

**LAW**  
**No. 41/2024**

**ON SOME ADDENDA AND AMENDMENTS TO LAW NO. 107/2014, “ON  
TERRITORIAL PLANNING AND DEVELOPMENT”, AS AMENDED**

Pursuant to Articles 78, 81(1) and 83(1) of the Constitution, upon proposal of the Council of Ministers,

THE ASSEMBLY  
OF THE REPUBLIC OF ALBANIA

DECIDED:

The Law No. 107/2014, “On territorial planning and development”, shall be added and amended as follows:

Article 1

The following addenda and amendments shall be made to Article 3 “Definitions”:

1. In paragraph 9, the phrase “Article 16” shall be replaced with “Article 15”.

2. Paragraphs 15, 24, 28 and 39/1 shall be amended to read as follows:

“15. “Development conditions” shall mean the conditions set out in the planning document in force or, in the case of strategic investments and exceptional cases, the conditions stipulated by the authority responsible for planning and development by means of a special regulation.”.

“24. “Unit” shall mean the structural unit of the territory, part of the area, which is used for planning purposes and for which the territorial planning documents set out the development conditions that shall be applicable in the territory it incorporates. Afterwards, the development conditions are specified at structural unit level according to the stipulations of the detailed local plans and development documents, in compliance with the provisions of this law.”.

“28. “Land use” shall mean the intended purpose of the land and structures in it, as provided for in the planning documents or development permits for cases related to the National Territorial and Water Council (NTWC).”.

“39/1 “Electronic permits system (e-Permit *system*)” shall mean the national database for all requests and permits, in accordance with the legislation on territorial planning and development, or the sectoral legislation, which ensures the interaction between all entities involved in the process, including the requesting party (applicant), authorities responsible for issuing permits and public institutions that are legally obliged to provide information or to consent the request for permit, or to approve secondary permits/authorizations in function of development/construction permits.”.

3. After paragraph 39/1, paragraphs 39/2 and 39/3 shall be added with the following content:

“39/2. “e-Planning *electronic system*” shall mean the electronic system ensuring the interaction of stakeholders and the coordination of the drafting process of territorial planning documents of all levels, in line with the legal provisions and deadlines set out by the applicable legislation in the area of territorial planning and development.”.

39/3. “Territorial system” shall mean the set of territorial components for planning purposes, which are interdependent and interact with one-another, constituting a whole.

4. Paragraphs 44 and 44/1 shall be amended to read as follows:

“44. “Area” shall mean a part of the territorial system, with specific or common, existing or planned, properties or use, of land and buildings within it, according to land use regulations. The area may include several land use categories, which must be part of a territorial system, in accordance with the land use categorization. The area may or may not coincide with one or more structural units of the territory.

44/1 “Development area” or “structural sub-unit” shall mean the territory subject to the development process, which is part of a structural unit, according to the stipulations of the detailed local plan.”.

5. After paragraph 45, paragraphs 46 and 47 shall be added with the following content:

“46. “Maritime space” shall mean the water territory consisting of inland sea waters, territorial sea, contiguous zone, exclusive economic zone and continental shelf, pursuant to the provisions of the Maritime Code.”.

47. “Coastal belt”, pursuant to this law, shall include the inland area of up to 300 m beyond the sand and beach, measured in aerial distance.”.

#### Article 2

The phrase “and revising” shall be added after the word “drafting” in letter “l” of Article 4 “Principles”.

#### Article 3

The following shall be added in paragraph 1 of Article 4/1 “Public space”:

1. The phrase “children’s playground” shall be added before the term “flower garden”.
2. The term “as amended” shall be added after the phrase “On immovable state properties”.

#### Article 4

The following addenda and amendments shall be made to Article 6 “Council of Ministers competencies”:

1. The phrase “National Maritime Space Plan” shall be added before the words “plans” in paragraph 1(b).
2. The phrase “and the National Maritime Space Plan.” shall be added at the end of paragraph 2(a).
3. In paragraph 3, the phrase, “the General National Territorial Plan, national sectoral plans and detailed plans for areas of national importance” shall be replaced with the phrase “the national planning documents in force”.

