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# PROVISIONS OF THE STATUTE OF THE NATIONAL NAMA OF MUNICIPALITIES OF ALBANIA

## CHAPTER I GENERAL PROVISIONS

### Article 1

#### Establishment, name and registered office of the NAMA

1. The National Association of Municipalities of Albania is a voluntary, free and independent union of the municipalities of the Republic of Albania. It is a legal entity, not-for-profit, independent and non-governmental organization that is established, organized and operates according to the legislation in force in the Republic of Alban
2. The official name of the NAMA is " National Association of Municipalities of Albania".
3. The official English translation of the name of the NAMA is " National Association of Municipalities of Albania
4. The official abbreviated name of the Association is **NAMA**
5. The NAMA's registered office is in Tirana at the address: "Rruga "Brigada VIII", building 130, entrance 2, apartment 8, Tirana, Albania.
6. The National Association of Municipalities of Albania carries out its activity throughout the territory of the Republic of Albania for an undefined term.
7. Municipalities of the Republic of Albania shall become members of the NAMA by decision of the relevant municipal council, upon the mayor's proposal.
8. The NAMA opens and manages its bank account number.



9. The official logo of the NAMA is:
10. The correspondence and any other documents, including those in electronic form, addressed to third parties, contain the full or abbreviated name, registered office and logo of the NAMA.

### Article 2

#### Main principles

1. In fulfilling the purpose and objectives set forth in the Statutes, the NAMA, at all times, ensures comprehensive compliance with the following principles:

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a) *Independence* - the NAMA members act independently from any political interest and from any prejudice related to political, economic, social, philosophical and/or ethical beliefs, and any other cause.

b) *Commitment* - the NAMA's members commit to act in the best interest of local self-government units and actively contribute to its activity. Members perform responsibly in all activities related to the activity of the NAMA.

c) *Confidentiality* - the NAMA's members respect the principle of confidentiality and professional secrecy, and exercise due care in not disseminating confidential information obtained as a result of the operation of the association, forums, special committees, workshops, working groups or other activities related to the NAMA.

ç) *Transparency* - the NAMA operates in accordance with the highest levels of transparency, without violating the legal requirements of confidentiality or the need to protect the freedom and independence of its members and/or experts against external influences.

d) *Engagement* – the NAMA is involved in the process of formulating and approving draft acts, policies, strategies and presents legislative proposals for the continuous improvement of legislation related to decentralization and local governance;

f) *Cooperation and constructive dialogue* - the NAMA's members, regardless of their political affiliation, engage in honest dialogue and cooperation with the aim of strengthening decentralization and increasing the role of local government units in the Republic of Albania.

2. The activities and operation of the NAMA are based on the principle of volunteerism of its members, the principles of functional democracy and respect for the principles of decentralization and local autonomy.

## **CHAPTER II PURPOSE AND FIELD OF ACTIVITY OF THE NAMA**

### **Article 3 The purpose of the Association**

The NAMA's purpose is to enable an efficient, sustainable and democratic local self-government through the joint efforts of all municipalities and achieving high performance and quality in providing and meeting the needs of its members and local communities in general.

### **Article 4 The object of activity of the Association**

1. The NAMA's object of activity is:

a) To protect the common interests of the municipalities of Albania, with the aim of deepening the decentralization and increasing the autonomy of the local self-government units according

to the Constitution of the Republic of Albania and the European Charter of Local Autonomy.

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- b) To provide organizational and legal assistance to local authorities, to support collectively and/or individually, in the performance of legal functions and administrative tasks, enabling European standards in the field of local governance.
  - c) To represent and protect the common interests of the municipalities of Albania in an institutionalized and direct manner in relation to state institutions and various Albanian and foreign organizations, becoming the main stakeholder in the process of drafting and implementing policies and legislation for local government.
  - ç) To provide opinions, suggestions and remarks on the draft laws and/or subsidiary legislation dealing with the field of local government;
  - d) To draft and submit requests to the Constitutional Court with the subject matter of normative acts affecting the interests and rights of local self-government units or to courts of other levels, according to the legislation in force;
  - dh) To enable the dialogue of common issues and problems in the forums of the NAMA, with the aim of finding practical solutions and the exchange of best experiences, encouraging and helping inter-municipal cooperation.
  - e) To facilitate setting up contacts between municipalities within the country and their partners abroad and international institutions, with the aim of exchanging information, experiences and developing joint cooperation programs, including integration into the European Union.
  - ë) To organize and coordinate professional trainings and qualifications for government units and their employees, by itself or in cooperation with other state institutions;
  - f) To publish editions and publications in the field of local self-government and on increasing the standards of provided services by them.
  - g) To provide other services for the members of the NAMA according to the legislation in force;

2. The purpose and object of activity of NAMA is realized only by democratic approaches and in a democratic manner. To achieve such purpose, NAMA cooperates with the Assembly of Albania, the Council of Ministers of the Republic of Albania, ministers, independent constitutional and/or statutory institutions, other domestic or foreign non-profit organizations, as well as international organizations operating in the field of local government.

