

Course Name : E Drejte Financiare							
Course Code	Course Type	Regular Semester	Lecture (hours/week)	Seminar (hours/week)	Lab. (hours/week)	Credits	ECTS
LAW 221	N/A	Fall	3.00	1.00	0.00	2.50	4.00
Lecturer		Enkelejda Koka, PhD					
Assistant							
Course language		Albanian					
Course level		Program i Integruar					
Description		The subject of Financial Law studies the financial activity of the state and other legal entities, the mechanisms of collecting and spending financial resources, as well as the harmonization and planning of incomes and expenses within the financial economy that are carried out by public finance institutions. This course will examine the legal aspects of finance, it will describe the basic legal principles and institutional prerequisites of finance and financial markets. This course provides students with very important legal-financial knowledge on the main institutions of public finance through familiarity with the theory on financial institutions as well as operating practices of financial institutions. The subject will study three main issues; how, how much and from whom the funds should be collected; allocation of funds between different entities; the expenditure of funds, for the better realization of the tasks of the state and legal-public institutions; what are the effects of collection, allocation and spending by the state.					
Objectives		General knowledge of financial law. Acquisition of basic legal concepts related to financial law. The Legal Relationship of Financial Law and its object					
Core Concepts		1. Customs 2. Tax 3. Public Loan 4. Budgetary expenditure 5. State Budget					
Course Outline							
Week		Topic					
1		Introduction – Financial Science and Financial Law The topic gives a general introduction to the subject and deals with the meaning of financial science and financial law. The close connection that exists between the two, but also the differences they have with each other will be the subject of study. In particular, the role of financial law will be defined in the regulation of financial-legal relations that are created during the collection, distribution and spending of funds with which societal needs are met. (Page 12-39)					
2		General understanding of public needs and their classification The topic clarifies the definition of public needs, their meaning, types and their division. Public needs constitute one of the fundamental causes of the regulation of financial-legal relations through financial law and one of the fundamental causes of the existence of financial instruments such as taxes, duties, customs, etc. The correct identification of the types of public needs that justify the need for the collection of monetary funds constitutes the main object of study during the development of the topic. (Pg. 40-68)					
3		Public revenues in financial theory and practice as well as the system and policy of formation of public revenues The topic theoretically deals with public revenues as well as the system and policy of their formation. The fulfillment of state and social needs by the state based on its competences is realized precisely through financial means known as public revenues. During the analysis, the classification of public revenues into source and derived revenues will also be made; legal-public and legal-private revenues; regular and irregular incomes; income from natural persons and income from legal persons; refundable income and non-refundable income; earmarked income and unearmarked income, etc. In addition to the theoretical treatment, there will also be a treatment of some cases of financial practice to illustrate the explained concepts. (Pages 69-83)					

4	Taxes: Purpose, Elements, principles and effects The topic examines taxes, the basic and main financial instruments of revenue collection, with which the state covers its expenses with the aim of meeting the needs of the whole society. The determination of constituent elements, principles, characteristics, effects, goals and their classification depending on the defined criteria constitutes the main object of the study. Fiscal purposes, economic purposes and social purposes of taxes will be clarified in detail. Also, the identification of the characteristics of taxes (derivative revenue of the state, mandatory, collected in the public interest, no direct compensation, etc.) serves to distinguish and differentiate them from other forms of public revenue. The topic will also focus on tax classification in proportional and progressive, regular and non-regular, central and local taxes, in order to correctly understand taxes as a basic financial instrument. (Pages 84-103)
5	Meaning, importance and definition of taxes and contributions The topic deals with another important instrument for meeting societal needs, such as taxes. The identification of the characteristics of taxes, the definition given by the law, the importance they represent for the state budget, the differences they have with taxes and other forms of public revenue are the focus of this topic. The classification of taxes and the criteria defined for this purpose will also be done. Contributions will also be considered, defining the definition, types and other characteristics defined in the legislation. (Pg. 104-145)
6	Tax legislation in the Republic of Albania This topic deals with the regulatory legal framework in the field of taxes and duties, focusing especially on the law no. 9920, dated 19.5.2008 "On tax procedures in the Republic of Albania". Based on this law, it will be explained how the procedures for the administration of tax obligations in the Republic of Albania are regulated, as well as the principles of the organization and operation of the tax administration in the Republic of Albania. The law, which is applicable to taxpayers, tax administration, tax agents; any other person determined by the tax legislation, will be the main object of analysis in this topic. (Pg. 145-178)
7	Double Taxation and International Direct Taxation The subject takes into consideration international provisions and rules in the field of taxes, international agreements that are made between states with the aim of facilitating fiscal procedures for the entities that are subject to them and increasing the effectiveness of their collection by the state. Importantly, international tax law appears in the context of the elimination of double taxation, determining the procedure and the way the state acts, in order that the subject is not taxed twice for the same income or realized profit. (Pages 179-196)
8	Mid term exam
9	Customs, Customs System The topic examines customs as a special type of taxes that are paid at the time of the passage of a certain commodity across the customs border. The topic analyzes the characteristics of customs and their classification depending on different criteria, among which we can mention: the direction of progress (movement) of the goods, the purpose of applying customs, the way of issuing customs provisions, the height of customs loading. Customs legislation in the Republic of Albania and the main provisions for customs regulation will also be considered. (Pg. 197-225)
10	Analysis of legal issues on customs operations This topic analyzes legal issues related to the functioning of customs. The customs legislation in the Republic of Albania consists of the Customs Code, the international customs legislation related to the conventions to which RSH adheres and the by-laws in implementation of the Code. The object of study will be the different customs regimes and the problems at the theoretical and practical level related to them. Customs regime means: free circulation; transit; customs warehousing; active processing; processing under customs control; temporary permission; passive processing; export. Also, the analysis will be expanded with the customs violations provided for in the Customs Code, such as customs administrative violations and smuggling. (Pg. 226-253)
11	taxes This topic deals with taxes and legal provisions related to them in the Republic of Albania. Taxes in the Republic of Albania are divided into national taxes and local taxes. National taxes are set by the central government, collected by the central government and transferred to the state budget. Local taxes are determined by the local government, collected by the local government and transferred to the local budget of the respective unit. The focus of this topic will be especially the law no. 9975, dated 28.7.2008 "On national taxes", which defines the types of national taxes that are applied in the territory of the Republic of Albania, their level, as well as the procedures for calculation, collection and transfer to the state budget, as well as law no. 9632, dated 30.10.2006 "On the local tax system", which defines the rules for the exercise of rights and duties by local government bodies, for the imposition of taxes local and their collection and administration. (Pg. 254-283)

