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- 22 November 2017 [Shall come into force on 20 December 2017];
- 27 September 2018 [Shall come into force on 25 October 2018];
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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*<sup>1</sup> has adopted and  
the President has proclaimed the following Law:

# Land Management Law

## Chapter I General Provisions

### Section 1. Terms Used in the Law

(1) The following terms are used in the Law:

1) **soil** - the upper unconsolidated and fertile layer of the Earth's crust which has formed under the impact of natural processes and human activities and which consists of mineral and organic material, liquids, and gaseous substances;

2) **soil degradation** - changes which have occurred or are taking place under the impact of natural processes and human activities and due to which the possibility of using soil in implementation of economic, environmental protection, and cultural functions is decreasing;

3) **soil recultivation** - a set of measures which promotes the restoration of the soil fertility;

4) **degraded territory** - a territory with a destroyed or damaged upper layer of land or an abandoned territory of construction, extraction of mineral resources, economic or military activities;

5) **inland public waters** - the public lakes and rivers indicated in Annex I to the Civil Law;

6) **marine coastal area** - a territory which includes marine coastal waters and the land part of the marine coast;

7) **marine coastal waters** - within the meaning of this Law: an aquatorium that is two kilometres in width from the marine coastal line;

8) **land part of the marine coast** - the territory between the sea coastline and the point reached by the highest waves of the sea;

9) **marine coastal line** - a border between the land part of the marine coast and the marine coastal waters in normal position;

10) **vacant unit of land** - within the meaning of this Law: land which is free of structures or on which only such structures are located which are not to be entered in the Land Register in accordance with the laws and regulations regarding entering of immovable property in the Land Register;

11) **land protection** - measures for the prevention of land degradation and degradation risk and for the

preservation of the useful properties of land;

12) **land degradation** - reduction or disappearance of the value of land and of the economic or ecological value of the resources related thereto as a result of action or failure to act of a human being or as a result of natural processes;

13) **land consolidation** - a set of measures within the scope of which complex rearranging of land boundaries is carried out in order to form a rational structure of holdings and area of land parcels, to promote the development of the rural infrastructure and rural development, and also environmental protection;

14) **land monitoring** - obtaining of data characterising land and its use from State information systems, the analytical processing thereof, and regular surveying of land in the area in order to determine the state of land and to characterise the changes therein;

15) **land management** - a set of measures for the implementation of the land policy the purpose of which is to promote sustainable use and protection of land.

(2) The term "land parcel" used in this Law corresponds to the term "land parcel" used in the State Immovable Property Cadastre Law.

## **Section 2. Purpose of the Law**

The purpose of the Law is to promote sustainable use and protection of land.

## **Section 3. Principles for the Use and Protection of Land**

The following principles shall be observed in the use and protection of land:

1) in planning the use of land, the local government shall provide for efficient management and sustainable development of natural resources in the spatial development planning documents;

2) the local government shall intend territories with the lowest land quality assessment and territories which due to their location and configuration are not appropriate for the use in agriculture or forestry, as priority for changing the category of the agricultural land and forest land;

3) the local government in the spatial development planning documents shall intend degraded territories as priority for building;

4) the land owner, possessor, and user (hereinafter - land user) shall not cause harm to land and shall take into account a balance between the needs of the society and the rights of owners.

## **Section 4. Conditions for the Use and Protection of Land**

The following conditions shall be observed in the use and protection of land:

1) if the quality assessment of agricultural land exceeds 50 points, the local government shall ensure land preservation of this valuable agricultural land, determining restrictions for land subdivision and for changing the category of land use;

1<sup>1</sup>) if the quality assessment of agricultural land exceeds 45 points, but does not exceed 50 points, the local government may determine restrictions on land subdivision and on changing the category of land use;

2) land shall be used according to the use of territory determined in the spatial development planning documents of the local government or the use of territory lawfully commenced;

3) the land user shall carry out activities in order to preserve the quality of land and soil and prevent their degradation;

4) in carrying out activities which are related to damaging the upper layer of soil, the land user shall comply with the requirements for land recultivation;

5) the land user, in alienating land which is partly or completely located in the degraded territory, shall inform the acquirer of the immovable property thereof.

[7 March 2019]

## **Chapter II Land for Ensuring Public Infrastructure and Access**

## **Section 5. Land for Ensuring the Technical Public Infrastructure**

(1) The territories necessary for the development and construction of the technical public infrastructure and the conditions for the use thereof shall be determined by the Cabinet or local government irrespective of the ownership or jurisdiction of the land.

