

Decision no. 2 dated 18.02.2013

(V-2/13)

The Constitutional Court of the Republic of Albania consisting of: Bashkim Dedja, President, Vladimir Kristo, Vitore Tusha, Sokol Berberi, Fatmir Hoxha, Admir Thanza, Xhezair Zaganjori, members, and Edmira Babaj, secretary, on 29.05.2012, examined in open judicial session the case no.16/2 Act pertaining to:

APPLICANT: **ASSOCIATION OF ALBANIAN SAPPERS**, represented by
Mr.Kadri Muka, upon declaration.

INTERESTED SUBJECTS:

ASSEMBLY OF THE REPUBLIC OF ALBANIA, represented by
Ms. Arjeta Cefa, with authorization.

COUNCIL OF MINISTERS OF THE REPUBLIC OF ALBANIA,
represented by Ms.Marsida Xhaferllari, with authorization.

MINISTRY OF FINANCE, represented by Mr. Gentian Opre, with
authorization.

SOCIAL INSURANCE INSTITUTE, represented by Mr. Ali Emini
and Ms. Merita Selita, with authorization.

OBJECT:

- 1. The repeal as unconstitutional of the Law no. 10367, dated 23.12.2010 “The approval of the normative act with the power of a law no. 5, dated 10.11.2010 of the Council of Ministers “Some additions and modifications to the Law no.10142, dated 15.5.2009” “The supplementary insurance of the Armed Forces Officers, of the employees of State Police, of Guard of the Republic, of State Information Service, of Police of Prisons, of Police of Fire Protection and Rescue, and of the employees of the Internal Audit Service in the Republic of Albania”;**
- 2. The repeal, as unconstitutional, of the word “net” found in letters c) and e) of the Chapter II, and in point 2 of the chapter V, of the Decision of the Council of Ministers (DCM) no.793, dated 24.09.2010**

“The implementation of the Law no.10142, dated 15.05.2009 on “The supplementary insurance of the Armed Forces Officers, of the employees of State Police, of Guard of the Republic, of State Information Service, of Police of Prisons, of Police of Fire Protection and Rescue and of the employees of Internal Audit Service in the Republic of Albania”, modified by the Decision of the Council of Ministers no.252, dated 09.02.2011.

LEGAL BASIS: Articles 1/1, 3, 4 point 1 and 2, 15/1, 18/2, 124/1, 131, letter “a” and 134/1, letter “f” of the Constitution of the Republic of Albania.

The Constitutional Court of the Republic of Albania, according to articles 131/a, 134/1/f of Constitution and articles 49/2 of Law no.8577, dated 10.02.2000 on “The organization and functioning of the Constitutional Court of the Republic of Albania”, unanimously,

DECIDED:

- To reject the complaint.

This decision is conclusive, final and enters into force on the date of publication in the Official Gazette.