

Muja Law brings you the latest *Legal Update* regarding the measures taken in Albania to control the spread of COVID-19 infection.

Recently in the Official Journal No.72, dated 23.04.2020, among other legal acts, was published Law No.35/2020 “On some amendments to Law No.7895, dated 27.01.1995 ‘Criminal Code of the Republic of Albania’”, as amended (herein referred to as the “*Law No.35/2020*”).

Some of the most important provisions of Law No.35/2020 are as follows:

Article 130/a “*Domestic violence*” of the Criminal Code is amended as follows:

Beating, as well as any other act of physical, psychological violence against the spouse, ex-spouse, cohabitant or ex-cohabitant, close gender (predecessor, successor, siblings, uncle, aunt, grandchild, granddaughter, siblings’ children), close relatives (father-in-law, mother-in-law, son-in-law, daughter-in-law, sister-in-law or brother-in-law, stepfather, stepmother), or another person that is in an intimate relationship or relationship with the perpetrator, resulting in violation of his physical, psycho-social and economic integrity is punishable by up to three years in prison.

Serious threat of murder or grievous bodily harm to the spouse, ex-spouse, cohabitant or ex-cohabitant, close gender (predecessor,

successor, siblings, uncle, aunt, grandchild, granddaughter, siblings’ children), close relatives (father-in-law, mother-in-law, son-in-law, daughter-in-law, sister-in-law or brother-in-law, stepfather, stepmother), or another person that is in an intimate relationship or relationship with the perpetrator, resulting in violation of his mental integrity is punishable by imprisonment of up to four years.

Intentionally inflicted injury on the spouse, ex-spouse, cohabitant or ex-cohabitant, close gender (predecessor, successor, siblings, uncle, aunt, grandchild, granddaughter, siblings’ children), close relatives (father-in-law, mother-in-law, son-in-law, daughter-in-law, sister-in-law or brother-in-law, stepfather, stepmother), or another person that is in a relationship or former intimate relationship with the perpetrator, which has caused temporary incapacity for work more than

nine days, is sentenced to imprisonment of up to five years.

The same offenses, committed repeatedly, or in the presence of children, are punishable by one to five years in prison.



After article 242 of the Criminal Code is added article 242/a “*Failure to implement the measures of the state authorities during the state of emergency or during the state of the epidemic*” with the following provision:

Failure to comply or performing actions contrary to legal or sub-legal acts issued by state authorities, in function of the epidemic state or the implementation of extraordinary measures, by the person against whom an administrative measure has been previously given, constitutes a criminal offense and is punishable with a fine or imprisonment of up to six months.

The same act, when committed in the exercise of commercial activity, endangering the health of people, is punishable by a fine or imprisonment of up to two years.

Failure to comply with the order given by the competent authorities for quarantine or isolation, or violation of the rules of quarantine or isolation by the person carrying or not of the infectious disease, to whom this obligation has been notified by the relevant state authorities, is punishable by imprisonment from two to three years.

After article 89/a of the Criminal Code is added article 89/b “*The spread of infectious diseases*”, with the following provision:

Deliberate spread of infectious disease with a high risk to health, through actions or omissions by the person diagnosed as the carrier of the disease or by the person who intends to spread it, is punishable by imprisonment of two to five years.

When this offense is committed through negligence, it is punishable by a fine or up to two years in prison.

This same act, when it has caused serious consequences for the people’s health or life, is punishable by three to eight years in prison.

Entry into force

Law No.35/2020 enters into force 15 days after its publication in the Official Journal.



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Muja Law is a family-run law office where we work hard for the success of our clients and to provide excellence in legal service. Our roots go back to 2001 when our Managing Partner, Krenare Muja (Sheqeraku), opened her law practice office in Tirana, Albania. Krenare’s son Eno joined her in 2014, and the other son Adi entered the practice in 2019. What started in Tirana as a small, family-run law office has grown and flourished in the community for the last 20 years. The office consists of various respected and talented lawyers who possess outstanding educational and community service backgrounds and have a wealth of experience in representing a diverse client base in various areas of the law.

The office is full-service and advises clients on all areas of civil, commercial and administrative law. With significant industry expertise, we strive to provide our clients with practical business driven advice that is clear and straight to the point, constantly up to date, not only with the frequent legislative changes in Albania, but also the developments of international legal practice and domestic case law. The office delivers services to clients in major industries, banks and financial institutions, as well as to companies engaged in insurance, construction, energy and utilities, entertainment and media, mining, oil and gas, professional services, real estate, technology, telecommunications, tourism, transport, infrastructure and consumer goods. In our law office, we also like to help our clients with mediation services, as an alternative dispute resolution method to their problems.

While we have grown over the past 20 years and become recognized as one of Albania’s leading law offices, we are grounded in the essence of “who” we are and “where” we started. We understand the importance of family, hard-work, and dedication.

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