(2) The conditions for the use of the territory for the territories necessary for the development of the technical public infrastructure, including restrictions on the use of immovable property, shall be determined in:

1) Cabinet regulations - for objects of national interest;

2) the binding regulations of the local government approving the spatial plan and the local plan - for other objects of the technical public infrastructure.

(3) If the conditions for use referred to in Paragraph two of this Section infringe the rights or lawful interests of the owner of immovable property or, if there is none, the legal possessor, or, if there is none, the user, the respective person may appeal against them in accordance with the procedures laid down in laws and regulations.

(4) In the territories necessary for the development of the technical public infrastructure, coordinating it with the authority which has proposed to designate them (hereinafter - the responsible authority), it shall be permitted to carry out activities which do not impede the implementation of the intended public infrastructure project. In order to coordinate the intended activity, the owner of the immovable property or, if there is none, the legal possessor, or, if there is none, the user, shall approach the responsible authority by submitting a submission informing of the intended activity. If the responsible authority has not, within one month, sent a refusal to commence the intended activity or requested the submission of additional information, it shall be deemed that the authority has approved the intended activity.

(5) The responsible authority may take a reasoned decision prohibiting the continuation of the commenced use of immovable property for construction or use of subterranean depths, if the immovable property is to be alienated for public needs according to the construction plan in minimum composition or a construction plan, or an administrative legal act issued by the Cabinet or a local government and the commenced use of immovable property impedes the implementation of the intended infrastructure project or significantly increases the possible additional expenses. Contesting and appeal of such a decision of the responsible authority shall not suspend its operation.

(6) The territories necessary for the needs of development and construction of the technical public infrastructure and the conditions for the use of the territory provided for in the cases specified in Paragraph two of this Section shall be provided for a period of up to seven years, with the option to extend the period to a total of 14 years, or until completion of the commenced construction of the technical public infrastructure:

1) after an initial assessment or an environmental impact assessment has been carried out, if required in accordance with the laws and regulations;

2) if an initial assessment or an environmental impact assessment is not required in accordance with the laws and regulations, but a study has been carried out which identifies the territories required, the environmental risks, and the functionality of the object.

(7) The designation of a territory as a territory necessary for the development of the technical public infrastructure does not guarantee that the relevant infrastructure will be constructed and that the relevant immovable property will be alienated for public needs.

(8) The responsible authority shall, in the cases specified in Paragraph two of this Section, compensate the losses related to the restrictions.

(9) The losses related to the restrictions shall be compensated in their actual amount. Losses shall not be compensated in accordance with the procedures laid down in this Section if:

1) they are incurred by the owner of immovable property who has acquired the immovable property as a result of a transaction after imposition of the relevant restrictions;

2) the territory necessary for the development of the technical public infrastructure matches an existing protection zone of a technical public infrastructure object or is established within the building line.

(10) Losses shall be compensated on the basis of a submission of the owner of immovable property or, if there is none, the legal possessor, or, if there is none, the user, to which the documents confirming the losses and the amount thereof have been appended. The responsible authority shall assess the received documents and take the decision on the compensation of the losses. When examining the submitted documents, the responsible authority has the right to involve a certified immovable property appraiser.

(11) The losses related to the restrictions are disbursed in a single payment in one of the following cases (depending on which sets in first):

1) upon the end of the restrictions on the conditions for use specified in Paragraph two of this Section due to the revocation or expiry thereof;

2) if all immovable property or part of the immovable property for which the restrictions referred to in Paragraph two of this Section have been specified is alienated for public needs;

3) after taking of the decision of the authority referred to in Paragraph four of this Section to prohibit the continuation of the commenced use of the immovable property.

(12) If the owner or, if there is none, the legal possessor, or, if there is none, the user of immovable property is not satisfied with the amount of losses to be compensated as determined by the authority, he or she has the right to apply to a court in accordance with the procedures laid down in the Civil Procedure Law.

(13) The procedures laid down in this Section shall not be applied if the public infrastructure is planned in the spatial planning documents for ensuring the interests of private individuals in accordance with Section 7, Paragraph two of this Law.

(14) If the territories established for the development and construction of the technical public infrastructure and the conditions for use referred to in Paragraph two of this Section are no longer necessary or the period specified in Paragraph six of this Section has expired and the construction of the technical public infrastructure has not been commenced, the responsible authority shall make changes in the conditions of use by removing the restrictions.

[27 September 2018]

### **Section 6. Ensuring of Access to Inland Public Waters and Specially Protected Nature Territories**

(1) In order to ensure access to inland public waters and specially protected nature territory the visiting of which is permitted in accordance with the laws and regulations governing the protection and use of specially protected nature territories, the local government shall determine a pedestrian road as the real estate restriction for the benefit of an opportunity for the society to access such territory and shall organise arranging of a pedestrian road in the spatial plan or local plan. The land owner has the right to compensation of losses which has occurred due to determination of restriction.

