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3 June 2010 [shall come into force from 1 July 2010];

5 June 2014 [shall come into force from 1 January 2015].

If a whole or part of a section has been amended, the date of the amending law appears in square brackets at the end of the section. If a whole section, paragraph or clause has been deleted, the date of the deletion appears in square brackets beside the deleted section, paragraph or clause.

The *Saeima*¹ has adopted and
President has proclaimed the following Law:

Amelioration Law

Chapter I General Provisions

Section 1.

The terms used in this Law are as follows:

1) **land amelioration** – land improvement, reducing the adverse effects of climatic conditions and ensuring long-term use of natural resources;

2) **amelioration system** – a complex of dedicated structures and installations for regulation of groundwater regime;

3) **State amelioration system** – an amelioration system belonging to the State, the operation and maintenance of which is implemented by the State;

4) **amelioration system of national significance** – an amelioration system, which conforms to the criteria and parameters specified in laws and regulations and the operation and maintenance of which is ensured by the State;

5) **local government amelioration system** – an amelioration system belonging to a local government, the operation and maintenance of which is ensured by the local government;

5¹) **amelioration system of local government significance for common use** – an amelioration system for common use, which has a significant impact on the water regime in building territories, agricultural and forest territories, infrastructure objects (streets, roads, water management objects, local government polders) specified in the spatial plan of the local government;

6) **amelioration system for common use** – an amelioration system, which regulates the water regime on two or more land properties or on land in legal possessions;

7) **amelioration system of a single property** – an amelioration system, which regulates the water regime on one land property;

8) **operation of an amelioration system** – use of an amelioration system for the designed purposes;

9) **maintenance of an amelioration system** – a complex of supervision and care work of an amelioration system, which ensures the working and preservation thereof;

10) **ameliorative hydrometry** – systematic observations and measurements of the water regime of waterways, water reservoirs and amelioration systems at hydrometrical stations, as well as processing of the data obtained;

11) **hydrometrical station** – a stationary equipped place where systematic observations and measurements of the water regime of waterways, water reservoirs and amelioration systems are performed.

[3 June 2010; 5 June 2014]

¹ The Parliament of the Republic of Latvia

Section 2.

The purpose of the Law is to ensure such mechanism for management of amelioration systems, which promotes sustainable management and use of natural resources, ensures the water regime necessary for safety and welfare of inhabitants, development of infrastructure, as well as construction, operation, maintenance, and management of amelioration systems in the land of rural territories and cities.

[5 June 2014]

Section 3.

A land owner or lawful possessor has the right to perform land amelioration, in conformity the requirements laid down in the laws and regulations regarding construction of amelioration systems, and the duty to operate and maintain an amelioration system in accordance with the requirements of the relevant laws and regulations.

Section 4.

(1) The State limited liability company “Immovable Properties of the Ministry of Agriculture” shall issue technical regulations for the following activities in ameliorated land and protective zones of land use around amelioration structures and installations:

1) for construction, movement, and reconstruction of structures and engineering communications;

2) for extraction of mineral resources;

3) for afforestation;

4) for planting of woody plantations in the ameliorated land to be used for agriculture;

5) for other activities in places where it may disturb the operational regime of the amelioration system.

(2) In order to receive technical regulations an owner or legal possessor of immovable property or his or her authorised person shall submit an application to the State limited liability company “Immovable Properties of the Ministry of Agriculture”, in which the intention is substantiated and to which a plan of the intended site of the measure in scale of 1:10 000 or higher accuracy is attached.

(3) *[5 June 2014]*

[5 June 2014 / See Paragraph 8 of the Transitional Provisions]

Section 5.

Construction, reconstruction, or renovation of structures and engineering networks within the boundaries of ameliorated land or outside them, or in operation protection zones around amelioration structures and installations may not deteriorate the groundwater regime and the operation of the amelioration system.

[5 June 2014]

Section 6.

Land owners or lawful possessors shall jointly ensure the design and construction of an amelioration system for common use in accordance with the procedures laid down in laws and regulations.

Section 7.

Amelioration systems depending on their effect on the groundwater regime shall be classified as follows:

- 1) drainage system – a complex of dedicated structures for draining of land;
- 2) irrigation system – a complex of dedicated structures and installations for irrigation of land;
- 3) two-way amelioration system – a drainage system which may also be also be used for irrigation of land.

Section 8.

Amelioration systems according to data of the amelioration cadastre, as well as depending on their operation and maintenance shall be classified as follows:

- 1) State amelioration system;
- 2) an amelioration system of national significance;
- 3) a local government amelioration system;
- 3¹) an amelioration system of local government significance for common use;
- 4) an amelioration system for common use;
- 5) an amelioration system of a single property.

[5 June 2014]

Section 9.

The procedures for determining and reimbursing losses related to the damage to, destruction or limitation of the right to use amelioration systems shall be determined by the Cabinet.

