

**REPUBLIC OF ALBANIA
THE ASSEMBLY**

**L A W
No. 8605 dated 20. 04. 2000**

**CONCERNING
SOME CHANGES AND ADDITIONS IN THE LAW No. 8093
DATED 21. 03. 1996 "ON WATER RESERVES"**

Based upon article 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:

To make the following changes and additions to Law no. 8093 dated 21. 03. 1996 "Concerning water reserves":

Article 1

Add three paragraphs to article 61 reading as follows:

"For infringements prescribed in article 14, point 1, letter "h"; in articles 20 and 24, paragraphs 1 and 2 and articles 47, 48, 49 and 50 of this law the infringer is punished by the Chair of the local Construction Police depending on the gravity of the infringement with:

- a) fines up to 500 leks;
- b) suspension of the activity up to 60 days;
- c) confiscation of tools and machines and the stock of solid material, whether concentrated or given out.

Construction Police are entitled to propose to the competent authority withdrawal of the professional license and the permit of the entity infringing upon the above mentioned provisions.

The decision of the Chair of the local Construction Police is appealed with the Construction Police Director within 5 days from the date of decision's communication or notification.

Article 2

Article 69 is changed as follows:

"The decision of the water authority and the decision of the Director of the Construction Police may be appealed at the first tier local court within 10 days from the date of the communication of the decision.

The unappealed decision of the water authority or the Construction Police becomes an executive title.

Institution of legal proceedings against the decision of the water authority or the Director of the Construction Police does not obstruct its execution.

Should the courts rule against this decision, the damaged side is entitled to indemnification of damage by the structure having made the decision.

In case of repeated administrative infringements; in cases of decisions by the water authority or the Construction Police not appealed; and in case of court ruling in favor of such decisions, sequestration of the work machines and tools and of the stock of the material, concentrated or fractioned, is effectuated.

Fines and expenditures borne by the water authority and the structures of Construction Police should be paid by the infringer within 5 days from the day of communication of decision or from the day the decision of the court becomes final.

Except for cases described in paragraph six of this article, the sequestration imposed on these means and materials, is lifted only after the infringer has cleared the fine and refunded the expenses borne by the water authority and the Construction Police.

For every day of delay the infringer is obligated to pay 2 per cent interest, up to one month. Fines and refunds are paid in the account of the fining subject."

Article 3

At article 60, sanctions will not apply over infringement described by article 14, point 1 letter "h".

Article 4

At Chapter XVI, the articles 63, 65 and 68 are withdrawn.

Article 5

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

CHAIRMAN
Skënder Gjinushi