(2) If the real estate restriction is not specified in accordance with the procedures provided for in Paragraph one of this Section and the owner of the immovable property has not restricted movement along the roads or streets on his or her property, the person has the right to use such roads or streets on the property of another person in order to access inland public waters and specially protected nature territories. Upon moving along roads or streets on the property of another person, motorised vehicles shall not be used, except motorised wheelchairs.

(3) The person who in the cases referred to in this Section is at an immovable property belonging to another person, may not cause losses by his or her actions to the owner of the immovable property or to otherwise infringe the ownership rights.

[3 February 2022]

### **Section 7. Ensuring of Access to Land Parcels to be Newly Established**

(1) All land parcels to be newly established, except for inter-areas, shall be provided with access from a local government road or street or access from a road or street of local government significance specified in accordance with the procedures laid down in Section 8.<sup>1</sup> of this Law or provided with access from a State motor road in accordance with the laws and regulations regarding adding of roads to State motor roads. If it is not possible, access shall be ensured by a servitude or by a designed servitude after establishing the servitude.

(2) Upon expanding towns and villages or creating new building territories, prior to approval of a spatial plan, local plan, or detailed plan the local government and land owners shall agree on alienation of the land in their red lines or necessary for construction of roads to the local government, as well as regarding construction of engineering structures. If it is not possible to reach an agreement on alienation of the necessary land, the local government shall approve the spatial plan, local plan, or detailed plan and commence forced alienation of the immovable property necessary for the public needs.

[3 February 2022]

### **Section 8. Use and Alienation of the Land Necessary for Maintaining Roads**

(1) If, until the day of coming into force of this Law, a motor road has been registered as a local government or State road and included in the local government or State balance sheet, however, the land under the road has been entered in the Land Register in the name of a private individual, such individual may not prohibit movement along the local government or State road.

(2) If the motor road referred to in Paragraph one of this Section is registered in the register of roads and streets of

the local government and is a part of a joint road network of the local government, it shall be a public road or street. A public road or street is an independent immovable property object owned by the local government and creating an encumbrance on the ownership of the unit of land on which it is located.

(3) The boundaries of a public road or street, together with the total land requirement or building lines of the street, shall be marked by the local government in the spatial plan or local plan in accordance with the procedures laid down in the laws and regulations.

(4) The public road or street shall be registered in the State Immovable Property Cadastre Information System in accordance with the procedures laid down in the laws and regulations regarding registration of cadastre objects and updating of cadastre data.

(5) The local government has the right, upon informing the land owner, to construct, reconstruct, and renovate a road or a street within the total land requirement or building lines of a public road, and also to install new engineering communications - machinery, devices, installations, networks, lines and accessories thereof - if it is necessary for the implementation of public interests.

(6) The encumbrance referred to in Paragraph two of this Section, to the extent specified in Paragraph three of this Section, may be the basis for removal of the servitude of right of way or other equivalent encumbrance established during the land reform by the decision of the competent authority.

(7) The State or local government shall, according to the budgetary possibilities, agree with the land owner on alienation of land under the road or street and shall alienate it in accordance with the laws and regulations regarding alienation of immovable property necessary for public needs.

(8) Paragraphs two, three, four, five, and six of this Section shall not be applied to the State road referred to in Paragraph one located on land owned by a private individual and entered in the Land Register, and also to roads located on land owned by the State or being in the jurisdiction of the State.

(9) The State forest land shall be alienated in accordance with the procedures laid down in the Law on Forests.

[27 September 2018]

### **Section 8.<sup>1</sup> Road or Street of Local Government Significance**

(1) A road or street of local government significance is a restriction on the right of use of private property in respect of immovable property established in the public interest to ensure a joint network of roads and streets in the local government and the ability and right of the public to use it by everybody.

(2) A road or street of local government significance shall be determined by the local government in the spatial plan or local plan of the local government. The status of a street of local government significance may be granted by the local government by a separate administrative act accompanied by a graphic annex. Before taking a decision, the local government shall ascertain the opinion of the owners or legal possessors of the land within the boundaries of whose land the street of local government significance is located.

(3) If the status of a road or street of local government significance has been granted on the basis of a separate administrative act, the local government shall publish it on the website of the local government together with a graphic annex within one month after taking of the decision on granting the status of a road or street of local government significance.

(4) The local government shall participate in the construction and maintenance of a road or street of local government significance in accordance with the procedures provided for in the binding regulations. The binding regulations of a local government shall provide for the procedures by which the local government shall cover the costs of construction and maintenance of a road or street of local government significance.

