

REPUBLIC OF ALBANIA
THE PEOPLE'S ASSEMBLY

LAW
No. 7917, dated 13.04.1995

ON THE PASTURES AND MEADOWS

Based on the article 16 of the law No. 7491, dated April 29, 1991 for "the main constitutional provisions", with the proposal of the Council of the Ministers,

THE PEOPLE'S ASSEMBLY
OF ALBANIA REPUBLIC

DECIDED:

Chapter I
GENERAL PROVISIONS

Article 1

The objective of this law is the administration, the usage based on right criteria, the treatment, the increase of the keeping capacities and the insurance of the ecological balance of the pastures and meadows and the restitution of them.

Article 2

Pasture and meadow is every sort of land covered by grass or shrubs that doesn't belong to the agricultural land or forest fund, according to the cadastral documentation of August 1, 1991 (except for those sort of lands changed by the provisions in power) and which is used for grazing and grass scathing for the livestock.

The pastures and the meadows, according to the period of their use, are classified as summer and winter ones, in compliance with the criteria defined by the Minister of Food and Agriculture.

Chapter II
OWNERSHIP, ADMINISTRATION AND THE TREATMENT OF THE PASTURES & MEADOWS.

Article 3

Pastures and meadows are classified as state owned pastures and meadows, state owned pastures and meadows given for general use and private pastures and meadows in private ownership or co-ownership.

1. State owned pastures and meadows are state property and are administered by the General Directory of the Forests and Pastures through its depended enterprises in districts.
2. State owned Pastures and Meadows given for general use, are state property, administered by respective commune and municipality and are given for use to local people belonging to their jurisdictions.
3. Private Pastures and Meadows are in private ownership and co-ownership.

Article 4

Pastures and Meadows, private ownership or co-ownership of which is certified by legal documentation and by having clear borders, shall be subject of restitution. The ex-owners and heritable persons have all the rights of the private property.

Article 5

As borders of Pastures and Meadows among villages, communes and municipalities are known those of 1945. Based on the cadastral documentation, the General Directory of Forests and Pastures can proclaim the borders of the state owned Pastures and Meadows by approval of the Council of the Ministers.

Article 6

Pastures and Meadows of state property can be given in tenancy to a native natural and legal person according to the contract made between the interested legal and natural person and the depended enterprise of General Directory of Forests and Pastures in compliance with technical criteria defined by the Minister of Food and Agriculture.

Article 7

Water objects, buildings and other installations within the territory of a private Pasture and Meadow, become property of the owner after having paid their nominal value and the necessary tariffs on it.

Water objects, buildings and other installations within the territory of the Pastures and Meadows given for general use, can be given for use to communes and municipalities.

Article 8

The change of the destination for certain parts of the pastures and the meadows is done only by the approval of the General Director of the Forests and Pastures of the Chief of the District for the areas up to 10 ha. From 10,1 ha up to 50 ha. can be done only by the approval of the Minister and for the surfaces over 50,1 ha., by the approval of the Council of the Ministers, after the value of this surface has been paid according to the tariff set by the Council of the Ministers.

Article 9

In compliance with the administration, the enterprise, commune or the municipality, is responsible for the administration, usage and the pastures treatment based on the management and the inventory plans for the pastures and the meadows, keeps the fund for each year, adapts the data with the district's cadastre, makes periodically the evaluation of the keeping ability for the implementation of the construction works according to the designed projects.

The duty of the General Directory of the Forests and Pastures is to ensure (guarantee) through its depended enterprises, the paid technical assistance for the project's design and its implementation for the pastures and meadows that are administered by the local authorities and owners.

The works done for the radical improvement of the pastures and meadows administered by the General Directory of Forests and Pastures, and the construction works related to their rational utilisation (irrigation works, buildings, roads, etc.) are financed by the state.

Article 10

Private persons, having pastures and meadows in their private ownership or co-ownership, shall be involved in the general strategy for the pastures and meadows development.

