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Committee on Safeguards

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NOTIFICATION OF LAWS, REGULATIONS AND ADMINISTRATIVE PROCEDURES RELATING TO SAFEGUARD MEASURES

ALBANIA

Revision

The following communication, dated 25 April 2008, is being circulated at the request of the Delegation of Albania.

In the light of technical adjustments made in the English translation, Albania hereby notifies the revised version of the Law Nr. 9790 dated 19.07.2007.

**REPUBLIC OF ALBANIA
PARLIAMENT**

L A W

No. 9790, dated 19.7.2007

ON SAFEGUARD MEASURES ON IMPORTS

Pursuant to Articles 78 and 83, point 1 of the Constitution, upon the proposal of Council of Ministers,

PARLIAMENT

OF REPUBLIC OF ALBANIA

DECIDED

**CHAPTER I
GENERAL PROVISIONS**

Article 1

Aim

This law provides for the principles and procedures for taking the safeguard measures, if a product is imported in increased quantities, causing or threatening to cause serious injury to the domestic producer of the like products or directly competitive products, as well as the principles and procedures to remedy the serious injury or threat of serious injury, provided that these measures be provisional and limited, in accordance with the extent of serious injury or threat of serious injury and with the international obligations and interests of our country.

Article 2

Definitions

In this law, the following terms have these meanings:

- a) "serious Injury" is the general injury or the threat to injury, which is caused to the domestic industry, or detain the establishment of the domestic industry;
- b) "Ministry" is the ministry covering the field of trade;
- c) "Investigation" is the examination to establish the existence, extent, effect of imports of products in increased quantities and, under these circumstances, causing injury or threatening for serious injury the domestic producers of like products or competitive products directly;
- ç) "Albanian industry" refers to the Albanian producers as a whole of the like products or to those of them, whose collective product constitutes the major proportion of the total domestic production of those products;
- d) "Commission for evaluating the measures on imports", which hereinafter shall be called as the commission, is the state collegial authority, examining the antidumping measures, countervailing measures, as well as the safeguard measures for imports, in line with this law;

- dh) "Safeguard measure" is the measure to applied on the increased imports, in value or quantity, for a certain period;
- e) "Interested party" means:
 - i) foreign exporters or producers of the product under investigation;
 - ii) importers of product under investigation;
 - iii) business or commercial associations, the majority of the members of which are producers, exporters or importers of the product under investigation;
 - iv) governments of exporting countries;
 - v) domestic producers of like product;
 - vi) business or commerce associations, the majority of the members of which produce the domestic like product.
- ë) "Product under investigation" is the product subject to investigation for safeguard measure;
- f) "Like product" is a product which is identical, with the product in question or, at absence of such a product, another product which, even if not identical, has very similar characteristics to those of the product in question;
- g) "Country" is every state or customs territory, being member or not of World Trade Organisation.

CHAPTER II INVESTIGATION AUTHORITIES

Article 3

The ministry covering the commerce is the institution responsible for the implementation of the provisions of this law, for the regulatory instruments in the international commerce.

Article 4

Commission for evaluating the measures on imports

1. For the examination of antidumping and countervailing measures, as well as safeguard measures for imports in accordance with this law, there shall be set up the state collegial authority, the commission for evaluating the measures on imports.

2. This commission shall be presided over by the Minister covering the issues of commerce and shall be composed of seven members, experts of institutions, bearing connection to the field being regulated by this law. The commission members are representatives from:

- a) Ministry of Economy, Trade and Energy;
- b) Ministry of Finances;
- c) Ministry of Agriculture, Food and Consumer's Protection;
- ç) Ministry of Foreign Affairs;
- d) Commerce and Industry Chamber;
- dh) Customs General Directorate;
- e) Structure covering the field regulated by this law, responsible ministry, at director's level.

3. Commission members shall be appointed and dismissed by Council of Ministers for a 5 year period, without the right of re-appointment. Council of Ministers is entitled to replace the commission member/members at any time.

