

**ORDER**  
**No. 444, dated 30.9.2019**

**ON THE APPROVAL OF THE CODE OF PROFESSIONAL ETHICS OF THE  
NOTARY**

Pursuant to Article 102, paragraph 4 of the Constitution; Article 7, paragraph 2 of Law no. 8678, dated 14.5.2001, “On the organization and functioning of the Ministry of Justice,” as amended; Article 78, paragraph 4; Article 83, paragraph 3, letter “a” of Law no. 110/2018, “On Notaries”; as well as following proposal Prot. no. 2554, dated 24.7.2019, of the National Chamber of Notaries,

**I HEREBY ORDER:**

1. The approval of the Code of Professional Ethics of the Notary, as per the text of Annex no. 1 attached to this Order and constituting an integral part thereof.
2. The General Regulatory Directorate of Justice Affairs, the notaries, and the National Chamber of Notaries are charged with the follow-up and implementation of this Order.
3. The Archive-Protocol Sector is charged with the notification of this Order.

This Order shall enter into force immediately and shall be published in the Official Gazette.

**MINISTER OF JUSTICE**  
**Etilda Gjonaj (Saliu)**

**CODE OF PROFESSIONAL ETHICS OF THE NOTARY**

The National Chamber of Notaries aims to promote justice and truth through the application of the law and, in the absence of specific legal provisions, shall adapt the principles upon which notarial activity is exercised, without in any case undermining the interests of citizens, placing such interests in the service of the common good.

**CHAPTER I**  
**GENERAL PROVISIONS**

**Article 1**  
**Purpose**

This Code establishes the standards and rules of professional ethics in the exercise of the notarial profession and activity, in the service of the legitimate interests of natural and legal persons; the rules concerning the professional rights and responsibilities of the Notary during the exercise of notarial activities; the rights and obligations of the Notary in relation to clients, colleagues, and the organizational structures of the Chamber, based on the applicable legislation and the principles of the rule of law.

Article 2  
**Legal basis**

This Code is founded upon the Constitution of the Republic of Albania, the Law “On Notaries,” the Statute of the National Chamber of Notaries, legal and sublegal acts in the field of notarial practice, as well as the good customs of the Albanian Notaries. The provisions of this Code uphold, respect, and ensure compliance with the norms governing the notarial profession and activity, as enshrined in the Law “On Notaries” and in the Statute of the National Chamber of Notaries.

Article 3  
**Scope of application**

This Code shall apply throughout the entire territory in which the National Chamber of Notaries exercises its activity and shall be binding upon every notary, deputy notary, and candidate for the notarial profession.

Article 4  
**Status of the notary**

1. The notary is a public official, a jurist, who exercises his/her public function within the framework of an independent profession regulated by law.
2. In the exercise of his/her notarial activity, the notary is subject only to the law and to acts issued pursuant to and for the implementation thereof.

CHAPTER II  
PRINCIPLES AND RESPONSIBILITIES IN THE EXERCISE OF THE PROFESSION

Article 5  
**General principles in the exercise of the profession**

1. The notary shall perform his/her duties in accordance with the Constitution, the laws and the by-laws in force, as well as with the good customs of the Albanian notariat, upholding the highest professional standards.
2. The notary must have high personal and professional integrity, acting with honesty, fairness, diligence, and dedication.
3. The notary shall avoid any inappropriate conduct that is contrary to the law and to this Code, as well as any actions that may damage or cast doubt upon his/her professional and moral standing.
4. In the exercise of his/her competences, the notary shall act objectively, independently, impartially, and with awareness of his/her ethical and professional obligations.
5. The notary shall avoid, in all cases, discrimination on the grounds of race, gender, religious belief, ethnicity, or any other form of discrimination.
6. The notary shall reject corruption, secret agreements, and any other actions that harm the client or that are manifestly detrimental to one of the parties.

7. The notary shall exercise his/her activity with professional responsibility and with the obligation to inform the client of the legal consequences of the notarial act/document being carried out, providing any additional information that may be necessary to ensure the protection of his/her lawful rights and interests, pursuant to Article 63, paragraph 1(a) of the Law “On Notaries.”

8. The notary shall draft notarial acts/documents clearly and precisely, in accordance with the rules prescribed by law and the legal acts adopted by the National Chamber of Notaries.

