

**L A W**  
**No. 7501 dated 19. 07. 1991**

**CONCERNING THE LAND**

Based on articles 16 of the Law No. 7491 dated 29. 04. 1991 "On basic constitutional provisions", upon proposal from the Council of Ministers,

**The Peoples Assembly of the Republic of Albania**

**HAS DECIDED AS FOLLOWS:**

**Article 1**

In the Republic of Albania, the land is classified into:

- a)** Agricultural land occupied by agricultural crops and orchards, vineyards and olive groves situated in any place, in villages, in cities, or any other inhabited area, irrespective of their size;
- b)** Land occupied by forests, pastures and meadows;
- c)** Non-agricultural land; occupied by economic, socio cultural, military buildings and related facilities; by living premises and yards; land occupied by public facilities (roads, highways, airports, railways, public grounds, parks, gardens, sports grounds, cemeteries); rocky areas, coastal sandbanks, beaches, wetlands (lakes, reservoirs, ponds), canals, rivers, streams, marshlands, gravel lands, the grounds of historical buildings and monuments, as well as archaeological sites.

**Article 2**

The state distributes land to physical and legal entities whereupon they become entitled to ownership rights and other rights as provided by law.  
It is prohibited to sell or buy land.

**Article 3**

The state grants ownership or lease rights over agricultural land to legal and physical entities free of charge.

**Article 5**

Foreign physical and legal entities may acquire construction grounds at established lease rates. The purpose and duration of the lease are subject to contractual agreements.  
Lease rates are determined on the basis of value of lease object, location of the ground and other economic considerations in accordance with criteria developed by the Council of Ministers.

**Article 5**

Households who used to be members of former agricultural cooperatives, following the

distribution of land; are entitled to become separate subjects whereupon they become owners of the agricultural land awarded to them. The size and location of the land to be allocated to each household is the competence of the Land Commission.

In mountainous and hilly areas, where households cannot be awarded sufficient land for their livelihood, the state institutes measures to provide supplementary living resources through subsidies, investments for job openings, social welfare programs and controlled movements of the population based on the program of measures to be endorsed by the Council of Ministers.

#### **Article 6**

Households in the villages who were not members of the agricultural cooperatives and households working and living on state owned farms are also awarded land in sizes to be determined in accordance with established criteria, which they can utilize to make their living.

#### **Article 7**

To distribute land to physical and legal entities, both in ownership and utility title, and to address problems created in the recent times, the following commissions are established: The State Commission on land at the Ministry of Agriculture and Food, Land Commissions at the Executive Committees of the People's Council; and Land Commissions at the People's Councils in the villages.

The duties and rights of these commissions are defined by Decision of the Council of Ministers.

#### **Article 8**

The distribution of land, either in ownership or utility title, will take count of neither former ownership, nor the land boundaries and sizes before collectivization.

#### **Article 9**

The specialized authority in possession of data concerning the land is the cadastre at the executive committees of the people's councils at the districts.

#### **Article 10**

The land that passes into the ownership or utility of physical and legal entities is registered in the cadastre.

In any case, subsequent changes to the first registration are always registered in the cadastre.

#### **Article 11**

The legal and physical entities, who already enjoy or gain ownership or utility title, are obligated to use the land for agricultural purposes alone, to preserve and increase the production capacity of the land, as well as to construct works to protect and administer it in an orderly fashion.

#### **Article 12**

The owners and users of agricultural land are obligated to protect electricity and irrigation facilities, equipment and installations. No owner or user has the right to obstruct other owners and users from utilizing these equipments and installations. The structures of government at the central and grass root level have the power to dissolve disagreements that may arise.

#### **Article 13**

Dwelling houses, buildings for economic, socio economic and any other activity are constructed within the boundary line (the yellow line). Construction land is acquired with or without payment in accordance with criteria established by the Council of Ministers. Any kind of construction on agricultural land outside the boundary line is prohibited except when the competent authorities issue a special decree to the contrary. The full value of constructions and installations must be included in the cost of land.

#### **Article 14**

In accordance with regulations developed by the Council of Ministers, buildings and establishments serving the purposes of agriculture and stock breeding activity may be constructed on agricultural land.

#### **Article 15**

If over a period of one year, a physical or legal entity with utility rights does not use the land for agricultural or stockbreeding purposes, such right shall be withdrawn.

#### **Article 16**

The physical and legal entities that have obtained ownership or utility title for construction and other economic activities, if failing to honor the contractual deadline for completion of the activity, will be obligated to pay a fine equaling the average annual rent of the land.

