

PREAMBLE

Considering the fact that the land problem in general, and in particular the judicial framework of the land problem has not yet been the object of the multidisciplinary treatment that it deserves.

Considering that the land problem in its judicial dimension must be treated in integrated form and in accordance with its multiple uses, to wit:

- support of shelter or habitation for the population residing in the territory, which implies an adequate urban regime;
- protection of natural riches whose use and exploitation involve law with respect to mining, agriculture, forests, and territorial organization;
- support for the exercise of economic, agrarian and industrial activities, and the provision of services.

- support in relation to all effects resulting from disorderly or degrading human actions which have negative impact on the ecological equilibrium and concern environmental law.

Taking into account, on one hand, that current law, especially Law 21-c/92, did not deal with the land problem in all those dimensions and, on the other hand, that an integrated and multidisciplinary vision was lacking on the part of the legislator of current Lands Law that could lead to an affirmation according to which the current Law is an Agrarian Law. The economic, social and urbanistic goals were not taken into account, and in general, the overlap between the land question and territorial organization.

Agreeing to approve the general bases of the judicial land regimes, as well as the rights that may obtain on the lands and the general regime of concession and establishment of land rights.

In these terms and under the contents of line b) of article 88 of the Constitutional Law, the National Assembly approves the following:

CHAPTER I
Provisions and General Principles

Section I
General Provisions
Article 1.
Definitions

With respect to the present law, it is understood by:

- a) "Urban agglomerations": territorial zones with urban infra-structures, namely, networks for the supply of water electricity and basic hygiene, if their expansion is processed according to urban planning or, lacking it, under urban administrative instruments approved by the relevant authority.
- b) "City": the urban agglomeration thus classified by territorial organizational norms, to which legal administration has been designated, and with the minimum number of inhabitants as defined by law;
- c) "Rural Communities": communities of neighboring or cohabiting families that, in rural areas, have collective rights to possession, administration, use and fulfillment of the means of community production, namely, of the rural community lands occupied by them and worked in a useful and effective manner according to the principles of self administration and governance, whether for their habitation, for the exercise of their activities, or even for the effecting of other ends recognized by custom and by the present document or its regulations.
- d) "Public domain": a set of things that the State or local authorities use to effect their business, using powers of authority, that is, through the Public Law, including, namely, things destined to the use of all, things utilized by public services or over which their authority extends, and things that satisfy the purposes of a collective public person.
- e) "Private domain": a set of things not comprising part of the public domain and which are not State or local authority property.
- f) "Title (*Foral*)": a title approved by Government document, under which the State delimits the area of integrated lands in the public domain pertaining to the State And by it conceded to local authorities for autonomous administration;
- g) "Land rights": rights that apply to land integrated into the private domain of the State and that are of which the title holders are individual persons or collective persons under public or private law;
- h) "Soil": superficial layer of earth over which original state proprietorship obtains, destined for useful exploitation, rural or urban, by means of diverse types of land rights foreseen in the present law;
- i) "Subsoil": layer of earth immediately under the soil.
- j) "Land": same as lot.
- k) "Lot": a delimited part of the soil, including the subsoil, and constructions existent on it that do not have economic autonomy, to which corresponds or could correspond its own number in the respective building matrix in the building registry.

l) "Passageways": lands or rural roads in the public domain of the State or of local authorities, whether in the private domain of the State or of individuals, are placed under a regime of service as passageways or integrated into community lands, according to customary right, for Access of cattle to pasture or sources of water and other utilities tra

(Translator's note: the text ends mid-word with the fragment "tra". This might be the beginning of the word "traditional", but it's hard to tell)

Article 2.

Object

The present law establishes the general bases of the judicial regime for lands integrated into property originating with the State, the land rights over which the general regime of transference, establishment, exercise, and extinction of these rights may fall.

Article 3.

Area of application

1. The present law applies to those rural and urban lands over which the State establishes some of the land rights contemplated in it for the benefit of individual persons or collective persons under public or private right, purposely designated with a view to the execution of purposes oriented toward agricultural production or animal husbandry, forest, mineral, industrial, commercial, or habitational uses, urban or rural edification, territorial organization, environmental protection and combat against soil erosion.

2. Excluded from the area of application of this law are lands that cannot be the object of private rights, such as lands in the public domain or those that, by their nature, are not susceptible to individual appropriation.

Section II

Fundamental Principles

Subsection I

Land Structure

Article 4.

Fundamental Principles

The transfer, establishment and exercise of land laws pertaining to concedable State lands are subject to the following fundamental principles:

- a) principle of original proprietorship of land by the State;
- b) principle of the transference of lands integrated into the private domain of the State;
- c) principle of useful and effective exploitation of the land;
- d) principle of ultimate authority.
- e) principle of respect for the land rights of rural communities;
- f) principle of natural resource proprietorship by the State;
- g) principle of the no reversibility of nationalizations and confiscations.

Article 5.
Property origin

Land constitutes property originating in the State, integrated into its private domain or into its public domain.

Article 6.
Transmissibility

1. Without detriment to the matter dealt with in article 35, the State can transfer or place onus on the ownership of lands integrated into its private domain.
2. Accords dealing with transfer or onus referred to in the preceding number, which violate norms of public order, are null and void.
3. The nullification mentioned in the preceding number are evocable in general terms.
4. No rights over lands integrated into the private domain of the State and in the domain of rural communities can be acquired through squattership.

Article 7.
Useful and effective usage

1. The transfer of property rights and the establishment of limited land rights over lands integrated into the private property of the State can only take place with the objective of guaranteeing their useful and effective usage.
2. The indexes of useful and effective usage of lands will be fixed by means of territorial administrative instruments, clearly taking into account the objective to which the land is destined, the type of cultivation practiced there and the construction index.
3. The area of the lands to be conceded cannot exceed a third of the surface corresponding to the work capacity of the direct user and his family.
4. Land rights that are acquired, transferred or established under the terms of the present law are extinguished if not utilized or if the useful and effective usage indexes are not observed for three consecutive or six interpolated years, regardless of the reason.

Article 8.
Ultimate Authority

1. Establishment on the integrated private domain lands of the State, of land rights different from those foreseen in the present law, is not permitted.
2. Accords by which land rights not foreseen in this law are established are null.
3. The nullification foreseen in the preceding number is evocable in general terms.

Article 9.
Rural Communities

1. The State respects and protects the land rights of which rural communities are title holders, including those founded in use or custom.
2. Lands belonging to rural communities may be expropriated by public utility or be the object of requisition by way of just indemnification.

