

Decision no. 27, dated 18.05.2023

(V-27/23)

Constitutional Court of the Republic of Albania composed of: Holta Zaçaj, President, Marsida Xhaferllari, Fiona Papajorgji, Sonila Bejtja, Sandër Beci, Ilir Toska, Genti Ibrahim, Marjana Semini, Elsa Toska, members, with court secretary Belma Lleshi, on 18.05.2023, took under examination in plenary session on the basis of submitted documents, the case no. 27 (B) 2022 of the Basic Court Register, pertaining to:

APPLICANT: BANU KADZADEJ

INTERESTED SUBJECT:

MINISTRY OF FINANCE AND ECONOMY

OBJECT: Repeal of decision no. 880, of the Administrative Court of Appeal dated 23 April 2015; no. 00-2022-1130, of the Administrative College of the Supreme Court, dated 13 May 2022, as incompatible with the Constitution of the Republic of Albania.

Remanding of the case to the Administrative Court of Appeal for further proceedings.

LEGAL BASIS: Articles 4, 17, point 2, 18, point 1, 33, point 1, 41, points 1 and 2, 42, 131, point 1, letter “f”, 134, point 1, letter “i” and 142, point 1, of the Constitution of the Republic of Albania; articles 6 and 13 of the European Convention on Human Rights and article 1 of Protocol no.1 of the European Convention on Human Rights (ECHR); articles 27, of Law no. 8577, dated 10 February 2000 "On the organization and functioning of the Constitutional Court of the Republic of Albania", (law no. 8577/2000), amended.

Constitutional Court of the Republic of Albania, in pursuance of articles 131, point 1, letter “f”, and 134, point 1, letter “i” of the Constitution, as well as articles 71 and 72 of Law no. 8577, dated 10 February 2000 “On the organization and functioning of the Constitutional Court of the Republic of Albania”, amended, unanimously,

DECIDED:

1. Rejection of the application.

This decision is final and enters into force on the day of its publication in the Official Gazette.