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Committee on Subsidies and Countervailing Measures

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## SUBSIDIES

### NEW AND FULL NOTIFICATION PURSUANT TO ARTICLE XVI:1 OF THE GATT 1994 AND ARTICLE 25 OF THE AGREEMENT ON SUBSIDIES AND COUNTERVAILING MEASURES

ALBANIA

#### *Addendum*

The following communication, dated and received 16 March 2022, is being circulated at the request of the delegation of Albania.

In accordance with Article 25.1 of the Agreement on Subsidies and Countervailing Measures and under Article XVI of the GATT 1994, the Government of Albania is notifying to the Committee on Subsidies and Countervailing Measures, the scheme of subsidies programs as follows:

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**I) ON EXCISE DUTY EXEMPTIONS FOR FUEL OIL, UTILIZED ON ENERGY GENERATION BY THERMO POWER PLANTS WITH CAPACITY MORE THAN 5 MW**

1. Title of the subsidy

**The scheme "On excise duty exemptions for fuel oil, utilized on energy generation by thermo power plants with capacity more than 5 MW".**

2. Period covered by notification

July-December 2021

3. Policy objective and/or purpose of the subsidy

The scheme aims to create facilities for undertakings for electricity generation from power plants with a capacity not less than 5 MW, to ensure the fulfilment of energy demands in Albania.

4. Background authority for the subsidy

Ministry of Economy, Trade and Energy, the Department of *Electricity and Energy Policies*.  
Ministry of Finance and Economy.

The responsible authority for the implementations of the scheme has been the General Directorate of Taxation until October 2012. On October 2012, it entered into force the new law on excise (Law No. 61/2012), according to which the responsible institution for excise was appointed the General Directorate of Customs.

- Law No. 8987 date 24 December 2002 "On creating facilities for the establishment of new electrical energy generation resources";
- Law No. 9765 date 9 July 2007 "On some amendment of Law No. 8976, date 12 December 2002 "On excise" amended;
- Council of Minister Decision No. 839, date 5 December 2007 "On conditions and procedures defining for the paid excise reimbursement and custom duty exemption for machinery and equipment, used from electrical energy generation resources, with the installed capacity not less than 5 MW";
- Law No. 61/2012 "On Excise in the Republic of Albania"
- Council of Ministers Decision No. 612, dated 5 September 2012 "On implementing provisions for the law on excise".

5. Form of the subsidy

Excise duty reimbursement.

6. To whom and how the subsidy is provided

All juridical (legal) persons, local and foreign, building electrical energy generation resources, with installed capacity not less than 5 MW.

7. Subsidy per unit or the total amount or the annual amount budget for the subsidy

For the period July-December 2021, the amount is **0 ALL**.

8. Duration of the subsidy

No deadline

9. Statistical data permitting an assessment of the trade effects on the subsidy

Not available.

**II) ON DEFINING THE CONDITIONS AND PROCEDURES FOR THE REIMBURSEMENT OF FUEL EXCISE, CONSUMED IN HEATING GREENHOUSES FOR INDUSTRIAL AND AGRO-INDUSTRIAL PRODUCTIONS MANUFACTURING, USED FOR TECHNOLOGICAL NEEDS OF PRODUCTION**

1. Title of the subsidy

**The scheme "On defining the conditions and procedures for the reimbursement of fuel excise, consumed in heating greenhouses for industrial and agro-industrial productions manufacturing, used for technological needs of production."**

2. Period covered by notification

July-December 2021

3. Policy objective and/or purpose of the subsidy

The objective is to facilitate the undertakings, which will use fuel for technological purposes in manufacturing industry.

4. Background authority for the subsidy

Ministry of Finance, the General Department of Macroeconomic and Fiscal Policies.

The responsible authority for the implementations of the scheme has been the General Directorate of Taxation until October 2012. On October 2012, it entered into force the new law on excise (Law No. 61/2012), according to which the responsible institution for excise was charged the General Directorate of Customs

- Law No. 9765 date 09 July 2007 "On some amendment of Law No. 8976, date 12 December 2002 "On excise" amended.
- Council of Ministers Decision No. 1158, dated 13 August 2008 "On defining the conditions and procedures for the reimbursement of fuel excise, consumed in heating greenhouses for industrial and agro-industrial productions manufacturing, used for technological needs of production".
- Law No. 61/2012 "On Excise in the Republic of Albania".
- Council of Ministers Decision No. 612, dated 05 September 2012 "On implementing provisions for the law on excise", article 43 "Reimbursement on heating greenhouses for industrial and agro industrial productions manufacturing".

5. Form of the subsidy

Excise duty reimbursement.

6. To whom and how the subsidy is provided

All juridical persons, local and foreign, which use fuel (mazut and solar) during the manufacturing process.

7. Subsidy per unit or the total amount or the annual amount budget for the subsidy

For the period July-December 2021, the amount is **196,468,000 ALL**.

8. Duration of the subsidy

The reimbursement scheme has been proportional:

- Up to 31 December 2014, the reimbursement of excise was 100% of the excise paid for the fuel;
- From 1 January 2015, the reimbursement was done for 80% of the paid excise;
- From 1 January 2016 up to now, the reimbursement was done for 50% of the paid excise.

9. Statistical data permitting an assessment of the trade effects on the subsidy

Not available.

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