4. The mandate of the representative/representatives of the ministry is unlimited in time.
5. Council of Ministers, upon the proposal of the commission for the evaluation of the measures in imports, approves the regulation of functioning of this commission.

Article 5

Functions of the Commission

1. The commission functions as a collegial and decision making body, in accordance with the Law No 8480, dated 27.5.1999 "On functioning of collegial bodies of state administration and public entities".
2. The commission shall assemble, any time that the ministry requires decision on the requests submitted by it, provided for in this law.
3. The commission is chaired by the chairman and, at his absence, by the member having the highest hierarchical position.
4. Council of Ministers determines the rewards for the members for participating in the commission for evaluating the measures on imports. The financial effects for the commission members shall be covered by the institutions represented in this commission.

Article 6

Powers of commission

The commission has the following powers:

- a) approves or refuses the request submitted by the interested entities for the initiation of investigation, extension of the investigation period or its suspension, in the event of withdrawal of application during investigation;
- b) conducts hearings with interested parties, prior to taking the final investigation decision;
- c) decides, at the end of investigation, on taking or not the final measures;
- ç) decides on taking or not provisional measures;
- d) decides on the extension of the period of implementing the provisional measures and of final measures;
- dh) takes other decisions, in accordance with the provisions of this law;
- e) issues instructions in accordance with this law;
- ë) drafts rules of application and procedures of safeguard measures;
- f) resolves the conflicts between the different entities and the ministry.

CHAPTER III EVALUATION OF INJURY, THREAT TO INJURY AND CASUAL LINK

Article 7

Determination and evaluation of injury

In the course of examination of the development of imports and conditions under which they are carried out, as well as of the injury or the threat to serious injury of the domestic products due to these imports, there shall be evaluated the following factors:

- a) volume of imports, specifically whether it has undergone considerable increases in absolute or relative terms to the domestic production or consumption;
- b) price of imports, whether there has been or not any considerable price reduction, in absolute or relative terms, compared to the price of a like product in the Republic of Albania;
- c) impact on imports on the domestic producers producing like or competitive products, directly, as it is indicated through some economic factors, as: production, productiveness, utilisation of capacity, situations, sales, market share, prices, profits/losses, return of own capital, cash influx and level of employment.
- ç) other factors, which are causing or have caused injury to the domestic industry.

Article 8

Determination and evaluation of the threat to injury

Where a threat to injury is being claimed, the ministry considers even the possibility of transfer from the threat of injury to actual injury. In such cases, in addition to the factors determined in Article 7 of this law, the following factors are evaluated:

- a) the rate of increase of the exports to Republic of Albania;
- b) export capacity in the export country and/or country of origin, as it is or as it can be foreseen to happen in a near future and the possibility for this capacity to be used for export in the Republic of Albania.

Article 9

Casual link

1. The commission shall, following the examination of the pertinent data for the factors foreseen in Articles 7 and 8 of this law, establish that there is a casual link between the increased imports and the conditions under which they are carried out and the injury or threat to serious injury of the domestic producers.

2. The commission shall, in addition to the increased imports, examine even other factors, which, simultaneously, harm the Albanian industry and the injuries caused by them should not be attributed to the increased imports.

Among other factors, which can bring about injury or threat to injury are:

- a) volume and prices of export in normal quantities of a specific product;
- b) reduction of the demand for the product or changes of consumption models;
- c) practices, restricting commerce and competition between the domestic and foreign producers;
- ç) technological developments;
- d) exports carried out and the productivity of the domestic industry.

CHAPTER IV INVESTIGATION PROCESS

Article 10

Conditions of Application and the forms fulfilment

1. The application procedure for initiation of the investigation for applying safeguard measures starts after the submission in writing of the application by/or on behalf of the Albanian producers constituting the major proportion of the domestic industry, where it is claimed that a product has been

imported in increased quantities and under such conditions causing or threatening to cause serious injury to the domestic producers, producing like or directly competitive products.