12	Public Borrowing: Meaning and Development This topic defines public, state loans as contracts, based on which, the lender (natural or legal person) gives the borrower (the state) an amount of money or items, determining the latter's obligation to return this money or items in a certain period, together with the interest. In addition to the meaning and definition, the topic analyzes in detail the advantages and disadvantages of public loans, as well as acquaints students with their classification into internal and external loans, voluntary and mandatory loans, short-term, medium-term and long-term loans, national loans and local. Practical cases of obtaining a loan from the Albanian state at the national and international level will also be part of the treatment during the development of the topic. (Pg. 284-307)
13	Public Expenditures The topic examines and analyzes public expenditures based on doctrinal interpretation and legislation in force. Public expenditures are carried out to meet public (state, social) needs. Through them, the state fulfills the tasks assigned to it by the constitution or laws. During the topic, the classification of public expenses into regular and non-regular expenses, investment and transfer expenses, personal and material expenses, expenses of central and local bodies will be studied. The composition of the structure of public expenditures in general and the content of law no. 9936, dated 26.6.2008, "On the management of the budget system in the Republic of Albania" will also be studied. (Pages 308-330)
14	State Budget, meaning, right, approval and implementation; budgetary principles; budget procedure The topic analyzes the legal provisions related to the State Budget and the constitutional provisions due to the importance it presents. Also, students will be introduced to the main principles that must be followed in the drafting and approval of the state budget and its constituent elements. The budgetary procedure defined in the law with all its components will be the focus of this topic. (Pages 331-362)
15	Revisionn
16	Final Exam
Prerequisites	
The student must attend the course at a minimum rate of 75%.	
Literature	
• 1. Genta Bungo, Shkenca mbi financat dhe e Drejta Financiare (botimi i dytë, ARSA 2009) • 2. Ligj Nr. 8438, Datë 28.12.1998 Për Tatimin Mbi të Ardhurat i ndryshuar • 3. Ligj Nr. 92/2014 Për Tatimin Mbi Vlerën E Shtuar në Republikën E Shqipërisë • 4. Ligj Nr.9975, Datë 28.7.2008 Për Taksat Kombëtare i ndryshuar • 5. Ligj Nr. 102/2014 Kodi Doganor i Republikës së Shqipërisë	
References	
• 1. Joseph J. Cordes, Robert D. Ebel and Jane G. Gravelle, eds., The Encyclopedia of 5 Taxation and Tax Policy, (Second Edition, The Urban Institute Press and the National Tax Association, 2005) • 2. Jonathan Gruber, Public Finance and Public Policy (Second Edition, Ëorth Publishers, 2007). • 3. Ligj Nr. 135/2015, Për Qendrën Kombëtare të Biznesit • 4. Ligj Nr. 66/2015, datë 14.07.2015, Për faljen e gjobave për mospagimin në afat të kontributeve të detyrueshme të sigurimeve shoqërore dhe shëndetësore nga subjektet juridike dhe fizike • 5. Ligj Nr.9920, datë 19.05.2008, Për procedurat tatimore në Republikën e Shqipërisë, i ndryshuar • 6. Ligj Nr.10 418, datë 21.04.2011, Për legalizimin e kapitalit dhe faljen e një pjese të borxhit tatimor dhe doganor, i ndryshuar	
Course Outcome	
1	Upon completion of this course, students will be able to describe and discuss the importance of financial law in creating and developing strong financial markets.
2	After completing this course, students will be able to analyze the institutional framework that is necessary for the provision of credit and the functioning of financial markets.
3	Students will be able to explain and critically discuss the fundamental legal components of the financial system.
4	After completing this course, students will be able to identify and critically assess the systemic risk in the financial market encountered by the financial authority

Course Evaluation			
In-term Studies	Quantity	Percentage	
Midterms	1	40	
Quizzes	0	0	
Projects	0	0	
Term Projects	0	0	
Laboratory	0	0	
Class Participation	1	10	
Total in-term evaluation percent			50
Final exam percent			50
Total			100
ECTS Workload (Based on Student Workload)			
Activities	Quantity	Duration (hours)	Total (hours)
Course duration (Including the exam week: 16x Total hours of the course)	16	4	64
Study hours outside the classroom (Preparation, Practice, etc.)	14	2	28
Duties	0	0	0
Midterms	1	5	5
Final Exam	1	3	3
Other	0	0	0
Total Work Load			100
Total Work Load / 25 (hours)			4.00
ECTS			4.00