9. The notary shall reject coercion, dishonest practices, tax evasion, money laundering, terrorism financing, and any other type of criminal activity.

10. In the field of prevention of money laundering, terrorism financing, etc., the notary shall provide his/her cooperation by submitting all necessary information to the competent authorities, in compliance with the laws in force. Such cooperation shall be carried out in accordance with the criteria established by law, as well as in cooperation with the bodies of the Chamber.

#### Article 6

##### **Principle of confidentiality and professional secrecy**

1. The notary, the deputy notary, and the persons working in the notarial office must respect the right to confidentiality of clients and interested parties, based on Article 63, paragraph 1(ë) of the Law “On Notaries.”

2. In the course of carrying out his/her activity, the notary must maintain an impartial attitude and uphold an ethical position regarding the interests of the client/parties, establishing a discipline that ensures their safety and trust.

3. Professional secrecy is not absolute; it is subject to the general interest and the common good, as the notary must disclose the contents of his/her archives only in procedures prescribed by law.

4. The notary must take into consideration the rights or legitimate interests of the client or the parties seeking access to their archives and shall provide information in accordance with the Law “On Notaries” and the applicable by-laws.

#### Article 7

##### **Principle of competition in the practice of the profession**

1. The notary shall adhere to the tariffs established for professional services and shall not engage in competition among colleagues.

2. Acts constituting competition include, but are not limited to, the following:

a) concealing or reducing the monetary value payable by the client, or failure to properly document such value;

b) setting or declaring fees and payments at an amount lower than that established by the competent authorities;

c) irregular or abusive invoicing for services rendered;

d) recording benefits at a lower amount or in a reduced form compared to their actual value, according to the nature of the act, as well as the deliberate omission of certain acts from the notarial register;

e) engaging in solicitations, or using the assistance of others to procure clients, such as:

- active conduct by the notary aimed at inducing third parties, with or without remuneration, to find clients;
- any active or passive act that limits a client's right to choose a notary;
- repeatedly and persistently calling upon a person to carry out notarial services in his/her office;
- advertising one's work and claiming to possess special qualities or professional skills superior to those of colleagues, particularly in relation to the level of competence or the efficiency of one's services.

#### Article 8

#### **Responsibilities in the exercise of the profession**

1. The notary is responsible to the client/parties served. He/she must exercise the necessary professional care in identifying all lawful holders of rights, explaining to them the rights and obligations arising from the notarial act or deed, and advising them regarding the legal consequences in relation to their rights and interests.
2. During the drafting of the notarial act/deed, the notary shall reflect and certify the lawful will of the client/parties; as well as the statements and facts presented by them.
3. The notary shall ensure that the client/parties have understood the content of the notarial act or deed, by carefully reading its contents to them. In cases where the client or party is a foreign national or physically unable to sign, hear, etc., the notary shall act in accordance with the provisions of the Law on Notaries.
4. The notary shall be liable for the failure to register notarial acts and deeds in electronic format through the system established by the Chamber, as stipulated in the Law "On Notaries."
5. The notary must exercise his/her functions correctly and within the substantive and territorial competences defined by the Law "On Notaries."
6. The notary is responsible for the payment of obligations arising from notarial activity, as determined by the National Chamber of Notaries.

### CHAPTER III

### NOTARIAL SERVICE

#### Article 9

#### **Refusal to provide notarial service**

1. In the capacity of a public official, the notary shall refuse to perform notarial acts or actions only in the following cases:
  - a) when the act is contrary to the law or public order;
  - b) when the act does not fall within his/her substantive or territorial competence;
  - c) when it is determined that the documentation submitted by the applicant is incomplete, or its subject matter or content is contrary to the law and the general principles of law;
  - d) when the notary is convinced that the requested notarial act or action is fictitious.

Article 10  
**Notarial Office**

1. The notarial office is organized independently and is under the responsibility of the notary.
2. The notarial office must be open during the hours established in accordance with the rules adopted for this purpose.
3. The office must have the necessary conditions for carrying out notarial activity, in accordance with the relevant instructions.
4. The National Chamber of Notaries is responsible for the overall management of the notarial service and for supervision of notarial offices.

Article 11  
**Appearance of the notary**

The notary shall appear in formal attire, representing the public function he/she exercises.