2. The application is considered to have been made by/or on behalf of the domestic industry, only if:

- a) it is supported by Albanian producers, the joint product of which consists more than 50 per cent of the total production of the like product, regardless whether they express themselves in favour or against the application;
- b) Albanian producers, expressing themselves in favour of the application, consist not less than 25 per cent of the total product of the like product of Albanian industry.

3. In separate cases, the ministry starts with the investigation process, upon its own initiative and upon the approval of the commission, even if it does not receive an application in writing from/or on behalf of the domestic industry.

4. For applications there are used forms, which are approved by the commission and ensured with the ministry containing the following data:

- a) name, residing place, address of applicant or his authorised representative;
- b) main activity;
- c) volume and value of domestic production for the like or competitive product, directly to the imported product;
- ç) description in terms of volume and value of import, share of production market of applicant to the Albanian total production;
- d) description of imported product, specifications about his quality compared to the product of Albanian origin and details on other distinguishing characteristics, imported volume and value, according to the adjusted unit and fee classification;
- dh) country of origin of product and data on the exporter and/or importer;
- e) competitive position of the like product, produced by the Albanian producers in the domestic market;
- ë) facts on the existence of the injury or threat to injury for the 3 last years, submitting data on the domestic production, productiveness, exploitation of capacity, situations, sales, market share, its prices for this period;
- f) facts indicating that the only and main cause of the injury or threat to injury to the Albanian production, like or competitive product, directly, is the considerable increase of imports;
- g) reasons why the application of a safeguard measure, in the concrete case, is in the interest of Republic of Albania;
- gj) program for adjusting the domestic industry to the competition of the imports, in the events of applying a safeguard measure.

The ministry shall, if it deems necessary, request additional documents and data in every phase of procedure for initiating the investigation.

5. Every application may, in accordance with the provisions of this article, be withdrawn prior to the initiation of investigation and, in this case, it shall be deemed as not having been filed.

Article 11 **Surveillance**

1. An imported product shall be subject to the preliminary examination, in accordance with the provisions of this Article, if:

- a) development of imports of a product originating from a third country threatens to cause injury to the Albanian producers of a like product;
- b) there has been filed a written request for application, in accordance with the conditions contained in Article 10 of this law;
- c) this does not run counter to the interests of the Republic of Albania.

2. The commission shall, upon the request of the ministry, decide on taking the surveillance measure, for a certain time period, not more than 9 months.

3. The products, subject to preliminary examination, shall be released to free circulation only accompanied with an import document. This document shall be signed by the commission, free of charge, for every required quantity, within a time period of 5 working days from taking the statement of an importer, regardless of the country where it carries out its activity.

4. The import document and the statement of importer shall be done in accordance with the form displayed in the model. The import document for the surveillance shall contain the following data:

- a) name and full address of applicant;
- b) registration number;
- c) name and address of declarer;
- ç) address of commission;
- d) latest validity date;
- dh) country of origin of goods;
- e) import date;
- ë) description of product, labels and numbers, number and type of packaging;
- f) code of product;
- g) gross weight and net weight of the product and other additional units;
- gj) additional data;
- h) statement of importer about preciseness of application data;
- i) seal of commission.

The original copy of import document shall be provided to the applicant and a copy shall be retained by the commission.

5. The products shall continue to be released to free circulation for as long as the unit price of the product, with which there has been made the transaction, exceeds that indicated in the import document for less than 5 per cent, or the total value of the quantity of products submitted for import exceeds the value or the quantity in the import document with less than 5 per cent. The commission, considering the nature of the products and other characteristics of the transactions in question, upon the request of the interested party, decides another different percentage, which should not exceed 10 per cent.

6. The import document is used as long as the measures for the surveillance of the imported products are in place. This import document shall not be used in any case after the expiry of the time period, determined in the point 2 of Article 11 of this law.