3. The NAMA can become a member of international bodies and organizations operating in the field of local government, as well as enter into partnerships with local or foreign counterpart organizations as long as they serve its interests and do not conflict with the legislation and/or the interests of the Republic of Albania.

### **CHAPTER III THE NAMA MEMBERSHIP**

#### **Article 5 Members of the Association**

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1. Any municipality of the Republic of Albania, which accepts the Statutes of the NAMA and commits to respect, to work for the realization of its mission and goals, as well as to pay the membership fee in the NAMA, can be a member of the NAMA
  2. The NAMA's member municipality is represented in the NAMA and in its bodies by the mayor

## **Article 6**

### **Members' rights**

The NAMA's member has the following rights:

- a) To participate in achieving the objectives and purpose of the NAMA on an equal level with all other members;
- b) To directly participate in the decision-making process in the NAMA's governing bodies;
- c) To elect and/or be elected to the bodies of the NAMA;
- d) To present any recommendation that it considers suitable for the goals and activity of the NAMA;
- dh) To use all the NAMA services in accordance with the conditions defined by these Statutes;
- e) To enjoy all other benefits of the NAMA;
- ë) To consistently and fully be informed regarding the functions and activities of the NAMA;
- f) To challenge before the competent court any decision of the NAMA that fails to comply with the Statutes and/or the legislation in force;
- g) To request the NAMA's intervention on specific issues related to activities that affect their interests and due to their nature, may be included in the goals of the NAMA;
- gj) To be periodically informed about the activities, finances and outcomes of the NAMA's activities;
- h) To have access to all the documentation and reports produced by the activity and/or meetings of the NAMA bodies.
- i) Additional rights provided for in these Statutes and/or the legislation in force.

## **Article 7**

### **Obligations of the members**

The member of the NAMA has the following obligations:

- a) To actively contribute to the achievement of the NAMA's goals and objectives;
- b) To regularly pay the membership fee and other contributions as provided in these Statutes;
- c) To fully commit in the positions that are elected or appointed;
- ç) To participate in the meetings in which they have been convened and freely express their opinions about the progress of the activity, the documents and policies that the NAMA

develops, as well as about the needs and suggestions on issues in the interest of the local government;

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- d) To ensure and promote the participation in the activities conducted by the competent bodies of the NAMA and, in general, the mission and field of activity of NAMA.
  - dh) To comply with the provisions of the Statutes, the Code of Ethics and any other internal regulation of the NAMA;
  - e) To make available and submit to the NAMA's bodies the necessary information and documentation for the performance of the NAMA's activities and tasks;
  - ë) To cooperate in initiatives that contribute to the prestige, development and consolidation of the NAMA;
  - f) To act in accordance with the decisions approved by the NAMA bodies;
  - g) To fulfill all other obligations provided for in these Statutes and any other act adopted by the NAMA or its bodies.

**Article 8**  
**Termination of membership in the Association**

- 1. Membership in the NAMA terminates:
  - a) with the voluntary withdrawal of the municipality member of the NAMA.
  - b) with the exclusion of the member from the NAMA, if it violates the Statutes and acts contrary to the mission, goals and objectives of the NAMA.
  - c) when it fails to pay the membership fee for more than 2 consecutive years.
- 2. The exclusion of the member from NAMA is affected by the decision of the General Assembly, in the presence of not less than 2/3 of all members of the Assembly and when more than half of those present at the meeting vote "in favor" of the exclusion.

**CHAPTER IV**  
**THE ORGANIZATION OF the NAMA**

**Article 9**  
**The NAMA's bodies and their mandate**

- 1. The organization of the NAMA will consist of the following bodies:
  - a) General Assembly;
  - b) Steering Committee;
  - c) Presidency;
  - d) Chairpersons;
  - e) Permanent Forums;
  - f) Financial Control Commission;
- 2. The mandate of the NAMA bodies, with the exception of the Executive Director, is the same as the mandate of the elected local bodies according to the Constitution of the Republic of Albania. In case of the premature termination of the mandate of any of the members of these

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bodies, the replacement will be effective until the termination of the mandate according Constitution.