Article 10.
Natural Resources

1. Natural resources are property of the State, integrated with the public domain.
2. State property rights over natural resources are not transferable.
3. Without detriment to the matter dealt with in the previous number, the State may construct, to the advantage of individual or collective persons, rights to the exploitation of natural resources, under the terms of the respective legislation.
4. The transfer of property rights or the establishment of limited land rights on lands in the private domain of the State, or under the provision of the present law, do not imply the acquisition, by accession or other mode of acquisition, of any right over other natural resources.

Article 11.
Nationalizations and Confiscations

Without detriment to specific legislative provisions regarding reprivatizations, all acquisitions of property rights by the State by dint of nationalization or of confiscations realized under the terms of the respective legislation, are considered valid and irreversible.

Article 12.
Expropriation by public utility

1. No one can be deprived, all or in part, of his property rights or of his limited land rights, unless in cases established in the law.
2. The State and local authorities may expropriate lands if they are to be utilized for a specific purpose of public utility.
3. The expropriation eliminates land rights established on lands and determines its definitive transfer to State patrimony or to the local authorities, it being the responsibility of the latter to pay the holder of the nullified rights a just indemnity.

Article 13.
Public domain

The State may subject lands covered in the area of application of the present law to the judicial regime of goods in the public domain, in cases and in terms foreseen in it.

Subsection II Land Intervention

Article 14. Objectives

The state intervenes in the administration and in the concession of lands to which the present document applies, in harmony with the following objectives:

- a) adequate organization of territory and the correct formation, organizing and function of urban agglomerations;
- b) protection of the environment and economically efficient and sustainable utilization of the lands;
- c) priority of public interest and of economic and social development
- d) respect of the principles foreseen in the present law.

Article 15. Territorial organization and urban planning

The establishment or transfer of land rights over lands and their occupation, use and usufruct is governed by the norms of the instruments of territorial organization and of urban planning, namely in those provisions that touch on the objectives contemplated in them.

Article 16. Environmental protection and land use

1. The occupation, use and usufruct of lands are subject to the norms regarding environmental protection, namely to those that deal with the protection of the landscape and of the species of flora and fauna, to the preservation of ecological equilibrium and to the right of citizens to a healthy and unpolluted environment.

2. The occupation, use and usufruct of lands must be exercised in a manner that does not compromise the regenerative capacity of tillable lands and the maintenance of the respective productive capacity.

Article 17. Public interest and economic and social development

The establishment and transfer by the State of property rights on the land obey the priority of public interest and the economic and social development of the Country.

Article 18. Limits on the exercise of property rights

1. The exercise of property rights on lands by their title holders is subordinate to the economic and social purpose that justified their establishment.

2. Material on the abuse of rights as treated in the Civil Code is applicable to the exercise of rights contemplated in the present law.

CHAPTER II
On Lands and Rights

Section I
On Lands

Article 19.
Land classification

1. Lands are classified as a function of the objectives on which they are established and to which they are subject under the terms of the law.
2. State lands are classified as conferrable and not conferrable.
3. With regards to its usage by individual or collective persons, conferrable property is classified as urban land or rural land.
4. It is understood that urban land refers to the rustic building situated in an area delimited by a jurisdiction (foral) or in an area delimited by an urban agglomeration and that is destined to urban edification.
5. Rural land is that rustic building situated outside the area delimited by a jurisdiction (foral) of the area of an urban agglomeration and that is designated to purposes of agricultural, animal husbandry, forest and mining activity.
6. The classification of conferrable property, urban or rural, is made in the general plans of territorial organization or, in its lack or insufficiency, by decision of relevant authorities under the terms of the present document.
7. Properties integrated into the State's public domain and community property are unconferrable properties.

Article 20.
Conferrable properties

1. Conferrable properties are properties of which the State is the original proprietor, if they have not definitely entered into the private ownership of others.
2. The domain of conferrable properties and the limited land rights established over these are subject to the judicial regime of the private domain of the State or of local authorities, to the rules appearing in the present document and to the matters contained in article 1304 of the Civil Code.
3. State land rights do not become obsolete.
4. Without detriment to the content of article 35, the State can transfer the right of property over conferrable lands or confer on them the land rights foreseen in the present law in benefit of individual or collective persons.
5. The state can also transfer their land rights over lands to be conceded to the local authorities through the concession of title or of an equivalent legal title.

Article 21.
Urban Lots

1. Urban lots are classified as a function of the urban objective in urbanized lands, construction lots and lots that can be urbanized.
2. Lots for which concrete purpose is defined by urbanistic plans or as such classified by the decision of relevant authorities are urbanized, as long as urbanization infrastructure is implemented in them.
3. Urbanized lots are considered construction lots when they are included by a duly approved operation to divide land into lots, are destined for building construction, and as long as they have been licensed

by the relevant local authority.

4. Lots are urbanizable which, in spite of being included in the area defended by title or in the equivalent urban perimeter, have been classified by urbanistic plan or equivalent plan as an urban reserve for expansion.

Article 22. Rural Lands

1. Rural lands are classified in function of the for purpose which they are destined and of the judicial regime to which they are subject, in rural community lands, agricultural lands, forest lands, installation lands and road lands.

2. Rural community lands are lands occupied by families from the local rural communities for inhabitation, exercising of activity or for other purposes recognized by custom or by the present document and respective regulations.

3. Considered as agricultural lands are lands appropriate for cultivation, designated for the exercise of agriculture and animal husbandry, under the terms of establishment or transfer of land rights of the judicial regime described in the current law.

4. Forest lands are lands which are appropriate for the exercise of forest activity, designated for the rational exploration and utilization of natural or artificial forests, under the terms of the rural organization plan and of the respective special legislation.

5. Installation lands are those destined for the introduction of industrial or agro-industrial mining installations, in the terms of the present law and of the respective legislation applicable to the exercise of mining and oil-producing activities and to industrial parks.

6. Considered as road lands are lands affected by the implantation of land communication lines, of water supply and electricity supply chains, and of pluvial drainage and sewers.

Article 23. Rural community lands

1. Rural community lands are lands utilized by a rural community according to the customs related to land use, including, depending on the case, the complementary areas for itinerant agriculture, the cattle passageways for cattle access to sources of water and pastures and crossings, subject or not to the regime of service, utilized for accessing water or roads or access paths to urban centers.

2. The delimitation of rural community lands is preceded by auditions with families that integrate rural communities and with the institutions of traditional power existing in the place of the situation of those lands.

Article 24. Agricultural lands

1. Agricultural lands are classified by the relevant entity, through proper regulation, in function of the type of predominant cultivation, in lands for irrigation, trees and plant cultivation, and dry lands.

