

REPUBLIC OF ALBANIA
MINISTRY OF AGRICULTURE AND FOOD

DIRECTORATE GENERAL FOR FORESTS AND PASTURES

INSTRUCTION

No. 1, dated 23/05/1996

ON

"On technical criteria of leases of pastures and meadows"

In virtue of article 6 of law No. 7917 date 13/04/1995 "On pastures and meadows: the Ministry of Agriculture and Food issues the following

INSTRUCTION

I. Technical criteria on leases of state-owned pastures and meadows.

Entering into lease contracts for animal grazing with local legal and natural entities is made by district dependent bodies of the General Directorate of Forestry and Pastures according to priorities as set below:

1. With livestock owners villagers who are nearest the location of pasture or meadow.
2. With livestock owners within the Commune and being nearer the location of a pasture or meadow.
3. With livestock owners within the district that are nearer the location of the pasture and or meadow.
4. With livestock owners within the prefecture
5. With livestock owners of other districts.
6. Within each order of priority more preferred shall be those will the bigger number of animals.

The legal or natural entity submits its request in writing to the dependent bodies of the General Directorate of Forestry and Pastures within 30th of January for summer pastures and within 30th of June for winter pastures. To this aim it should have attached a veterinary certificate. Each year of service. District veterinary certifies pastures or meadows on their epizootic status. This certificate shall be issued to a state entity which administers the pasture. Legal entities present their license that allows them to exercise this activity. Whereas natural entities present a certificate by the village headman certifying its place of residence and number of animals it owns. Dependent bodies in the district are obliged that in ten days of the set deadlines to consider requests and determine natural and legal entities which enjoy the right to lease pastures and meadows. For all requests a percentage in writing is provided.

Dependent bodies in districts together with the approval of a request submit to natural or legal entity a draft contract of leases of the pasture. The entity is obliged that in 30 days sign the draft contract or make relevant remarks. From this moment the contract is considered as reached. The contract is a one year one and can be renewed by the entity up to 10 years. At the moment of signing of the contract the entity (subject) pays its total value.

II. On the way of use of pastures and meadows.

1. The grazing of animals is done on the basis of zones or parcels system with the aim that its production capacity be operated rationally.

The pasture is split up into zones or parcels according to terrain by natural landmarks and order of grazing on it for every flock of livestock belonging to one dairy-hut. Zones or parcels be of such a size that livestock animals graze on each of them no longer than 5-6 days. The grazing on a zone or plot shall be interrupted when height of grass shall be 4-5 cm and be grazed no less than 6 days. The pasture or meadow shall be split up into so many zones or parcels that the flock of animals of dairy-hut may return on the first parcel grazed after 20-25 days, taking into account grazing capacity of the parcel and duration of grazing period of season etc., To this aim the renter compiles

a schedule with a matrix scheme for relevant zones or parcels.

2. Via a minutes there shall be set time of start of grazing after state of vegetation of pasture or meadow has been verified. To reach this time it is required that height of grass have reached 8-10 cm for the grazing of small ruminants and 15 cm for the grazing of cattle and solipeds always taking into account toxic development stages of plants, when such are known to exist in the territory of grazing. The grazing is finished when vegetation period ends and grass height reaches up to 4 cm as well as for 'causa majore'.

3. Exploitation of the pasture be done by taking into account its grazing capacity and supplements after the works made on it. In no way is grazing of a number of animals over the grazing capacity of the pasture allowed.

4. When grazing animals, the shepherd compulsorily should lead the flock, and not let it walk over other zones or parcels, following the relevant scheme.

5. On the pasture areas on which plantings of polyfile or spontaneous species have been made grazing the first year is forbidden. Grazing is permitted after a vegetation period has elapsed, plants have reached the proper density and have reached a height of 20 cm.

6. On pastures, which have been fertilised, (nitrogen-based fertiliser) grazing is allowed after a period of 25-30 days of the day of application of fertiliser in order not have damages caused by animals and that growth of grass might be enhanced.

7. On areas fertilised with non stationary sheep-folds, time of stay of animals over them is not allowed to be more than two to three nights, estimated for each sheep to be allotted a sheep-fold area of 0.5 m².

8. Natural plant multiplication areas, used for seed multiplication and experimental parcels, in virtue of article 12 of Law No. 7917 are not allowed to be grazed by animals.

9. Cutting (scything) grass on pastures and meadows is done at the time the grass has reached the highest nutritional value, at a time 25-30 % of main plants shall have reached blooming stage. Grazing over these areas is allowed only after the grass has been removed, scythed and revegetated plants shall have reached a height of 6 cm.

10. Each year one month prior to start of grazing on pastures and meadows, an inspector of the leasing body with tenant set on the ground the areas of pastures and meadows to be let for: grass multiplication; scything, experimental work (research on grazing capacity, floral composition, impact of fertilisations etc.). They hold a minutes in which number of parcel, area, a scheme on the period grazing is forbidden and obligations for safeguarding assigned to the tenant of the dairy-hut (pasture) are entered. These parcels with their grazing capacity are exempted from the obligation the dairy-hut tenant (pasture) has to make payments as per charge per head of animal.

11. The tenant is not allowed to send to the pasture more animals than stated on the contract according to grazing capacity of pasture. To meet dairy-hut shepherds' needs the tenant is allowed to keep on it swine and poultry at a limited number (as many as to meet needs for foodstuffs for people herding the animals). Number of swine and poultry is entered in a contract and that is kept isolated at the dairy-hut.

