

**DECISION**  
**No. 5, dated 6.1.2020.**

**ON THE ESTABLISHMENT OF RULES AND PROCEDURES CONCERNING THE  
RECONSTRUCTION GRANT AWARDS PROGRAM AND PROJECT DESIGNS**

Pursuant to Article 101 of the Constitution and to Articles 18, 19, 20 and 25 of the normative act no. 9, dated 16.12.2019 of the Council of Ministers, “On managing the consequences of natural disasters”, upon the proposal of the Minister of Finance and Economy and the Minister of Justice, the Council of Ministers,

**DECIDED:**

**I. GENERAL PROVISIONS**

1 This decision provides the rules for benefiting from the reconstruction grants program, through the approval of project-designs, grants allocations for the reconstruction of individual houses or the reconstruction of dwellings, buildings or individual houses, conditions, criteria, procedures and the authorities responsible for the award of grants and the supervision of the implementation of the respective contracts, according to the provisions set forth in Article 25 of normative act no. 9, dated 16.12.2019, of the Council of Ministers, “On managing the consequences of natural disasters”.

2 Beneficiaries are individuals and families who have lost one or more family members and/or have been left homeless and/or have suffered damage to their individual dwellings or houses as a result of a natural disaster in the local self-government units whereby the state of natural disaster has been declared, as well as all other entities, according to the provisions of the normative act no. 9, dated 16.12.2019, of the Council of Ministers, “On managing the consequences of natural disasters”.

**II. PROCEDURES CONCERNING THE APPROVAL OF PROJECT-DESIGNS, CONDITIONS, CRITERIA AND RESPONSIBLE AUTHORITIES IN CHARGE OF APPLICATIONS EVALUATION**

1 The local self-government unit or responsible state authority designated by decision of the Council of Ministers is the body in charge of managing reconstruction grants, according to project-designs of individual houses that have collapsed or should be demolished or grants for the reconstruction of individual houses and dwellings in buildings which are classified as damaged or uninhabitable.

2 The transfer of the fund for the reconstruction grants to the local self-government units or to the responsible state authority shall be executed by a decision of the Council of Ministers, upon the proposal of the State Minister for Reconstruction.

3 The local self-government unit or the responsible state authority shall compile the list of needs for reconstruction grants in the respective territory and submit the request for grants for rebuilding individual houses or the reconstruction of individual houses and apartments in buildings, follow to in-depth expertise or relevant findings executed by the State Commission for Reconstruction, as the responsible authority in charge of examining the possibility of using the reconstruction fund for these purposes.

The local self-government unit or the responsible state authority shall submit to the State Reconstruction Commission the complete information regarding the types of grants, the respective budgets needed and the grounds for the selection of the reconstruction grants program for the fulfilment of the emerging needs.

4 The rebuilding of individual houses shall be done according to construction designs, designed by licensed engineers, design studios or other entities, according to the provisions of

the applicable law. The costs for these services shall be covered by the reconstruction fund and, the procurement of services shall be performed by the National Housing Authority, according to the procedures provided in the normative act no. 9, dated 16.12.2019, of the Council of Ministers, "On managing the consequences of natural disasters", and shall form an integral part of the request for funding provided in point 3 of this decision, as well as for the construction of any new facility on the basis of and in the framework of reconstruction process' programs. Pursuant to the provisions of this decision, the National Housing Authority shall procure at least 3 (three) project-designs, specifying in the relevant procurement documents any specific requirement for each of the designs.

Project-designs shall build on principles of modular architecture and respond to the reconstruction approach in the shortest time possible and with high technical quality during implementation.

5 Project-designs:

5.1 They shall be subject to technical opposition and approved by the Construction Institute, according to the legislation in force and complying with the technical design conditions, codes and Eurocodes and shall include:

- a) architectural design;
- b) construction design;
- c) sanitary, electrical, heating and cooling installations' project;
- ç) projects' connection to the public infrastructure scheme;
- d) projects' foundations' scheme;
- dh) the relevant estimate referring to construction costs, approved by the National Housing Authority.

5.2 Inhabited individual houses of:

- a) not less than 60 m<sup>2</sup> up to 70 m<sup>2</sup>;
- b) not less 70 m<sup>2</sup> up to 80 m<sup>2</sup>;
- c) not less than 90m<sup>2</sup>.

