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Statutes of the Register of Land Improvement Systems

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The regulation is established on the basis of subsection 39 (2) of the Land Improvement Act .

Chapter 1 General provisions

§ 1. Name of the database and purpose of maintaining the database

- (1) The official name of the database is the register of land improvement systems (hereinafter referred to as *the register*).
- (2) The purpose of maintaining the register is to publish information on planned, under construction and existing land improvement systems and the procedures related to them and to enable the keeping of records and supervision of said land improvement systems.

§ 2. Chief processor of the register

- (1) The controller of the register is the Ministry of Regional Development and Agriculture.
[RT I, 05.07.2023, 4 - entry into force 08.07.2023]
- (2) The chief processor of the register shall host the register and organise the management of the services and technological environment of the register.

§ 3. Authorized processor of the register

- (1) The authorised processor of the register is the Agricultural and Food Board.
[RT I, 06.11.2020, 1 - entry into force 01.01.2021]
- (2) The authorised processor of the register processes the register data, including collecting, storing, organising, disclosing, amending and deleting them.
- (3) The authorised processor of the register shall carry out the instructions of the controller when processing data and ensure the security of the database.

§ 4. Users of the register

- (1) The controller of the register shall appoint one of its officials or employees as a user with administrator rights (hereinafter referred to as *the administrator*). The administrator shall perform the functions of the controller of the register, including granting the controller's official or employee access to the technological environment of the register. The administrator shall have the right to access all data and logs.
- (2) The authorised processor of the register shall appoint one of its officials or employees as the authorised main user of the register (hereinafter *the authorised main user*). The authorised main user shall perform the functions of the authorised processor of the register, including granting the authorised processor official or employee the right to access the technological environment of the register. The authorised main user shall have the right to access all data and logs and may modify and delete data if this is necessary to ensure the smooth operation of the system or data integrity.
- (3) The authorised processor of the register shall appoint one of its officials or employees as an authorised user of the register (hereinafter referred to as *the authorised user*). The authorised user shall perform the functions of the authorised processor, including collecting, storing and organising the register data. The authorised user shall have the right to access the data to the extent necessary for the performance of his or her official or work duties.

§ 5. Structure and security class of the register

- (1) The register is maintained in accordance with the Land Improvement Act, the Public Information Act, the Personal Data Protection Act and its regulations.
- (2) The register is considered a digital database that includes current and archived register data.
- (3) The security class of the register data is K2T2S1. The security level of the register is medium (M).
- (4) Register data has informative and statistical significance, except as provided by law.

Chapter 2

Composition of data entered in the register

§ 6. Data to be entered in the register

The data provided for in subsections 1–3 of § 40 of the Land Improvement Act shall be entered in the register.

§ 7. Land improvement system data

- (1) The land improvement system code is a thirteen-digit unique combination of numbers.
- (2) The general data of the land improvement system are:
 - 1) the length of the headwaters of the land improvement system;
 - 2) the area of the land area of the land improvement system;
 - 3) the length of the road serving the land improvement system.
- (3) The location data of the land improvement system are:
 - 1) the location address of the land unit located on the land improvement system based on the data of the address data information system;
 - 2) data on the land area and upstream spatial shapes of the land improvement structure that is part of the land improvement system, which is entered in the register together with the land improvement system use permit.
- (4) The data on the construction project of a land improvement system are:
 - 1) the number of the land improvement system construction project and the year of preparation of the construction project;
 - 2) the economic activity registration code of the enterprise that prepared the land improvement system construction project in the register of enterprises operating in the field of land improvement (hereinafter *MATER*).
- (5) *The data on the land improvement research work (hereinafter referred to as the research work)* carried out to prepare the construction project for the land improvement system are:
 - 1) the number of the research report and the year of the research work;
 - 2) the *MATER* economic activity registration code of the undertaking that carried out the research work.
- (6) The data of the expert report on the construction project of the land improvement system (hereinafter referred to as *the expert report*) are:
 - 1) the number of the expert report and the date of preparation of the report;
 - 2) the *MATER* economic activity registration code of the undertaking that conducted the expert report on the construction project of the land improvement system.