#### Article 5

Article 7 shall be amended to read as follows:

#### “Article 7

#### **Competences of the National Territorial and Water Council (NTWC) in the area of territorial planning**

The National Territorial and Water Council shall:

- a) adopt, approve the amendments of, or postpone for subsequent review the planning documents required for approval by the planning authorities, in accordance with the stipulations of this Law;
- b) adopt the sectoral planning documents, as determined by specific legislation, which generate effects on the territory;
- c) determine the national importance of an issue, area or object in the planning of the territory, and adopt the detailed plans for areas of national importance, when provided for by the General National Territorial Plan and other planning documents in force;
- ç) approve national and inter-regional plans and projects in the area of water supply, agriculture, urban planning, industrial and territorial development, where concerning the preservation and management of water resources, according to the specific legislation on management of water resources;
- d) take the necessary measures to implement agreements and international conventions on water resources to which the Republic of Albania is a party, according to the specific legislation on management of water resources;
- dh) impose restrictions on the use of flooded areas or areas under the harmful effects of water;
- e) determine and change the regime, including borders, of proclaimed protected areas where indispensable;

- è) proclaim vulnerable areas in compliance with the provisions of the legislation on management of water resources;
- f) approve the preliminary flood risk assessment;
- g) approve flood risk and flood hazard maps;
- gj) adopt temporary regulatory acts for specific areas or for the entire territory, as well as rules and criteria to prohibit or allow the use of water resources, emissions, or other activities that have a direct impact on water resources;
- h) approve, by means of circulating decisions, regulatory acts on territorial planning and development for the entire territory.”.

#### Article 6

Articles 7/1 and 7/2 shall be added after Article 7, with the following content:

#### “Article 7/1

#### **Technical Secretariat of the National Territorial and Water Council**

1. The Territorial Development Agency (Agency) is a public self-financed legal entity, under the Prime Minister’s Office, which is responsible for territorial development and for performing all the functions of the Technical Secretariat of the National Territorial and Water Council.
2. The funding sources of the Agency consist of:
  - a) income generated by the Agency itself;
  - b) other legal sources;
  - c) state budget.
3. The budget of the Agency shall be adopted by Decision of the Council of Ministers, upon proposal of the minister responsible for urban development.
4. The income generated by the Agency shall be carried out between fiscal years and used to cover its own costs and expenses.
5. The rules on the organization and functioning of the Agency, the number of its employees, the level of their salaries and rewards and their employment relationships shall be approved by decision of the Council of Ministers, upon proposal of the minister responsible for urban development.

#### Article 7/2

#### **Competences of the Technical Secretariat of the National Territorial and Water Council**

The Technical Secretariat of this Council, i.e., the Territorial Development Agency shall:

- a) organize NTWC meetings;
- b) prepare and administer the documentation to be reviewed by the NTWC in the area of territorial planning and development, by guiding and coordinating the process with other responsible authorities, both at central and local level, according to the principle of “one-stop shop”;
- c) interact with other state institutions, in the name and on behalf of the requesting party, during the process of review/approval/issuance of the secondary permits/authorizations, which are fundamental for the approval of the construction permit;
- ç) accept the notification for the commencement of works, and carry out, on a case-by-case basis, after making an assessment depending on the complexity of the project approved by the NTWC, the monitoring of the works implementation process until their full completion;
- d) implement the decisions of the National Territorial and Water Council and monitor their implementation by local government units and other responsible institutions;
- dh) monitor territorial developments, as well as prepare the relevant report to inform the National Territorial and Water Council and other responsible authorities in the field of territorial development;

- e) administer the documentation that accompany the proposals submitted by the National Inspectorate for Territorial Protection (NITP), as well as make arrangements for such documentation to be reviewed by the NTWC during the development of confiscation procedures, for reasons of public interest, of illegal constructed objects with the purpose of profit;
- ë) communicate with third parties on behalf of NTWC;
- f) administer the information in the electronic permits system (*e-Permit*), upon obtaining access to this system, by verifying the main and secondary data gathered in this database, as well as by improving the procedures that are carried out through the system;
- g) conduct trainings for natural and legal, public and private entities, on the use of and procedures carried out through the *e-Permit system*;
- g) communicate, share and publish on the electronic permits system the decisions and documents approved by the National Territorial and Water Council;
- h) provide support to local government units in their processes of implementing the development guiding instruments, according to the legislation on territorial planning and development;
- i) represent the National Territorial and Water Council in all cases, subject to judicial review, which are related to the decisions approved and the procedures performed by the National Territorial and Water Council.”.