Article 12  
**Notarial registers**

1. Notarial registers, documents, and archives are administered by the notary and are subject to confidentiality and professional secrecy.
2. The notary shall ensure full access to these documents for the highest authorities of the Chamber, and other institutions authorized by law for inspection or control, without prejudice to the confidentiality and secrecy protocols of the notarial office, the notarial protocol, the archives, as well as the rights and obligations related thereto.

Article 13  
**Technological equipment**

The notary's office shall be equipped with the technological means and materials necessary for carrying out its activities, in accordance with the organization of the Public Notarial Service at the National level.

Article 14  
**Professional qualifications**

1. The notary and deputy notary must possess the necessary legal knowledge to effectively and accurately verify the legality of the acts and documents they draft.
2. The notary and deputy notary must have the appropriate skills for performing advisory functions, interpreting, and applying the law in general, and, more specifically, regarding gender-related matters.
3. The notary is obliged to take care of his/her professional development through participation in continuing professional education and training.

4. The notary is required to undertake continuing professional education for at least 5 days within a calendar year. The notary participates in continuing professional training according to procedures established by the Albanian Notaries Training Center.

#### Article 15 **Notarial activity**

1. Notarial activity is carried out personally and independently by each notary/deputy notary, who is individually responsible.

2. In the exercise of his/her activity, the notary is subject to inspections and controls conducted by the Chamber's authorities or by the Ministry of Justice, in accordance with the provisions of the Law "On Notaries" and the Chamber's Statute.

#### Article 16 **Membership**

1. The notary and deputy notary are mandatory members of the National Chamber of Notaries.

2. The notary may also be a member of professional associations in the field of notarial practice.

### CHAPTER IV RESPONSIBILITIES, RELATIONSHIP WITH COLLEAGUES AND INSTITUTIONAL COOPERATION

#### Article 17 **Notary's responsibilities towards the National Chamber of Notaries**

1. The notary has the obligation to actively participate in all activities of the Chamber and to fulfill the tasks assigned, utilizing the necessary means to complete these duties efficiently.

2. The notary must adapt his/her professional conduct to the rules of the Chamber, providing cooperation.

3. The notary and deputy notary are responsible for non-payment of the annual fee or other obligations arising from membership.

4. The notary must attend all meetings of the General Assembly.

#### Article 18 **Responsibilities of members of the Chamber's Governing Bodies**

1. A notary elected to perform duties as part of the organs of the National Chamber undertakes to:

- a) perform his/her functions with dedication and commitment;
- b) carry out functions impartially and respecting confidentiality rules;
- c) disclose to other members of the governing body any conflict of interest and, in such cases, refrain from participating in the matter;
- d) participate in the meetings of the governing body;

- e) promote and encourage collegiality among notaries;
- f) engage other notaries, who are not part of the governing bodies, if he/she considers that they can contribute with their expertise to the development and improvement of the notarial profession.

#### Article 19

##### **Notary's relations with colleagues**

1. In relations with colleagues, the notary shall act in accordance with the principles of justice cooperation and solidarity.
2. A notary's conduct towards his/her colleagues must be ethical, aiming at collaboration, unity, and solidarity, promoting the exchange of support, services, and advice.
3. Conflicts between notaries regarding the exercise of notarial professional activity shall be regulated, as far as possible, by the Chamber. The notary may, whenever necessary, request the intervention of the Chamber.

#### Article 20

##### **Notary's relations with the deputy notary, notary candidate, and assistants**

1. The notary must exercise proper professional supervision over all his/her employees, including deputy notaries, notary candidates, students, assistants, or other personnel for whom he/she is responsible.
2. In relations with them, the notary must provide legal guidance on professional practices and enable them to effectively acquire notarial skills, as stipulated by law and by the employment contract concluded between them. Special attention shall be given to the acquisition of fundamental professional norms and ethical principles, particularly for the deputy notary and the notary candidate.

#### Article 21

##### **Cooperation with the judicial system**

1. The Chamber of Notaries, as the representative body of all notaries in Albania, cooperates with judicial authorities in the fulfillment of its public function and, within the competences determined by law, aims to improve and develop the administration of justice and social peace.
2. The notary, as a practitioner of the law vested with the necessary public authority, cooperates with judicial authorities in the performance of his/her duties and within the competences established by this Code, as well as other legal and sublegal acts, with the objective of enforcing justice and maintaining social peace.