§ 8. Data on land improvement structures

- (1) The land improvement structure code is a unique three-digit combination of numbers within the land improvement system, which is assigned to the land improvement structure upon its first registration.
- (2) The technical data of a land improvement structure are the data listed in subsections 3–11.
- (3) The data on the area of the land improvement system within the boundaries of the land improvement structure are:
 - 1) the area of the drainage system located on agricultural land, including the area of separate drainage drainage and the area of ditch drainage;
 - 2) the area of the drainage system located on forest land;
 - 3) the area of polder drainage;
 - 4) the area of the bilateral water regime regulation system located on agricultural land;
 - 5) the area of the irrigation system located on agricultural land.
- (4) The data on headwaters and drainage ditches and the facilities located on them are:
 - 1) length of the headwater, including the collector headwater;
 - 2) length of drainage ditches;
 - 3) number of bridges;
 - 4) number of culverts;
 - 5) number of culverts.
- (5) The data on drainage system facilities are:
 - 1) number of drainage wells;
 - 2) number of regulating wells;
 - 3) number of drainage mouths;
 - 4) number of dykes.
- (6) The data on irrigation system equipment and facilities are:
 - 1) the number of irrigation system equipment;
 - 2) the name of the irrigation system equipment;
 - 3) the number of boreholes.
- (7) The data of the regulators are:
 - 1) number of regulators;
 - 2) name of the regulator;
 - 3) expansion height of the regulator;
 - 4) maximum flow rate of the regulator.
- (8) The data on pumping stations are:
 - 1) number of stationary pumping stations;
 - 2) name of stationary pumping station;

- 3) productivity of stationary pumping station;
- 4) number of mobile pumping stations;
- 5) name of mobile pumping station;
- 6) productivity of mobile pumping station;
- 7) length of protective dam;
- 8) length of pressure pipeline;
- 9) number of line wells.

(9) The data on reservoirs are:

- 1) number of reservoirs;
- 2) name of the reservoir;
- 3) normal expansion level of the reservoir;
- 4) highest expansion level of the reservoir;
- 5) total volume of the reservoir;
- 6) regulating volume of the reservoir;
- 7) area of the reservoir.

(10) The data of a road serving the land improvement system (hereinafter referred to as *a road*) are:

- 1) name of the road;
- 2) grade of the road;
- 3) road number in the road register;
- 4) length of the road;
- 5) length of road ditches;
- 6) number of vehicle exit points;
- 7) number of vehicle overtaking points;
- 8) number of vehicle U-turn points;
- 9) number of road closures.

(11) The data on environmental protection facilities are:

- 1) the length of the water protection zone extension;
- 2) the number of sedimentation basins;
- 3) the number of treatment ponds ;
- 4) the number of fire ponds;
- 5) the length of the windbreak strip;
- 6) the number of upstream weirs;
- 7) the number of rock fills on the upstream slope;
- 8) the length of the upstream sod opening ditch;
- 9) the number of upstream spawning pads;
- 10) the number of artificial habitats for crayfish;
- 11) the area of the system drainage;
- 12) the number of drainage water reuse ponds.

§ 9. Data on persons involved in the land improvement system and its construction

The data of persons related to the land improvement system or its construction are:

- 1) the first and last name, personal identification code or date of birth and contact details of the applicant for design conditions or the business name, registry code and contact details of a legal person;
- 2) the first and last name, personal identification code or date of birth and contact details of the applicant for a building permit or the business name, registry code and contact details of a legal person;
- 3) the business name and registry code of the undertaking that prepared the land improvement system construction project and the first and last name of the author of the project;
- 4) the business name and registry code of the undertaking that conducted the research work and the first and last name of the person who conducted the research work;
- 5) the business name and registry code of the undertaking that conducted the expert assessment of the land improvement system construction project and the first and last name of the expert;
- 6) the first and last name and personal identification code or date of birth of the person who prepared the small system construction plan or the business name and registry code of the legal person;
- 7) the first and last name and personal identification code or date of birth of the person who submitted the construction commencement notification or the business name and registry code of the legal person;
- 8) the business name and registry code of the undertaking performing owner supervision and the first and last name and personal identification code or date of birth of the responsible specialist performing owner supervision;
- 9) the first and last name and personal identification code or date of birth of the builder or the business name and registry code of a legal person;
- 10) the first and last name , personal identification code or date of birth and contact details of the applicant for the revocation of the building permit or the business name, registry code and contact details of the legal person;
- 11) the first and last name, personal identification code or date of birth and contact details of the applicant for the use permit or the business name, registry code and contact details of the legal person;
- 12) the first and last name, personal identification code or date of birth and contact details of the applicant for the approval or permit of the construction project of another structure planned for the land area or the land improvement system or the intention to regulate the water level of its upstream protection section;
- 13) the first and last name, personal identification code or date of birth and contact details of the applicant for a permit to change the intended use of an immovable located on the land, or the business name, registry code and contact details of a legal person;
- 14) the first and last name, personal identification code or date of birth and contact details of the applicant for approval of a change in the intended use of an immovable located on the land or the land management act, or the business name, registry code and contact

details of a legal person;