6 The National Housing Authority shall carry out all the procedures and submit the project-designs, no later than two months from the date the state of natural disaster is declared.

7 Project-designs, according to point 5 of this decision, shall be used for the implementation of any project that is executed in the framework of the reconstruction process by the implementing units or donors, unless otherwise provided in the agreement between donors and the Council of Ministers.

8 Except for the provisions of point 5 of this decision, project-designs shall be implemented by the same entities requesting the financing, provided they meet the requirements and standards according to the principles of the reconstruction process and the provisions of this decision; Grants amounts shall also again be calculated according to the provisions of Chapter III of this decision.

9 The application to benefit from the grants for the reconstruction of individual houses is made by the beneficiaries directly to the responsible structure of the local self-government unit where the state of natural disaster has been declared or, to the one-stop desk office of the local self-government unit, if any according to the approved design's application, attached to this decision as Annex A or to the responsible state authority determined by a Council of Ministers' decision.

10 The application is made in written form and filed in an electronic data system.

11 The applicant has the right to choose one of the project-designs approved by the Construction Institute or to request the benefit of the grant according to the provisions of point 8 of this decision.

12 Local self-government units shall create, administer and update the database of individuals and families left homeless as a result of a natural disaster and have applied to benefit from the reconstruction grants program.

13 Local self-government units shall file the applications in an electronic system, which in turn provides the possibility of data processing, as follows:

- a) name, father's name, last name;
- b) application number;
- c) application filing/submission day;
- ç) object of the request, including the preference presented to benefit from the reconstruction grant program and the type of project-design selected or the project designed by the applicant itself;
- d) applicant's address;
- dh) family composition at the time of application;
- e) in-depth expertise document, issued by the Construction Institute or relevant inspection groups, local self-government units or any person, natural or legal, subject to commercial law, provided with the relevant permits, licenses or authorizations by state authorities certifying the risk the situation poses to life and health, which provide evidence the damage of the building declared uninhabitable;
- ë) any documentation certifying ownership rights over the damaged object;
- f) applicant's bank account in a second-tier bank's details.

14 Should an application contain data deficiencies, according to the provisions of this decision, the responsible structures of the local self-government unit or the relevant state authority shall, within 5 (five) days from the application's registration day, send a request in writing to the applicant to correct inaccuracies, determining the necessary deadline for their completion. The responsible structure shall provide active assistance in completing the application forms for the benefit of the reconstruction grants program for any applicant, ensuring each individual/family receives the information and assistance necessary for this purpose.

15 Each individual/family that applies shall, in each case, be provided with a certificate confirming the registration of the application, its object, date and list of attached documents, if any, according to the format attached to this decision as Annex B.

16 The local self-government unit or state authority responsible for approving the applicants' requests shall proceed as follows:

- a) classify applications according to the project-design;
- b) collect any of the documents for the data provided in point 10 of this decision, which are kept by domestic public authorities, exempting the applicant from the obligation to provide for them;
- c) verify the applicant's documentation, within 5 (five) days from the date of submission;
- ç) compile and approve the list of beneficiaries;
- d) notify the families eligible from the reconstruction grants, as well as the non-beneficiaries, within 5 (five) days from the date of approval of the list by the mayor of the local self-government unit or by the responsible state authority. Non-eligible applicants shall be assigned to other programs of the reconstruction process, to the extent possible;
- dh) draft the grant contract to be concluded between the local self-government unit or the state authority and the beneficiary, according to the provisions of the legislation in force for grant/donation contracts or similar.

17 The priority criteria for ranking beneficiaries include:

- a) families having lost members to natural disasters;
- b) single-parent families with dependent children, including single mothers;
- c) families with persons with disabilities;
- ç) elderly persons of retirement age;
- d) families in the economic assistance scheme;
- dh) people killed in the line of duty.

18 Reconstruction grants recipients shall be individuals or families whose individual homes have to be rebuilt, according to the provisions in the in-depth expertise document. Grant amounts shall be calculated according to the provisions of Chapter III of this decision.

19 Non-eligible applicants shall also be notified of the reasons for this decision as well as the decision on their eligibility under other programs of the reconstruction process, if possible. Non-eligible applicants can file their complaints with the mayor of the local self-government unit where the state of natural disaster has been declared or to the responsible authority, within 5 days from the date of decision's notification.

