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Consolidation of the  
Justice System in Albania

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### DECISION

No 452, dated 17/10/1992.

### ON RESTRUCTURING THE AGRICULTURAL ENTERPRISES

Upon the proposal of the Ministry of Agriculture and Food, the Council of Ministers

#### DECIDED:

1. The agricultural enterprises or their units that are created mainly from the land of former agricultural cooperatives shall be dissolved.
2. The land of these agricultural enterprises or their units to be distributed and owned by the former agricultural cooperatives should be granted at freehold to the families of agricultural enterprises. Regarding the apportioning of land, the criteria of the Council of Ministers Decision No. 255, dated August 2, 1991 "On the allocation criteria of agricultural land" shall apply, as amended":

For enterprises that have been agricultural cooperatives established by citizens, which will be determined by the Central Restructuring and Privatization Agency of Agricultural Enterprises, the land will be granted in use whereby the employees of these enterprises residing in the town will benefit, as well as and the founding members of a cooperative or agricultural enterprise residing in the territory of the enterprise.

3. The land obtained out of restoring works, deforestation and nationalization, located in the territory of those agricultural enterprises or their units to be dissolved, shall remain the property of the State and shall be provided to households of agricultural enterprises, according to the criteria for the allocation of agricultural land, as defined in the Council of Ministers Decision No.255, dated 2.8.1991. The employees of agricultural enterprises residing in the city will be given land in use on the basis of the family members being dependants for the purposes of sustenance allowance.

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Ministry of Justice,  
Boulevard "Zogu I"  
Tirana, Albania  
Tel: +355 4 22 40 333  
E-mail: [info@euralius.eu](mailto:info@euralius.eu)  
Web: [www.euralius.eu](http://www.euralius.eu)



The land shall be granted at leasehold for a period of time stipulated in the contract, concluded between lessee and the Central Agency for Restructuring and Privatization of Agricultural Enterprises.

4. The land shall, for both cases, be allocated to households that have the status of the entity on 1 August 1991, calculating the changes in the number of their members until 1 October 1992.

Not benefiting land shall be the families established in the territory of agricultural enterprises in violation of legal provisions.

5. The maximum limit of land per capita granted in ownership or use is not greater than the amount of land per capita given in the former cooperatives of the area where the enterprise is located. This limit for each enterprise is determined by the Central Agency for Restructuring and Privatization of Agricultural Enterprises.

In cases where a non-apportioned land surface emerges, this land will be leased based on contract for use to specialists or groups of agricultural specialists, under the conditions laid down by the Central Restructuring and Privatization Agency of Agricultural Enterprises.

6. The assets of the enterprises or their units to be dissolved shall be sold with the right of pre-emption by the employees of the enterprises, in accordance with the criteria set out in Council of Ministers Decisions no. 288, dated 25.6.1992, no. 284, dated 25.6. 1992, and No. 347, dated 10.08.1992.

7. The value of the assets of the former agricultural cooperatives, which were not paid at the time of transfer to the agricultural enterprise and due to be sold during the dissolution of the enterprise, should be apportioned to the former members of the agricultural cooperatives according to the decree no.6809, dated 21.7. 1983. The Ministry of Finance and Economy, the Ministry of Agriculture and Food and the Central Agency for the Restructuring and Privatization of Agricultural Enterprises shall compile the relevant guidelines.

8. In order to determine the agricultural enterprises or their units due to be dissolved, the time and order of distribution and with the issuance of the relevant instructions is tasked the central restructuring and privatization agency of the agricultural enterprises.

9. The Central Land Commission, land allocation commissions in districts and directorates of agricultural enterprises are tasked with the apportioning of the land.

10. For the sale of assets of agricultural enterprises and their units that are dissolved are tasked the Central Agency for Restructuring and Privatization of Agricultural Enterprises, its branches in the districts and the directorates of agricultural enterprises.

The revenues emerging from the sale of assets of agricultural enterprises are to be transferred to the branch of the Bank of Agriculture and Development for the account of the Central Agency for the

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Restructuring and Privatization of Agricultural Enterprises. These revenues will be used to repay debts to third parties and loans from agricultural enterprises for which the Central Agency for Restructuring and Privatization of Agricultural Enterprises has granted the Guarantee Fund after August 1, 1992.

11. In order to protect the agricultural enterprises from property damage, occupation of buildings and land, illegal constructions in the territories of agricultural enterprises as those to be distributed, as well as those which will continue to stay state-owned at the first stage, the territories of these enterprises during the privatization period are treated as objects of special importance by the Ministry of Public Order and local government bodies.

The Ministry of Public Order will take measures to secure the agricultural enterprises until their privatization, according to the agreement with the Ministry of Agriculture and the Central Agency for the Restructuring and Privatization of Agricultural Enterprises.

12. The employees of agricultural enterprises that will be allocated land at free or leasehold according to this decision should be granted low interest loans to support them at the beginning of their activity, as private producers in the first year.

The Bank of Agriculture and Development and the Central Agency for Restructuring and Privatization of Agricultural Enterprises shall develop a special program for the implementation of this decision.

This Decision shall enter into effect immediately.

HEAD OF COUNCIL OF MINISTERS

ALEKSANDER MEKSI