15) the first and last name, personal identification code or date of birth and contact details of the applicant for planning approval, or the business name, registry code and contact details of a legal person;

16) The first and last name, personal identification code or date of birth and contact details of the applicant for approval or permit for the management of additional water in a land improvement system, or the business name, registry code and contact details of a legal person;

17) the first and last name, personal identification code or date of birth and contact details of the applicant for the purpose of use to be deemed to have ended, or the business name, registry code and contact details of a legal person.

§ 10. Data on applications, design conditions, notifications, permits, decisions on the termination of the intended use, approvals and prescriptions related to the land improvement system and its construction

The data of applications, design conditions, notifications, permits, decisions on the termination of the intended use, approvals and prescriptions related to the land improvement system or its construction are:

1) the name of the owner of the immovable property, the name of the immovable property and the cadastral identification number;

2) the planned method of drainage or irrigation;

3) the planned method of land use;

4) the date of submission of the application for design conditions;

5) the first name and surname and job title of the official who issued the design conditions;

6) the number of the design conditions and the date of issuance;

7) a list of research works;

8) a list of design works;

9) a list of special conditions for research and design works;

10) a list of institutions and persons with whom the construction project of the land improvement system is coordinated;

11) a list of other requirements for the construction project of the land improvement system;

12) the date and number of the decision to refuse to issue design conditions or to declare the design conditions invalid, if any;

13) first name, surname and job title of the official who made the decision to refuse to issue design conditions or to invalidate design conditions;

14) first name, surname, personal identification code or date of birth of the recipient of the decision to refuse to issue design conditions or to invalidate design conditions or the business name and registry code of a legal person;

15) content and basis for the decision to refuse to issue design conditions or to invalidate design conditions;

16) date of submission of the notification of commencement of construction;

17) MATER economic activity registration code of the owner supervision provider and the builder;

18) date of commencement of construction works;

19) number and date of submission of the application for a building permit;

20) planned year of commencement and completion of construction works;

21) first name, surname and job title of the official who issued the building permit;

22) type and number of the building permit and date of issue of the building permit;

23) the data on the land improvement system entered in the building permit in accordance with clauses 2–6 of subsection 2 of section 22 of the Land Improvement Act;

24) the date of submission of the application for revocation of the building permit;

25) the content of the application for revocation of the building permit;

26) the date and number of the decision to refuse to issue the building permit or to revoke the building permit, if any;

27) the first name, surname and job title of the official who made the decision to refuse to issue a building permit or to revoke a building permit;

28) the first name and surname, personal identification code or date of birth of the recipient of the decision to refuse to issue a building permit or to revoke a building permit, or the business name and registry code of a legal person;

29) the content and basis for making the decision to refuse to issue a building permit or to revoke a building permit;

30) the number of the application for a use permit and the date of submission of the application;

31) the first name, surname and job title of the official who issued the use permit;

32) the type and number of the use permit and the date of issuance of the use permit;

33) the technical data of the land improvement structure entered in the use permit in accordance with the provisions of the legislation established on the basis of subsection 5 of § 31 of the Land Improvement Act;

34) the date and number of the decision to refuse to issue a use permit or to revoke a use permit, if any;

35) first name, surname and job title of the official who made the decision to refuse to issue a use permit or to revoke a use permit;

36) first name, surname, personal identification code or date of birth of the recipient of the decision to refuse to issue a use permit or to revoke a use permit or to revoke a use permit, or the business name and registry code of a legal person;

37) content and basis for making the decision to refuse to issue a use permit or to revoke a use permit;

38) date of submission of the application for consideration of the purpose of use as having ended;

39) content of the application for consideration of the purpose of use as having ended;

40) first name, surname and job title of the official who made the decision to consider the purpose of use as having ended ;

