

Issue 02/15

To keep you up-to-date with the latest economic and financial developments, this bulletin provides information that may affect the operation of your business in Albania.

Draft Law “On the Management of National Forestry and Pasture Fund”

On 25 November 2015 the Council of Ministers has approved the draft law “On the Management of National Forestry and Pasture Fund in the Republic of Albania” (hereinafter referred to as the “Draft Law”), proposed by the Ministry of Environment.

The Draft Law is partially aligned with European Council Regulation no. 2173/2005 as of 20 December 2005 and EU Regulation no. 995/2010 as of 20 October 2010.

Upon its entry into force, two laws currently governing the forestry fund and the pasture fund shall be repealed (Law no. 9385, dated 04.05.2005 “On Forests and Forestry Fund”, as amended and Law no. 9693, dated 19.03.2007 “On Pasture Fund”, as amended).

The Draft Law introduces for the first time in Albania the temporary forestry moratorium. Once in force, the Draft Law shall ban for a period of 10 years, the exploitation of the public/private forestry fund and trade of its products.

Said moratorium is subject to the following exception events:

- in case of population needs for heating;
- transfer of forestry and pasture fund destination; and
- waste and sanitary cleanup.

In this context, the Draft Law provides for the trade of the raw or manufactured timber, destined for the domestic market and bans the export of the raw timber, construction material, firewood and its byproducts or charcoal products.

The Draft Law provides as well for new rules on the authority in charge for the administration of the fund.

The Ministry of Environment (“Ministry”) has proposed to share the management powers of the forestry and pasture fund according to their ownership, between the Ministry, municipalities and private persons. The Ministry shall now be responsible for the policymaking in regard to the management of the national forestry and pasture fund, while to the relevant municipalities will be granted the implementation and management powers.

The inspection of the forestry and pasture fund shall be carried out by:

1. the Forestry Police Inspectorate, which shall be responsible for the inspection of the national forestry and pasture fund, notwithstanding its ownership; and
2. the Forestry Municipal Inspectorate, which shall be responsible for the inspection of the forestry and pasture fund administered by the municipality.

The proposed Draft Law is expected to be enacted soon by the Albanian Parliament and enter into force as of 1st of January 2016.

BOGA & ASSOCIATES

If you wish to know more on issues highlighted in this newsletter, you may approach your usual contact at our firm or the following:

info@bogalaw.com

Tirana Office

Ibrahim Rugova Str.
P.O. Box 8264
Tirana, Albania
Tel +355 4 225 1050/225 1022
Fax +355 4 225 1055

Pristina Office

Nene Tereza str.
Entry 30, No. 5
Pristina, Kosovo
Tel +381 38 223 152
Fax +381 38 223 153

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Boga & Associates

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The firm maintains its commitment to quality through the skills and determination of a team of attorneys and other professionals with a wide range of skills and experience. The extensive foreign language capabilities of the team help to ensure that its international clientele have easy access to the expanding Albanian and Kosovo business environment.

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