#### Article 7

The following amendments and addenda shall be made to Article 8 “Competencies of line ministries for urban development”:

1. Paragraph 1(c) shall be amended as follows:
  - “c) initiate and coordinate the work for the drafting of the General National Territorial Plan and the National Maritime Space Plan, as well as for their revision;”.
2. The words “and the National Maritime Space Plan” shall be added in paragraph 1(d) after the phrase “General National Territorial Plan”.
3. The words “the National Maritime Space Plan” shall be added in paragraph 2, after the phrase “General National Territorial Plan”.

#### Article 8

The following addenda and amendments shall be made to Article 9 “Competences of the National Territorial Planning Agency”:

1. The following addenda and amendments shall be made to paragraph 1:
  - a) The phrase “and revising planning documents, as well as” shall be added after the word “drafting” in letter “b”.
  - b) The words “and part of the National Territorial and Water Council” shall be added after the words “on issues of territorial planning and development” in letter “ç”.
    - Letters “dh” and “f” shall be amended as follows:
      - “dh) check the compliance of planning documents with the laws and higher level planning documentation, as per their hierarchy.”.
      - “f) inform the public about the territorial planning processes;”.
  - ç) Letters “g”, “gj” and “h” shall be added after letter “f”, with the following content:
    - “g) encourage and ensure that public participation is guaranteed during the process of drafting and implementing planning documents;
    - gj) provide assistance in the drafting of planning documents at national level, and may draft planning documents upon request of ministries, as per their area of responsibility and activity in terms of territorial planning;
    - h) guide, coordinate and mediate the activities for the modernisation of the planning model and the promotion of innovatory practices in urban design and planning.”.
2. The words “and revising” shall be added after the word “drafting” in the first sentence of paragraph 2.
3. The words “and revising” shall be added after the word “designing” in paragraph 2(a).

## Article 9

The words “and *e-Planning system*” shall be added after the phrase “the National Territorial Planning Register” in paragraph 1(dh) of Article 10, “Competences of other ministries”.

## Article 10

Letter “ç” of Article 12, “Competences of the Municipal Council” shall be repealed.

## Article 11

The words “and other territorial planning documentation in force” shall be added after the phrase “the General National Territorial Plan” in paragraph 1(c) of Article 13, “Competences of the Mayor”.

## Article 12

The words “or architectural design” are added after the words “or urban design” in paragraph 3(a) of Article 14, “Professional contributions to planning”.

## Article 13

Point 1.1. of paragraph 1 of Article 15 shall be amended as follows:

“1.1. Planning at the central level, which is carried out through the following planning documents:

1.1.1. The National General Territorial Plan for the entire territory of the Republic of Albania;

1.1.2. National sectoral plans for all or part of the territory;

1.1.3. The National Maritime Space Plan for the entire maritime space of the Republic of Albania;

1.1.4. Detailed plans for areas of national importance;

1.1.5. Detailed central plans.”.

## Article 14

Article 16/1 shall be inserted after Article 16, worded as follows:

“Article 16/1

### **National Maritime Space Plan**

1. The National Maritime Space Plan aims to contribute in the sustainable development of sectors such as marine energy, maritime transport, fishing and aquaculture, tourism, preservation, protection and improvement of environment, including in the resilience against climate changes, promotion of sustainable extraction of raw materials, promoting and ensuring relevant maritime activities and uses, as well as encouraging cross-border cooperation.

2. Planning of the maritime space shall be developed and implemented taking into account:

a) the features of maritime spaces, their relevant current and future activities and uses, related environmental effects, as well as natural resources;

b) economic, social and environmental aspects, as well as aspects related to the safety of the civil and productive uses of the sea;

c) interactions between the land and sea, including the use of elements involved in other planning processes, such as: integrated management of the coastal area, sectoral or local plans related to maritime spaces.

3. The National Maritime Space Plan shall be drafted by the Ministry responsible for planning and development as the competent authority, in cooperation with other ministries, in line with their area of responsibility and activity.”.

