



Muja Law brings you the latest issue of the *Legal Update* regarding the measures taken in Albania to prevent further spread of COVID-19 virus.

Recently in the Official Journal No.181, dated 14.10.2020, among other legal acts has been published Order of the Ministry of Health and Social Protection No. 564, dated 09.10.2020 “*On an amendment to Order No. 351, dated 29.05.2020 "On special measures and restrictions to prevent the spread of COVID-19", as amended*”, (hereinafter referred to as “*Order No.564*”).

Also, in the Official Journal No.182, dated 14.10.2020 has been published the Normative Act of the Council of Ministers No.32, dated 12.10.2020 “*On an amendment to the Normative Act No.3, dated 15.03.2020, of the Council of Ministers, "On special administrative measures during the period of infection caused by COVID-19", as amended*”, (hereinafter referred to as “*Normative Act No.32*”).

Furthermore, the Public Health Institute has approved the guide No.1163/1 Prot., dated 13.10.2020, giving detailed explanations on the mandatory use of masks in outdoor environments (hereinafter referred to as “*the Guide*”).

Some of the most important aspects of the above legal acts are as follows:

Order No.564

Order No.564 provides the reopening of cinemas in the territory of the Republic of Albania.

In virtue of Order No.564, the activity of cinemas should be provided in accordance with the protocols approved by the Institute

of Public Health for the prevention of the spread of COVID-19 infection.

Entry into force

This order has entered into force immediately.

Normative Act No.32

Normative Act No.32 provides that the protective barrier (*mask*) is *mandatory to be used outside by any individual*.

Individuals who are excluded from this provision are defined in the instruction of the Public Health Institute.

Failure to use the protective barrier (mask) by individuals outside is punishable by a fine of 3,000 (three thousand) ALL and, in case of repetition, 5,000 (five thousand) ALL.



The Normative Act No.32, provides that the State Police and the Municipal Police have the right to impose an administrative measure for not using the protective barrier (mask), according to the fine model approved by them. The execution of the administrative measure will be carried out through the Electricity Distribution Operator, becoming part of the *electricity bills*.

The manner of execution of the administrative measure through the Electricity Distribution Operator shall be determined by a joint instruction of the minister responsible for energy, the minister responsible for finance and the minister responsible for health.

Entry into force

Normative Act No.32, has entered into force immediately and has started its effects from 15.10.2020.

The Guide

The Guide sets out the general criteria, rules and exceptions for the use of protective barriers (masks) outdoors, in order to reduce the potential spread of COVID-19.

The Guide provides that the mask helps reduce the spread of the infection in the community by minimizing its transmission by infected individuals. Therefore, the use of face masks in the community can serve as a tool for controlling the source of infection.

In virtue of the Guide, the use of a protective barrier (mask) should be considered only as a complementary measure and not as a replacement for the prescribed preventive measures and it should be implemented together with the physical distance of 1.5-2 meters and hand hygiene.

Correct use of the protective barrier (mask)

The principles of correct use of masks are:

- a. The face mask should completely cover the nose, mouth and chin;
- b. Wash hands with soap and water or alcohol-based hand sanitizer before applying and removing masks;
- c. The mask should not be touched when applied;
- d. The mask should be removed from behind, avoiding touching its front by folding the outer corners together;
- e. The surgical mask is thrown in the waste bin after removal;
- f. Wash your hands or use disinfectant immediately after removing the mask;

- g. Non-medical textile mask, reusable after removal should be washed after each use, using ordinary detergent at 60°C;
- h. The non-medical textile mask after being removed is placed in a bag until it is washed.

When the mask should be worn

The Guide provides that COVID-19 spreads mainly among people who are in close contact with each other (*within 1.5-2 meters*). Therefore, protective barriers (masks) should always be with each person.