(5) A road or street of local government significance shall be publicly accessible, and until the status of a road or street of local government significance is revoked, it is prohibited to restrict the movement of vehicles and pedestrians along it.

(6) The local government has the right, by informing the land owner, to install new engineering communications - machinery, devices, installations, networks, lines and accessories thereof - if this is necessary for the implementation of public interests.

[27 September 2018]

## **Chapter III Land Consolidation**

*[20 October 2022 / The new wording of Chapter shall come into force on 1 January 2023. See Paragraph 13 of Transitional Provisions]*

### **Section 9. General Principles for Land Consolidation**

(1) Land consolidation shall be implemented in rural areas by rearranging land boundaries, including liquidation of inter-areas, and developing a land survey project in accordance with laws and regulations in the field of land survey insofar as it is not laid down otherwise in this Law.

(2) Land consolidation shall have the following stages:

- 1) drawing up of a project for rearranging of land boundaries;
- 2) approval of land consolidation;
- 3) implementation of land consolidation.

*[20 October 2022 / The new wording of the Section shall come into force on 1 January 2023. See Paragraph 13 of Transitional Provisions]*

### **Section 10. Drawing up of a Project for Rearranging of Land Boundaries**

(1) In order to rearrange the land boundaries in land consolidation according to the proposal of its owners or such State administration institution or local government which carries out voluntary alienation of immovable property necessary for public needs, a person certified for land survey works whose civil liability for professional activity has been insured (hereinafter - the land surveyor) shall draw up a land survey project. The land owner or State administration institution or local government need not submit a proposal to the local government.

(2) The solution of the land survey project drawn up for land consolidation shall conform to one of the objectives of land consolidation specified in Section 1, Paragraph one, Clause 13 of this Law.

(3) The objective of land consolidation specified in Section 1, Paragraph one, Clause 13 of this Law shall be indicated by the land surveyor in the explanatory note to the land survey project.

*[20 October 2022 / The new wording of the Section shall come into force on 1 January 2023. See Paragraph 13 of Transitional Provisions]*

### **Section 11. Approval of Land Consolidation**

(1) Before issuing an administrative act on approval of a land survey project, the local government shall assess whether the solution of the project drawn up for land consolidation conforms to the objective of land consolidation indicated in the explanatory note to the land survey project.

(2) By approving the land survey project drawn up for land consolidation, the local government confirms the conformity of the solution for rearranging of land boundaries with the objective of land consolidation indicated in the explanatory note to the project.

(3) If the solution for rearranging of land boundaries does not conform to any of the objectives of land consolidation indicated by the land surveyor in the explanatory note, it shall be implemented in accordance with the laws and regulations in the field of land survey.

*[20 October 2022 / The new wording of the Section shall come into force on 1 January 2023. See Paragraph 13 of Transitional Provisions]*

### **Section 12. Implementation of Land Consolidation**

(1) A land survey project drawn up for land consolidation shall be deemed implemented when the land parcels designed in the project are entered in the Land Register. If more than four land parcels belonging to land owners are involved in the rearranging of land boundaries, the land survey project drawn up for land consolidation shall be implemented within six years. In other cases, the project shall be implemented within the time limits specified in the laws and regulations in the field of land survey.

(2) Land owners shall agree on the rearranging of land boundaries within the scope of land consolidation by concluding a contract on land exchange.

*[20 October 2022 / The new wording of the Section shall come into force on 1 January 2023. See Paragraph 13 of Transitional Provisions]*

## **Chapter IV Management of State and Local Government Land**

### **Section 13. Competence of the State and Local Governments in Land Management**

(1) The Cabinet shall:

1) approve the State land policy;

2) issue regulations providing for the type of compensation for losses which have arisen due to real estate restrictions upon ensuring access to inland public waters and specially protected nature territories, the amount of compensation, the procedures for calculating and paying it;

3) [27 September 2018];

4) [20 October 2022];

5) issue regulations regarding the procedures by which information regarding marine coastal area and inland public waters shall be registered and updated in the State Immovable Property Cadastre Information System;

6) issue regulations regarding degraded territories and soil degradation criteria and the classification thereof, and also regarding the procedures by which degraded territories and soil degradation shall be established and evaluated, the measures for the prevention soil degradation shall be determined, and their implementation shall be supervised;

7) issue regulations regarding the creation of the Soil Information System and regarding the procedures for mapping of soil, assessing land quality, and maintaining and updating the information obtained;

8) issue regulations regarding qualification of soils;

9) issue regulations regarding the procedures for preparing the information to be included in the land report and the authority which shall be responsible for the preparation of the land report;

10) issue regulations regarding leasing of marine coastal area and inland public waters;

11) [27 September 2018];

12) issue regulations regarding the procedures by which the State shall exercise the pre-emptive rights to land under public waters;

13) issue regulations regarding the procedures by which the State Land Service shall transfer data regarding land parcels included in the reserve land fund and regarding land parcels which are not used for restoring the ownership rights, as well as the procedures by which sectoral ministries shall take decisions on belonging of the relevant land parcels or of them being in jurisdiction of the State after completing the land reform and by which local governments shall take decisions on land parcels being in jurisdiction of the local government.