## Article 15

Article 17 shall be amended to read as follows:

“Article 17

### **National sectoral plans**

1. The national sectoral plans shall be drafted with the purpose of achieving the strategic development of one or more sectors pursuant to the fields of competence, such as: national security, energy, industry, transport, infrastructure, tourism, economic areas, education, sports, cultural or/and natural heritage, natural resources, health, agriculture, water infrastructure, as well as protection against natural disasters.

2. The responsible authority for undertaking the initiative and drafting the national sectoral plans shall be the ministry responsible for the sector for which the plan is drafted and approved by the NTWC.

3. In cases where two or more ministries cooperate for the planning of two or more sectors simultaneously, the planning document shall be classified as cross-sectoral. The responsible authority for undertaking the initiative of drafting this document shall be the ministry responsible for planning and territorial development matters.

4. The structure, form, as well as the drafting and approval procedure of sectoral plans shall be specified in the territorial planning regulation. The national cross-sectoral plans shall have the same structure and drafting/ approval procedure as the national sectoral plans.”.

## Article 16

The following addenda and amendments shall be made to Article 18 “Detailed plans concerning areas of national importance”:

1. Paragraphs 2 and 3 shall be amended as follows:

“2. The initiative document shall be drafted by the National Territorial Planning Agency, in cooperation with the ministry responsible for the area of national importance or the relevant stakeholders.

3. The detailed plan for the area of national importance shall be drafted by the Minister responsible for the issue of national importance, National Territorial Planning Agency or by the stakeholders, under the supervision of the responsible public authority for the area/issue of national importance, pursuant to the conditions specified in the planning regulation and shall be approved by the NTWC.”.

2. The words “development regulation” in paragraph 5 shall be replaced with the words “planning regulation”.

## Article 17

After Article 18 shall be inserted Article 18/1, “Detailed central plans”, worded as follows:

“Article 18/1

### **Detailed central plans**

1. The detailed central plans shall be drafted by the National Territorial Planning Agency in cooperation with the ministry responsible for the respective issue/sector or other central institutions and, as applicable, with private entities selected through a public competitive procedure or through another financial support.

2. The detailed central plan aims to lay the foundations for the controlled development of the territory for which it is drafted, such as laying the foundations for the development of settlements, infrastructure, tourism, industry etc.

3. The plan shall be drafted for a specific topic/issue which includes special parts of the national territory and shall be approved by the NTWC.

4. The rules and the procedure for the drafting of the detailed central plan shall be specified in the planning regulation.”.

## Article 18

Article 20 “General Local Plan” shall be amended as follows:

1. The words “residential systems and other building systems” in paragraph 1(c) shall be replaced with the phrase “the territory”.
2. Paragraph 2 shall be amended as follows:  
“2. The General Local Plan shall be implemented through the sectoral plans at the municipal level, the detailed local plans and the development/construction permits.”.

## Article 19

The following amendments and additions shall be made to Article 22 “Detailed Local Plan”:

1. Paragraph 1 shall be amended as follows:  
“1. The local planning and development authority, within the General Local Plan, the territories that will be included in the detailed local plans (DLP), based on the criteria set out in the planning regulation.”.
2. The term “areas” in paragraph 2 shall be replaced with “territories”.
3. The word “area” in paragraph 3(a) shall be replaced with the words “structural unit or/and several structural units”.
4. The words “predominantly urban” in paragraph 3(b) shall be removed.
5. The phrase “of parcels” shall be added after the word “unification” in paragraph 4.
6. After paragraph 4 shall be inserted paragraph 4/1 worded as follows:  
“4/1. The entire process of initiation, consultation, coordination and approval of detailed local plans by local authorities shall be executed through the e-Planning electronic system.”.
7. Paragraph 7 shall be amended as follows:  
“7. The Mayor shall decide on the approval of the detailed local plan, based on the technical report, prepared by the responsible planning structures of the local authority, after the issuance of the certificate of compliance by NTPA. Where the drafting of the DLP is undertaken by private initiative, the Mayor shall decide on the approval of the detailed plan only if the inhabitants owning more than one third of the surface area of the respective development area do not object.”.
8. The words “structural unit” shall be added after the word “area” in paragraph 13.
9. Paragraph 14 shall be repealed.
10. The words “mainly in the area whereby they are acquired” in paragraph 15 shall be removed.