#### **Article 17**

Industrial and mineral waste and waters containing chemical substances harmful to farming will be channeled and collected in specially designated sites to protect the land, the plants and water from pollution and to avoid threats to human, animal and fowl health. Sites for waste collection are approved as part of the construction ground for the object. If waste collection sites are not foreseen in the application, the application will not be considered. It is prohibited to dump or bury any dangerous waste, locally produced or imported.

#### **Article 18**

Upon endorsement of the projects and construction grounds by the relevant authorities, the land passes into ownership or lease of the entity undertaking the construction, but in any case not earlier than three months before the start of construction operations. Changes in the cadastre are effectuated following the start of such operations.

#### **Article 19**

Ownership or utility title is taken away from legal or physical entities when so required by important state interests in accordance with decisions made by the relevant authorities. If in

the name of indispensable state needs, the construction takes place on land belonging to physical or legal entities, the state is obligated to compensate the entities with equal size land and in cases of impossibility of in-kind compensation, the state will indemnify the value of investment and the real value of the land. Indemnification disagreements are taken to the courts.

#### **Article 20**

Damages caused in orchards, olive groves, vineyards, agricultural crops, in objects serving economic, social and cultural purposes, are indemnified by the subject causing the damage. The amount of indemnification is estimated by the executive committee of the people's council of the region as per the real value of the damage.

The court dissolves disagreements on the amount of indemnification.

#### **Article 21**

Organs of the local power of the respective jurisdiction must prevent any act of occupation or damage to the land under their jurisdiction and acts that come into conflict with this law and related by-laws.

In cases of occupation or damage to the land, members of the people's council at the respective jurisdiction, the owners or users of the land, the cadastre and city planning employees and people's police are obligated to hold a report demanding the violator to return the land to its former condition within 3 days, otherwise the report is sent to the following bodies to take respective steps:

- The people's council of the village, the quarter, the city or the area, who within two days must make a decision to demolish the object and return the land to its former condition. The decision is executed by the body having made it within 5 days from the date of the respective decision-making. Expenses for returning the land to its former condition are charged to the violator.
- The office of the cadastre to institute the administrative punishment when the violation is not a criminal offence.
- The investigating authority when the violation is a criminal offence or the decision of the respective people's council has not been implemented.
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#### **Article 22**

When the land is seized, occupied or damaged by a third entity, the owner or user is entitled to institute court proceedings.

#### **Article 23**

Persons who: violate the provisions of this law and relevant by-laws passed by the Council of Ministers; do not utilize the land themselves, but turn it in to third parties; do not protect the land; set up illegal buildings; fail to service the land as scheduled in the contractual agreement; and fail to notify the cadastre office on changes in the condition of the land, in ownership or utility title, on no legitimate grounds, within the prescribed time limits, when these violations do not qualify as a criminal offense, are punished as administrative infringements with fines from 2000-5000 leks by cadastre chief-of-party in the district.

Punishment may be appealed within 10 days of its communication with the Chairman of the Executive Committee of the People's Council in the District whose decision is final.

Persons who, in violation of the legal provisions, seize the land or abuse it in any manner are subject to judgment in accordance with provisions of the Criminal Code.

#### **Article 24**

Criteria for distribution, registration, change, transfer of ownership, appraisal or leasing the land, as well as the responsibilities of the cadastre offices are deliberated by the Council of Ministers.

#### **Article 25**

Agricultural land owned in accordance with the provisions of this laws, will be subject to regulation by the heritage legal provisions to be endorsed.

#### **Article 26**

Law No. 5686 dated 21. 02. 1987 "On protection of land" and all by-laws coming into conflict with this law are hereby repealed.

#### **Article 27**

This law enters into force immediately.

**PRESIDENT OF THE REPUBLIC**  
**Ramiz Alia**

## **L A W** **No. 7715 dated 2. 06. 1993**

### **CONCERNING SOME CHANGES AND ADDITIONS TO LAW NO. 7501** **DATED 19. 07. 1991 "ON THE LAND"**

- Based on article 16 of Law no. 7491 dated 29. 04. 1991 "On basic constitutional provisions" upon proposal from a group of deputies,

**The People's Assembly of the Republic of Albania**

**HAS DECIDED AS FOLLOWS:**

#### **Article 1**

To make the following changes to article 1 letter "c":  
Delete the word "etc." after the words "their yards".  
Delete the word "etc." after the words "historical and archaeological" and add the words "and all other pieces of land not included in points "a" and "b" of this article".

#### **Article 2**

In article 2, after the words "the right of ownership" the following words are added "over the plot of land".