2. The type of cultivation, referred to in the previous number, is that which is considered by the relevant entity as more adequate to the aptitude of the lands, to the conservation of these and to the preservation of its capacity for regeneration.

3. The transfer and establishment by the State of land rights over conferrable lands and the exploitation of these depend always on the observance of the criteria stated in the previous number.

4. The state promotes building remodeling operations destined to describe not only the fragmentation but also the dispersion of rustic buildings belonging to the same title holder, with the intention for improving the technical and economic use of the agricultural, wild and animal husbandry exploration.

5. The parceling, that is referred to in the previous number, may imply a joining of lands over those which already belong to private property or the useful domain of the direct user.

Article 25.
Installation lands

1. Without detriment to that which is determined in the instruments of territory organization, the classification of the lands as installation lands depends on the proximity of these to mines, raw material or road axis that recommend the implantation of a mining or industrial installation.
2. The classification of a lot as a mining and oil-producing installation lot, falls to the organ that protects territory organization and the environment, by means of proposal or appearance before the entities that superintend the respective area.
3. The classification of a lot as an industrial installation lot falls to the organ that protects territory organization and the environment, by means of proposal or appearance before the entity that protects the respective area.
4. The organ that protects territory organization and the environment should send copies of the lot classification dispatches to the registration services, containing the respective documentation.

Article 26.
Road lands

1. Without detriment to the regime established in the Statute of National Roads and in the National Road Plan, the classification, by the relevant entity, of a lot as a road lot depends on previous consultation to the organisms that superintend public works areas for supplying water and electricity and to the Provincial Governments in whose territorial constituency the road network will be integrated.
2. The jurisdiction over the State's private domain road lands on the public domain, when destined for public roads, falls to the organs which superintend the areas of public works and transportation.
3. That which is determined in number 4 of article 25 is applicable to road lands, with the necessary adaptations.

Article 27.
Reserved lands

1. Considered as reserved lands or reserves, are those lands excluded from the general occupation regime, use or fruition by individual persons or collectives, in function of their jurisdiction, total or partial, to the realization of special objectives that determine their establishment.
2. Without detriment to that which is determined in article 14, number 5, of the Basic Environmental Law, the establishment of the reserves is of the competency of the government, which in them will be able to include from the State's public or private domain or from the local authorities, as lands that have already entered definitively in the private property of others.
3. The reserves can be total or partial.
4. In total reserves no form of occupation or use is permitted, except that which is necessary for its own conservation or management, bearing in mind the effecting of the objectives of public interest described

in the respective establishment document.

5. The establishment of total reserves aims, among other objectives, to the protection of the environment, national defense and security, the preservation of monuments of or historic sites and the promotion of population or repopulation.

6. In partial reserves all forms of occupation or use are permitted which do not contradict the objectives described in the respective establishment document

7. Partial reserves are comprised of, namely:

- a) interior waters, of the territorial sea and the exclusive economic zone;
- b) the continental platform;
- c) the strip seafront and of island contour, bays and estuaries, measured from the maximum high tide level, maintaining a protection strip for the interior of the territory;
- d) the protection strip adjoining nascent waters;
- e) the strip of land protection around dams and lagoons;
- f) lands occupied by public interest iron lines and respective stations, maintaining a protection strip adjoining each axis of the line;
- g) lands occupied by auto-roads, by four lane roads and by electricity, water, telecommunications, petroleum and gas installations and conductors with an adjoining strip of thirty meters on each side;
- h) lands occupied by provincial roads with an adjoining strip of thirty meters and by secondary, municipal roads with a fifteen meter adjoining strip;
- i) the strip of land of two kilometers along the land frontier;
- j) lands occupied by airports and airfields with an adjoining strip of one hundred meters;
- k) the one hundred meter strip of land adjoining military installations and other State defense and security installations.

8. The authority that has established the reserve can determine the exclusion of one or more lands from its scope, as long as it is for a justifiable motive.

9. Buildings that don't belong to the state can be included in the reserves by means of expropriation by public utility or by the establishment of administrative services..

10. When expropriation by public utility or restrictions in the terms of this law takes place, just indemnification is always due to the proprietors and to the title holders of other affected real rights, without detriment to the possibility of opting for the subscription of the social capital of the commercial societies that come to establish themselves for the exploration of activities related to the reserved land.

Section II Regarding Rights over Lands

Subsection I State Domains

Article 28. State Domains

The State and local authorities, by force of the fundamental principles consecrated in articles 4 and 12, can be title holders of land rights, in harmony with the following regimes:

a) public domain, being, in this case, namely applicable the norms described in articles 10 number 3, 9 numbers 1, 13 and 29;

b) private domain, being, in this case, namely applicable that which was established in articles 5, 6, 7 numbers 1 and 2, 8, 20 and 25 and in the norms of subsection II of the present section.

Article 29. The State's Public Domain

1. Integrated in the State's public domain are:

- a) the interior waters, the territorial sea, a continental platform, an exclusive economic zone, the adjoining sea depths, including resources alive and not alive which exist in them;
- b) the national air space;
- c) the mineral resources;
- d) the public highways and roads, the bridges and public iron lines;
- e) the beaches and coastal seafront, in a strip fixed by title or by Government document, whether integrated or not in urban perimeters;
- f) the territorial zones reserved for the defense of the environment;
- g) the territorial zones reserved for the ports and airports;
- h) the territorial zones reserved for military defense objectives;
- i) the monuments and buildings of national interest, as long as they have been thus classified and have been integrated into the public domain;
- j) other items affected, by law or by administrative act, to the public domain.

2. The goods of the public domain are property of the State and, as such, are inalienable, perpetual, and not subject to seizure.

Article 30. Public Domain Exploration Rights

The concession of rights for research, exploration and production of mineral resources and other natural resources of the public domain is regulated by special legislation applicable to the type of natural resource in cause.

Article 31. Classification and unaffectedness

- 1. The classification or the unaffectedness of public domain goods is, according to each case, declared by Government document or by a document that approves general plans of territory organization.
- 2. The classification that is referred to in the previous number counts as a declaration of public utility for effecting the process of expropriation by public utility.

Article 32.
Sovereign regime of public domain

1. The State can, by Government document or by title, transfer goods integrated in its public domain to local authorities, with the objective to decentralize management.
2. The regime of the public domain of the State is applicable, with the necessary adaptations, to the public domain of the local authorities, without detriment to the applicable regulatory provisions.