20 Each applicant's file shall contain the documentation that confirms the statements made at the time of application. The required documentation, according to this decision, held or prepared by domestic public authorities, shall be obtained by the responsible structures of the local self-government unit or the responsible authority, exempting the applicant from such obligation. The applicants shall submit the declarations of consent for the collection of information/respective documents, according to the standard format attached to this decision as Annex C. Should the applicant fail to submit or refuse to sign this declaration, the responsible structures shall be released from the obligation to collect the necessary documentation and this obligation shall pass to the applicant itself. The necessary documentation shall be provided at the expense of the local self-government unit, which, if necessary, can enter into agreements with the relevant structures, in order to facilitate documentation receipt.

21 For the evaluation and selection of beneficiaries from the reconstruction grant program, based on the criteria set out in this decision, the mayor of the local self-government unit where the state of natural disaster has been declared or the responsible authority, shall establish a special commission in charge of evaluating the applications based on the required documentation, according to this decision.

22 The commission shall submit to the head of the local self-government unit or the head of the responsible state authority the full report with the proposal for the beneficiaries and those who do not meet the eligibility criteria. The mayor of the local self-government unit or the head of the responsible authority shall adopt, within 10 (ten) working days, the list of winners' decision.

23 Local self-government bodies or the responsible state authority shall disclose, through the means of public information on their websites and advertisements in visible places, nearby their institution:

- a) all requirements to be addressed by the reconstruction grant programs;
- b) the responsible persons to be contacted for filling in and changing the data of the form or for any other explanation for their filing;
- c) the documentation required for the verification of the data declared by the interested subject;
- d) the procedure to be followed by the local self-government unit or the state authority responsible for the selection of the beneficiaries;
- dh) the appellate body, to which the subject not being selected as beneficiaries should be addressed, as well as the time limits.

24 Local self-government units and responsible state authorities shall take all possible measures to make public information accessible and understandable to everyone.

25 Upon completion of the applications and compilation of the list of beneficiaries, the latter shall be displayed at the local self-government unit and an official notification shall be sent to the beneficiaries.

26 Beneficiaries are provided with relevant construction permits, according to the provisions of normative act no. 9, dated 16.12.2019, of the Council of Ministers, "On managing the consequences of natural disasters", upon signing the grant contract.

27 The respective grant contract shall contain, among others, the obligations of the beneficiary to use the grant for the approved purposes and to comply with the deadlines provided in the relevant construction permits, as well as on penalties applied in cases of non-performance of the obligation, which include, but are not limited to, return of the grant when abuses are found by the beneficiary, according to the provisions of the legislation in force for these contracts.

28 The reconstruction grant amount shall be transferred to the beneficiary's account at a second-tier bank, at the rate of 60%, within 10 days from the date the grant contract is signed, whereas the remaining amount, upon verification by the responsible structure of the local self-government unit or the responsible state authority, that the beneficiary has met all terms and conditions provided in the grant-contract.

29 Contracts' implementation monitoring shall be done by the responsible structure of the local self-government unit or the state authority in charge of contracts' implementation, which, in case of violations, shall propose to the head of the local self-government unit or the head of the responsible authority, the application of penalties as provided in contracts.

### III. RECONSTRUCTION GRANT ALLOTMENTS

1. Grant allotments shall include:

- a) reconstruction investment value;
- b) investments for connection to the main infrastructure network such as water supply and sewerage, telephone, electricity;
- c) any contingency.

2. Grants allotments shall be calculated according to Table A attached herein, integral part of this decision.

### IV. RECONSTRUCTION GRANTS

1 The procedures set out in this decision shall apply, as far as possible, to application, approval, implementation and supervision of grants for the reconstruction of individual houses or dwellings in buildings (residences), which are classified as uninhabitable or severely damaged or slightly damaged and need not be rebuilt from scratch but in need of reconstruction or repairing works.

2 Except as provided in point 13, of Chapter II, of this decision, all applications for reconstruction or repair grants shall be accompanied by:

- a) ascertainment or in-depth expertise documents, issued by the Construction Institute or relevant inspection groups, local self-government units or any person, natural or legal, subject of commercial law, provided with the relevant permits, licenses or authorizations by state authorities, whereby damages to individual house, buildings or apartments are confirmed;
- b) the reconstruction projects or the list of repairing works, compiled by the Construction Institute, the local self-government units or licensed designers, together with the estimate of the works required to be financed through the grant;
- c) statements of the inhabitants of the building (residence) being willing to cover the expenses according to comma "c", of point 7, of this chapter, together with the list of families living in the building.