7. After taking the decision in accordance with points 1 and 2 of this Article, the origin of the product, subject to supervision, is established by a certificate of origin.

Article 12

Decision on initiation of investigation

1. The decision for the initiation of investigation shall be made by the commission. The Ministry shall, after examining the preciseness and sufficiency of the data contained in application and additional required information, forward them to the commission for evaluation. During this evaluation, the commission shall take into account:

- a) level and conditions of imports, development of import of the product in question and factors connected to the economic conditions of the domestic producers;
- b) measures which can be taken in accordance with the provisions of this law.

2. The Ministry requires the commission to decide on the initiation or not of an investigation on safeguard measures within 30 days from the date of submission in writing of the written application. Where the application includes complex issues or where the ministry has required additional information from the applicant, this time period shall be extended up to 45 days.

Article 13

Notification on initiation of investigation

1. Where the commission decides on the **initiation** of an investigation procedure, the Ministry:

- a) notifies on the **initiation** of investigation of the states, the products of which are subject to investigation and the interested parties having interests, such as exporters, importers and interested representative associations of importers and exporters, as well as the country of origin and/or exporter of petitioner;
- b) makes public notification in the Official Journal and in a newspaper with wide circulation in the Republic of Albania.

2. The public notification and the other notifications contain the following data:

- a) declaration of initiation of investigation procedure;
- b) name of exporting country or countries, or if there is no the country in question, name of country or countries of origin of the product being investigated;
- c) description of the product being investigated, including its technical characteristics, use and present classification number;
- ç) summary of factors on which there is based the claim of injuries;
- d) address that the representations of interested parties have to approach;
- dh) date of initiation of investigation;
- e) determination of the time period for interested parties, during which they can declare their interests for participation in the investigation procedure, providing data in writing, which have to be taken into account in the course of investigation. This time period should not be longer than 30 days, starting from the date of publication in the official journal. The investigation starts on the day the public notification is made.

3. Where the commission decides not to initiate the investigation, its decision shall be notified in writing within 1 month to the applicants through the Ministry.

Article 14
Investigation

1. The interested parties shall be heard by the ministry, as long as they have submitted a written request, within the period foreseen in the public notification, arguing that they can be harmed by the conclusions of the investigation and have specific reasons to be heard.
2. The ministry hears the interested parties, individually or collectively. The oral information given by the interested parties shall be taken into account by the ministry, provided that this information be submitted in writing. The interested parties, which have been informed during the period determined in the public notification, are entitled that, by a written request, consider the available data for the development of investigation, in accordance with the principle of preserving the confidentiality of data.
3. Where the information has not been provided within the time limits determined by the ministry or the investigation has been detained, the ministry comes in the conclusions based on the facts available. Where the ministry finds out that the interested parties have provided false or misleading information, then this information shall not be taken into account.
4. In case the application is withdrawn in the course of the investigation, the commission examines the situation and decides on the termination of investigation, except the case where the continuation of investigation is in the interest of the Republic of Albania.
5. The investigation shall be conducted by the ministry and should end within 180 days. In specific cases this period can be extended by 60 other days and there shall be made a notification in the Official Journal.

Article 15
Collection of Data

1. Upon the initiation of investigation, the commission shall, through the ministry, send questionnaires to every person that according to it, has valid data on the investigation, including the known domestic producers, importers, exporters, foreign producers and government of countries, the products of which are subject to investigation.
2. The commission determines a 30 day time period, within which the exporters, foreign producers and the interested countries, having received the questionnaires have to send their responses. This time period shall be calculated from the day when the questionnaire has been send to the receiver or has been transmitted to the diplomatic representation of the exporting country. The commission takes into account the requests for extending this period by 15 days and approves this extension, based on grounded reasons. The questionnaires shall be written in Albanian and English.
3. During the investigation, the commission can, through the ministry, require additional data from the interested parties, in the form of questionnaires or written requests, explanations or further data. The time period for submission of the additional requests is the same as that provided for in point 2 of this Article.
4. The ministry conducts verification inspections to verify the data submitted by the interested parties. The parties are notified on the data which are verified, but this does not hinder making requests for further details, for the clarification of the provided data.
5. The commission makes its own evaluation on the existence of the increased imports, injury or casual connection, based on the data for the period, for which there have been requested these data.

