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LAW

No 8312, dated 26/03/1998

ON NON-APPORTIONED ARABLE LAND

In reliance on Article 16 of the Law no 7491, dated 29/04/1991, 'On the main constitutional provisions', upon the proposal of the Council of Ministers

PEOPLE'S ASSEMBLY OF THE REPUBLIC OF ALBANIA

D E C I D E D:

Article 1

The scope of this law is the legal regulation of non-apportioned arable land and of arable land having been rejected by the families not consenting to obtain the ownership or possession act thereon under the Law no 7501, dated 19/07/1991 'On the land', and under other legal and by-law acts to the effect of its implementation.

Article 2

Non-apportioned arable land shall be considered the land surfaces being registered in the cadaster register as arable land item on 01/08/1991 within the boundaries of a certain administrative unit (village, commune or municipality possessing arable land beyond the boundary lines), which have not been apportioned by the land commissions or or have been rejected by the families or various individuals and which have remained in the same cadaster item until the day of entry of this law into effect.

Article 3

The arable land of the former agricultural ventures which have not been apportioned due to the restriction of the rate per capita shall be available to the state and do not fall under the scope of this law.

Article 4

The arable land stretching out over the priority zones of tourism development shall be dealt with under the respective legal and by-law acts.

Article 5

The non-apportioned arable land shall be administered by the commune or municipal council presiding over the land commissions of villages for their re-apportionment under the legal criteria.

Article 6

Occupation, abuse or damaging the arable land falling under the scope of this law by the natural and legal persons shall consist a criminal offence and it shall be sentenced under the respective provisions of the Criminal Code.

Article 7

The commune or municipal council or the land commission of all levels shall be tasked for implementing this law.

Article 8

The Council of Ministers shall be tasked to approve the respective by-law acts for the implementation of this law.

Article 9

The Law no 8047, dated 14/12/1995, 'On the administration of rejected arable land' and the by-law acts being issued for the implementation of this law, shall be repealed.

Article 10

This law shall enter into effect 15 days following its publication in the Official Journal.
Promulgated upon the Decree no 2037, dated 09/04/1998 of the President of the Republic of Albania, Rexhep Meidani.