12. Dogs brought to the dairy-hut to protect animals shall be vaccinated, against rabies and should be delmetised according a periodical calendar.

13. The tenant, in order to sign the contract should submit a veterinary certificate which he takes from relevant authorities of the local government and that shall be confirmed by the veterinary service of the Directorate of Agriculture. The veterinary certificate shall be attached to the contract and a copy is kept at dairy-huts to be submitted to veterinary services authority against controls that shall take place.

14. On the contract of leasing there can not be included degraded areas and areas on which improvement works of pastures and meadows take place for which grazing is forbidden through a special act of the Minister of Agriculture and Food.

15. The burning down of pastures and meadows is at the cost of their productivity. Only in special cases when on these lands spread infection of weeds and floral wastes that damage the pasture or meadow, the burning of forests and pastures is allowed, by taking all measure for the isolation of the fire. Spreading of fire into other areas may

bring about, as a consequence, great damages to other pastures and forests. In every case on the basis of a technical report the burning of meadows and pastures is done only with an authorisation of the General Directorate of Forestry and Pastures. It is in the responsibility of the tenant assumption of protection of pastures and meadows for the grazing period. The tenants that cause fires on pastures and meadows, apart from financial obligations that they will undergo, they lose the right to renew the contract for the next grazing season.

III. - Obligations of dependent bodies of the General Directorate of Forestry, pastures and local legal and natural entities that hire in-use pastures.

I. Dependent bodies of the General Directorate of Forestry and Pastures have the following duties:

- a- To design projects and estimated costs in accordance with financing provided for pastures and take all measures for a full implementation on time and at a good quality of improvement and maintenance works on pastures, water works planned on them and take over the work done in compliance to certain rules.
- b. To control the implementation of certain rules for exploitation of pastures and meadows given leased in-use and their grazing.
- c- Hand and take over through a minutes to and from the tenant the pasture and objects for grazing situated on it and set out in minutes financial obligations against the tenant A COUPLE OF WORDS MISSING if infringements with economic consequences at the cost of the pasture or objects related to it are observed.
- d- Write up technical reports, in agreement with the tenant, in cases change of destination of the area of the pasture or meadow is required and present it to the General Directorate of Forests and Pastures and authority bodies in virtue of article 8 of law No. 7917.

2. Natural and legal entities that hire a pasture and objects for grazing in-use situated in it have the following main obligations:

- a- To keep on the pasture and meadow the set number and kind of animals according to grazing capacity and additional number after improvement works have been carried out.
- b- Strictly follow the grazing by zones or parcels. Implement all rules for use of pasture or meadow.
- c- Avoid animals from grazing on very steep areas on rainy days and immediately after rain as well as avoid stay and grazing the animals on plots where grass of the pasture and meadow presents signs of damages.

Milking animals is allowed to be done only on places where grass is not damaged and in every case place where milking takes place should change often in order to allow recovery of walked over grass from the milking process.

d Maintain without a reward the pasture and works situated on it for grazing. Re-pile up stones that fall from piles or ridges; shrubbery that fall off the piles put up from cleaning made; cut off or scythe respectively young branches of shrubbery and grass after the cleaning made; make the sheep folds nonstationary and move place of stay of animals from one place to the other. Clean water works from pollution, repair water ponds with circumstantial materials in order to avoid leaks. At the end of grazing he should discharge the water from water ponds and clean them from stuffing. Maintain under good working conditions buildings and other facilities in support of the dairy-hut.

e- Protect the pasture from pollution and fires.

- Manure and wastes of the dairy-hut he should collect in pits in certain places and distribute them only within the territory of the dairy-hut in a decomposed state and at the end of the grazing period.
- Keep as many animals on the pasture as the number set out on the contract and have a veterinary certificate for the animals and implement all rules set forth on the law of veterinary service for the protection of animal health and take preventive measures against diseases.
- Take all necessary measures for the protection of pasture or meadow from fire and is responsible for damages caused by fire in the territory of contracted pasture.

IV. Control and sanctions

The control of implementation of technical criteria for the use of pastures and meadows leased to natural and legal entities is done by dependent bodies' employees of the General Directorate of Forestry and Pastures.

The non implementation of obligations or in the case of heavy abuses on the part of the tenant, he might be made liable as inappropriate to run the dairy-hut in terms of utilisation, rational use or maintenance of objects and works built in service of the pasture. In these cases on the part of the body which leased the land dissolution of the contract is required and for that pasture a new contract might be agreed with reliable tenants who take over the implementation of technical criteria set out for entering into a contract for hiring a pasture.

Infringements to the leasing of a pasture and a meadow, if they are at the cost of the tenant and affect a rational breeding of livestock or the tenant of the dairy-hut (having regard to the definition in the contract), they become object to claim of the tenant and control authorities. In this case the leasing body shall be accountable, in reliance on legal procedures for the damage caused to the tenant if it does not take appropriate measures to fulfil obligations set out on the contract within permissible deadlines in order not to cause damages.

Violations to technical criteria set out for the entering into a lease contract for state-owned pastures are penalised according to article 21 of law No. 7917 dated 13.04.1995 for pastures and meadows and the decision of the Council of Ministers No. 376 date 14.07.1996 "On reward charges against damages inflicted on area of the state-owned pastures and forests".

V. General

1. Dependent bodies of the system of General Directorate of Forestry and Pastures, local legal and natural entities are bound to implement criteria of this instruction for the operation of pastures and meadows. Likewise these bodies control its implementation.

2. This instruction enters into force immediately.

Minister of Agriculture and Food

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