Chapter III

THE USE AND THE TREATMENT OF THE PASTURES AND THE MEADOWS

Article 11

A contract up to 10 years should be signed by any interested person for the state pastures and meadows given in tenancy, and the objects related to them as well. Getting pastures, meadows and water objects, buildings and other installations within their territory in tenancy, shall be realised by the signing of a contract. The criteria for setting pasturing tariffs are defined by the Council of the Ministers.

Article 12

It is forbidden the granting of the livestock at the parts where have been done improvement works, at the natural reserves, at the seed reserves and at the experimental plots. Parts of the pastures and the meadows that are degraded or where improvement works are under the process, the enterprise or the local authority that manages them, excludes them for use for a certain period of time, through a special act of the Minister of Food and Agriculture of the Chief of the District's Council.

Article 13

The medicinal plants that are at the pastures and meadows can be collected by the juridical and natural persons in compliance with the law: "For the protection of the medicinal, etheroily, tanifare plants".

Article 14

The construction of the camps, tents or of other moving objects at the pastures and meadows in the state property and, of those given in general use, is done only by a permission and only to the places decided by the enterprises of the local authorities.

Article 15

The use of the land surface of the pastures and the meadows by the mining or power industry as well as the extraction of stones, gravel, the construction of the lixstone furnaces and the other works of that type, the place of the bee houses, is done only through a special permission of the enterprise or the local authorities, at the set time and place and only after the payment of the tariffs in power, according to the criteria specified by the article 8 of this act.

Chapter IV **THE PROTECTION OF THE PASTURES AND THE MEADOWS**

Article 16

The General Directory of Forests and Pastures and local authorities are responsible for the management of pastures and meadows and for their protection from any sort of damage.

Article 17

The natural and legal persons having pastures and meadows, are obliged to guarantee their protection from any kind of damage.

The springs, water systems, the buildings, the trees, the experimental plots and the natural reserves of the pastures and meadows, are protected according to this law.

Article 18

It's forbidden to burn the pastures and meadows. It might be allowed in special cases to burn them by a special authorisation of the General Directory of forests and pastures.

Article 19

In case of fires of the pastures and the meadows, the enterprises responsible for them, the local authorities (the commune and municipality), and private owners, the military forces, the schools and every citizen that happens to be near the site, have to notify for the fire and take part to its extinguishing. The work is leaded by the enterprise and the local authorities and the expenses are to be provided according to their administration.

Article 20

It's forbidden to damage and demolish the pastures and meadows, water systems, the buildings and other various installations as well as every action that affects the ecological stability of pastures and meadows.

Chapter V **CONTRAVENTION**

Article 21

The violation of the article 8, 11, 13, 14, 15, 18, and 20 of this law when it brings a damage of up to 10,000 leke is considered as an administrative contravention and is fined at 1000 - 10,000 leke and by the collection of the value of the damage.

When the damage is over 10,000 leke, the guilty person gets punished according to the provisions of the Penal Code.

Article 22

In case of violation of the foreseen provisions at the article 21, the employee responsible of the enterprise, or the legal authorities (commune, municipality), or private, keeps report.

Article 23

The examination of the administrative contravention at the pastures and the meadows is carried out by a commission of not less than 3 people near the enterprise and the local authorities (commune, municipality), and its composition is decided by the director of the enterprise or the Chief of the local authorities. The violator can complain within 5 days since the declaration at the District Court.

The fine and its payment should be done voluntarily within 5 days since the date of the decision. After this term is due, the provisions foreseen by the law No. 7697, date 7.04.1993 "For the administrative contravention" are applied.

Article 24

The damage's compensations done at the pastures and meadows, are defined by the Council of the Ministers.

Article 25

The Council of the Ministers is authorised to draw the necessary normative acts for the implementation of this law.

Article 26

The ex-owners or (heritable persons) of pastures and meadows should submit to the district state commission for restitution and compensation the required documentation related to their property, within one year after this law come into legal force. After this term is due, the documentation is not acceptable.

Article 27

The compliance against the decision of the district commission shall be raised at the District Court.

Chapter VI **THE LAST PROVISIONS**

Article 28

The order of the Council of the Ministers No. 1, dated 9.05.1981, and every provision that is against this law is abrogated.

Article 29

This law come in legal force 15 days after its publication at the official newspaper of The People's Assembly of Albanian Republic.