

**Decision no. 8, dated 22.02.2023**

**(V-8/23)**

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 Enina Kotoni, on 31.01.2023, took under examination in plenary session on the basis of submitted documents, the case no. 5 (Nj) 2022 of the Basic Court Register, pertaining to:

**APPLICANT:** **NOT LESS THAN ONE FIFTH OF MEMBERS OF THE ASSEMBLY OF ALBANIA**, represented with authorisation, by Marash Logu, Dashnor Sula and Bledion Nallbati.

**INTERESTED SUBJECTS:**

**ASSEMBLY OF ALBANIA**, represented with authorisation, by Mimoza Arbi.

**COUNCIL OF MINISTERS**, represented with authorisation, by Irma Qosja and Herald Jonuzaj.

**COMPETITION AUTHORITY**, in absentia.

**OBJECT:** **Repeal of laws no. 41/2022 dated 21 April 2022 “On the approval of the normative act, with the force of law no. 7 dated 18 March 2022 “On transparency and price monitoring for some basic food products and other related products as a result of the special situation created in the market" and no. 51/2022, dated 09 June 2022 "On the approval of the normative act, with the force of law, no. 9, dated 11 May 2022 “On an amendment to the normative act no. 7, dated 18 March 2022 of the Council of Ministers, “On transparency and price monitoring for some basic food products and other related products as a result of the**

**special situation created in the market””, as incompatible with the Constitution of the Republic of Albania.**

**LEGAL BASIS:** Articles 11, 18, 101, 131 and 134 of Constitution of the Republic of Albania; article 71 of Law no. 9590, dated 27 July 2006, “On the ratification of the Stabilization and Association Agreement between the Republic of Albania and the European Communities and their Member States””(law no. 9590/2006); articles 27, 49, 50 and 51 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 “c”, and 134, point 1, letter “c” of the Constitution, as well as articles 49, point 1 of Law no. 8577, dated 10 February 2000 “On the organization and functioning of the Constitutional Court of the Republic of Albania”, amended, by majority of votes,

**DECIDED:**

1. Admission of the application
2. Repeal of law no. 41/2022, dated 21.04.2022 "On the approval of the normative act, with the force of law, no. 7, dated 18.03.2022 of the Council of Ministers "On transparency and price monitoring for some basic food products and other related products as a result of the special situation created in the market””, as incompatible with the Constitution of the Republic of Albania.
3. Repeal of law no. 51/2022, dated 09.06.2022 "On the approval of the normative act, with the force of law, no. 9, dated 11.05.2022 "On an amendment to normative act no. 7, of the Council of Ministers, dated 18.03.2022, "On transparency and price monitoring for some basic food products and other related products as a result of the

special situation created in the market""", as incompatible with the Constitution of the Republic of Albania.

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