(2) Institutions of direct administration, according to their competence, shall ensure implementation of land and soil protection measures, drawing up and implementing the environmental protection, agricultural, fishery, forestry, transport policy and policy of other sectors.

(3) Local governments, according to their competence, shall ensure:

1) land monitoring within their administrative territory;

2) management of the reserve land fund.

[27 September 2018; 7 March 2019; 20 October 2022]

### **Section 14. Management of Vacant Land and Degraded Territories**

(1) An institution of direct administration shall draw up an assessment of the possibilities of using vacant land and degraded territory in its possession and, if necessary, shall update it. If the institution of direct administration has transferred the immovable properties in its possession to a capital company of a public person, then the assessment of the possibilities of using the vacant land and degraded territory in the possession of the institution of direct administration shall be drawn up and updated by the relevant capital company of the public person. The assessment shall be submitted to the local government in the administrative territory of which the relevant vacant land or degraded territory is located.

(2) The local government shall draw up and approve by a council decision the assessment of the possibilities of using the vacant land and degraded territory in its ownership and possession.

(3) The following shall be included in the assessment of the possibilities of using the vacant land and degraded territory:

- 1) the assessment of the current use of the land;
- 2) the assessment of the further use of the land, in conformity with the use of territory specified in the spatial development planning documents;
- 3) the assessment of investments which are necessary in order to ensure as good type of use of the land as possible;
- 4) the assessment of the possibilities of using, leasing or alienating the land;
- 5) the foreseeable income from land use and deductions into the local government or State budget for the use of capital;
- 6) other information regarding the use of the relevant land.

(4) The institution of direct administration and the capital company of the public person does not need to draw up the assessment of the possibilities of using the vacant land and degraded territory referred to in Paragraph one of this Section, if the use of the relevant land is governed by other laws and regulations.

(5) The institution of direct administration, the capital company of the public person, or the local government, in deciding on further use of the vacant land or degraded territory in the ownership or possession of the State or local government, shall take into account the relevant assessment. The local government shall take into account the assessment drawn up by the institution of direct administration, the capital company of the public person, or the local government, in preparing spatial development planning documents.

### **Section 15. Management of the Marine Coastal Area and Inland Public Waters**

(1) The ministry responsible for environmental protection is the possessor of inland public waters which are located in nature reserves, national parks, and nature reserves and are not in the ownership of private individuals or in the possession of another ministry, and of the land part of the marine coast which is located in nature reserves and in a nature reserve zone of national parks and are not in the ownership of private individuals or in the possession of another ministry. If in accordance with laws and regulations a co-ordination from the owner is necessary for the performance of certain activities, the ministry responsible for environmental protection shall co-ordinate the activities to be performed in public waters in its possession on behalf of the owner.

(2) The local government is the possessor of marine coastal waters adjacent to its administrative territory, as well as of the land part of marine coast and inland public waters in its administrative territory the possessor of which is not the ministry responsible for environmental protection or another ministry and which are not in the ownership of private individuals. If in accordance with laws and regulations a co-ordination from the owner is necessary for the performance of certain activities, the local government shall co-ordinate the activities to be performed in public waters in its possession on behalf of the owner.

(3) If a private individual has land under public waters in his or her ownership and it is being sold, then the State shall have the pre-emptive right to the land to be alienated. A decision to exercise or not exercise the pre-emptive right shall be taken by the Cabinet.

(4) It is prohibited to alienate, pledge, or otherwise encumber the inland public waters and marine coastal area in the ownership of the State with property rights. Construction in inland public waters and marine coastal area is prohibited, unless it has been specified otherwise in laws.

(5) The local government shall take care of improvement of marine coastal waters and land part of marine coast in its possession and shall ensure its sanitary cleanness, perform spatial planning, as well as ensure the operation of rescue services in the bathing places managed by the local government where it is necessary.

(6) The ministry responsible for environmental protection shall supervise the operation of local governments which is related to the management of inland public waters and marine coastal area in their possession.

(7) The marine coastal area and inland public waters are provided for free use of anyone and accessible to the public, unless it has been specified otherwise in laws.