3 Individuals or families benefiting full reconstruction grants shall include:

- a) individual houses or dwellings, whenever they do not fall under the provisions of point 18 of Chapter II, of this decision and, which, have been declared uninhabitable as over 2/3 of the structure has been damaged, and/or as a result of large or very severe structural and non-structural damages, are at risk of collapse, as confirmed by in-depth investigation;
- b) those owning individual houses or dwellings, which do not constitute cases provided in point 18 of Chapter II, of this decision, and which have been declared uninhabitable after being damaged in over 2/3 in their structure and/or, as a result of natural disasters, suffer severe structural damage, as confirmed by the in-depth investigation.

4 Individuals or families, whose individual houses or dwellings suffer substantial to large damages, consisting of moderate cracks in structure or large cracks in partition and filling walls or failure of partition and perimeter walls, as determined by the in-depth investigation, shall benefit 50% of the value of the reconstruction or repair, but not more than ALL 500 000 (five hundred thousand).

5 Individuals or families, whose individual houses or dwellings suffer minor structural damage or moderate non-structural damage or cracks in the partition and perimeter walls, as

determined by the in-depth investigation, shall benefit 50% of the value of the reconstruction or repair, but not more than ALL 250 000 (two hundred and fifty thousand).

6 Individuals or families, whose individual houses or apartments have suffered no structural damages or have negligible to slightly non-structural damages, such as slight cracks in the partition and perimeter walls, as determined by the in-depth investigation, shall benefit 50% of the value of the reconstruction or repair, but not more than ALL 100 000 (one hundred thousand). Within 10 (ten) days from the date of signing the grant contract, the full amount of the reconstruction grant shall be transferred to the beneficiary in a bank account with a second-tier bank.

7 Grants for reconstruction or repair of premises in joint ownership or common in the building (building):

- a) In the case the reconstruction or repairs in buildings with residential units, need to be executed in common or co-owned areas of the building too, the relevant part of the reconstruction or repair grant shall be requested by way of an application from the building administrator, certified according to the legislation in force and shall be calculated by the local unit or responsible authority separately from the grant that individuals or families receive for their damaged housing;
- b) The grant amount for the works provided in comma “a”, of point 7, of this chapter, shall be 50% of the value of the reconstruction or repair;
- c) The certified administrator shall be responsible for carrying out the works for which the grant is approved. In case there is no certified administrator for the building or whenever the certified administrator fails to complete the application, within 3 months from the date of declaration of the state of natural disaster, the grant for the works provided in comma “a”, point 7, of this chapter, shall be required by way of application from one or more residents of the building and shall be executed by the local self-government units, provided the owners of housing units in the building to be reconstructed or repaired invest the additional value over the grant amount received, as necessary for the realization of relevant works.

## V. FINAL PROVISIONS

The Ministry of Finance and Economy, the State Minister for Reconstruction, the National Housing Authority and the local self-government units shall be in charge of this decision's implementation.

This Decision shall enter into force upon publication in the Official Gazette.

PRIME MINISTER  
**Edi Rama**

**Table A**

| Family composition | Surface in m <sup>2</sup>              | Grant Amount              |
|--------------------|--|---------------------------|
| Up to 2 members    | 60 m <sup>2</sup> to 70 m <sup>2</sup> | Project-design projection |
| 2 to 4 members     | 70 m <sup>2</sup> to 80 m <sup>2</sup> | Project-design projection |
| 5 and more members | Not less than 90m <sup>2</sup>         | Project-design projection |

ANNEX A  
RECONSTRUCTION GRANTS APPLICATION FORM

| Name of Applicant                  | Name and surname of the Applicant |
|------------------------------------|-----------------------------------|
| TO BE COMPLETED BY THE EMPLOYEE    |                                   |
| NO. of FILING AND APPLICATION DATE |                                   |
| NO. Applicant identification       |                                   |

**Applicant:**

*Instructions. Please complete the form with all required information. Make sure that all personal information is accurate in order to facilitate the process of administrative control of your application form. Please do not forget to put the signature at the bottom of the form.*

