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**NORMATIVE ACT
no. 8, dated 28.12.2023**

ON ADOPTION OF URGENT MEASURES, ON INFRASTRUCTURE PROTECTION AND IMPROVEMENT, ON WASTE WATER TREATMENT DISCHARGED NEAR OR INTO BATHING WATERS

Pursuant to Article 101 of the Constitution, upon the proposal of the Deputy Prime Minister and Minister of Infrastructure and Energy, and the Minister of Tourism and Environment, the Council of Ministers

DECIDED

**Article 1
Purpose**

The purpose of this normative act is to regulate waste water treatment by implementing a plant or system for the collection, treatment, and disposal of waste waters generated by entities engaged in economic activities in coastal and lake or riverside areas. These entities currently do not treat waste waters from their economic activities and discharge them near or into bathing waters.

**Article 2
Definitions**

In terms of this normative act, the following terms are defined as follows:

1. 'Agritourism' is defined as the hosting activity, which takes place on a farm or other agricultural unit, with the aim of attracting visitors, often enabling them to participate in agricultural or other ancillary activities taking place in that agricultural environment. Agritourism supports the development of sustainable tourism in rural areas through environmental protection, preservation of traditions and promotion of typical local products.

2. 'Guesthouse' (hosting home) is a building, part of which is used as the owner's residence, and where accommodation and meals are provided to tourists for a fee.

3. 'Hostel' is a building that provides affordable accommodation and meals, typically for travelers, students, and workers, where rooms are shared among several different clients.

4. 'Traditional tourist village' is an area where building permits have been issued to construct several residential accommodation structures for sale or rental to local and foreign tourists, individuals, or organized groups. It has a high concentration of tourist resources and enterprises, capable of attracting both local and foreign visitors, with a harmonized infrastructure and environments that meet their needs.

5. 'Bed and Breakfast (B&B)' is an accommodation facility that provides the service of overnight stay and breakfast included in the room rate. This accommodation facility does not provide restaurant services or shared facilities.

6. 'Hotel' is a building with a minimum of 6 (six) rooms, where accommodation and services such as food and beverages are provided by a qualified staff, at a published price.

7. 'Campsite' is a public or private enclosed area, equipped with necessary infrastructure (water, toilets, electricity, etc.), where travelers can stay in camping tents or set up their own tents, or park their recreational vehicles (RVs).

8. 'Tourist complex' is an area where building permits have been issued to construct several residential accommodation structures for sale or rental to local and foreign tourists, individuals, or organized groups.

9. 'Motel' is a building that provides accommodation and parking services, typically for short stays of travelers, located on the outskirts of populated areas, near intersections and highways.

10. 'Service unit' includes all entities that provide services for a bar, restaurant, or canteen in coastal, lake, or river areas, tourist villages, or tourist complexes.

11. 'Resort' is a complex of buildings for leisure and entertainment, grouped and managed together, such as hotels, apartments, villas, and studios providing customers with accommodation, food, drinks, sports and recreational activities, and ancillary services, all delivered by a qualified staff.

12. 'Accommodation structure' is a facility that provides lodging, food, beverages, and other services to tourists, whether local or foreign, individuals, or organized groups, for a specified period not exceeding 1 (one) year. These services are offered in accordance with established standards, as per its classification and categorization.

13. 'Category I entities' are entities that generate a pollution load of up to 50 Population Equivalents (PE).

14. 'Category II entities' are entities that generate a pollution load of up to 180 Population Equivalents (PE).

15. 'Category III entities' are entities that generate a pollution load of up to 180 Population Equivalents (PE).

16. 'Bathing waters' are surface water bodies where a large number of people are expected to swim, and where the competent authority has not issued a permanent ban or recommendation against swimming.

17. 'Waste Water Treatment' as defined in this normative act, involves waste water treatment through the establishment of a treatment plant and the construction of a collection and discharge system for waste waters (hereinafter referred to as individual systems) by entities conducting economic activities in coastal or lake and river side areas, including:

- a) construction and operation of the internal sewage system;
- b) construction and operation of the urban wastewater treatment plant;
- c) construction and operation of the sewerage network for the discharge of urban waste waters to the collector;
- c) treatment and disposal of sludge and solid materials exiting the treatment plants.

