



AmCham Albania New Membership Criteria

AmCham Albania is a non-governmental, non-profit organization that does not have a political affiliation, political orientation or political association with any political force in Albania, USA or any other countries. As such, with respect to any application from any new member, that is compliant with all the criteria below, the Board retains its right to apply its discretion and reject any such application that it views as not being in line with the qualities aforementioned in the first sentence of this paragraph. Such discretion shall be applied by the Board on a case by case basis and shall be based on the information made available to the Board at the time of the consideration for the relevant application.

Any applicant applying for membership to the American Chamber of Commerce in Albania may be granted a regular membership by the Board of Directors provided they meet the following criteria:

I. U.S. AND INTERNATIONAL COMPANIES

(Applicants must satisfy at least one of the following criteria)

- (i) A company registered in the United States with its headquarters located in the United States.
- (ii) A company majority-owned by an American citizen regardless of the location of its headquarters.
- (iii) An international company listed on a major international stock exchange.
- (iv) A company registered in Albania with at least a minimum 51 percent ownership by a foreign direct investor that meets the requirements of Law no.112/2020 on “Beneficial Owners’ Registry”.
- (v) An international company (but not-U.S.-owned or headquartered) with a U.S.-owned franchise.
- (vi) An international (but not U.S.- owned or headquartered) company that maintains U.S. companies as clients.

II. MAJORITY-OWNED ALBANIAN COMPANIES

(Applicants must satisfy all of the following criteria)

- (i) The applicant company is not a majority public, government - or socially-owned company. A minimum of 51 percent of the shares must be privately-owned.
- (ii) An Albanian privately-owned and registered company must demonstrate one of the following:
 - a) actively engaged in business (trade or investment) with a U.S.-based and registered company(s) and can demonstrate a future ongoing business relationship with the United States or U.S. companies.
 - b) distributes or is the exclusive representative of a U.S. company’s goods or services and will continue to maintain the distribution/representative agreement for the foreseeable future.



- c) a company which maintains a sizeable client list that is dominated by international or American firms.
 - d) holds a U.S.-owned franchise.
 - e) when none of the above conditions are met, the applicant firm must present an indicative plan (up to 150 words) to describe the future plans for economic relationship with U.S. companies / entities.
- (iii) A company registered in National Business Center of Albania in compliance with the Albanian Law on Commercial Activities and AmCham Code of Business Conduct. The applicant company should be able to be in compliance with the AmCham's Code of Business Conduct.

III. NON-GOVERNMENTAL ORGANIZATIONS (NGOs)

(Applicants must satisfy all of the following criteria)

AmCham is an association of businesses and companies. However, economic or development-oriented NGOs can contribute to AmCham's activities and objectives in terms of creating an improved business environment. It is recommended that AmCham continue its policy of admitting NGOs (subject to the criterion below) but that the number of NGO members to be limited.

- (i) The NGO has an identifiable relationship with the United States or international development assistance activities.
- (ii) The NGO's primary activity is related to promoting economic reform, economic development assistance or commercial activity.

IV. INDIVIDUALS/ PHYSICAL PERSONS

(Applicants must satisfy all of the following criteria)

AmCham provides for individuals (or physical persons) to join as members. It is recommended that the number of Individual members to be limited.

- (i) The applicant must be:
 - a) A physical person registered in the National Business Center
 - b) Demonstrable ties with US firms

V. BUSINESS INTEGRITY CRITERIA

(Applications must meet all of the following criteria's to be offered a membership with AmCham Albania)





- (i) Applicant's legal representative, persons in a leadership position within the company, and ultimate beneficiary owner (UBO)ⁱ are not convicted of crimes, sentenced to a term of imprisonment, not disqualified under a serious or criminal disciplinary sanction or suspended or banned from exercising their profession.
- (ii) Applicant's legal representative or persons in a leadership position have not been involved in activities leading to unlawful practices based on legal requirements and restrictions applied by the country of Albania.
- (iii) Applicant's legal representative or persons in a leadership position within the company are not given a designation by the Department of State or any other US governmental authority as a person and/or an organization involved in corruption, bribery, terrorist activities, or other activities harmful to the national security of Albania and/or the US.
- (iv) Applicant's legal representative or persons in a leadership position within the company have not conducted dishonorable or harmful activity contrary to objectives and purposes of the Chamber or for failure to comply with the charter or by-laws of the Chamber.
- (v) The company or any individual(s) associated with ownership or management of the company are not currently on the U.S. Treasury's Office of Foreign Assets Control (OFAC) Specially Designated Nationals (SDN) List.
- (vi) Applicants falling under section II '*Majority-Owned Albanian Companies*', to have a bank account opened with the local, second level banks in Albania.
- (vii) Applicants must uphold a good business reputation ~~locally~~.

VI. OTHER: SPECIAL CASES

If the Board of Governors deems the application to be one of strategic importance to AmCham, the Board of Governors may waive requirements and guidelines enumerated in Paragraphs I, II and III. A quorum of Board of Directors must be convened to review and amend this Membership Criteria.

ⁱ This shall have the meaning as defined in the law 112/2020 "On the Register of Ultimate Beneficiary Owners"