(8) The local government has the right to determine a prohibition to be present on ice of waters in the inland public waters in its administrative territory and of other waters in its possession, as well as on ice of marine coastal waters adjacent to its administrative territory in such places where life and health of a person may be endangered. Upon assessing the potential threat to life and health of a person, the gathering intensity of people, weather conditions, and meteorological forecasts, as well as the probability that a sufficiently durable layer of ice is not forming, shall be taken into account. The local government may notify the relevant decision by publishing it on its website.

(9) The ministry responsible for environmental protection and local governments shall, in accordance with the procedures stipulated by the Cabinet according to which budget institutions keep accounts, keep accounts of inland public waters, marine coastal waters, and the land part of the marine coast in their possession referred to in

Paragraphs one and two of this Section.

[15 September 2016; 7 March 2019]

#### **Section 16. Registration of Ownership and Possession Rights in Relation to Marine Coastal Area and Inland Public Waters**

(1) The ownership rights existing on the basis of the law to marine coastal area and inland public waters shall be in effect also without entering them in the Land Register. The ownership rights to marine coastal area and inland public waters do not need to be corroborated in the Land Register, unless it has been laid down otherwise in laws.

(2) The cartographically specified boundaries of land parcels of inland public waters in spatial data of the State Immovable Property Cadastre Information System shall be changed if boundaries of adjacent land parcels are adjusted in performing cadastral survey or if coastal line is being updated. The boundaries of the marine coastal area shall be determined and updated cartographically after determination of the marine coastal line and confirmation of the limit of the highest wave of the sea.

(3) The possession rights to the marine coastal area and inland public waters shall be registered in the State Immovable Property Cadastre Information System in accordance with Section 15, Paragraphs one and two of this Law.

[3 February 2022]

#### **Section 17. Reserve Land Fund and Land not Used for the Completion of Land Reform**

(1) The relevant local government shall be the possessor of land parcels included in the reserve land fund and of land parcels not used for the restoration of the ownership rights until the moment when the Cabinet issues an order regarding entering thereof in the Land Register in the name of the State or they are entered in the Land Register in the name of the local government.

(2) The local government has the right to lease the land parcels referred to in Paragraph one of this Section in accordance with the laws and regulations regarding leasing land of a public person which govern leasing of the local government land. The lease contract shall provide for the rights of the local government to unilaterally terminate the contract if the Cabinet issues an order on entering of the leased land parcel in the Land Register in the name of the State, if the leased land parcel is assigned in ownership as equivalent land.

(3) Construction of such new structures which must be entered in the Land Register as independent property objects in accordance with the laws and regulations governing operation of Land Registers is prohibited on land parcels referred to in Paragraph one of this Section. If in accordance with laws and regulations a co-ordination from the owner is necessary for the performance of certain activities, the local government shall co-ordinate the activities to be performed on the land parcels referred to in Paragraph one of this Section.

(4) While the Cabinet has not issued an order regarding completion of the land reform in the administrative territory of the relevant local government or the territorial unit of the municipality local government, the local government council may take a decision on belonging of the land parcel included in the reserve land fund or being in jurisdiction of the local government, and the Cabinet may issue an order regarding belonging or being of land parcel in jurisdiction of the State, if the land parcel included in the reserve land fund is land belonging to or being in jurisdiction of the State or local government in accordance with the Law On Ownership Rights to State and Local Government Land and Corroboration Thereof in Land Registers.

(5) The land belonging to and being in jurisdiction of the State and local governments after completion of the land reform shall be assessed in accordance with the procedures stipulated by the Cabinet within two years after the Cabinet has issued an order regarding completion of the land reform in the administrative territory of the relevant local government or in all territorial division units of the municipality.

(6) The land parcels referred to in Paragraph one of this Section for which, within the time period specified in Paragraph five of this Section, local governments and ministries have not made a note on the land parcel being in the ownership or jurisdiction of the local government or the State in the assessment lists of land included in the reserve land fund and not used for restoration of property rights published by the State Land Service, shall be in the jurisdiction of the local government within its administrative territory. The decision on entering these land parcels in the Land Register shall be taken by the local government. Until the land parcel is entered in the Land Register in the name of the local government, the Cabinet may issue an order on the land parcel being in the jurisdiction of the State if it is necessary for the implementation of State administration functions.

[27 September 2018; 7 March 2019; 3 February 2022; 20 October 2022]

## **Chapter V Land and Soil Protection and Quality Assessment**

## **Section 18. Management of Degraded Territories and Measures for Prevention of Degradation**

(1) The purpose of measures for the prevention of land degradation is to prevent the causes and consequences of degradation in order to promote sustainable use of land.