41) number and date of the decision to consider the purpose of use as having ended; 42) content and basis for making the decision to consider the purpose of use as having ended; 43) date and number of the decision to refuse to consider the purpose of use as having ended, if any; 44) first name, surname and job title of the official who made the decision to refuse to consider the purpose of use as having ended; 45) the first and last name, personal identification code or date of birth of the recipient of the decision to refuse to consider the purpose of use as terminated or the business name and registry code of a legal person; 46) the content of the decision to refuse to consider the purpose of use as terminated and the basis for making it; 47) the number and date of submission of the application for approval pursuant to the legislation established on the basis of § 50 (1), § 51 (1) or § 53 (1) of the Land Improvement Act or § 4 (4) of the Planning Act (hereinafter *referred to as approval*) or the application for a permit pursuant to § 50 (4), § 51 (2) or § 53 (1) of the Land Improvement Act; 48) the content of the application for approval or the permit specified in clause 47;

49) the first name, surname and job title of the official who granted the approval or the permit specified in clause 47;
50) the type of approval or the permit specified in clause 47, its number if any, and the date of granting the permit;
51) the conditions of the approval or the permit specified in clause 47;
52) the date and number of the decision to refuse approval or to refuse to grant the permit specified in clause 47, if any;
53) the first name, surname and job title of the official who made the decision to refuse approval or to refuse to grant the permit specified in clause 47; 54) the first name, surname, personal identification code or date of birth or business name and registry code of the recipient of the decision to refuse approval or to refuse to grant the permit specified in clause 47; 55) the content and basis for the decision to refuse approval or to refuse to grant the permit specified in clause 47; 56) the name, registry code, address and contact details of the supervisory authority; 57) the first name and surname of the supervisory official who issued the precept; 58) number of the precept and date of issue of the precept; 59) first and last name, personal identification code or date of birth of the recipient of the precept or business name and registry code of a legal person; 60) basis for issuing the precept and description of the offence; 61) content of the precept; 62) due date for compliance with the precept; 63) date of receipt of the precept; 64) date of compliance with the precept.

Chapter 3

Processing of registry data

§ 11. Entry of data in the register

(1) Data shall be entered into the register on the basis of data contained in documents prepared by or submitted to the data provider (hereinafter referred to *as the basic document*) or by submitting a data request through the data exchange layer of state information systems.

(2) The authorised processor of the register shall enter the data into the register within five days of receipt of the data, making of a decision or entry into force of a precept.

§ 12. Data providers

The person submitting data to the register is:

- 1) the owner of an immovable who plans to build a new land improvement system on his or her immovable, reconstruct an existing one, change the intended purpose or use of the immovable, or perform a land management operation, if the immovable is located on the land area of a land improvement system;
- 2) a land improvement association that plans to reconstruct a land improvement system located in its area of operation;
- 3) the issuer of a building permit or other permit or the person processing a construction notification, if another structure is planned to be built on the immovable on which the land improvement system is located or the water level of the upstream protection section thereof is to be regulated;
- 4) the designer of another structure on the immovable on which the land improvement system is located or the designer of the water level regulation of the land improvement system or its upstream protection section, if the construction of another structure or the regulation of the water level of the land improvement system or its upstream protection section does not require the existence of a building permit or other permit or the submission of a construction notification;
- 5) the manager of the additional water of the land improvement system;
- 6) a local government unit before the adoption of the plan, if a land improvement system is located in the planned area;
- 7) an authorised processor of the register, if the approval granted or the decision or precept made by it is related to the land improvement system or its construction.

§ 13. Basic documents

The basic documents for entering data into the register are, in particular, the following documents related to the land improvement system or its construction:

- 1) application for design conditions;
- 2) design conditions;
- 3) decision to refuse to issue design conditions;
- 4) decision to invalidate design conditions;
- 5) application for a building permit;
- 6) construction project for a land improvement system;
- 7) construction plan for a small system;
- 8) research work;
- 9) expert report;