Article 33.
Reserved lands and rural communities' rights

1. The State ensures the families that make up the rural communities residing in the perimeters of the reserved lands:
 - a) the well-timed execution of territory organization policies, with aim toward well being, toward their economic and social development and to the preservation of the areas in which traditional ways of using the land are adopted;
 - b) the concession of other lands or, that not being possible, adequate compensation that is due to them, in case of establishment of new reserves that have affected the lands possessed or utilized by them;
 - c) the right of preference of their members, in equal conditions, in the providing of charges and functions created in the reserved lands;
 - d) the jurisdiction to expenses, that are seen to promote the well-being of rural communities, of a certain percentage of taxes charged by the access to parks and by hunting, fishing or tourist activities developed there.
2. The percentage of the taxes, that are referred to in line d of the previous number, will be fixed in the General Regulation of Land Concession.

Subsection II
Land Rights

Article 34.
Types and regime

1. The following are the land rights that the State can transfer or establish over the conferrable lands integrated in the private domain for benefit of individual or collective persons:
 - a) property rights;
 - b) useful customary domain;
 - c) useful civic domain;
 - d) surface rights;
 - e) precarious occupation rights;
2. The provisions of the present law and of its regulations are applied to the transfer and the establishment of the land rights determined in the previous number.

Article 35.
Private property Rights

1. Besides special provisions contained in the present document and in its regulations, that which is established in articles 1302 to 1384 Civil Code is applied to property rights
2. The State can transfer to individual persons of Angolan nationality, property rights over conferrable urban lands integrated in its private domain.
3. The state cannot transfer to individual persons or collective persons of private right the property rights over rural lands integrated either in its public domain or in its private domain.

Article 36.
Property rights over urban lands

1. The transfer of property rights over urban lands integrated in the State's private domain or the local authority's private domain is admissible as long as such lands are included in the scope of an urbanization plan or of legally equivalent instrument and the respective land division has been approved.
2. The right that is referred to in the previous number, can be acquired by contract, public auction or redemption of the title, according to the transfer process regulated by regulatory provisions of the present law.
3. The transference of property rights for urban lands that have already entered in the private property regime is allowed, providing, in this case, that what has been established in number two of the previous article is observed.
4. The exercise of the powers of use and transformation of urban lands integrated in private property of individual or collective persons is, namely, subject to the restrictions contained in the urbanistic plans and the restrictions that derive from the urbanistic objective to which such lands are destined.

Article 37.
Useful customary domain

1. Recognized to the families that make up rural communities are, the occupation, the possession and the rights of use and fruition of rural community lands occupied by them and employed in a useful and effective way according to custom.
2. The recognition of the rights that are referred to in the previous number, is done in title emitted by the relevant authority in terms of the regulatory provisions of this document.
3. Rural community lands, while integrated in useful customary domain, cannot be the object of concession.
4. Traditional Power institutions having been heard, the unaffectedness of rural community lands and its concession can, however, be determined without detriment to the concession of other lands to the title holders of the useful customary domain or, that not being possible, without detriment to the adequate compensation that is due to them.
5. Only rural community lands freely vacated by their title holders in harmony with the customary laws of provisional ownership organization or, exceptionally, in terms of the regulatory provisions can be an object of unaffectedness.
6. The exercise of useful customary domain is free, their title holders are exempt from the payment of title fees or installments of any kind.

7. The useful customary domain does not become obsolete, but can be extinguished by lack of use and by free vacating in the terms of the customary norms.
8. The useful customary domain can only be mortgaged in cases mentioned in number 4 of article 63 in order to guarantee the payment of bank loans.
9. If questions related to useful customary domain cannot be resolved by direct customs, they will be regulated by the norms included in articles 1491 to 1523 of the Civil Code, except regarding payment of title fees, the State being considered as a title holder of the direct domain and the families as title holders of the useful domain.

Article 38. Useful civil domain

1. The useful civil domain is integrated by the combination of powers that article 1501 of the Civil Code recognizes to the tenant.
2. Besides special provisions contained in the present document and in its regulations applied to the useful civil domain, that which is specified in articles 1491 to 1523 of the Civil Code also applies.
3. The lands over which the useful civil domain can regulate can be rural or urban.
4. The useful civil domain can be established by concession contract between the State or the local authorities and the concessionaire.
5. The amount of the title fee is fixed in the respective contract, being calculated in harmony with the criteria established by regulatory provision of the present document, namely, with the classification of the land and with a degree of development of each zone or region.
6. The title fee is paid in cash in the Treasury of Public Finance at the end of each year, counted from the date of establishment of the useful civil domain.
7. The right to redeem of the title fee is conferred to the tenant, when the period has twenty years of duration, not being legal to elevate this period.
8. The exercise of the right to redeem the title fee depends on the proof, by the tenant, that the effective use of the lands, object of the useful civil code, together with other eventually possessed in property or tenancy, is not inferior to two thirds of the total surface of those lands.
9. The price of redeeming, paid in cash, is equal to ten title fees
10. When the capacity of redeeming is exercised and tenancy has been abolished, that which is established in article 61 is applicable, with the necessary adaptations.
11. The useful civil domain can be mortgaged in the terms of line b of number 1 of article 688 of the Civil Code.

Article 39. Surface rights

1. Establishment of surface rights over rural or urban lands integrated in their private domain is admissible by the State or by the local authorities, in favor of individual persons, nationals or foreigners or of collective persons with effective headquarters in the Country or abroad.
2. Besides special provisions contained in the present document and in its regulations, that which is determined in articles 1524 to 1542 of the Civil Code is applied to surface rights.
3. The person with surface rights pays only one installment or a certain annual installment in cash, fixed to title of price in the respective contract, the amount being calculated in harmony with the criteria established by regulatory provision of the present document, namely, with the classification of the land and with the degree of development of each territorial outline.

4. The surface right can be mortgaged in the terms of line c of number 1 of article 688 of the Civil Code.
5. The person with surface rights enjoys the right of preference, in last place, in the sale or granting in compliance of the soil.
6. That which is established in articles 416 to 418 and 1410 of the Civil Code is applicable to the preference right.