Article 16

Hearings

1. Upon the written request of each interested party, the commission plans a hearing where all the interested parties submit data and arguments. Hearings are held not later than 30 days prior to the date proposed for making the final decision. According to the request, the commission shall provide the possibility to the interested parties the possibility to meet, where they can express their opposite views and arguments, but the participation in the meeting does not constitute an obligation for none of the parties and failure to participate does not bring about any prejudice for any of the parties.

2. The interested parties willing to attend the hearings shall send in writing to the commission the names of their representatives and witnesses, at least 7 days prior to the date of conducting the hearing.

3. The interested parties have, in the course of meetings with commission members, the right to submit in writing even other data. The commission has to determine by decision an equal time for each of the parties and it has to put into the public file the decision made and the data forwarded by the parties, excluding the confidential information.

Article 17

Closure of investigation

1. At the end of investigation, the ministry submits to the commission a report on the outcome of investigation, where it provides its own proposals.

2. The commission shall, at least 30 days prior to making the final decision, notify in writing the interested parties, in line with the principle of preserving the confidential information on the essential facts under consideration, constituting the grounds for the decision or for imposing the provisional or permanent measures.

3. Upon the closure of investigation there shall be made a final decision, on which the commission makes a public notification. In the notification, there have to be included all the respective data on the facts and reasons which lead to making this decision, with respect to confidential information principle and specifically:

- a) names of exporters and known producers of the product under investigation;
- b) full description of the product under investigation, necessary for customs aims (customs taxes), including the present Albanian fee classification;
- c) quantities of increased imports;
- ç) factors which brought about in the determination of the injury and casual connection, including even the data on these factors, in addition to the increased imports, which have been taken into account;
- d) any other reason, which has lead to the final decision;
- dh) reasons for accepting or refusing the respective arguments or lawsuits, filed by the exporters and importers;
- e) safeguard measures, determined to be established, as well as every other measure in the interest of Republic of Albania.

4. The notification shall be published in the Official Journal and in a wide circulation newspaper in the Republic of Albania and shall be sent to the country, the products of which are subject to this determination, as well as other parties being interested.

**CHAPTER V
ESTABLISHMENT AND IMPLEMENTATION
OF SAFEGUARD MEASURES**

Article 18

Provisional safeguard measures

1. Provisional safeguard measures apply where:
 - a) under critical circumstances, failure to apply them causes injury, the restoration of which would be very difficult;
 - b) based on clear evidence, it is founded that the increasing imports have caused or threaten to cause a serious injury to the domestic producers, manufacturing like or competitive products, directly.
2. The provisional safeguard measures take the form of a tariff increase. In case of repeal of the provisional safeguard measure, due to the failure to establish, during the investigation, the injury or threat to injury, caused to the domestic industry by the increased imports, this tariff increase shall be immediately repaid to the payer.
3. The time period of a provisional safeguard measure shall not exceed 200 days. The duration of a provisional safeguard measure shall be calculated as part of the total period of the implementation of the safeguard measures.