10) building permit;
 11) decision to refuse to issue a building permit;
 12) notification of commencement of construction;
 13) application for invalidation of a building permit;
 14) decision to invalidate a building permit;
 15) precept of a state supervisory official regarding a violation of law related to construction and land improvement management;
 16) application for a use permit;
 17) use permit;
 18) decision to refuse to issue a use permit;
 19) decision to invalidate a use permit;
 20) application for approval or permit of a construction project for another structure planned for a land area or for a land improvement system or for an intention to regulate the water level of a watershed protection section;
 21) approval or permit of a construction project for another structure planned for a land area or for a land improvement system or for an intention to regulate the water level of a watershed protection section;
 22) refusal to approve or refuse to grant a permit for a construction project for another structure planned for a land area or for a land improvement system or for an intention to regulate the water level of a watershed protection section;
 23) application for a permit to change the purpose of use of an immovable located on the land area ;
 24) permit to change the purpose of use of an immovable located on the land area; 25) decision to refuse to grant a permit to change the purpose of use of an immovable located on the land area; 26) application for approval of the intended purpose of an immovable located on the land area or for a land management operation; 27) approval of the intended purpose of an immovable located on the land area or for a land management operation; 28) refusal to approve the intended purpose of an immovable located on the land or a land management operation; 29) application for approval of a plan; 30) approval of a plan; 31) refusal to approve a plan; 32) application for approval or permit of an intention to manage additional water in a land improvement system; 33) approval or permit of an intention to manage additional water in a land improvement system;

34) refusal to approve the intention to conduct additional water from a land improvement system or a decision to refuse to grant a permit;
 35) application for the purpose of use to be deemed to have ended;
 36) decision to deem the purpose of use to have ended;
 37) decision to refuse to deem the purpose of use to have ended;
 38) approved survey drawing within the meaning of subsection 100 (1) of the Land Improvement Act.

§ 14. Data received from databases

Register data that is designated as basic data of another database in the state information system administration system is obtained from the database that collects it as basic data.

§ 15. Ensuring the accuracy of data entered in the register

The person submitting the data is responsible for the accuracy of the data submitted to the register.

§ 16. Correction of incorrect data

(1) If the authorised processor of the register discovers incorrect data in the register or if the data provider informs him/her of incorrect data in the register, the authorised processor of the register shall correct the said data in the register within five working days from the date of becoming aware of the incorrect data.

(2) The authorized processor has the right to change the technical data and map data of a land improvement structure in connection with a change in the intended purpose of a cadastral unit registered in the land register.

§ 17. Data logging

(1) The entry of data into the register, including the modification of register data, shall be logged. The log shall store the content of the entry, the date and time, and the name of the person making the entry.

(2) The log shall be retained for three years from the date of entry.

§ 18. Right of access to data

(1) Register data is public, except in cases provided for by law.

(2) Access to register data is provided 24/7 on the website of the authorised processor of the register.

§ 19. Release of data

(1) A certified extract of register data shall be issued by a competent official of the authorised processor of the register.

(2) Register data to which access restrictions have been imposed on the basis of legislation shall be issued to the entitled person on paper or digitally upon a written application.

(3) Other information shall be released in accordance with the procedure provided for in the Public Information Act.

(4) In the event of data being released from the register, the following shall be recorded in the document register of the authorised processor:

- 1) composition of the data;
- 2) purpose of use;
- 3) time of release;
- 4) name of the recipient.

§ 20. Payment for the provision of data

Register data is issued free of charge, unless otherwise provided by law.

§ 21. Archiving of data and preservation of archived data

(1) Register data on a land improvement structure or system and the persons and documents related to them shall be archived in the register within five working days from the date on which the purpose of use of the land improvement structure or system ceases.

(2) Archived register data shall be stored for ten years from the date of termination of the purpose of use of the land improvement structure or system. After the expiry of the specified term, the data shall be deleted, except for spatial data of the boundaries of the regulatory network of the land improvement structure or system, which shall be stored permanently.

Chapter 4 Termination of the register

§ 22. Termination of the register

The Government of the Republic shall decide on the termination of the register. The register shall be terminated in accordance with the requirements set out in the Archives Act and the Public Information Act.

Chapter 5 Application settings

§ 23. Implementing provisions

(1) The register was established by Regulation No. 222 of the Government of the Republic of 18 June 2004 "Establishment of the Register of Land Improvement Systems and the Statutes for Maintaining the Register".

(2) The processing of data provided for in Regulation No. 222 of the Government of the Republic of 18 June 2004 "Establishment of the Register of Land Improvement Systems and the Statutes for Maintaining the Register" shall continue in respect of the data provided for in this Regulation. Data the processing of which is not provided for in this Regulation shall be deleted.

§ 24. Entry into force of the Regulation

The regulation will enter into force on January 1, 2019.