

**INSTRUCTION**

No. 7, dated 04.05.2022

**ON THE STIPULATION OF DETAILED RULES FOR THE RECOGNITION OF THE RIGHT TO PRACTICE THE PROFESSION INDEPENDENTLY BY A FOREIGN IMMOVABLE PROPERTY INTERMEDIARY, AS WELL AS FOR THEIR COOPERATION WITH IMMOVABLE PROPERTY INTERMEDIATION OFFICES**

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; and Article 11, paragraph 4, of Law no. 9/2022, "On the Profession of Immovable Property Intermediary,"

**I INSTRUCT:**

1. The stipulation of detailed rules for the recognition of the right to practice the profession independently by a foreign immovable property intermediary, as well as for their cooperation with immovable property intermediation offices.

2. Any Albanian or foreign national who holds a license as an immovable property intermediary in a Member State of the European Union, in accordance with the rules of that Member State, and who has regularly practiced the profession within the territory of the Republic of Albania for a period of not less than six months prior to the entry into force of this act, or who has a cooperation agreement with an immovable property intermediation office, may apply to the Minister of Justice for the right to practice independently the profession of immovable property intermediary in the Republic of Albania.

3. Applicants interested in the recognition of the right to practice the profession independently shall submit a request to the Ministry of Justice, either by postal service or in person, accompanied by the following documents:

a) a statement of interest accompanied by a copy of the identification document and 2 photographs;

b) family certificate;

c) a certified copy of the permit, license, or act issued by the competent authority, which, under the legislation of the country of origin, grants the right to exercise the activity of immovable property intermediation;

ç) a copy of the cooperation agreement with an immovable property intermediation office in the Republic of Albania;

d) a certificate issued by the General Directorate of Taxes attesting that the foreign intermediary has practiced the profession with an immovable property intermediation office for at least 6 months;

dh) a certified copy of a higher secondary education diploma issued by an accredited educational institution in the Republic of Albania, or a diploma issued by a foreign educational institution, recognized and certified by the ministry responsible for education;

e) a document proving proficiency in the Albanian language, issued by the competent authorities under the applicable legislation, for the foreign national;

ë) a certificate from the Prosecution Office stating that the applicant is not under investigation for criminal offences related to money laundering, financing of terrorism, or weapons of mass destruction.

f) a certificate issued by the court attesting that the applicant is not under trial for criminal offences related to money laundering, financing of terrorism, or weapons of mass destruction;

g) self-declaration of the criminal record status of the applicant and of persons related to him/her;

gj) self-declaration confirming that the applicant has not been subjected to an administrative fine or to an administrative measure obliging the subject to cease a specific conduct, work practice, or business activity, and to refrain from repeating it in the future, for violations of the legislation in force on the prevention of money laundering, at least not within six months prior to the date of submission of the application.

4. The request submitted pursuant to point 3 of this Instruction shall be reviewed by the structure responsible for the monitoring of liberal professions within the Ministry of Justice within 45 days from the date of submission.

5. If the request has not been submitted in accordance with point 3 of this Instruction, the responsible structure shall require the applicant to remedy the deficiencies within 10 days from the date of notification.

6. Where the applicant fails to remedy the deficiencies within the time limit set forth in point 5 of this Instruction, and such deficiencies cannot be remedied by the responsible structure itself, the request shall be deemed not to have been registered and shall be returned to the applicant together with the accompanying documents.

7. The right of a foreign intermediary to practice the profession independently may be refused if there is reason to suspect that persons related to them have been convicted by a final decision for criminal offences related to money laundering, financing of terrorism, or weapons of mass destruction.

8. In the case referred to in point 7 of this Instruction, the Minister may request information, documents, facts, or other means of evidence regarding the involvement of the applicant as an intermediary in the illegal activities of a related person, from any public authority, natural person, or legal entity that possesses relevant data for the purposes of verification.

9. The Minister shall order the refusal of the request when it is established, based on a detailed assessment of the reports submitted by the competent institutions pursuant to point 8 of this Instruction, as well as on the overall result of the administrative investigation, that the applicant for intermediary or persons related to them are involved in illegal activities, regardless of whether the applicant for intermediary is not under investigation for the commission of a criminal offence.

10. Registration shall be suspended until the issuance of a final court decision if, at the time of submitting the request, the applicant is suspected of, under investigation for, or on trial for any of the criminal offences related to money laundering, financing of terrorism, or weapons of mass destruction.

11. Upon completion of the verification process regarding the fulfillment of the criteria, the applicant shall be notified of the decision on whether the legal criteria have been met.

12. Where the applicant meets the criteria, the Minister shall order their registration in the Register of Immovable Property Intermediaries.

13. The foreign intermediary shall cooperate with immovable property intermediation offices through the exchange of information necessary for the practice of the profession, including the conduct of immovable property market studies, analyses of property market

prices in a specific area, as well as assessments of the fluctuations of these prices over certain periods, always ensuring the confidentiality of clients' personal data.

14. The structure responsible for monitoring liberal professions within the Ministry of Justice is responsible for the implementation of this Instruction.

15. The Archive-Protocol Sector is assigned to take measures for submitting the notification for this Instruction.

This Instruction shall enter into force upon its publication in the Official Journal.

**MINISTER OF JUSTICE**

Ulsi Manja

I, Alma Vladi, a sworn translator of English, certified by the Ministry of Justice under Certificate No. 95, dated 31st July 2024, do hereby solemnly declare to have translated the submitted document, from Albanian into English with utmost accuracy, diligence and legal responsibility.

15 September 2025