## Article 20

Paragraph 1 of Article 23 “Coordination” shall be amended as follows:

- “1. The authority responsible for drafting/reviewing the planning documentation shall ensure a process of horizontal and vertical dialogue, cooperation and coordination with all planning authorities and stakeholders, prior to and throughout the drafting/reviewing of the planning documentation.”.

## Article 21

The following addenda and amendments shall be made to Article 24 “Public consultation and meetings”:

1. The word “/reviewing” shall be added after the word “drafting” in paragraph 1.
2. In paragraph 7, the word “/reviewing” shall be added after the word “drafting”, while the word “national” shall be removed.

## Article 22

The following addenda and amendments shall be made to Article 25 “Adoption of planning documents”:

1. The conjunction “and” shall be added before the conjunction “or” in paragraph 1(b).

2. In paragraph 4, the words “as well as in the *e-Planning system*” shall be added after the phrase “the National Territorial Planning Register” .

3. Paragraph 4/1 shall be amended as follows:

“4/1. The authority responsible for the final adoption shall, no later than 15 days after its publication in the National Territorial Planning Register and in the *e-Planning system*, deliver for registration to the State Agency of Cadaster the detailed plans for areas of national importance and the detailed local plans. Following the registration of the development permit or construction permit, as the case may be, upon request of the developer or the authority responsible for the approval of the development/construction permit, the land resource shall be automatically altered, as provided for in the plan.”.

#### Article 23

The following addenda and amendments shall be made to Article 26 “Revision of plans”:

1. After paragraph 2 shall be inserted paragraph 2/1 worded as follows:

“2/1. The planning documents shall be corrected where they contain: spelling mistakes, two or more different stipulations for the same area/structural unit in different documents of the plan; inconsistency between the indicator of the height in floors and the indicator of the height in meters, inconsistency between the specifications of the planning document and the actual situation of territorial developments.”.

2. Paragraph 3 shall be amended as follows:

“3. The amendment of plans shall be followed by the public authority responsible for territorial planning by assigning working group or, as the case may be, by contracting external technical experts, through a public competitive procedure or through another financial support.

Where amending plans, the public authority may also organize public planning/design competitions through the National Territorial Planning Agency with the purpose of selecting the best ideas for the planning and development of an area.

The rules and the procedure for amending the planning documents or performing their full review, pursuant to this Article, shall be determined in the planning regulation.”.

#### Article 24

Article 28 shall be amended to read as follows:

#### “Article 28

#### **Competences of the National Territorial and Water Council (NTWC) competencies in the area of territorial development**

1. The NTWC shall be the authority responsible for making decisions on:

a) development permits and construction permits for all kinds of complex development, pursuant to the territorial planning regulation;

b) development and construction permits for facilities within the coastal belt, pursuant to the legislation in force;

c) issues, areas, objects of national importance, as well as strategic investments for the interests of the country;

ç) approval of decisions regarding confiscation or amendment of construction permits, in the case of illegal objects or objects violating the construction permit, which shall be transferred to state ownership, with the purpose of utilising them for social housing needs or for public interest;

d) approval of permits and authorizations on the use of water resources and on discharges, where the activity is carried out outside the boundary of a single basin, as well as where these acts precede the approval of a construction permit by the National Territorial and Water Council;

dh) granting authorization for the construction of anchoring and port structures, coastal protection works and artificial islands at sea;

e) granting the approval in the principle for the use of water resources, upon request of any contracting authority, before starting a concession procedure;



2. The issuance of the certificate of use for construction permits, approved according to paragraph 1 of this Article, shall be carried out at the end of a coordinated control process of construction compliance among the involved central authorities, as per their area of responsibility, and the local authority responsible for inspecting/controlling the construction works in the administrative territory where the development takes place.

3. The NTWC shall decide on the approval of special regulations as regards development conditions for cases falling under its competency. The SAMPLE form of this regulation shall be detailed in the territorial development regulation.

4. The Council of Ministers, upon proposal of the minister responsible for air transport, shall approve the rules for the development of airport areas.”.