#### Article 22

##### **Cooperation with public institutions, private entities, and other organizations**

1. The notary, without compromising the duty to maintain professional secrecy, cooperates with state institutions and agencies for delegated functions and within the framework of official relations related to his/her scope of authority.



2. The notary cooperates with other public and private institutions and agencies when this is part of the exercise of public authority, in accordance with the duties related to his/her function, ensuring that the entities he/she cooperates with also comply with these obligations.

3. The notary shall demonstrate professional ethical conduct during communications with public or private institutions or their representatives.

## CHAPTER V VIOLATIONS AND DISCIPLINARY MEASURES

### Article 23

#### **Violations and disciplinary measures**

1. According to the provisions of this Code, deontological violations specified herein are classified as either serious or minor.

2. Disciplinary measures for violations of this Code include: suspension from performing duties, fines, written warnings, and other measures.

3. This Code regulates and sanctions deontological violations within the notarial profession without prejudice to sanctions for violations of substantive rules or rules of another nature (civil, criminal, administrative) committed by the notary.

### Article 24

#### **Serious violations**

1. The following constitute serious violations, subject to temporary suspension from performing duties, fines, or written warnings:

- a) exercising notarial activity outside the territorial or substantive competence of the notary, in accordance with Article 8.5 of this Code;
- b) violation of confidentiality or professional secrecy, in accordance with Article 6 of this Code;
- c) failure to register notarial acts and deeds in electronic format through the system established by the Chamber, as required by the Law “On Notaries” and Article 8, paragraph 4 of this Code;
- d) failure to respect the duty to refuse service in cases provided in Article 9 of this Code;
- e) failure to comply with the principle of competition in the exercise of the profession, as provided in Article 7 of this Code.

### Article 25

#### **Minor violations**

The following constitute minor violations, subject to fines, the obligation to undertake training on professional ethics, or the obligation to complete continuing professional education:

- a) unethical conduct of a notary towards other notaries, in accordance with Article 19 of this Code;
- b) unethical conduct of a notary towards public or private institutions, in accordance with Article 22 of this Code;



c) failure to fulfill obligations regarding continuing professional education, in accordance with the Law “On Notaries” and Article 14, paragraph 4 of this Code;

d) failure to attend meetings of the General Assembly without justified reason, in accordance with Article 17/4 of this Code.

#### Article 26

##### **Procedures**

Disciplinary measures provided for in Articles 24 and 25, as well as any other disciplinary measure related to compliance with this Code, are imposed by the Minister of Justice or by the Disciplinary Board, in accordance with the rules established in the Law “On Notaries,” the Statute of the National Chamber of Notaries, and the relevant Disciplinary Board Regulations.

#### CHAPTER VI

##### FINAL PROVISIONS

#### Article 27

##### **Amendments**

This Code is drafted and amended in accordance with the Law “On Notaries,” the Statute of the National Chamber of Notaries, and the European standards of the European Code of Ethics for Notaries.

#### Article 28

##### **Repeals**

Upon the entry into force of this Code, the Code of Ethics for Notaries, approved by the Assembly of the National Chamber of Notaries, is repealed.

#### Article 29

##### **Entry into force**

The Code enters into force immediately after its approval by the Minister of Justice and is published in the Official Gazette.

The Code is published on the official website of the National Chamber of Notaries.

## CERTIFIED TRANSLATOR'S DECLARATION

Date: 18\_\_\_.08\_\_\_.2025\_\_\_\_\_

I, \_\_\_\_\_ANIDA RAMA\_\_\_\_\_, certified/accredited translator for the ENGLISH\_\_ language, duly certified by the Ministry of Justice under No. 99\_ dated 31.07.2024 and registered in the Electronic Register of Certified Translators under No. 99\_\_\_\_, hereby declare that I have translated: Order no. 444, dated 30.9.2019 "On the approval of the code of professional ethics of the notary", from the source language \_\_\_ALBANIAN\_\_\_\_\_ into ENGLISH\_\_\_\_, accurately, with due diligence, and with full legal responsibility, faithfully preserving the meaning and content of the original text.

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