(2) The local government shall determine and mark the degraded territories in the spatial development planning documents, as well as provide for the necessary conditions for the use of land. Information regarding degraded territories shall be included and maintained in the Spatial Development Planning Information System.

(3) The land owner or possessor shall ensure soil recultivation. If soil degradation is caused by an object in the ownership or possession of another person, the expenses for soil recultivation shall be covered by the owner or possessor of such object.

(4) The territories in which signs of soil degradation have been detected, shall be used in a way to limit further soil degradation and ensure the preservation of soil fertility.

(5) If it is necessary to take measures for the prevention of land degradation for ensuring the joint interests of the society, including for restricting the spread of invasive plant species, the local government shall inform the land owner or possessor thereof and request him or her to take the abovementioned measures within a specified period of time.

(6) If the land owner or possessor does not take the measures for the prevention of land degradation within the time period specified by the local government, the local government has the right to take the necessary measures regardless of the belonging of the property, informing the relevant owner or possessor regarding the decision taken in advance. The local government council shall decide on the measures for the prevention of land degradation. The decision of the local government council may be appealed to the court within one month after notification thereof. The expenses related to the measures for the prevention of land degradation shall be covered by the land owner or possessor.

## **Section 19. Mapping of Soil and Quality Assessment of Land**

(1) Mapping of soil and quality assessment of land shall be carried out for agricultural land at least every 20 years.

(2) Soil mappers and land quality assessors, and also persons who perform environmental or national forest monitoring have the right to move and take soil samples on agricultural and forest land without restrictions in the performance of their duties, presenting a service or work certificate, if necessary.

(3) [1 January 2025 / See Paragraph 5<sup>1</sup> of Transitional Provisions]

[7 March 2019]

## **Section 20. Changing the Category of Land Use**

(1) If it is necessary to change the category of land use for implementation of the intended activities, it shall be changed, taking into account the requirements of the spatial development planning documents of the local government and other laws and regulations.

(2) If changing of the category of land use is proposed in relation to ameliorated land, technical provisions for the activities to be performed in the ameliorated land shall be issued, in the cases specified in the Amelioration Law, by the authority responsible for amelioration.

(3) Changes in relation to the category of land use for areas in the State Immovable Property Cadastre Information System are updated in accordance with the procedures laid down in the State Immovable Property Cadastre Law.

# **Chapter VI**

## **Land Monitoring and Information Related to Land**

### **Section 21. Implementation of Land Monitoring**

(1) Land monitoring shall be implemented as follows:

1) the State Land Service, using the data of the State Immovable Property Cadastre Information System, shall, each year by 15 March according to the condition as on 1 January, prepare the annual report on division of land according to the permitted use of the territory, the type of land use, and the status of the ownership rights in each administrative territory, unit of territorial division, and the State in general;

2) once in five years a land report shall be prepared, using spatial and textual data of the information systems referred to in Section 22 of this Law;

3) regular land survey shall be performed in accordance with the procedures laid down in laws and regulations.

(2) Information which has been obtained upon implementing land monitoring, shall be used in planning the spatial development and land use, as well as in the development and introduction of the land policy at local, regional and national level.

(3) The following information shall be included in the land report referred to in Paragraph one, Clause 2 of this Section, taking into account the administrative territories and their territorial division:

1) regarding the territorial division according to the categories of land use;

2) regarding the territorial division according to the permitted use of land;

3) regarding the territorial division according to the status of the ownership rights and the status of land owners, including indicating the land belonging to foreigners and legal persons registered in foreign countries;

4) regarding the agricultural land areas which are not managed;

5) regarding the degraded territories and their area;

6) regarding changes in the area of ameliorated land;

7) regarding polluted and potentially polluted places;

8) regarding the specially protected nature territories;

9) regarding the land cover;

10) regarding changes in the quality assessment of land, if it has been updated;

11) regarding other changes in the land use.

## **Section 22. Infrastructure of the Information Related to Land**

(1) Access to the data necessary for land management shall be ensured by the following information systems:

1) the State Immovable Property Cadastre Information System - for the data regarding division of land according to the status of the ownership rights and the status of land owners, the types of land use, and the cadastral value of land;

2) the State Address Register Information System - for the spatial data regarding the boundaries of administrative territories and units of their territorial division;

3) the Basic Geospatial Information Data System - for the data of topographical maps;

4) the Spatial Development Planning Information System - for the data regarding permitted use of the territory;

5) the Information System of Encumbered Territories - for the data regarding encumbered territories;

6) the Soil Information System - for the data regarding the results of soil mapping and agrochemical surveys, and also other indicators characterising soil and land quality;

7) [7 March 2019];

8) the Register of Polluted and Potentially Polluted Places - for the data regarding polluted and potentially polluted places;

9) the Geographical Information System of the Rural Register - for the data regarding land units;

10) the Information System of Amelioration Cadastre - for the data regarding amelioration systems;

11) the Forest State Register - for the data regarding forest and forest land;

12) the Population Register - for the data regarding foreign natural persons;

13) the Commercial Register - for the data regarding legal persons registered abroad;

14) the State Unified Computerised Land Register - for the data on land ownership rights.