Article 19

Final safeguard measures

1. The final safeguard measures shall be implemented upon the completion of the investigation, abiding by the interests of the country, where a product has been imported to such increased quantities and under such circumstances that it causes or threatens to cause serious injury to the domestic producers, producing like or competitive products, directly. Where the establishment of a final safeguard measure is determined, there shall be taken into account:
 - a) short and long term, social and economic costs, as a consequence of the implementation of the measure;
 - b) cost for non-implementation of the measure;
 - c) impact of the safeguard measure with the consumers and on the competition of the domestic market.
2. The final safeguard measure shall be implemented for the necessary time period to prevent or regulate the injury caused to the Albanian industry and to facilitate its adjustment to the market. The safeguard measures take up the form of:
 - a) additional custom value.
The final safeguard measures take up the form of an additional customs value, difference between the customs tax, imposed by import regime, and the additional customs value, imposed as a final safeguard measure, shall be collected as guaranties, in accordance with the provisions of the Customs Code. Even where there is no customs tax, imposed by import regime, the entire additional customs value, imposed as a final safeguard measure, shall be collected as guaranties, in accordance with the provisions of the Customs Code.
 - b) quantity limitations of imports.

In the events of imposing a quantity limitation on the imports, as a safeguard measure, there shall be specifically taken into account:

- i) traditional flow of trade;
- ii) volume of products exported in Republic of Albania, according to contracts entered into prior to the entry into effect of the safeguard measure;
- iii) impact of negative side of imposing a quantity limitation on the imports;
- iv) regime, according to which for the importation of a certain product to the Republic of Albania, there is required an import document, issued according to the terms and conditions determined by the commission.

3. Quantity limitations, provided for in letter "b" of point 2 of this Article, can not be lower than the average level of imports in the three recent years, for which there are statistics, as long as it is not necessary another level, to prevent or regulate a serious injury, which has been caused to the Albanian industry.

4. Where the amount of the final safeguard measure is smaller than the amount of the provisional safeguard measure, the difference shall be repaid, while where the amount of the final safeguard measure is bigger than the amount of the provisional safeguard measure, the difference shall be collected.

5. If the commission decides that it is not necessary to implement the final safeguard measures, the provisional safeguard measure shall be repealed and the amount collected earlier, as a consequence of the provisional safeguard measure, shall be repaid in accordance with the provisions of the legislation in force on the repayment of the customs fees.

6. For the implementation of a safeguard measure, there shall be determined:

- a) kind of safeguard measure;
- b) product, scope of measure and its fee code;
- c) initial period of implementing the safeguard measure;
- ç) schema for the liberalization of the safeguard measure;
- d) conditions for the implementation of the safeguard measure;
- dh) grounds for the implementation of safeguard measure;
- e) implementation of the safeguard measure for imports from countries, which are parties to the Free Trade Agreement with Republic of Albania, where there are foreseen specific terms and conditions for the implementation of the safeguard measures.

Article 20

Extension and review of safeguard measure

1. Duration of implementation of safeguard measures shall not be longer than 4 years, including the duration of any provisional measure.

2. The period mentioned in point 2 of this Article shall be extended upon the condition that:

- a) the safeguard measure has to continue to be necessary for preventing or regulating the injury;
- b) there have to be data available that domestic producers are being adjusted to the conditions of the internal market.

3. The safeguard measure, for which the implementation period is being extended:
 - a) can not be more restrictive than it was at the end of the initial period;
 - b) continues to liberalize progressively.
4. The complete period of implementation of a safeguard measure, including the period of the implementation of the provisional safeguard measure, the period of implementation of the safeguard measure, as well as the period of the extension of the implementation of the measure, shall not be longer than 8 years.
5. Where the duration of implementation of a measure exceeds one year, the measure shall liberalise progressively, with continuous intervals during the implementation period, while, when it exceeds 3 years, there shall be reviewed the situation not later than half the duration of implementation of the measure, in order to determine whether it is still necessary to implement it or accelerate the pace of its liberalization.
6. The ministry shall, upon its own initiative or upon a request filed by a party or any interested person, convene, during the period of the implementation of a safeguard measure, the commission to examine the effects of this measure and to evaluate whether it is still necessary to implement it. The commission makes a decision to proceed for the implementation of the measure or to withdraw it. The decisions made by the commission, including the summary of the grounds, shall be published in the Official Journal.
7. No final safeguard measure shall apply again to the import of a product, which has been subject to such a measure for a time period equal to half of the period, during which such a measure has been implemented earlier, provided that the period of non-implementation be at least 2 years.
8. The safeguard measure, for which there has been determined a duration of 180 days or less, can apply again to an imported product, if:
 - a) there has passed at least 1 year since the date of notification of a safeguard measure on the import of this product;
 - b) such a measure has not been implemented for more than two times on the same product, within a 5 year period, prior to the date of notification of the measure.
9. The safeguard measure shall not be implemented on a product with origin from a WTO member country, if:
 - a) the part of imports of the product from this country to the Republic of Albania does not exceed 3 percent of all the imports of this product;
 - b) the part of imports with less than 3 per cent from the member countries, altogether, make up not more than 9 per cent of the total of imports of the product to the Republic of Albania.