## **Article 10**

### **The General Assembly**

1. The General Assembly is the highest decision-making body of the NAMA.
2. The General Assembly is composed of the member municipalities represented by mayors.
3. The General Assembly is convened at the request of its Presidents, the Steering Committee or at least 1/5 of the members of the Steering Committee.
4. The request for the convocation of the meeting of the General Assembly is made in written and the agenda is attached to it. The meeting of the General Assembly is held no later than 30 days from the date of submission of the request and notification is made no later than 10 days from the day of the meeting.
5. Decisions of the General Assembly are taken by the majority of votes of the members in the presence of more than half of all members of the General Assembly. In cases of decisions on changes to these Statutes or the exclusion of a member of the NAMA, the decision is taken by majority vote in the presence of not less than 2/3 of all members of the General Assembly.
6. In certain cases, the General Assembly may take decisions through the Circular Decision Procedure. The draft decision will be sent to the Members in writing via mail to the address of the respective Municipality. Each Member expresses his vote for or against the decision in writing. The Member's vote will be sent by mail to the central office of the Association within 14 days from the date when the draft decision was sent. If the vote is not sent within the deadline, then it will no longer be valid and the Member in question will not be counted for determining the quorum. In the case of Circular Decisions, the quorums and majorities defined in this Statute, or according to the legal provisions in force, will be applied.
7. The General Assembly is organized and functions according to the Regulation of Organization and Action that is approved by the majority of votes of all its members.

## **Article 11**

### **Competences of the General Assembly**

The General Assembly has the following competences:

- a) Elects and dismisses the Presidency consisting of the two Co-Presidents and the three deputy - presidents. One Co-President and one deputy President belong to the majority party.
- b) Co-President and one deputy President belong to the opposition political party/parties in Albania. One deputy mayor belongs to the least represented group. In any case, their election must take into account the respect of gender equality;
- c) Elects the members of the NAMA Steering Committee;
- d) Selects the members of the Financial Control Commission;

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- e) Approves the financial resources of the NAMA;
  - f) Approves the Regulation of its Organization and Operation;
  - g) Reviews and approves amendments of the NAMA's Statutes;
  - h) Approves instructions and strategic policies of the NAMA;
  - i) Approves the financial report and activities report for the working period between the two Assembly meetings;
  - j) Decides on the exclusion of a member of the NAMA for the reasons defined in these Statutes;
  - k) Decides on the merger, division and dissolution of the NAMA;
  - l) Determines the membership fee after the decision of the steering committee

## **Article 12**

### **Steering Committee**

1. the NAMA's Steering Committee is the body governing and representing the NAMA in relations to third parties.
2. The Steering Committee is composed of 15 members, proportionally with the number of municipalities won by each of the two main parties, but where the less represented of the two is guaranteed a minimum of 5 members of the Board. The Presidency is part of the Steering Committee
3. The composition of the Steering Committee should strive to ensure a fair representation in relation to population, country's geographical diversity, political movements engaged in local government and gender representation. The members of the Steering Committee are elected in the first meeting of the General Assembly.
4. Two Co President led the Steering Committee of NAMA.
5. The Chairman of the Forum of Municipal Councils also participates in the meetings of the Steering Council without the right to vote.
6. The mayor of Tirana Municipality, as the capital city of the Republic of Albania, is always a member of the Steering Committee.

## **Article 13**

### **Competences of the Steering Committee**

The Steering Committee exercises the following competences:

- a) Governs the activity of the NAMA during the period between the two General Assemblies
- b) Reviews and submits to the General Assembly for approval the financial report and activity report for the period between the two assemblies.

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- c) Discusses and approves the proposals on amendments of the Statutes, which decision is taken with a vote in favor of at least of 3/5 of all members.
  - ç) Approves the Strategic Plan of the NAMA. as well as agreements to which the association is a party, insofar as they are not considered administrative activities, for which the administrative staff is responsible, under the direction of the Executive Director of the Association.
  - d) Approves the annual budget and manages the funds and assets of the NAMA as well as approves the annual working plan of the Steering Committee and NAMA;
  - ë) Prepares the meeting of the General Assembly; approves its agenda, jointly with documents of matters for consideration and presents it to the Assembly for approval;
  - f) Decides on accepting the application for membership in the NAMA of a municipality;
  - g) Proposes the exclusion from the NAMA of a member municipality and presents it to the General Assembly for approval.
  - h) Approves the internal regulation of the Committee.
  - i) Approves the selection criteria of permanent and temporary staff and the level of their salaries;
  - j) Appoints and dismisses the Executive Director and the Deputy Executive Director of the NAMA;
  - k) Proposes the membership fee scale to the General Assembly;
  - l) Addresses and makes decisions on issues mandated by the General Assembly.

