

INSTRUCTION

No. 602, dated 1.8.2018

ON THE PROCEDURES AND DOCUMENTATION REQUIRED FOR RECOGNITION

STATUS OF SOCIAL ENTERPRISE

Pursuant to Article 13, paragraph 3, of Law no. 65/2016, dated 9.6.2016, "On Socially Owned Enterprises in Republic of Albania ",

INSTRUCT:

1. The procedure of obtaining the status is initiated by the non-profit organization itself on a request addressed to the ministry responsible for social affairs.
2. The application must be in written form and must contain a brief description the organization's activity and the reasons why the organization fulfills the economic criteria and social benefits provided by law for social enterprises.
3. Where a socially-owned enterprise carries out activities for which a license is required, the provision of a license, according to the legal regulations regulating licensing, must be provided before the application for receipt of status.
4. In addition to the request for obtaining status, interested parties must submit:
 - a. A certificate issued no later than three months before the date of application by the NPO Registration Office to the Court of the Tirana Judicial District;
 - b. A copy of the statute and the founding act;
 - c. A decision of the highest decision-making organ of the non-profit organization expressing the purpose of the organization for obtaining the status of the social enterprise;
 - d. Other documents proving the fulfillment of economic and social criteria;
 - e. Copy of the license, if applicable;
 - f. Copies of the financial statements of the previous year if the organization exercises its activity for more than one year.
5. If the submitted documentation is incomplete or when deemed reasonable, the relevant structures may require additional documentation other than that submitted by the applicant.
6. If deemed necessary, during the appraisal procedure, relevant structures within the ministry responsible for social affairs may undertake an evaluation visit in the premises where the organization operates.
7. In any case, the applicant shall be notified of the decision of recognition or refusal of status within 30 calendar days from the date of the submission of the request.
8. In case of meeting the legal criteria, recognition of the status is done by order of the minister.
9. In the event of a refusal of the status, the notification shall also state the reasons for the refusal.
10. In case of recognition of status, the non-profit organization is obliged to use the name "Social Enterprise" beside the name of the organization.
11. The General Directorate of Policies and Development of Health and Social Protection is charged with the implementation of this instruction.

This instruction enters into force immediately after its publication in the Official Journal.

MINISTER OF HEALTH AND SOCIAL PROTECTION

Ogerta Manastirliu