(2) Access to geospatial data sets which are necessary to the authority responsible for drawing up a land report for the needs of land management, their use and interoperability shall be ensured by holders of geospatial data sets in accordance with the procedures laid down in laws and regulations, using the infrastructure of the unified geospatial information portal.

(3) Access to textual data which are necessary to the authority responsible for drawing up a land report for the needs of land management, shall be ensured by holders of the relevant information systems free of charge.

[7 March 2019]

## Transitional Provisions

1. The assessments of the possibilities of using vacant land and degraded territory referred to in Section 14, Paragraphs one and two of this Law shall be approved by 1 January 2016.

2. Section 6 and Section 15, Paragraph three of this Law shall come into force on 1 January 2016.

3. Section 16, Paragraphs two and three of this Law shall come into force on 1 January 2017.

[27 September 2018]

4. Chapter III of this Law shall come into force on 1 January 2023.

[22 November 2017; 13 November 2019]

5. The Cabinet shall:

1) by 31 December 2015, issue the regulations referred to in Section 13, Paragraph one, Clauses 2, 12, and 13 of this Law;

2) by 31 December 2016, issue the regulations referred to in Section 13, Paragraph one, Clause 9 of this Law;

3) by 31 December 2019, issue the regulations referred to in Section 13, Paragraph one, Clause 6 of this Law;

4) by 31 December 2018, issue the regulations referred to in Section 13, Paragraph one, Clause 10 of this Law;

5) [20 October 2022];

6) by 31 December 2023, issue the regulations referred to in Section 13, Paragraph one, Clause 5 of this Law;

7) by 31 December 2024, issue the regulations referred to in Section 13, Paragraph one, Clauses 7 and 8 of this Law.

[22 November 2017; 25 October 2018; 7 March 2019; 13 November 2019; 3 February 2022; 20 October 2022]

5.<sup>1</sup> Section 19, Paragraph three of this Law shall come into force on 1 January 2025.

[7 March 2019 / *The abovementioned amendments shall be included in the wording of the Law as of 1 January 2025*]

6. The land report referred to in Section 21, Paragraph one, Clause 2 of this Law shall be drawn up for the first time by 1 January 2018.

7. If the land reform is completed in the administrative territory of the local government until the day of coming into force of this Law, the land belonging to and in jurisdiction of the State and local government in the administrative territory of the relevant local government shall be determined by 1 February 2018.

8. Section 22, Paragraph one, Clauses 4 and 5 of this Law shall come into force on 1 January 2016, but Clause 6 - on 1 January 2028.

[7 March 2019]

9. The first mapping of soil and quality assessment of agricultural land shall be commenced by 1 January 2028.

[7 March 2019]

10. Section 5, Paragraph six of this Law shall not apply to those spatial plans in which, until the date of coming into force of the relevant regulation, special conditions for the use are laid down for the territories intended for the development of the public infrastructure. If the conditions for the use of land included in the relevant spatial plans cause losses to a person, the person may demand that the responsible authority compensate for such losses in accordance with civil law procedures.

[27 September 2018; 3 February 2022]

11. The Cabinet order on the land parcels referred to in Section 17, Paragraph one of this Law which have been

assessed in accordance with the procedures stipulated by the Cabinet and marked as owned by the State or in the jurisdiction of the State in the assessment list of land included in the reserve land fund and not used for restoration of property rights, published by the State Land Service, may be issued also after the time period specified in Section 17, Paragraph five of this Law.

[27 September 2018]

12. The requirement in respect of keeping accounts of the marine coastal waters and the land part of the marine coast laid down in Section 15, Paragraph nine of this Law shall not be applied until the first registration of the marine coastal area in the State Immovable Property Cadastre Information System and for one year thereafter.

[3 February 2022]

13. Chapter III of this Law shall come into force on 1 January 2023.

[20 October 2022]

The Law shall come into force on 1 January 2015.

The Law has been adopted by the *Saeima* on 30 October 2014.

President A. Bērziņš

Rīga, 15 November 2014

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<sup>1</sup> The Parliament of the Republic of Latvia

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