Article 21

Confidentiality

1. The information received shall be used only for the purpose for which it has been requested.
2. No information of confidential nature received or provided on confidential basis shall be revealed without the written permission of the entity, being the supplier of the information.
3. The information shall be considered confidential, if:

- a) making them public has unfavourable effects on the person releasing them, or for the supplier or the source of such information;
- b) parties have argued, that they have received the information on confidentiality basis.

4. The interested parties, having available confidential information, shall provide a detailed summary on this information, without affecting the confidentiality, sufficient to understand the essence of the information provided as confidential. In exceptional circumstances, the parties can explain that for such information there can not be submitted a summary, providing the reasons even in writing.

5. The shall not be considered confidential, if:

- a) a request for confidentiality is not arguable;
- b) although the provider does not authorise the disclosure of the information, in any form, they are verified through other reliable sources.

6. The provisions ditto do not detain the commission to use of the data mentioned in the above points of this Article as reference for the general information and, specifically, for the argumentation of the decisions taken, in accordance with this law.

Article 22

Public file and right to share its information

The ministry shall, for every investigation or review, set up, in accordance with the request for the preservation of the confidential information, a file, which shall, time after time, be complemented with:

- a) all public reports for investigation and review;
- b) all the material, including the questionnaires, feedback to the questionnaires and written notification, which have been submitted to the commission;
- c) all other data, worded or taken by the commission, including a report on any verification carried out;
- ç) all the other documents, evaluated appropriate for the public notification.

The file shall be made available to the interested parties, in very phase, during the investigation, review and during the judicial proceedings.

CHAPTER VI JUDICIAL REVIEW

Article 23

Judicial Review

Every interested party, having participated in an investigation, review or repayment procedure, conducted by the commission, can, at any time, request the immediate review for the final decisions made by the commission and has the right to appellate to the court.

CHAPTER VII FINAL PROVISIONS

Article 24

International obligations

This law shall apply in accordance with the international obligations of the Republic of Albania as a member in WTO, with the "General Agreement on Tariffs and Trade, 1994" (GATT, 1994) and with Article 19 of GATT, 1994 "Agreement on safeguard measures".

Article 25

Exclusive provision

This law does not hinder the implementation of:

- a) prohibitions, restrictions or quantity controls on imports, in accordance with the legislation in force for protecting the order and public security, for the protection of the health and life of people, animals and plants, for the protection of the national property, with artistic, historic and archaeological values, or for the protection of the industrial or commercial property;
- b) actions for the exchange of foreign currency;
- c) obligations stemming from the international organisations;
- ç) legal and bylaw acts on imports, as well as of other laws on imports, which do not run counter to this law.

Article 26

Final and provisional provisions

Council of Ministers shall be tasked, upon entry into force of this law, to issue the bylaw acts in accordance with Articles 4, points 3 and 5, and 5, point 4.

Article 27

Entry into effect

This law shall enter into effect 15 days after its publication in the Official Journal.

Speaker

Jozefina Topalli (Çoba)