### **Article 3**

After article 3, add article 3-a reading as follows:

“Owners of the agricultural land may lease it to physical or legal entities, national or foreign. The provisions of the Civil Code relative to lease contracts will apply for purposes of regulating lease of the agricultural land”.

### **Article 4**

At article 4, paragraph one, the word “ground” must be replaced with the word “land” and after the words: “... for construction...” Add the words “and other economic activities”.

### **Article 5**

Article 7 is changed as follows:

“For purposes of granting land in ownership or utility title to physical or legal entities, as well as to prevent social disturbances, are established: the State Commission on Land at the Ministry of Agriculture and Food, the commission for land distribution at the council of the region; the commission for land distribution at the commune; and the commission for land distribution at the village.

The duties and rights of the commissions are defined by decision of the Council of Ministers.”

### **Article 6**

Add the following paragraph at article 10 reading:

“If in a village the distribution of the land patents is complete and any physical or legal person refuses to accept the patent, the commission notifies the person in writing within 15 days from completion of patent distribution to present himself to pick it up. If within one month from the day of receiving notification, the subject will not pick the patent up, or in the case of subjects who, having accepted it initially, notify in writing of the desire to relinquish the title, these subjects instantaneously lose the right to ownership or to utilization.

### **Article 7**

- At article 19, after the words “... various constructions” the words “and other economic activities ...” are added.

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### **Article 8**

Article 21 is changed as follows:

“Local government bodies, within their jurisdictions, must prevent the seizure or exploitation of land in manners that conflict with this law and relevant by-laws to implement this law.

In cases of seizure, damage and illegal constructions by physical and legal persons, the village burgomasters, land distribution commissions until such time as they remain in force, cadastre employees, legal city-planning employees and police members are obligated to denounce the violations of this law.

The owners and users of the land who have acquired the land patent are also entitled to the right to denounce violations described in this article.

Denunciation is made within 2 days of the violation by handing in a report to the commune or municipality council of the jurisdiction where the violation has taken place.

The council of the commune or municipality, within 15 days from receiving notification, is obligated to convene and deliberate on:

**a)** The release and restitution of land to its former condition within 3 days;

**b)** Demolition of the illegal object and restitution of the land to its former condition within 5 days; (expenses incurred by returning land to its former condition are charged to the violator. With regard to points “a” and “b” action is also taken when such changes are made as may conflict with the destination of agricultural land.);

**c)** Punishment by a fine of 5 leks per m2;

**d)** Indemnification of the economic damage caused by the violator to the physical and legal entity who has obtained the land either in ownership or in utility title.

When the land is not title of physical or legal entities, indemnification is due to the municipality or commune.

For points “c” and “d” action is taken when the seized land is still utilized for agricultural purposes.

The decision of the commune or municipality is final.

Public Order structures in the area of their jurisdiction are obligated to execute the decision of the council of commune or municipality within 5 days.

When the violator is an inhabitant of another district, the public order structures of the jurisdiction where the violator lives are obligated to implement the decisions.

- In the event that, after the administrative measures described by this article, the violator refuses to implement the decision, the council of the commune or municipality denounces the issue with the judicial authorities of the district.

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#### **Article 9**

- At article 23 delete words: “... do not utilize the land themselves, but give it out to third parties” and the words: “... set up illegal buildings”.

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#### **Article 10**

- This law enters into force immediately.

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**Promulgated with Decree No. 574 dated 26. 06. 1993 of the President of the Republic of Albania, Sali Berisha.**

**L A W**  
**No. 7763 dated 25.10.1993**

**CONCERNING**

- **SOME ADDITIONS TO LAW No. 7715 DATED 2. 06. 1993 “ON SOME CHANGES AND ADDITIONS TO LAW No. 7501, DATED 19. 07. 1991 “ON THE LAND”**

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- Based on article 16 of the law no. 7491 dated 29. 04. 1991 “On Basic Constitutional Provisions” upon proposal from a group of deputies,

**The People’s Assembly of the Republic of Albania**

**HAS DECIDED AS FOLLOWS:**

**Article 1**

Paragraph 14 of article 8 of Law no. 7715, dated 2.06.1993 is changed as follows:  
-The decision of the Municipality or Commune Council is executive title of final instance.

**Article 2**

After paragraph 14 of article 8, the following paragraph is added:  
-For purposes of executing decisions by the Municipality or Commune Council as per letters “c” and “d” in cases of the violator failing to effectuate the voluntary clearance of the fine, the Bailiff’s office at the District Court is charged with executing the decision.

**Article 3**

The last by one paragraph of article 8 is changed as follows:

- In cases the violator resides in another jurisdiction, the task to execute the decision to punish the violator is charged to structures defined in article 2 of this law in the area of jurisdiction where the violator resides.