Chapter II Management of an Amelioration System

Section 10.

The construction of an amelioration system shall be controlled by the building authority of the local government.

Section 11.

The operation and maintenance of an amelioration system shall be supervised by State and local government institutions in accordance with the procedures laid down in laws and regulations.

Section 12.

A land owner or legal possessor shall ensure the possibility to access the amelioration structures and installations located within the boundaries of the land in his or her ownership or legal possession to officials and persons authorised or appointed thereby who control and monitor the amelioration system or perform tasks related to the inventory, construction, operation, and maintenance of the amelioration system.

[5 June 2014]

Section 13.

The procedures for performing ameliorative hydrometric work shall be determined by the Cabinet.

Section 13.¹

The list of State amelioration systems and amelioration systems of national significance shall be approved by the Minister for Agriculture in accordance with the laws and regulations regarding amelioration cadastre.

[5 June 2014]

Chapter III Amelioration Cadastre

Section 14.

(1) The amelioration cadastre shall include information regarding any amelioration system in the ownership or legal possession of the State, local government, natural person or legal person, including data regarding layout of the ameliorated land, the quantitative and qualitative condition of the amelioration system, as well as indicate the owner or legal possessor of this land.

(2) Data of the register of the State cadastre of immovable property regarding borders, land owner or legal possessor, as well as cadastral designation of the land unit shall be used for the establishment and maintenance of the amelioration cadastre.

(3) The content of the amelioration cadastre, the procedures for establishment, maintenance and information exchange shall be determined by the Cabinet.

Section 15.

Data of the amelioration cadastre shall be maintained and updated by the State limited liability company “Immovable Properties of the Ministry of Agriculture”.

Section 16.

(1) In order to update the amelioration cadastre:

1) the State limited liability company “Immovable Properties of the Ministry of Agriculture” shall perform the initial inventory of the State amelioration system and the amelioration system of national significance;

2) the land owner or legal possessor shall perform the initial inventory of the amelioration system of a single property and of an amelioration system for common use.

(2) The land owner or legal possessor shall submit the information obtained during the inventory to the State limited liability company “Immovable Properties of the Ministry of Agriculture”.

(3) The content of and the procedures for performing the inventory of an amelioration system, as well as the procedures for submitting and updating of data of the amelioration cadastre shall be determined by the Cabinet.

Section 17.

The State limited liability company “Immovable Properties of the Ministry of Agriculture” shall issue the land owner or legal possessor an accounting document for the ameliorated land and amelioration system – a land property amelioration passport.

Section 18.

A land owner or legal possessor shall, within a month after changes in an amelioration system, inform the State limited liability company “Immovable Properties of the Ministry of Agriculture” in writing regarding quantitative or qualitative changes in the amelioration system within the boundaries of the land in their ownership or legal possession.

Chapter IV Operation and Maintenance of an Amelioration System

Section 19.

The State amelioration system and an amelioration system of national significance shall be constructed, maintained, and operated by the State limited liability company “Immovable Properties of the Ministry of Agriculture”.

[5 June 2014]

Section 20.

Hydrometrical stations of ameliorative hydrometry shall be maintained, systematic observations, measurements and calculations shall be performed therein and hydrometric data shall be made available to the public by the State limited liability company “Immovable Properties of the Ministry of Agriculture”.

Section 21.

Amelioration systems on State forest land transferred to the management of the State stock company “Latvijas Valsts meži” [Latvian State Forests], the State Forest Service and the Nature Conservation Agency shall be operated and maintained by the State stock company “Latvijas Valsts meži” [Latvian State Forests], the State Forest Service and the Nature Conservation Agency accordingly, except that specified in Section 19 of this Law.

Section 22.

(1) The construction, operation, and maintenance of a local government amelioration system shall be ensured by the relevant local government.

(2) If the local government amelioration system is located in the administrative territory of two or several local governments, they have a duty to participate in construction, operation, and maintenance of the local government amelioration system.

[5 June 2014]

Section 22.¹

(1) The construction, operation, and maintenance of an amelioration system of local government significance for common use shall be ensured by the owners or legal possessors of

the relevant land. The local government may participate in construction, operation, and maintenance of an amelioration system of local government significance for common use.

(2) The procedures by which a local government shall participate in construction, operation, and maintenance of an amelioration system of local government significance for common use, as well as the procedures by which the local government shall participate in covering the costs of construction, operation, and maintenance of an amelioration system of local government significance for common use, shall be determined by the Cabinet.

[5 June 2014]

Section 22.²

(1) A local government shall take a decision to grant the status of an amelioration system of local government significance for common use as an administrative act. Prior to taking the decision the local government shall find out and evaluate the opinion of such land owners and legal possessors within the boundaries of whose land the amelioration system for common use is located.

(2) Liability for violating the provisions for operation and maintenance of an amelioration system of local government system for common use shall be determined by issuing binding regulations of the local government.