Article 40.
Precarious occupation rights

1. Establishment by the State or by the local authorities over rural and urban lands integrated in their private domain is admissible through lease contract celebrated by determined time, of a precarious occupation right for the construction of installations not definitely destined, namely, to support:
 - a) the construction of buildings of definitive character;
 - b) short duration mining prospect activities;
 - c) scientific investigation activities;
 - d) activities for the study of nature and its protection;
 - e) other activities listed in the regulations of authorities.
2. The lease contract referred to in the previous number will fix the area and location of the land subject to the precarious occupation right.
3. It is equally admissible to establish, by lease contract, the right of use and precarious occupation of land goods integrated in the public domain, as long as the nature of these permits it.
4. The construction of installations referred to in the present article is subject to the general regime of the useful improvements listed in article 1273 of the Civil Code, being, in consequence, recognized the following rights:
 - a) the right to raise the installations implanted in the land, as long as it can be done without detriment to it;
 - b) when, to avoid detriment to the land, the occupant cannot raise those installations, they will receive from the State or the local authorities, depending on the case, an indemnification calculated according to the rules of enrichment without cause;
 - c) in cases in which not raising the installations elevated by the occupant causes damage, namely of the environment's nature, to the occupied land, the occupant should restore the land to the situation in which it was found before the edification, not having in this case the right to any indemnification.
5. The occupant pays an installment, only one or periodic, in cash, as determined by the respective contract, its amount being calculated in harmony with the criteria established by regulatory provision of the present document, namely, with the area and the classification of the land and with the period through which the precarious occupation right has been established.

CHAPTER III
Concession of land rights

Section I
General provisions

Article 41.
Urban infrastructures

1. The establishment of land rights over urbanizable lands depends on the observance of that which is determined in the urbanistic plans or in equivalent instruments and on the execution of the corresponding urbanization works.
2. The recipes that the State or local authorities receive, as compensation of the establishment of land rights over urbanizable or urbanized lands, can only be applied in the acquisition of property.

Article 42.
Title holders

Without detriment to that which is determined in article 35, land rights over conferrable lands integrated in the private domain of the State or local authorities can be acquired:

- a) the individual persons, of Angolan nationality;
- b) the collective persons of public right with main headquarters in the Country, as long as they have capacity of acquisition of rights over real estate;
- c) the collective persons of private right with main headquarters in the Country, namely the institutions that follow the realization of cultural, religious and social solidarity objectives, as long as they have capacity of acquisition of rights over real estate;
- d) the public Angolan enterprises and the commercial societies with main headquarters in the Country;
- e) the individual persons of foreign nationality and the collective persons with their main headquarters in abroad, without detriment to the restrictions established in the Constitutional Law and in the present law;
- t) the foreign entities of public right that have capacity for acquisition of rights over real estate, recognized in international accords, as long as, in the respective countries, equal treatment to equivalent Angolan entities is given;

- g) the collective international persons that, in the terms of the respective statutes, are endowed with capacity for acquisition of rights over real estate.

Article 43.
Area limits

1. The area of the rural lands, object of the concession contract, cannot exceed:
 - a) in urban areas, two hectares;
 - b) in suburban areas, five hectares.
2. The area of the rural lands, object of the concession contract, cannot be smaller than two hectares or greater than ten thousand hectares
3. The counsel of Ministers can, however, authorize the transfer or an establishment of land rights over rural lands of area greater than the maximum limit indicated in the previous number.

Article 44.
Accumulation of rights

The transfer or the establishment of land rights in favor of an individual or collective person, to whom the State or local authorities have previously attributed some of the land rights listed in this law, depends on the proof of useful employment of the conceded lands.

Article 45.
Principle of adequate capacity

1. Singular and collective persons, that require the transfer or establishment of land rights listed in the present document, need to show proof of their capacity to guarantee the useful and effective employment of the lands to be conceded.
2. The area of the lands to be conceded to each direct user depends on their capacity to guarantee the useful and effective employment of the same.
3. Excepted from that which is established in the previous numbers, are projects relating to agriculture, animal husbandry, or forest use of agricultural or forest lands with an area that does not exceed ten percent of the minimum surface corresponding to the unit of cultivation fixed for each of the Country's zones, being that the case, there is no need for proof of adequate capacity
4. The area of unit of cultivation is fixed by regulatory document of the present law in function of the Country's zones and the type of land.
5. With respect to that which is outlined in the previous number, agricultural lands can be:
 - a) irrigation lands, tree or plant lands;
 - b) dry lands.

Article 46.
Judicial concession business

1. The following are the judicial business by which any of the land rights outlined in this law can be transferred or established:
 - a) purchase and sale contract;
 - b) forced acquisition of the direct domain by the tenant, operating that coercive transference through the agreement of the parties or of judicial sale by way of the exercise of the authority right of the title (foro) integrated by judicial decision;
 - c) establishing title contract for the establishment of the useful civil domain;
 - d) special concession contract for the establishment of the surface rights;
 - e) special lease contract for the concession of precarious occupation rights.
2. Applicable to the judicial concession business are the special provisions of the present law and of its regulations and, secondarily, the provisions of the Civil Code.
3. Without detriment to that which is determined in the previous number, the local authorities, can, by proper document, discipline the content of the judicial concession business that deal with lands integrated in their private domain.

Article 47.
Onus of concessions

1. The transfer or establishment of land rights included in the present law can only take place by onerous title.
2. Exempt from what is stated in the previous number:
 - a) the establishment of useful domain, that is not established through concession, but by simple recognition;
 - b) a establishment of land rights included in the present law to benefit persons who show proof of insufficient funds, within the terms established in regulatory provisions.
3. The title fees or other installments, unique or periodic, are paid in cash or its amount is halved in accordance to the criteria described in previous articles with respect to each type of land right described in them.
4. The price of urban lands in the private domain of local authorities is fixed by public tender, which will have a basic value determined by price indexes fixed by the rules of the market and by the municipal rules effective in the province or urban center in which those buildings are situated.
5. In the case described in the previous number, the result of the bid is documented, in which the highest bid of each bidder will be registered, the right being adjudicated to the highest bidder.

Article 48.
Purchase and sale

1. The sale of lands, in accordance to that which is described in line a of number 1 of article 46 or of number 4 of the previous article, is made by way of public auction.
2. Once the price is deposited and the tax paid, if it is owed, the state or the local authority will give to the auctioneer the corresponding auction title which identifies the land, certifies the payment of the price and tax, and declares the date of the transfer which will coincide with that of the auction.
3. The purchase and sale contract can be resolved by the State or by they local authorities, if the indexes of useful and effective exploitation of the land are not observed during three consecutive years or six interpolated years, regardless of the reason.
4. When the contract under the terms of the previous number is resolved, the acquirer can demand the restitution of the price paid, without any actualization, but does not have the right to be indemnified from the improvements that were made, which will be reverted to the State or to the local authority, according to each case.
5. The property right referred to in line a of number 1 of article 34, can only be transferred by the acquirer by previous authorization of the conceding authority and after a period of five years of useful and effective exploitation of the land, counted from the date of its concession or the date of its last transfer.
6. Lands over which surface rights have been established or that have been contracted, and that have been the object of useful and effective exploitation during the legally fixed period, can be sold, without public auction, to the title holders of those limited land rights.
7. The statements of the following article are applicable, with the necessary adaptations, to the purchase and sale contract.