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**Article 4**

- The Ministry of Justice is hereby tasked to establish Bailiff’s offices in every district for the purpose of executing such decisions.

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**Article 5**

- This law enters into force immediately.

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Proclaimed by decree no. 685 dated 9. 11. 1993 of the President of the Republic of  
Albania, Sali Berisha.

**L A W**

**No. 7855 dated 29. 07. 1994**

**CONCERNING  
SOME ADDITIONS TO THE LAW NO. 7501 DATED 29.04.1991 "ON THE  
LAND"**

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Based on articles 16 and  
23 of law no. 7491, dated 29. 04. 1991 "On Basic Constitutional Provisions" upon proposal  
from a group of deputies,

**The People's Assembly of the Republic of Albania**

**HAS DECIDED AS FOLLOWS:**

**Article 1**

After article 5 of Law No. 7501, dated 19. 07.1991 "On the land", article 5-a is added reading  
as follows:

"The Land Commissions at the villages deposit the documentation on land distribution with  
the cadastre office of the district in accordance with endorsed provisions and criteria".

**Article 2**

After article 23, article 23-a is added reading as follows:

"Commissions acting in violation of article 1 of this law and other legal and sub legal acts  
setting the criteria for compiling documentation relative to land distribution, when such acts  
do not qualify as criminal offences, every member of the commission of any instance,  
depending on the degree of responsibility, is punished for his/her administrative infringement  
with fines of 2000 up to 5000 leks.

The chairperson of the district council administers fines in his capacity as the chairman of the  
district's land commission.

Decision by the Chairman is final.

**Article 3**

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If the chairman and  
secretary of land commission still refuse to comply with requirements for documentation  
submission, the District's Land Commission is entitled to press charges on count of abuse of  
power.

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**Article 4**

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This law enters into force  
immediately.

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Proclaimed by decree no. 909 dated 16. 08.1994 of the President of the Republic of  
Albania, Sali Berisha

**REPUBLIC OF ALBANIA  
THE ASSEMBLY**

**L A W  
No. 8752 dated 26. 03. 2001**

**CONCERNING  
THE CREATION AND OPERATION OF LAND PROTECTION AND  
ADMINISTRATION STRUCTURES**

Based on articles 78 and 83 point 1 of the Constitution, upon proposal from the Council of Ministers,

THE ASSEMBLY  
OF THE REPUBLIC OF ALBANIA  
**HAS DECIDED AS FOLLOWS:**

**CHAPTER I**

**GENERAL STIPULATIONS**

**Article 1**

The purpose of this law is to define structures at local government level charged with the protection and administration of the land.

**Article 2**

For the purposes of this law:

1. "Administration" means the processes of delineation, documentation and consolidation of information on land ownership, on the value and manner of land utilization for purposes of promoting and implementing land management policies.
2. "Management" means the activities relative to the utilization of the land as a resource of great economic and environmental value.
3. "Multiple purpose cadastre" means a register for recording a variety of attributes of land plots.
4. "Land" has the same meaning as agricultural land in the Law No. 7501 dated 19. 07. 1991 "On the land".
5. "Forest land and wood" has the same meaning as in the Law no.7623 dated 13. 10. 1995 "On Forests and Forest Police".
6. "Pasture and meadow" has the same meaning as in the Law no. 7917 dated 13. 04. 1995 "On Pastures and Meadows".
7. "Bank" has the same meaning as in the Law no. 8093, dated 21. 03. 1996 "On water reserves".
8. " Technical dependence" means the obligation of the structures defined in this law to implement by-laws passed by superior instances.

9. "Descriptive data" means the data recorded in bookkeeping and various other records.

10. "GIS" means the Geographic information system.

11. "Barren land" means land of poor quality that is not included in entries such as agricultural land; forest land; wood, pastures meadows and grounds.

12. "Land protection" means the physical protection of the land and its fertility from erosion, pollution and degradation.

## **CHAPTER II**

### **ORGANIZATION**

#### **Article 3**

At the Region's Council, for purposes of land administration and protection, the Section on Land Administration and Protection is established as a delegated function of the Council of Ministers.

#### **Article 4**

The number of staff and manner of operation of the Section on Land Administration and Protection are defined by decision of the Council of Ministers.

#### **Article 5**

The chief of the section and specialists are hired and fired in accordance with Law No. 8549 dated 11.11.1999 "Civil Servant Status".

#### **Article 6**

To administer and protect the land, as per functions defined in Law No. 8652 dated 31.07.2000 "On establishment and operations of local governments" the Office on Land Administration and Protection is set up at every commune and /or municipality.