#### Article 25

The following additions shall be made to Article 31 “Transfer of the right for development”:

1. After paragraph 1 shall be inserted paragraph 1/1 worded as follows:

“1.1. The transfer of the right for development may be voluntary or obligatory. Where there is an obligation to transfer the right for development, such obligation is imposed with the purpose of preserving monuments of culture, historical areas and public spaces.”.

2. At the end of point 2, shall be added the sentence worded as follows:

“In the case of voluntary transfer of the right for development, it is not necessary to draft a program.”.

#### Article 26

Article 37 “Development conditions” shall be amended as follows:

#### “Article 37

#### **Development conditions**

1. Development shall be permitted only under the conditions set out in the planning documents or in the special regulations approved by the NTWC, for cases falling under its competency.

2. For strategic investments, approved as such by decision of the Committee of Strategic Investments, as well as for priority developments according to the policies of line ministries, the land use and development conditions, regardless of the provisions in the planning documents, shall be determined in a special regulation approved by the NTWC.”.

#### Article 27

The words “or group of parcels” shall be added after the word “parcel” in paragraph 2 of Article 38 “Development permit”.

#### Article 28

The word “repair” in paragraph 1 of Article 39, “Construction permit”, shall be removed.

#### Article 29

Paragraph 6 of Article 40 “Construction permit term” shall be amended as follows:

“6. In the case of works that have started over ten years ago and are still unfinished, according to the approved project, the National Territorial and Water Council shall approve the procedure on completing these works, as well as on demolishing or confiscating the building.”.

#### Article 30

Article 43 shall be amended to read as follows:

## “Article 43

1. The request for construction permits shall be made exclusively through the electronic system of construction permits (*e-Permit*), with the exception of those developments, whose project contains information classified as “State secret”, pursuant to the special legislation.

2. The request for construction permits shall contain a detailed description of the works to be carried out and shall be accompanied by the complete construction documentation, including the detailed projects, drafted and signed under the responsibility of licensed experts.

3. The Council of Ministers shall determine the rules of organisation and functioning of the electronic system of construction permits.

4. The territorial planning regulation shall provide in details:

- a) the content of the permit request form;
- b) the complete list of the technical and legal documentation which shall accompany the request;
- c) the procedure which should be followed by the developers and respective authorities, both in cases where the review of the request is carried out through the *e-Permit system*, as well as in the exceptional case where it is performed outside the *e-Permit system* pursuant to paragraph 1 of this Article.

5. The authority responsible for development may not determine procedures or requests different from those foreseen in this law and in the development regulation for obtaining permits in the field of construction.”.

## Article 31

Article 44 “Review of the request for construction permit” shall be amended as follows:

### “Article 44

#### **Review of the request for construction permit**

1. The responsible authority, according to Article 27 of this law, shall review the request for construction permit according to the “one-stop-shop” principle, by coordinating the work with all specialized public authority that should have their say in relation to the request.

2. The responsible authority shall decide upon the construction permit within 60 business days from the submission of the request for construction permit. The development regulation may specify shorter deadlines or differentiated procedures for the issuance of construction permits, in the case of works having a low impact on the territory, or in the case of strategic investments for the country.

3. Where, during the coordination with the State Agency of Cadaster (SAC) or its local directorates, the latter may not provide the requested information within the deadlines specified in the development regulation and where this prevents the responsible authority from making a decision within the deadline stipulated in paragraph 2 of this Article, the SAC or the local directorates, as the case may be, shall inform the responsible authority regarding the issues, and the deadline for the provision of information shall be extended by 15 days. The extension of this deadline shall not exceed the deadline stipulated in paragraph 2 of this Article within which the responsible authority shall decide upon the construction permit.

4. Where the responsible authority does not take a decision within the above deadline and the responsible planning structure at the local authority has not issued a negative opinion regarding the request, the construction permit shall be considered as tacitly approved.

5. The tacit approval shall not apply to construction permits which fall under the competence of the NTWC, as well as to other works, involving high-risk works, which are set out in the development regulation or which are specifically regulated by the legislation in force.

6. In case of refusal of the request for a construction permit or rejection of the preliminary statement for the performance of works, the decision shall be justified.

7. The head of the SAC or of the local directorate, which has not provided the requested information even after the deadline extension, pursuant to paragraph 3 of this Article, shall be punishable by a fine of up to 100,000 (a hundred thousand ALL).”.