Article 3

Scope

The provisions of this Act apply to entities engaging in economic activities, as outlined in points 1 to 12 of Article 2 of this Normative Act, in coastal or lakeside areas, and along the shores of rivers, that discharge untreated waste waters into bathing waters, according to the specified standards.

Article 4

Tasks and Responsibilities of entities

1. Entities engaging in economic activities as outlined in points 1 to 12 of Article 2 of this Normative Act, in coastal or lakeside areas, and along the shores of rivers (hereinafter referred to as Entities), are required, within 90 (ninety) days from the entry into force of this Normative Act, to install an individual treatment plant or system for waste water treatment, according to the technical regulations approved by the Joint Instruction of the Minister responsible for infrastructure and the Minister responsible for the environment.

2. The obligation to install an individual treatment plant or system for waste water treatment, according to the approved technical regulations by the joint directive of the Minister responsible for

infrastructure and the Minister responsible for the environment, also applies to developers of tourist villages, as stipulated in the construction permit.

3. Entities engaging in economic activities in coastal or lakeside areas and along the shores of rivers, which discharge waste waters into septic tanks, shall take measures to replace them with individual treatment plants or systems for waste water treatment, in accordance with the obligations set forth in this normative act and the technical regulations.

4. All entities under development or construction in coastal areas, or along the shores of lakes and rivers, for the purpose of economic activity development, as outlined in points 1 to 12 of Article 2 of this Normative Act, are required to install individual treatment plants or systems for waste water treatment, in accordance with the obligations specified in this Normative Act and the technical regulations, prior to obtaining the certificate of use.

Article 5

Waste water treatment standards

1. As per this Normative Act, the standards on waste water treatment, applicable to entities engaging in economic activities in coastal areas or along the shores of lakes and rivers, are in the technical regulation for the standards on waste water treatment.

2. The Minister responsible for infrastructure and the Minister responsible for the environment, by Joint Directive, approve the technical regulation for the standards on waste water treatment, according to this Normative Act, in accordance with the provisions of point 'a', of point 2 of Article 4 of Law No. 9115, dated 24.7.2003, 'On the environmental treatment of polluted waters', as amended.

Article 6

Task Force

1. For the monitoring, inspection, and enforcement of this Normative Act, aimed at regulating the consequences arising from the non-treatment of waste waters discharged near or into bathing waters in coastal areas, or along the shores of lakes and rivers, a Task Force is established under the authority of the Head of the National Water Supply and Sewerage Agency (AKUK).

2. The Task Force operates for a one-year period, which may be extended by order of the Prime Minister.

3. Employment relationships of Head and employees of the Task Force are governed by the Labor Code.

4. Task Force organizational structure and operating regulations are approved by order of the Prime Minister.

5. The necessary funds for the operation, expenses, as well as the required material and technical resources of the Task Force are covered by the state budget.

Article 7

Tasks and Responsibilities of the Task Force

1. The Task Force, in carrying out its functions, has the following duties:

a) On-site inspections for the enforcement of the obligations specified in Article 4 of this Normative Act by the relevant entities, whose activities produce waste waters near or into bathing waters, including inspections for:

i. installing an individual treatment plant or system for waste water treatment, in accordance with the obligations specified in this Normative Act and the technical regulations, approved by joint directive;

ii. replacing septic tanks with individual treatment plants or systems for waste water treatment;

b) Gathering information and establishing a database for the data of all entities engaging in economic activities and discharging treated and untreated waste waters near or into bathing waters;

c) Documenting, where applicable, the internal sewerage systems and the technology used for the treatment and disposal of untreated waste waters for all entities discharging them near or into bathing waters;

ç) Imposing administrative measures in cases where violations are identified, in accordance with this normative act;

"d) Conducting inspections to ensure compliance with liquid discharge regulations, near or into bathing waters. To accomplish this task, the Task Force collaborates with the relevant inspectorates or pertinent structures overseeing environmental protection, the licensing body for the activity, the health inspectorate, or the municipal inspectorate.

dh) Following the inspection or monitoring of entities engaging in economic activities in coastal, lake, river, or tourist village areas, a sign must be placed in a visible location indicating the treatment or non-treatment of wastewater, in accordance with the format in Annex I attached to this Normative Act;

e) Preparing, by the end of October, a report on the entities for which administrative measures have been taken according to this Normative Act, and proposing to the responsible authorities the revocation of licenses, permits, or authorizations for economic activities for entities that have not met the standards even after the imposition of administrative measures.