**Article 49.
Concession**

1. The concession contracts mentioned in article 46, number 1, lines c, d, and e, are only valid if they are celebrated by written document in which are present, besides the essential elements, the rights and duties of the concessionaires, the applicable sanctions in case of non-compliance of these, and the causes of extinguishment of land rights.
2. The concession contract celebrated in the terms of the previous article includes the concession title, in the terms of the regulatory provisions.

**Article 50.
Free concessions**

The State and local authorities can transfer or establish land rights, to guaranteed title, over lands integrated in their private domain, for the benefit of:

- a) persons who show proof of insufficient financial means and that wish to integrate population projects in less developed areas of the country;
- b) recognized public utility institutions, that continue the realization of goals related to social solidarity, culture, religion or sports.

**Article 51.
Limits on community lands**

1. The delimitation of areas of the rural communities and the definition of good use of community lands, by the relevant authority, must obey what is described in the corresponding instruments of land organization and in the regulatory provisions of the present law.
2. In accordance to what is described in the previous number, the relevant authority should hear the administrative authorities, the institutions of Traditional Power, and the affected families of the rural community.

**Article 52.
Limits on urban lands**

The limits on urban lands are fixed by titles, by urbanistic plans, and by the land division operations that have been approved.

**Article 53.
Title (Foral)**

1. The government, under the Governor's substantiated proposal of the respective province, can provide titles to the urban centers, as long as the following conditions are cumulatively verified:
 - a) the existence of a duly approved general urbanization plan;
 - b) the existence of official registry of municipalities;
 - c) the existence of supply networks for water and for providing electric energy, and of basic sanitation networks.

2. The titles delimit the area of the lands integrated in the public domain of the State and by the State conceded to the local authorities for autonomous administration.
3. The titles are approved by Government document.

Article 54.
Land division

1. Constituting a land division operation is an action that has by objective or by effect the division of urbanizable lands in one or more destined lands, immediate or subsequently, to urban edification, in harmony with what is sated in the urbanization plans, or in its lack or insufficiency, with the decisions of the relevant authority organs.
2. A lot is understood as the autonomized unit of land resulting from the land division operation.
3. The land division operations of the lands integrated in the private domain of the authority takes place by initiative of the respective municipal district.
4. In cases not discussed in the previous number, the land division is approved by permit issued by the local authority, through previous formal petition by the interested parties.

Article 55.
Duration of the concessions

1. The land rights mentioned in the present law are transferred or established:
 - a) perpetually, in the case of property rights, without detriment to the provision in article 48 regarding the resolution of the purchase and sale contract;
 - b) perpetually, in the case of customary useful domain without detriment to its extinguishment by non-use and by being freely vacated under the terms of the customary norms;
 - c) perpetually, in the case of civil useful domain, without detriment to the right of de redeeming;
 - d) by period not greater than seventy years, in the case of surface rights;
 - e) by period not greater than one year, in the case of precarious occupation.
2. In the cases described in lines d and e of the previous number, when the period is over, the contract is renewed in the succeeding periods, if none of the parties has denounced it during that time and by a manner agreed upon, or if no cause of extinguishment described in the law has occurred.

Article 56.
Duties of the acquirer

These are the obligations of the acquirer of the land rights:

- a) pay in a timely matter the title fees and other installments to which, depending on the case, the acquirer is obligated;
- b) effect the useful and effective exploitation of the conceded land in accordance to the fixed indexes;
- d) not apply the land to a use different from that which it is destined for;
- e) not violate the rules of territory organization and of the urbanistic plans;
- f) utilize the land in order to protect the capacity of regeneration of the same and of the natural resources existing in it;
- g) respect the norms of protection of the environment;
- h) not exceed the limits imposed in article 1;

- i) respect the land rights of the rural communities, namely, the passages that fall over the land;
- j) afford to the relevant authorities all the information solicited by them about the useful and effective exploitation of the land;
- k) observe that which is described in the present law and in its regulations.

**Article 57.
Installments**

1. The title holders of land rights are subject to the payment, according to price or rent, in one single installment or of a certain annual installment.
2. The annual installment can be progressive or regressive, according to the type and the amount of the investment that was realized.
3. The installments are paid in cash and are fixed in the respective contract, their amount being calculated based on the situation and classification of the land, on the area and on what it is destined for.

**Article 58.
Concession process**

1. The process of concession is initiated with the presentation of the requirement by the interested party and consists of the phases of provisional demarcation, of appreciation, of approval and definite demarcation.
2. General Regulation of Land Concession will settle the legal regime applicable to the process of concession.

**Article 59.
Concession Title**

(Translator's note: this could be something else because there is a typo in the Portuguese which makes it difficult to understand)

The relevant authority produces a concession title, according to the legally fixed model, in which are identified the nature of the conceded land, the type of land right transferred or established, the date of the transfer or establishment, the period of the concession contract, the identification of the conceding authority, and, if it is the case, the price and tax that have been paid.

**Article 60.
Predial cadastral registry**

1. The Government will approve the norms that guarantee the harmonization of the acts practiced by the conceding authority with those which must be practiced by the services of the cadastral and predial register.
2. Subject to enrollment in the predial register are the legal facts that determine establishment or recognition, acquisition, modification and extinguishment of land rights described in this law.
3. The facts referred to in the previous number only produce effects against others after the date of the respective register, but, even not registered, they can be invoked among the parties or their heirs.
4. The preserver must refuse the petition of the register if the presenter does not exhibit the respective concession title and, being that the case, photocopy, authenticated by notary, of the dispatch of previous authorization of the transfer pronounced by the conceding authority.

5. That which is described in the current law, in its regulations and in the Predial Register Code is applied to the registration process.
6. The conceding authority should officiously remit certification of the contract, the corresponding documentation and the requirement of the definitive register to the conservatory of the relevant predial register, where they will be filed, and the acquirer should pre-pay the respective fees and expenses.
7. The conceding authority should file a copy of the documents relative to the transfer or establishment of the land rights over conferrable lands, in such a way as to guarantee the reform of any process of concession that is destroyed or disappears.

Section II

Transfer and extinguishment of land rights

Article 61.