#### **Article 14**

##### **Meetings and decision-making in the Steering Committee**

1. The Steering Committee meets at least once every six months.
2. The Steering Committee can meet more frequently at the request of the Presidents of NAMA or at the written request of at least 1/3 of its members. The agenda of the meeting is attached to the request for the meeting of the Steering Committee.
3. Decisions at the meetings of the Steering Committee are taken by the majority of votes in the presence of more than half of all the members of the Committee, except for cases where these Statutes determines otherwise.

#### **Article 15**

##### **Chairpersons of the NAMA and Presidency**

1. The two Chairpersons of the Steering Committee and three deputy chairpersons of the Steering Committee constitute the Presidency of NAMA.
2. The Presidency of the NAMA presides the General Assembly and when it deems it appropriate, chooses the representative team of the NAMA in relations with the Albanian

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authorities and foreign partners. In selecting the team, the Presidency respects the rules provided for in Article 12, third paragraph.

3. The Chairpersons of the NAMA has the following competences:

- a) Convene and preside the General Assembly Meeting;
- b) Convene and preside the Meetings of the Steering Committee;
- c) Represent the NAMA in relations to domestic and/or foreign governmental or non-governmental agencies;
- d) Sign the decisions of the governing bodies of NAMA taken at the meeting chaired by him/her, after the minutes of the meeting are made available in writing by the executive staff of the NAMA.

## **Article 16**

### **Permanent Forums of NAMA**

1. The Permanent Forums are advisory bodies to the Assembly and Steering Committee of the NAMA. They develop draft policies for the NAMA's Steering Committee in accordance with the scope of activity defined in the Statutes, the goals and objectives defined in the internal regulation.

2. The number and designation of the Permanent Forums is as follows; however, they are subject to change by decision of the General Assembly:

- Forum of Economy and Local Development;
- Forum of Infrastructure and Urban Planning, Energy and Climate
- Forum of Social and Education;
- Forum of Legal, Administrative and Public Procurement;
- Forum of Local Finance and Taxation;
- Forum of Public Safety
- Forum of Chairman of the Municipal councils
- Forum on Waste and Water management;
- Forum of European Integration

3. Each of the forums elects its chairperson in which a fair distribution according to political affiliation is taken into account.

4. The Permanent Forums hold their meetings at least twice a year.

## **Article 17**

### **Financial Control Commission**

1. The Financial Control Commission is elected by the meeting of General Assembly and consists of 3 members. The composition of the Financial Control Commission reflects the composition of political forces involved in local government and are members of the NAMA.

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2. Members of the NAMA's Financial Control Commission should preferably have professional education in finance and/or accounting.

3. The commission is elected for a term of 4 years, with the right to reelection. The Financial Control Commission elects the Chairperson from its members at its first meeting with the majority of votes of all members.

### **Article 18**

#### **Competences of the Financial Control Commission**

1. The Financial Control Commission has the following competences:

a) Controls the financial activity of the NAMA, the accounts and the balance sheet, the balance of the cash register, the payments of membership fees, as well as the various payments in the form of donations.

b) Prepares and submits the Financial Control Report to the General Assembly at least one month before the General Assembly meeting. The report is published on NAMA's official website.

c) Exercises control at least once a year to verify whether the Steering Committee and the Executive Director have completed the tasks and financial decisions of the General Assembly.

ç) The Commission has the right to perform more than one audit during the year, at the request of the Steering Committee, and is entitled to invite licensed external auditors to assist it in performing the duties defined by these Statutes.

### **Article 19**

#### **Executive Director of NAMA**

1. The Steering Committee appoints, dismisses or removes from office Executive Director and the Deputy Executive Director of the NAMA. The Executive Director is NAMA's the highest staff member.

2. The Executive Director of NAMA has the following competences:

a) Lead the NAMA's administrative activity in implementing strategies, working plans for the realization of programs, projects and the implementation of the budget;

b) Governs and is responsible for the work of the NAMA staff;

c) Draft the project-plan of activities of the NAMA together with the relevant budget and presents it to the Steering Committee for consideration and approval, as well as follows their implementation;

ç) Report to the Steering Committee, when requested, for budget expenditures and activities performed;;

d) Organize and prepare meetings of NAMA bodies.

