. Access to beneficial ownership data would enable ILDKPKI to verify more thoroughly the actual ownership and control structures of entities linked to individuals required to declare their assets. This would make asset declaration audits and conflict-of-interest checks more effective.
Implementing this provision would also require the adoption of subordinate legislation setting out **the methodology, procedures and practical arrangements for using beneficial ownership data to conduct checks on persons subject to declaration requirements**.

Thank you for holding this public consultation. We hope you will consider our proposals.

Respectfully,
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