Transfer

1. Without detriment to what is established in previous articles and the restrictions established in them, land rights are transferred in life and by death.
2. The transfer of land rights by statute among living persons is done by way of declaration of the parties in the concession title, with recognition done in the presence of the signing of the alienator, and is subject to register in general terms.
3. If the transfer is for an onerous title, its value must be indicated.
4. Transfer by death is subject to inscription in the concession title, and the signature of the successor must be recognized in person, after presentation to the notary, for filing, a certificate of proof.
5. Transfer of land rights implies the cessation of the rights and obligations of the respective title holder in the view of the State or local authorities.
6. Transfer or rights in life, whether guaranteed or onerous title, can only be realized by its title holder under penalty of nullification, via previous authorization from the conceding authority and after a period of five years of useful and effective exploitation of the land, counted from the date of its concession or the date of the last transfer.
7. The authority referred to in the previous number expires in the period of one year counted from the date of notification to the petitioner of the respective dispatch.
8. In the case of transfer of land rights by action among living persons, the notary cannot recognize the signature of the alienator if the authorization dispatch is not presented for filing.
9. The state enjoys the right of preference and has first place among the legal parties in the case of sale, granting in compliance or establishing title (*foro*) of the conceded lands.
10. That which is described in articles 416 to 418 and 1410 of the Civil Code is applicable to the right of preference described in the previous number.

Article 62.

Alteration of the concession

1. The modifiable or extinguishable facts of the land rights, namely, the result of judicial execution, fragmentation or parceling of the conceded lands, are subject to inscription in the concession title and in the predial register.
2. The courts cannot pronounce sentences from which result the transfer of land rights over conceded lands, without its having been previously authorized by the conceding authority, being, in this case, applicable with the necessary adaptations, or stated in the previous article.

Article 63.
Incapacity to transfer free concessions

1. Land rights that the State or local authorities have transferred or established, as free title, to benefit those persons and institutions referred to in lines a and b of article 50 cannot be transferred.
2. The conceding authority can, however, authorize the transfer, as long as it is realized in favor of the person or institution that meets the requirements enunciated in lines a and b of article 50.
3. Without detriment to the regime of unaffectedness that is referred to in article 37 and without detriment to customary rights, the title holder of the customary useful domain cannot transfer the right in life or by death.
4. The customary useful domain is unseizable, except in cases in which it has been mortgaged to guarantee payment of bank loans acquired by its title holder with intentions for useful and effective exploitation of the conceded land.

Article 64.
Causes of extinguishment

Land rights are extinguished, namely:

- a) by the end of the period, being established for a certain time, if the concession contract is not renewed;
- b) by non-exercise of by inobservance of the indexes of useful and effective exploitation during three consecutive years or six interpolated years, regardless of the reason;
- c) by using the land for a uses different from that for which it was destined;
- d) by exercising land rights in infraction of that which is stated in article 18;
- e) by expropriation by public utility;
- f) by the disappearance or non-use of the land.

Article 65.
Sanctions

Title holders of land rights who violate the provisions of the present law, are subject to the application of sanctions established in the regulatory provisions.

Section III
Competency for concessions

Article 66.
Council of ministers

1. The following falls to the Council of Ministers:

- a) authorize the concession of occupation, use and fruition of the territorial waters, of the continental platform and the exclusive economic zone;
- b) authorize the concession of occupation, use and fruition of other land goods integrated in the public domain of the State;
- c) authorize the transfer or establishment of land rights over rural lands larger than ten thousand hectares, under the terms of number 3 of article 43.
- d) authorize the transfer of public domain lands to the State's private domain;
- e) authorize the transfer of rights over lands integrated in the public and private domain of the State to local authorities;

- f) authorize the concession of titles to urban centers.
- 2. The jurisdictions described in lines b, d, e, t, and g of the previous number can be delegated, according to the type of lands, in the entity charged with superintendency of the official register.
- 3. Authorization of transfer or establishment of land rights over rural lands larger than one thousand and equal or smaller than ten thousand hectares, is under the jurisdiction of the entity supervising the official register, through an appraisal linked to the entity responsible for the respective area.

Article 67.
Central organ for technical land management

The following falls to the Central organ for technical land management:

- a) organize and conserve the archive in order to permit the identification of each parcel of land, not only regarding situation, but also regarding legal facts subject to records regarding it;
- b) organize and execute technical jobs relating to the demarcation of lands and reserves;
- c) organize, execute and maintain updated geometric records;
- d) prepare general programming of the Country's cartography, submit respective approval to the relevant authority and maintain it updated;
- e) execute the directives contained in territory organization plans, in rural areas.

Article 68.
Provincial governments

1. The following falls to Provincial Governments, relative to the lands integrated within their territory's boundaries:

- a) authorize the transfer or establishment of land rights over lands which are rural, agricultural, or forest, of an area equal to or smaller than one thousand hectares;
- b) authorize the transfer or establishment of land rights over urban lands, in accordance with the urbanistic plans and with approved land division;
- c) celebrate lease contracts through which precarious occupation rights are established for the State's public and private domain lands, under the terms to be defined by regulation;
- d) submit transfer proposals of public domain lands to the state's private domain to the Council of Ministers;
- e) submit proposals for concession of titles to urban centers, which fulfill legal requirements, to the Council of Ministers;
- t) administer the State's public and private land domain;
- g) supervise compliance of that which is stated in the present law and in its regulations.

2. The capacities of Municipal and communal administrators are described in regulation

CHAPTER IV
Procedural dispositions

Section I
Nullification action

Article 69.
Declaration of nullification

The decisions of the conceding authority contrary to the law are null.

Article 70.

Active legitimacy

1. Without detriment to that which is stated in article 286 of the Civil Code, the nullification action can be effected:

- a) by associations of representing environmental protection agencies, within the scope described in the respective legislation;
- b) by associations of legally established economic interests, acting within the scope of its attributes.
- c) by rural communities, to defend their collective rights.

2. The entities referred to in the previous number act responsibly in their own name, though they may act in favor of a collective right of persons who may be affected by the nullified decisions.

3. The judicial personhood and capacity of rural communities is recognized.

Article 71.
Passive legitimacy

1. The action referred to in the previous article may be effected against the conceding authority that has pronounced the decision contrary to the law or its regulations.

2. The conceding authority is represented by the Public Ministry.

Article 72.
Relevant tribunal

1. Nullification action falls to the Provincial Tribunal Civil and Administrative Hall of the place in which the conceding authority has its headquarters

2. Individual or collective foreign persons should, at the moment of the establishment of land rights in the litigation referring to it, expressly declare that they are subject to the jurisdiction of the national tribunals.

Article 73.
Format of the process

1. Nullification action follows the terms of the summary legal declaration and is exempted from preparations and costs
2. The action referred to in the previous number always admits recourse for the Civil and Administrative Chamber of the Supreme Tribunal, independent of the value of the cause.
3. The interposed appeal of the sentence that decrees nullification does not suspend the execution of the same.