## Article 32

After Article 46 “Infrastructure impact tax of new buildings” shall be added Article 46/1, with the following content:

### “Article 46/1 Service fee

1. The authority responsible for territorial development, with the purpose of covering expenses, shall implement fees for services provided and carried out pursuant to this law, in framework of the territorial development process.

2. The fees for each service, as well as their application for requests which fall under the competence of the NTWC shall be specified by decision of the Council of Ministers, whilst for requests falling under the competence of local government units, they shall be specified by decision of the Municipal Council.

3. The service fee shall be paid by the developer on behalf of the secretariat performing the respective service, after the invoice for this service has been made available to the interested subject.”.

## Article 33

Article 49 “Development incentives” shall be amended as follows:

### “Article 49 Development incentives

1. Depending on the type and the volume of investments, the national or local development priorities or the implementation of previous construction permits in accordance with the determined manner and deadlines, the territorial development authorities may provide for accelerated procedures or development incentives for certain investors or requests.

2. In cases that are subject to review at the NTWC, the accelerated procedure may be applied, pursuant to the detailed rules set out in the territorial planning regulation, for:

- a) strategic investments;
- b) complex developments within the coastal belt.”.

## Article 34

The following addenda and amendments shall be made to Article 52, “Administrative offences”:

1. Paragraph 1 shall be amended as follows:

“1. In the context of this law, the following violations, except where constituting criminal offences, shall constitute administrative violations and shall be punishable as follows:”.

2. Paragraph 1(e)(iv) shall be amended as follows:

“iv. confiscation for reasons of public interest, by proposal of the NITP or ITP and by decision of the NTWC, of the entire object, where the building is standing, in cases where:

- the entire construction, i.e., 100% of the construction area above ground, is concluded to be illegal;
- the illegal construction is a result of floor and lateral extension, if such extension exceeds 10% of the total construction area above ground;

The respective rules and procedures regarding confiscation for reasons of public interest shall be approved by decision of the Council of Ministers.”.

3. After paragraph 1(h), letter “i” shall be added, worded as follows:

“i) the approval of the Detailed Local Plan document in violation with the General Local Plan or other planning documents in force shall be punishable by fine of 3 000 000 ALL to 5 000 000 ALL;”.

4. Paragraph 7 shall be amended as follows:

“7. In the case of violations that constitute a criminal offence, the inspection authorities shall immediately report them for criminal prosecution.”.

#### Article 35

The title of Article 54 shall be amended to “National Territorial Planning Register and *e-Planning system*”.

#### Article 36

The following addenda and amendments shall be made to Article 55 “Organization and functioning of the Register”:

1. The title of Article 55 shall be amended to “Organization and functioning of the Register and *e-Planning system*”.

2. At the end of paragraph 1, shall be added the sentence worded as follows:

“The National Territorial Planning Register (*e-Planning system*) is organized into three components:

a) the e-Planning electronic *system*, which is represented by the work environment, where the process of drafting planning documents follows the steps determined pursuant to the register regulation.

b) the GIS map, where all *'shapefile' materials*, belonging to various stages of the drafting of planning documents are displayed/stored.

c) the archive, where all the planning documents, which have been finalised and approved, are stored.

The primary and secondary data, the interoperability and the stakeholders of the National Territorial Planning Register (*e-Planning system*) shall be determined by decision of the Council of Ministers.”

#### Article 37

Letter “b” of Article 57, “Register rules”, shall be repealed.

#### Article 38

The following replacements shall be made throughout the text of Law No. 107/2014, “On territorial planning and development”:

1. The name “National Territorial Council (NTC)”, shall be replaced with “National Territorial and Water Council (NTWC)”.

2. The terms “application” and “applicant” shall be replaced with the terms “request” and “requesting party”.

#### Article 39

##### **Transitional provision**

Except for the period until December 31, 2024, the costs and expenses of the Agency shall be covered by the state budget, while any income generated by the Agency itself until this date shall be carried forward to be used after this date.

#### Article 40

##### **Entry into force**

This Law shall enter into force 15 days after its publication in the Official Journal.

Approved on 02/05/2024.

**Promulgated by Decree no. 205, dated 30/05/2024 of the President of the Republic of Albania, Bajram Begaj.**