2. The Task Force receives support from the State Police as needed to carry out its functions.

Article 8

Administrative measures

1. After monitoring and inspection, if the Task Force determines that the plant or individual system does not adhere to the technical regulations for treating wastewater from the entities, it takes the following administrative actions:

a) Category I entities are fined between 1,500,000 (one million five hundred thousand) ALL and 1,850,000 (one million eight hundred fifty thousand) ALL;

b) Category II entities are fined between 1,900,000 (one million nine hundred thousand) ALL and 2,200,000 (two million two hundred thousand) ALL;

c) Category III entities are fined between 2,400,000 (two million four hundred thousand) ALL and 2,650,000 (two million six hundred fifty thousand) ALL;

ç) The developer/builder, according to the tourist village construction permit, is fined between 2,400,000 (two million four hundred thousand) ALL and 2,650,000 (two million six hundred fifty thousand) ALL.

2. Failure to place or removal of the sign, as per letter 'dh' of Article 7, is subject to a fine of 100,000 (one hundred thousand) ALL by the Task Force.

3. Revenues from the imposition of administrative measures are deposited into the state budget.

4. Administrative measures imposed under points 1 and 2 of this Article, and under point 2 of Article 9, constitute an executive title and their execution is entrusted to enforcement service.

5. Failure to comply with the obligation under point 4, Article 4, of this Normative Act, results in entities not receiving the certificate of use for the constructed or developed object or project.

Article 9

Procedure after the imposition of an administrative measure

1. The Task Force, upon imposing an administrative measure under Article 8 of this Normative Act, grants the relevant entities a period of 60 (sixty) days to meet the standards on waste water treatment, as outlined herein.

2. If, after the 60-day period, the Task Force finds that the sanctioned entities have not complied with the standards, it imposes a fine equal to twice the amount imposed on the respective entity the first time.

3. At the end of the tourist season, the Task Force, upon notification from the responsible Ministry of Tourism, proposes to the relevant institutions to revoke the license, permit, or authorization for conducting economic activities against all entities that have not met the standards on waste water treatment even after the imposition of an administrative measure, as per point 2 of this Article.

4. Following the imposition of an administrative measure against the developer, as per point 'ç' of Article 1, Article 8, of this Normative Act, the Task Force recommends to the responsible institutions to initiate the procedure for excluding the developer from the right to obtain development or construction permits for a period of 5 (five) years, in accordance with the provisions of Law No. 8402, dated 10.9.1998, 'On the control and discipline of construction works', as amended.

5. According to the tourist village or tourist complex construction permit, the developer must submit to the Task Force the plan of measures to comply with the standards on waste water treatment within 30 (thirty) days from the entry into force of this Normative Act. The plan of measures must be submitted within the deadline of 90 (ninety) days set in this Normative Act for compliance with the standards on waste water treatment.

Article 10

Appeal of administrative measures

Entities have the right to appeal the decision on the imposition of administrative measures to the competent administrative court.

Article 11

Final Provisions

1. The responsible Ministers approve the technical rules within 15 (fifteen) days from the entry into force of the Normative Act, as per point 2 of Article 5.

2. Entities engaging in economic activities in coastal areas and along the shores of lakes and rivers must comply with the standards on waste water treatment within 90 (ninety) days from the entry into force of this Normative Act.

3. Entities required to construct a treatment plant according to this Normative Act must obtain a preliminary construction declaration, as per Law No. 107/2014, 'On territorial planning and development', as amended, and Decision No. 408, dated 13.5.2015, of the Council of Ministers, 'On the regulation of territorial development', as amended, and must submit a 'notice of commencement of works' to the National Water Supply-Sewerage Agency (AKUK).

4. The Ministry of Infrastructure and Energy, the Ministry of Tourism and Environment, the Ministry of Interior, the State Police, and the National Water Supply-Sewerage Agency are responsible for enforcing this Normative Act.

Article 12

Entry into force

This Normative Act shall enter into force immediately and shall be published in the Official Journal.

PRIME MINISTER **Edi Rama**

ANNEX I

