

Decision nr.29, dated 31.05.2010

(V – 29/10)

The Constitutional Court of the Republic of Albania, consisting of: Vladimir Kristo, President, Fehmi Abdiu, Kujtim Puto, Xhezair Zaganjori, Vitore Tusha, Sokol Sadushi, Sokol Berberi, Admir Thanza, Petrit Pllloçi, members, with secretary Blerina Çinari, on 22.09.2009, took under examination in open door judicial session, the case with act no. 19/10, pertaining to:

APPELLANT: PEOPLE'S ADVOCATE, represented by Florina Nuni and Frederik Paskali with authorization.

INTERESTED SUBJECTS:

ASSEMBLY OF THE REPUBLIC OF ALBANIA, represented by Mr. Lulzim Leçaj, with authorization.

COUNCIL OF MINISTERS, represented by Mrs. Marsida Xhaferllari, with authorization.

NAZMI DRIZA, absent.

COMPANY "DUDAJ" L.T.D., absent.

THE OBJECT:

- 1. The repeal on unconstitutional grounds of the law no.9948, dated 07.07.2008 "On examination of the legal validity of establishment of property titles on agricultural land" and Decision of the Council of Ministers no.1269, dated 17.09.2008 "On the composition, functioning, duties and liabilities of the state structures assigned to examination of the legal validity of establishment of property titles on agricultural land."**
- 2. The suspension of application of law no.9948, dated 07.07.2008 "On examination of the legal validity of establishment of property titles on agricultural land" and Decision of Council of Ministers no.1269, dated 17.09.2008 "On the composition, functioning, duties and liabilities of the state**

structures assigned to examination of the legal validity of establishment of property titles on agricultural land”.

LEGAL BASE: Articles 4, 7, 15, 17, 18, 41 e 42 of the Constitution of the Republic of Albania; articles 27-30, 39, 45 and 49/2 of the Law no.8577, dated 10.02.2000 “On the organization and functioning of the Constitutional Court of the Republic of Albania”; article 24/c of the Law no.8454, dated 04.02.1999 “On the People’s Advocate”, amended.

Constitutional Court of the Republic of Albania, in reliance on articles 131, letter “a” and 134, point 1, letter “dh” of the Constitution, as well as article 72 *et seq.* of the Law no.8577, dated 10.02.2000 “On the organization and functioning of the Constitutional Court of the Republic of Albania,” by a majority of votes,

DECIDED:

- The rejection of the complaint.

This decision is conclusive, final and comes into force on the date of publication in the Official Gazette.