

**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.

**CHAIRMAN**  
**Skënder Gjinushi**