**1.1 Name and Contact Details**

|   |                                     |        |
|---|-------------------------------------|--------|
| Name of Applicant   | <Name and surname of the Applicant> |        |
| Applicant's passport or identity card no.                                       |                                     |        |
| Address of Residence  | < village/ town>                    |        |
| Phone No.   | < phone and mobile no.>             |        |
| Request subject, preference and selected reconstruction project-design          |                                     |        |
| Family composition  |                                     |        |
| In-depth inspection or finding document concerning the damaged assets           |                                     |        |
| Document on ownership   |                                     |        |
| Number of bank account in a second-tier bank                                    |                                     |        |
| Passport or identity card no. of the legal representative (if applicable)       |                                     |        |
| Applicant's e-mail:   |                                     |        |
| Correspondence address and legal representative contact details (as applicable) | <village/ town,>                    |        |
|   | Phone No.                           | E-mail |

((Name and surname of the Applicant)  
(signature)

ANNEX B  
CERTIFICATION CONFIRMING APPLICATIONS FILING, SUBJECT, DATE AND,  
LIST OF ATTACHED DOCUMENTS

Application registration certificate (local self-government unit where the state of natural disaster has been declared)

Prot. No. \_\_\_\_\_, on \_\_\_\_\_. 2020

**Subject:** Application registration certificate to be processed by the reconstruction grant programs;

**To:** Mr./Mrs .....

(address)

Dear Mr./Mrs. ....,

We hereby confirm that you have submitted the application with prot. no. ...., dated ....., which is complete, with the (local self-government unit where the state of natural disaster has been declared), by which you submit your application to be processed by the reconstruction grants program.

The number of your application in the electronic register is .....

Attached to this request, please find also:

|  | Document Title | Number of<br>pages |
|--|----------------|--------------------|
|  |                |                    |
|  |                |                    |
|  |                |                    |
|  |                |                    |

Thank you for your cooperation,

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*(name of employee, signature)*



ANNEX C  
DECLARATION OF CONSENT FOR DATA COLLECTION, ACCESS TO  
RECOGNITION AND ADMINISTRATION OF PERSONAL DATA

DECLARATION  
OF CONSENT FOR DATA COLLECTION, ACCESS TO RECOGNITION AND  
ADMINISTRATION OF PERSONAL DATA

I \_\_\_\_\_, son/daughter of \_\_\_\_\_ and \_\_\_\_\_, born on \_\_\_\_\_, in \_\_\_\_\_, and resident in \_\_\_\_\_, of \_\_\_\_\_ citizenship, with identification number \_\_\_\_\_, of my free will,

HEREBY DECLARE THAT:

- Pursuant to
- decision no. \_\_\_\_\_, dated \_\_\_\_\_, of the Council of Ministers, "On determining the rules and procedures for the benefits of the reconstruction grants program"
  - the normative act no. 9, dated 16.12.2019, of the Council of Ministers, "On managing the consequences of natural disasters";
  - Law no. 9887, dated 10.3.2008, "On personal data protection", as amended;

|  | <b>Declaration</b>   | <b>Signature<br/>(in the box the<br/>applicant intends to<br/>check)</b> |
|--|--|--|
|  | <p>- I hereby agree on the necessary data collected in pursuit of point _____, of the decision no. _____, dated _____, of the Council of Ministers.</p> <p>- I hereby agree on the data collected and the application of procedures in this pursuit.</p> <p>- I agree my personal data collected in pursuit of point _____, of Decision no. _____, dated _____, of the Council of Ministers, are processed by self-governing units whereby the state of natural disaster been declared, in view of processing my request to receive financing from the reconstruction grants program, as provided in Articles 18 and 25 of the normative act no. 9, dated 16.12.2019, of the Council of Ministers, "On managing the consequences of natural disasters".</p>            |  |
|  | <p>- I hereby agree on the necessary data collected in pursuit of point _____, of the decision no. _____, dated _____, of the Council of Ministers;</p> <p>- I hereby disagree on the data collected and the application of procedures in this pursuit.</p> <p>- I disagree my personal data, collected in pursuit of point _____, of the decision no. _____, dated _____, of the Council of Ministers, are processed by self-governing units whereby the state of natural disaster been declared, in view of processing my request to receive financing from the reconstruction grants program, as provided in Articles 18 and 25 of the normative act no. 9, dated 16.12.2019, of the Council of Ministers, "On managing the consequences of natural disasters".</p> |  |

\_\_\_\_\_, on \_\_\_\_\_.2020 \_\_\_\_

The DECLARANT