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## LAW

**No.8337, dated 30.4.1998**

### **ON TRANSFERING THE OWNERSHIP OF AGRICULTURAL, FOREST, MEADOW AND PASTURE LANDS**

According to article 16 of law no.7491, dated 29.4.1991 "On the main constitutional provisions", with the proposal of the Council of Ministers,

#### **THE PEOPLE'S ASSEMBLY**

#### **OF THE REPUBLIC OF ALBANIA**

#### **DECIDED:**

#### **Article 1**

The purpose of this law is the legal regulation of the transfer of ownership of agricultural, forest, meadow and pasture lands for the Albanian natural and legal entities.

The transfer of the agricultural, forest, meadow and pasture lands shall be carried out through a notary act, according to the provisions of the Civil Code.

#### **Article 2**

According to this law:

Agricultural land is that plot of land which is considered as such at the moment of the transfer of the property, based on law no. 7501, dated 19.07.1991 "On the land" and on the other sublegal acts.

Forest land is that plot of land, which, at the moment of the transfer of the property, meets the criteria of law no. 7623, dated 13.10.1992 "On forests and police of forest service" and of law no. 8118, dated 09.07.1996 "On the adoption of decree no. 1489, dated 16.05.1996 "On an addendum to law no. 8084, dated 07.03.1996 "On the adoption with addenda and amendments of decree no. 1359, dated 05.02.1996 "On some amendments to decree no. 1254, dated 19.10.1995 "On the compensation of the former owners of agricultural, non-agricultural land and of the occupied plots of lands, with plots of lands in the tourist areas and in the inhabited centres", amended with law no. 8024, dated 02.11.1995", as well as of the other sublegal acts.

The meadow and pasture lands are lands which meet the criteria of law no. 7917, dated 13.04.1995 "On meadow and pasture lands" and of the other sublegal acts, at the moment of the transfer of the ownership.

### **Article 3**

The agricultural, forest, meadow and pasture lands cannot be alienated until the compensation of the former owners, unless otherwise provided for by the law.

An exception is made only for the case of the transfer of the property according to law no. 7698, dated 15.04.1993 "On the restitution and compensation of the properties to the former owners".

### **Article 4**

The transfer of the right of the ownership of the agricultural, forest, meadow and pasture land shall not be recognized to the foreign natural and legal entities. The foreign natural and legal entities are entitled to rent it up to 99 years. Renting the agricultural, forest, meadow and pasture land shall be carried out according to the provisions of the Civil Code.

### **Article 5**

The agriculture family that transfers its ownership on the agricultural, forest, meadow and pasture land to any local national as well as to any local natural and legal entity, in compliance with the legal requirements on the transfer of the immovable property, shall submit the following documents at the registration office of immovable property:

- a) The certificate on the verification of the ownership of the registration office of immovable property, along with the notary act on the transfer of the ownership and the index map of the location of the property.

- b) The acts which certify the composition of the agricultural family at the moment of the transfer of the ownership attested with the certificate of the civil status, the verification of the local power and the joint declaration of the family members;
- c) The topographic sketch of the property that will be subject to the transfer of ownership.
- ç) The notary power of attorney of representation, when the transfer of the ownership is not carried out by all the family members who are co-owners of the immovable property.

#### **Article 6**

One or several members of the agricultural family cannot proceed with the transfer of the ownership of any plots of the agricultural, forest, meadow and pasture land, without firstly dividing it according to provisions of the Civil Code.

#### **Article 7**

The actions for the transfer of the ownership for the properties which have not been registered based on law no. 7843, dated 19.07.1994 "On the registration of the immovable properties" may be carried out only after the rules on the initial registration of the immovable property are enforced.

#### **Article 8**

Law no.7983, dated 27.7.1995 "On the sale of agricultural, meadow and pasture lands as well as any other sublegal act, which does not comply with this law, shall be repealed.

#### **Article 9**

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

**Announced with decree no. 2086, dated 12.05.1998, of the President of the Republic of Albania Rexhep Meidani.**