(3) The local government shall, within one month after a decision to grant the status of an amelioration system of local government significance for common use is taken, inform the State limited liability company “Immovable Properties of the Ministry of Agriculture” thereof.

[5 June 2014]

Section 23.

An amelioration system for common use shall be operated and maintained by owners or legal possessors of the relevant land.

Section 24.

An amelioration system of a single property shall be operated and maintained by the land owner or legal possessor of the relevant land.

Section 25.

The Cabinet shall issue regulations regarding the operation and maintenance of an amelioration system, stipulating the requirements, which the land owner or legal possessor must observe while using, caring for and preserving the amelioration system.

Chapter V Financing of Amelioration

Section 26.

[3 June 2010]

Section 27.

The construction, reconstruction and renovation, operation and maintenance of the State amelioration system and an amelioration system of national significance shall be financed from the funds provided for this purpose in the State budget.

[3 June 2010; 5 June 2014]

Section 28.

The construction, operation and maintenance of a local government amelioration system shall be financed by the local government.

Section 29.

(1) The construction, operation and maintenance of an amelioration system for common use shall be financed by owners or legal possessors of the relevant land according to a fixed cost.

(2) The procedures for calculating, distributing of costs, and settling of accounts for the construction, operation, and maintenance of an amelioration system for common use, amelioration system of local government significance for common use, as well as such amelioration system for common use, amelioration system of local government significance for common use which is located in the administrative territory of two or several local governments, shall be determined by the Cabinet.

(3) In cases when an amelioration system for common use does not provide the water regime provided for in the construction norms for amelioration systems and hydrotechnical structures or creates an accident threat, the local government is entitled to ensure the financing of the construction, operation and maintenance of an amelioration system for common use, collecting payment from the land owner or legal possessor.

[5 June 2014]

Section 30.

The construction, operation and maintenance of an amelioration system of a single property shall be financed by the owner or legal possessor of the relevant land.

Section 31.

Ameliorative hydrometry, practical scientific research and development of amelioration, preparation of sectoral norms (standards) and organisation of the amelioration cadastre shall be financed from the funds from the State budget intended for this purpose.

Chapter VI Ameliorative Technical Documentation

Section 32.

(1) Ameliorative technical documentation shall contain the documentation of agricultural land amelioration projects, drawings of hydrotechnical structure projects (originals), documentation of drainage and polder projects, forest amelioration projects, documentation of projects for buildings and structures of undertakings in the field of amelioration, as well as documentation of different water management developments.

(2) The archives of ameliorative technical documentation shall be stored by the State limited liability company “Immovable Properties of the Ministry of Agriculture”.

Transitional provisions

1. With the coming into force of this Law, the Amelioration Law of 20 November 2003 (*Latvijas Republikas Saeimas un Ministru Kabineta Ziņotājs*, 2004, No. 2) is repealed.

2. [3 June 2010]

3. [3 June 2010]

4. The Cabinet shall issue the regulations referred to in Section 13 and Section 16, Paragraph three of this Law by 30 June 2010.

5. Until the day when the relevant Cabinet regulations come into force, but not later than 30 June 2010, the following Cabinet regulations shall be applicable insofar as they are not in contradiction with this Law:

1) Cabinet Regulation No. 272 of 8 April 2004, Regulations Regarding the Operation and Maintenance of Land Amelioration Systems;

2) Cabinet Regulation No. 520 of 1 June 2004, Procedures for the Determination and Reimbursement of Losses Related to the Damage to, Destruction or Limitation of the Right to Use Amelioration Systems;

3) Cabinet Regulation No. 629 of 27 July 2004, Regulations Regarding Land Amelioration Cadastre;

4) Cabinet Regulation No. 662 of 3 August 2004, Procedures for Calculation of the Costs of Construction, Operation and Maintenance of Amelioration Systems for Common Use, Their Distribution and Settlement.

6. [3 June 2010]

7. With the coming into force of this Law the Rural Support Service shall transfer and the State limited liability company "Immovable Properties of the Ministry of Agriculture" shall accept the amelioration cadastre and ameliorative hydrometry and all the moveable and immovable property relating to them, concurrently excluding the property from the balance of the Rural Support Service and placing it in the balance of the State limited liability company "Immovable Properties of the Ministry of Agriculture".

8. Section 4, Paragraph one, Clause 4 of this Law in relation to the issuance of technical provisions for planting of woody plantations in ameliorated land to be used for agriculture shall come into force concurrently with the relevant amendments to the Law On Agriculture and Rural Development.

[5 June 2014]

9. The Cabinet shall, by 31 December 2014, issue the regulations referred to in Section 22.¹, Paragraph two and Section 29, Paragraph two of this Law.

[5 June 2014]

This Law shall come into force on 25 January 2010.

This Law has been adopted by the *Saeima* on 14 January 2010.

President

V. Zatlers

Riga, 22 January 2010