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LAW
No. 8053, dated 21.12.1995

**ON TRANSFER OF OWNERSHIP OF AGRICULTURAL LAND
WITHOUT COMPENSATION**

Pursuant to Article 16 of Law No. 7491, dated 29.4.1991 "On the main constitutional provisions", upon the proposal of the Council of Ministers,

**THE PEOPLE'S ASSEMBLY
OF THE REPUBLIC OF ALBANIA**

DECIDED:

Article 1

This law aims at the legal regulation on transferring ownership of agricultural land without compensation to agricultural households or individuals who have it in use.

Article 2

The following are excluded from granting ownership:

1. Agricultural lands that, on the date of entry into force of this Law, are located within the boundary line of cities, villages or inhabited centers.
2. Agricultural lands included in tourism priority areas, according to decision no.88, dated 1.3.1993 of the Council of Ministers "On the approval of priority areas for tourism development".

Paragraphs 1 and 2 do not include households or individuals who have acquired these agricultural lands as co-founders of former agricultural cooperatives or agricultural enterprises.

3. Agricultural lands included in the experimental-scientific activity of the national scientific institutes.
4. Agricultural lands granted to agricultural specialists according to the decision of the Council of Ministers no. 452, dated 17.10.1992 "On restructuring of agricultural enterprises", point 5, paragraph two.
5. Agricultural lands that:
 - a. are invaded or acquired illegally.
 - b. have been in use, but users have illegally transferred ownership or any other action ungrounded in the Law.

Actions for the transfer of ownership for the cases mentioned in points "a" and "b", and the registrations of such transfers are invalid.

6. Agricultural lands in use of joint enterprises, until the dissolution of the contract concluded between the parties or the expiry of its term.

Article 3

Agricultural lands that do not pass into private ownership in the cases provided in the above Article remain state property.

Article 3/1

(Added by Law No. 10 208, dated 23.12.2009)

1. Users of agricultural land within the boundary lines of cities, villages or urban centers possessing acts of acquiring land for use, issued by the end of February 1996 are compensated with land in ownership within the relevant urban area at the time that their land will pass for physical compensation of expropriated subjects or public buildings.

Compensation in land shall be made as follows hereunder:

- a) for families with 6 members and more, the area of land is 750m²;
- b) for families with fewer members, 150 m² is reduced for each member less, in accordance with the civil registry data, dated 31.12.1995, but not less than 300 m².

2. Users of agricultural land within the boundaries of the priority tourism area, stipulated according to decision no. 88, dated 1.3.1993 of the Council of Ministers "On the approval of priority areas for tourism development" possessing acts of acquiring land for use, issued by the end of February 1996, are compensated by land in ownership within the respective tourist area, as soon as their land passes for physical compensation of expropriated subjects or public buildings.

Compensation in land shall be made as follows hereunder:

- a) for families with 6 members and more, the area of land is 750m²;
- b) for families with fewer members, 150 m² is reduced for each member less, in accordance with the civil registry data, dated 31.12.1995, but not less than 300 m².

Article 3/2

(Added by Law No. 10 208, dated 23.12.2009)

(Amended by Law No. 56, dated 17.05.2012)

1. Compensation with land in ownership in the commune of Ksamil is made to the extent stipulated in Article 3/1 of this Law and only for agricultural households and for individuals:

a) employed by former Agricultural Enterprise Ksamil in the period from 1.8.1991 to 1.10.1992;

b) who came to the former Agricultural Enterprise Ksamil from 1.8.1991 to 4.5.1994, subject to the decision of the Council of Ministers no. 60, dated 21.2.1994 "On granting land for use to rural households, residents of former Agricultural Enterprise of Ksamil", as amended by the Decision no. 185, Council of Ministers, dated 4.5.1994, which meet the conditions of point 2 of this decision and that at the time of entry into force of this Law appear as residents in the civil registry of Ksamil.

2. For the entities referred to in point 1 of this Article, the area for compensation according to the criteria set out in Article 3/1 of this Law, is calculated as follows:

a) From the total area calculated for land compensation, the area given for construction sites within this area is deducted, with decisions approved by the commune.

b) The total area calculated for land compensation includes the area occupied with illegal constructions, which has been legalized by the competent authorities, according to the provisions of Law No. 9482, dated 3.4.2006 "On legalization, urbanization and integration of illegal constructions", as amended. In the case when the entity has paid for the land, the amount paid in the manner it was made, is returned to this entity within one year from the date the latter receives the ownership document for the land, according to the provisions of this Law.

c) Areas occupied with illegal constructions, which are in the process of legalization, are included within the total area that the subjects are entitled to receive, according to the criteria set out in Article 3/1 of this Law. These entities are exempted from the obligation to pay only for the land area occupied by constructions that will be legalized, according to the provisions of Law No. 9482, dated 3.4.2006 "On legalization, urbanization and integration of illegal constructions", as amended.

Article 3/3

(Added by Law No. 10 208, dated 23.12.2009)

1. Land plots made available for compensation for agricultural land users, according to this Law, are defined:

a) in the coastal tourist areas, by the Ministry of Public Works, Transport and Telecommunication and the Ministry of Tourism, Culture, Youth and Sports, in cooperation with local government bodies in the territory where the land for compensation is located;

b) in peripheral areas of cities and urban centers, by the Ministry of Public Works, Transport and Telecommunication, in cooperation with local government bodies in the territory where the land for compensation is located, upon completion of the legalization process by ALUIZNI.

2. Land use surfaces released by users, as a result of the implementation of the provisions of this law, are transferred:

a) the Agency for Restitution and Compensation of Property, as a physical fund for compensation of expropriated subjects, as defined by the Decision No. 868 of the Council of Ministers, dated 18.6.2008 "On the establishment of a physical compensation fund from agricultural land fund", when these areas, on the date of entry into force of this Law, appear in the cadastral item agricultural land;

b) owned by the state and administered according to the competences set forth in the legislation in force for urban planning, when these areas, on the date of entry into force of this Law, appear in the cadastral item urban land.

3. The procedures and the public authority making the transfer of ownership shall be determined by a decision of the Council of Ministers."

Article 4

Upon the entry into force of this Law, agricultural households or individuals who have documents for the use of agricultural land shall appear at the local government bodies (commune, municipality) for completion of the final documentation according to the procedures of Law No. 7843, dated 13.7.1994 "On immovable property registration".

Article 5

Legal and sub-legal acts that fall into contradiction with this Law shall be repealed.

Article 6

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

Promulgated by Decree No. 1343, dated 3.1.1996 of the President of the Republic of Albania, Sali Berisha.