The Guide provides that the use of a protective barrier (mask) outside the house is recommended in principle in the following cases:

- a. Each time the person leaves the house;
- b. For children over the age of 11;
- c. All day during all activity outside the house;
- d. In any shop, supermarket or commercial activity;
- e. In all means of public and non-public transport when there are persons other than the driver in them;
- f. Even while walking on the street;
- g. During the stay in all public open places such as a park or square;
- h. During all office work activity, all public and non-public institutions, theater, cinema, museum, library, etc.;
- i. Entrance and exit from the house as well as elevators;
- j. Before and after food consumption in bars and restaurants;
- k. On the motorcycle when picking up another person not family members;
- l. When caring at home for a family member with COVID-19;
- m. In all religious institutions;

- n. From persons who have passed SARS COV-2 to protect themselves from other respiratory infectious agents;
- o. In educational and health care institutions according to previous recommendations.

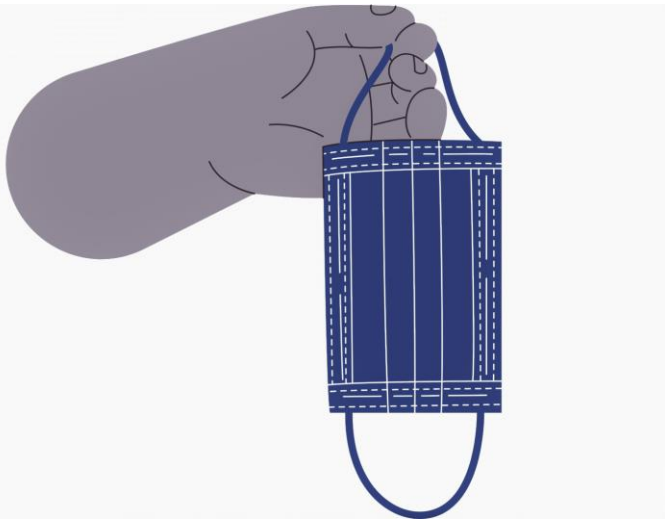


Modifications for using the protective barrier mask

In virtue of the Guide, the placement of the protective barrier (mask) may not be possible in every situation. Therefore, the Guide provides that the subject may remove the mask or modify its use in the following scenarios:

- a. If required for personal identification purposes by relevant police officers, bank, post office, court, etc.;
- b. When eating or consuming beverages, but at the entrance and exit of bars and restaurants the mask should be put on;
- c. During the process of dental manipulations, but at the entrance and exit of the clinic the mask must be placed;
- d. From the persons who hold/lead the prayer/service/religious ceremony;
- e. From persons with hearing and speech loss or for persons during communication with them, if they do not

- have the opportunity to use special masks (transparent);
- f. If required by staff of relevant shops or markets for age identification, including the purchase of age-restricted products, such as tobacco and alcohol;
- g. From workers working outdoors, during the work process when a physical distance of not less than 1.5 m is provided;
- h. From the guests in the TV shows provided that the distance is not less than 1.5 meters.



Exclusive cases of using the protective barrier (mask)

The Guide provides that wearing a mask may not be possible in every situation, so the following exceptional situations are foreseen:

- a. In all cases when the use of the mask harms the health according to the recommendation of the family doctor. *Persons who do not wear a mask due to age, health or disability will be required to have health documentation verifying their respective status or certification;*
- b. From persons with diseases that make them incapable of using the mask. *Persons who do not wear a mask due to age, health or disability will be required to have health documentation verifying their respective status or certification;*
- c. During the exercise of sports activities;
- d. From persons who move alone by bicycle, motorbike or kick scooter;
- e. When only the driver of the vehicle or persons related to him are in the car;
- f. In activities that can cause mask wetting, e.g. while bathing in the pool, lake or sea;
- g. At home with close family members.

The Guide provides that these guidelines will be re-evaluated on the basis of COVID-19 morbidity and epidemiological status data.

Furthermore, the Guide provides that previous non-conflicting guidelines on the use of masks remain in force.



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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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