#### **Article 7**

The Section on Land Administration and Protection at the Region level and the offices on land management and protection at the commune and/or municipality level are under the technical dependence of the Ministry of Agriculture and Food.

The Minister of Agriculture and Food passes by-laws to make this law implementable, sets the methodic and technical lines for the administration and management of the land, and oversees the implementation of such by-laws and instructions.

#### **Article 8**

The Section on Land Administration and Protection at the Region level and the office for the management and protection of the land at the commune and/or municipality are accountable for the implementation of the tasks set by this law and relevant by-laws to the Region's Council and the Council of the Commune/Municipality respectively.

The Section for Land Administration and protection at the Region level interacts and exchanges data with the section or office for land management and protection at the commune and/or municipality level.

## **CHAPTER III**

### **OBJECT AND FUNCTIONS**

#### **Article 9**

The Section on Land Administration and Protection at the Region level, administers and takes steps to protect the land within the administrative and territorial jurisdiction of the region, as described by article 11 of this law.

#### **Article 10**

The office for land management and protection manages and takes steps for land protection in the territory within the administrative and territorial jurisdiction of the commune and/or municipality.

#### **Article 11**

The Section for Land Administration and Protection at the Region level and the office for land management and protection at the commune and/or municipality are responsible for:

- a. The state agricultural lands legally assigned to the region, commune and/or municipality for administration;
- b. Private agricultural lands;
- c. Communal and private forests;
- d. Communal and private pastures;
- e. State forest land legally granted to the region, commune and/or municipality for administration;
- f. River banks legally granted to the region, commune and/or municipality for administration;
- g. Urban grounds in the villages;
- h. Barren lands.

#### **Article 12**

The Section for Land Administration and Protection at the Region level, in the capacity of a multi purpose cadastre for lands under its jurisdiction, carries out these functions:

- a) Plans the use of land, effectuates the changes in the cadastral entries and leads the formulation of development strategies.
- b) In conjunction with specialized institutions compiles, keeps and updates the geographical information in the shape of maps, descriptive data and the GIS.
- c) Designs and institutes, in conjunction with the communes and municipalities, the implementation of programs and measures for the physical and fertility protection of the land from erosion, pollution and degradation.
- d) Implements obligations deriving from international conventions and agreements on land protection to which Albania is a party.
- e) Keeps the archive and fundamental registers, provides information and carries out services that benefit the physical and legal entities.
- f) Conducts appraisals of the agricultural, forest, pasture, meadow and wood lands as may

become necessary for expropriation, taxation and levy purposes.  
Manner of carrying out the functions described in this article is defined in the by laws passed by the Council of Ministers.

### **Article 13**

The Section or office for land management and protection carries out these functions:

a) Prepares documentation to be submitted to the Council of the commune and/or municipality with regard to lease, concession, utilization permits or any other manner of transference of rights foreseen by legal and sub-legal acts concerning state land, woods, communal pastures, forest land and river banks which have legally passed under ownership or administration title of the region, commune and/or municipality.

b) Gathers geographic data and keeps the maps and documentation for which it is responsible in accordance with legal acts.

c) Institutes protective measures with regard to the physical condition and fertility of the land as may be needed to address damage caused by erosion, pollution and degradation.

Manner of carrying out the functions described in this law is defined in by-laws passed by the Council of Ministers.

## **SANCTIONS AND CLOSING PROVISIONS**

### **Article 14**

Failure to institute or to implement measures relative to physical damage, reduction of fertility from erosion, pollution and degradation, when not a criminal offense, qualifies as an administrative infringement and is fined with 10 000 up to 50 000 leks by the specialist for land protection at the section on land administration and protection at the Region level in accordance with Law no.7697, dated 7. 04. 1993 "On administrative infringements". Indemnification of damage is handled separately.

### **Article 15**

The punishment decision may be appealed within 10 days from the day of its communication with the chairman of the Region's Council who is obligated to review the complaint and make a decision within 5 days.

### **Article 16**

Complaint and execution procedures follow the provisions of the Law no. 7697, dated 7.04.1993 "On administrative infringements", with subsequent changes and additions.

### **Article 17**

The Council of Ministers is hereby charged to endorse sub-legal acts to the effect of articles 4, 12, and 13 of this law.

### **Article 18**

Articles 17, 20 and 24 of the law no.7501 dated 19. 07. 1991 "On the Land" and any other legal or sub-legal act that may come into conflict with this law are hereby repealed.

**Article 19**

This law enters into force 15 days following its publication in the Official Journal.

**C H A I R M A N**  
**Skënder Gjinushi**