Article 74.
Nature of the process

The processes to which the present section refers, as well as those independent to it, do not have an urgent character, without detriment to acts relative to adjudication of property, of a limited land right or of the possessions and its notification to the interested having to be practiced even during judicial holidays.

Article 75.
Communication of judicial decisions via registry

The tribunals should forward, within the thirty day period from the beginning of the judgment, to the respective Conservatory of Predial Registry, a copy of the decision that decrees the extinguishment of any of the land rights described in this law or that have decreed the nullification or voiding of a registry or of its cancellation.

Article 76.
Scope of this section

The norms of the present section apply, with necessary adaptations, to the remaining nullities described in this document or in its regulations.

Section II
Mediation and conciliation

Article 77.
Mediation and conciliation attempt

1. The litigations relative to land rights are compulsorily submitted to an attempt at mediation and conciliation before the legal proposal of the action in the relevant tribunal.
2. Excepted from that which is stated in the previous number the nullification action, to which the previous section refers, that can be immediately proposed by the interested party in the relevant Provincial Tribunal Civil and Administrative Hall.

Article 78.
Organ for mediation and conciliation and procedure administration

1. The composition of the organ for mediation and conciliation and procedure administration described in this section will be settled in the General Regulation of Land Concession.

2. The procedure for mediation and conciliation should obey the principles of impartiality, celerity and gratuitousness.
3. When the litigation pertains to individual interests, homogeneous or collective, the entities referred to in article 70, number 1, can take the initiative of the procedure for mediation and conciliation and participate in it, as principals or accessories.
4. The mediation organ can attempt conciliation or propose to the parties the solution that seems most appropriate.
5. The mediation's resulting accord will be registered and have the nature of extrajudicial transaction.

Section III Arbitration

Article 79. Resolution of litigation

Without detriment to that which is stated in the previous sections, the eventual litigations that can emerge over the transfer or establishment of land rights must be submitted to arbitration.

Article 80. Arbitration tribunal and designation of arbiters

1. The arbitration tribunal will be comprised of three members, two being nominated by each of the parties, and the third, which will perform the functions of president-arbiter, chosen by common accord by the arbiters that the parties have designated.
2. The arbitration tribunal is considered established on the date on which the third arbiter accepts nomination and communicates this to the parties.
3. The arbitration tribunal will function in the headquarters of the Provincial Government to which the lands or of most of their extension belong, and will utilize the Portuguese language.
4. The arbitration tribunal will judge in accordance with Angolan law.
5. The decisions of the arbitration tribunal must be pronounced during a period of a maximum of six months after the date of its establishment.
6. An arbitration decision will establish those who must bear the costs of the arbitration and in what proportion

Article 81. Applicable norms

The arbitration regulates itself by the present document and, on that which is not in opposition with this, by the general regime of voluntary arbitration in accordance with Law number 16/03, of the 25th of July.

Section IV
Community justice

Article 82.
Litigations in the interior of rural communities

1. Those litigations relative to collective rights of possessions, of management, of use and fruition, and of common useful domain of rural community lands will be decided in the interior of rural communities, in harmony with the respective community's effective customs.
2. If one of the parties does not agree with the resolution of the litigation under the terms stated in the previous number, the same will be decided by the tribunals, being applicable, in this case, that which is stated in section II of the present chapter.

CHAPTER V
Final and transitory provisions

Article 83.
Transitory situations

1. The surface rights established under Law number 21-C/92 and 28 of August, of its Regulation of Concessions approved by Decree number 32/95 of the 8th of December, and 46-A/92, 9th of September, and of the remaining local or special regulations, are subject to the regime of surface rights stated in the present law.
2. To the land rights established under the terms of the effective legislation before the appearance in force of the documents referred to in the previous number, the regime of surface rights stated in the present law are applied, as long as:
 - a) the lands under jurisdiction of those rights have not been nationalized or confiscated;
 - b) the respective title holders have proceeded to the respective regularization under the terms and periods stated in Law il 21C/92 of August, and in number 2 of article 66 of the Regulation of Concessions approved by Decree number 32/95, 8th of December, and 46/92, 9th of September.
3. Under the terms of the corresponding legislation, the lands to which the previous number refers will be confiscated if the situation of unjustifiable abandonment or non-regularization persists.
4. Relative to concession processes are found to be pending, the petitioners should, by the period of one year counted from the publication of the applicable general or special regulation, alter the concession petition, in harmony with the provisions in the present law, namely in what applies to the types of land rights described in it.
5. While local authorities are not established, their attributions and capacities will be exercised by the State's local organs.

Article 84.
Occupation titles

1. Without detriment to that which is stated in article 6 numbers 5 and 6, individual and collective persons that occupy lands belonging to the States or the local authorities without a title, must, within a period of three years counting from the publication of applicable general or special regulation require a concession title.

2. The non-observance of that which is stated in the previous number implies no acquisition of any land right by the occupant, by virtue of inexistence of title.
3. The state and local authorities can use against the occupant the means conceded to the possessor in articles 1276 and following of the Civil Code.
4. In the cases referred to in the previous numbers, the furnishing of a concession title depends on the fulfillment of requirements stated in the present law, in its regulations, in urbanistic plans, or in its lack or insufficiency, in the instruments of urbanistic administration approved by the relevant authority.

**Article 85.
Regulation**

The Government will approve the General Regulation of Land Concessions, in a period of six months counting from the date of present law's entrance in force.

**Article 86.
Alterations to the Civil Code**

Articles 1524 and 1525, number 2 of the Civil Code have the following composition:

**"Article 1524.
Notion**

Surface rights consist of the capacity to construct or maintain, perpetually or temporarily, a project in buildings owned by others, or on it to make or maintain plantations. "

**"Article 1525.
Object**

1. [...]
2. Surface rights may have the object of construction or maintenance of a building project on soil belonging to others."

**Article 87.
Revocatory Norm**

All legislation that contradicts that which is stated in the present law and in its respective regulations, namely Law number 21-C/92, of 28th of August, and the Regulation of Concessions approved by decree number 32/95, 8th of December and 46/92, 9th of September, is revoked.

Article 88.
Entrance in force

The present law enters in force ninety days from the date of its publication.

THE PRESIDENT OF THE NATIONAL ASSEMBLY
ROBERTO ANTÓNIO VICTOR FRANCISCO DE ALMEIDA

Proclaimed onofof 2004

To publish

THE PRESIDENT OF THE REPUBLIC
JOSÉ EDUARDO DOS SANTOS