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- dh) Recruit the NAMA staff according to the rules and procedures defined in the internal regulation. Draft and sign staff contracts in compliance with the law, internal regulations and job descriptions approved by the Steering Committee.
  - e) Is responsible for the preparation of the draft internal regulation of the NAMA and its amendments and submits it to the Steering Committee for approval.
  - ë) Administer the official list of mayors announced by the relevant state institutions after the local elections.
  - f) Obtain and manage the documents of the General Assembly meeting.
  - g) Prepare and present to the meeting of the General Assembly and the Steering Committee the activity report and financial report of the NAMA.
  - gj) Participates in meetings, boards or agencies and presents and defends the policies and proposals approved by the governing bodies of the Association, as well as exercises delegated competences which may be given to him in the meeting by the Board or certain competences by the co-chairmen or presidency
  - h) Sign, on behalf of NAMA, agreements with other parties.
  - k) Participate in meetings, boards or agencies and present and defend the policies and proposals approved by the NAMA's governing bodies.
  - l) Attend to updating the information on NAMA's website.

## **Article 20**

### **Staff of NAMA**

1. The structure and number of personnel members is determined by the decision of the Steering Committee.
2. The staff is employed on full-time and/or part-time basis and implements the decisions of the governing bodies of the NAMA and the Executive Director and Deputy Executive Director according to these Statutes and the acts of the NAMA.

## **CHAPTER V**

### **FINANCIAL AND MATERIAL RESOURCES AND ASSETS ADMINISTRATION CRITERIA**

## **Article 21**

### **Financial resources**

The NAMA's financial resources derive from:

- a) Payment of the membership fee;
- b) Payments of fees and paid services for members and third parties;
- c) Income generated from the administration of assets and economic activities of NAMA;
- ç) Donations;

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d) Other legal income.

**Article 22**  
**Membership fee**

1. The NAMA members have the obligation to pay the membership fee on annual basis.
2. The amount of the membership fee for each member of NAMA is determined by the decision of the Steering Committee.
3. The membership fee is paid to NAMA's account within the first four months of the calendar year.

**Article 23**  
**Economic activity**

The NAMA can carry out economic activity, according to the determinations made in a special decision of the Steering Committee, and the income will be used for the fulfillment of its mission, goals, functions and the accomplishment of its activities.

**CHAPTER VI**  
**FINAL PROVISIONS**

**Article 24**  
**Amendments of the Statutes**

1. Amendments to these Statutes are affected by the General Assembly when at least 2/3 of the overall number of members of the General Assembly vote in favor of their approval. The proposals for amendments are presented by the Steering Committee or at least 1/5 of the members of the NAMA's General Assembly
2. The decision approving the amendments of the Statutes shall be filed with the competent

Court of the Republic of Albania within 30 days, from the date of the decision.

**Article 25**  
**Merger and division of NAMA**

1. The NAMA has the right to merge or divide by decision of the NAMA's General Assembly. This decision is approved when at least 2/3 of all members of the General Assembly have voted

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in favor. The proposal to merge or divide the NAMA is made by 1/3 of the members of the General Assembly or the Steering Committee.

2. The decisions of the General Assembly on the above issues are filed with the competent Court of the Republic of Albania within 30 days, from the date of the decision.

## **Article 26**

### **Dissolution of NAMA**

The NAMA is dissolved in the following circumstances:

- a) When the number of members is below the minimum number determined by the Civil Code in force;
- b) When the goal of the NAMA has been fulfilled or it is no longer possible to fulfill it;
- c) By decision of the relevant Court of the Republic of Albania, when NAMA has diverged from the purpose stated in the Statutes or when it starts to carry out illegal activities;
- ç) By decision of the General Assembly, when at least 3/4 of the total number of all its members vote in favor of the dissolution;
- d) In other circumstances provided by the legislation of the Republic of Albania.

## **Article 27**

### **Liquidation of NAMA**

1. After the approval of the decision on the dissolution of the NAMA, the General Assembly appoints the liquidator from the list of liquidators determined in the relevant Court of the Republic of Albania.

2. After payment of all the liabilities and debts of NAMA, the funds and assets remain with the founders of the NAMA. If any of the founders has ceased to exist, the funds and assets are transferred to the members who at the time of dissolution have the status of the founder or have replaced any of the founders.

3. The General Assembly decides on the distribution of remaining funds and assets among the founders or for purposes in the interest of the founders.

4. The General Assembly approves the liquidator's final report and requests from the relevant Court of the Republic of Albania the deregistration of the NAMA.

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These Statutes are signed in Tirana, today on 20 December 2024.

**FOUNDING MEMBERS:**