

The *Saeima*<sup>1</sup> has adopted  
and the President has proclaimed the following Law:

## Geospatial Information Law

### Chapter I

#### General Provisions

##### Section 1. Terms used in this Law

The following terms are used in this Law:

1) **geodesy** – the scientific and manufacturing discipline, which researches the shape and dimensions of the Earth, as well as determines the mutual condition of objects created by natural elements and human beings on the surface of the Earth in any coordinate system related to the Earth. The measurements of gravitational field or magnetic field of the Earth and other geophysical measurements are used in geodesy;

2) **survey marker** – a mark fixed in an area, which has a constant centre and the maintenance of which is ensured, as well as at least one of the following characteristics whereof has been specified: co-ordinates, height, gravitational field value of the Earth or geomagnetic field value of the Earth;

3) **geodetic network** – an aggregate of survey markers with characteristics of one type;

4) **geodetic reference system** – theoretical, technological and administrative framework for the performance of geodetic activities;

5) **geospatial information** – any information, which directly or indirectly indicates towards a specific location of geographical area where a geospatial object is located;

6) **circulation of geospatial information** – acquisition, preparation, processing, maintenance, supply to the users and use of geospatial information;

7) **re-use of geospatial information** – the use of geospatial information at the disposal of an institution, which is performed for commercial or non-commercial purposes of a natural person or a legal person, which is not the initial purpose of use for which the geospatial information was acquired and prepared when fulfilling the duties of the institution. Exchange of geospatial information between institutions in implementing the administrative functions and tasks shall not be deemed re-use of geospatial information;

8) **infrastructure for geospatial information** – geospatial data sets specified in regulatory enactments, metadata thereof, conditions for joint use and re-use of geospatial information, geospatial data services, information and telecommunication technologies, by which the circulation of geospatial information and the provision of geospatial data services is ensured, and the procedures for co-ordination and supervision of activities of the institutions involved;

9) **joint use of geospatial information** – circulation of geospatial information between institutions in fulfilling the administrative functions and tasks thereof;

10) **geospatial data services** – technical processing of geospatial information and other activities for the provision of the circulation of such information;

11) **geospatial information portal (hereinafter – geoportal)** – a website or a resource equivalent thereto, which ensures access to geospatial data sets, services and metadata;

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

12) **holder of geospatial information** – any natural person or legal person, which is the creator or commissioning party of the relevant geospatial information or which has at the disposal thereof the geospatial information, which is necessary for the provision of the functions specified for an institution and which may be arranged in a data base, including a holder of geospatial data set;

13) **geospatial data set** – an identifiable data base of geospatial information, which has been created with a specific purpose of use, has a specific holder and includes basic geospatial information data of an individual sector;

14) **holder of geospatial data set** – the responsible authority specified in regulatory enactments for the creation and maintenance of geospatial data set;

15) **interoperability of geospatial data sets and services** – the possibility for geospatial data sets to be combined, and for geospatial data services to interact, without repetitive manual intervention, in such a way that the result is coherent and the added value of the geospatial data sets and services is enhanced;

16) **geospatial object** – an abstract image of the real world, which is related to a specific location or geographical area;

17) **cartography** – the scientific and manufacturing discipline regarding the acquisition and processing of geospatial information with mapping methods, as well as regarding the drawing up, publishing and use of maps and plans;

18) **metadata** – structured information describing geospatial data sets and geospatial data services;

19) **sector** – an economic sector, provision of practical activities of which requires the acquisition, preparation, updating and use of geospatial information;

20) **orthophoto** – a photographic image of the surface of the Earth, which, after processing with photogrammetry methods, corresponds to the geometrical properties of the projection of map or plan;

21) **basic data** – such aggregate of geospatial information, which has been prepared according to a single specification and preparation and constant updating of which provides economic effect for the national economy and ensures functionally:

- a) unambiguous attraction of the location of other geospatial objects,
- b) creation of context for visualisation and analysis of other geospatial data,
- c) making of topographic and thematic maps;

22) **system of permanent global positioning base stations “Positioning System of Latvia”** – a component of the national geodetic support system, which ensures high precision determination of coordinates for terrain objects, using satellites of the Earth;

23) **thematic map** – a map, the content, scale, projection and arrangement of which has been created according to the requirements for representation of a specific sector (for example, geology, tourism, cadastre of immovable properties, transport) or a specific purpose (for example, air navigation, maritime navigation, spatial planning) only;

24) **topographic map** – representation of geospatial information in a plane with specific designations in visually perceptible form, in which the impact of the surface curvature of the Earth is taken into account according the scale of representation;

25) **topographic plan** – representation of geospatial information of a local geographical area in a plane with specific designations in visually perceptible form; and

26) **information regarding place names (toponyms)** – within the meaning of this Law: place names or geographical names combined with information characterising or explaining them, as well as specifying the geographical tie of the relevant place names to specific objects.

## Section 2. Purpose of the Law

The purpose of this Law is to specify the institutional system in the field of geospatial information, incorporating the conditions for the preparation, use, exchange and maintenance of geospatial information (including geodetic and cartographic basic data) in order to create an infrastructure for geospatial information in the Republic of Latvia.

### **Section 3. Scope of Application of this Law**

(1) This Law shall be applied to all natural persons and legal persons, the functions, tasks and activities of which are related to the circulation of geospatial information and joint use and re-use of such information.

(2) This Law shall apply to the circulation of geospatial information insofar as it is not in contradiction with the provisions for the circulation of geospatial information specified in special regulatory enactments and international contracts or to be implemented within the framework of international co-operation.

## **Chapter II**

### **Competence of State Administration in the Field of Geospatial Information**

#### **Section 4. Institutions for the Management of Geodetic, Cartographic and Geospatial Information and Co-ordination of Activities Thereof**

(1) The Ministry of Defence shall organise and co-ordinate the implementation of State policy in the field of geodetic, cartographic and geospatial information:

1) develop the State policy and development strategy, co-ordinate the circulation of geospatial information in the State in the field of geodesy and cartography, except for drawing up and publication of maritime navigation maps, which is determined by the Maritime Administration and Marine Safety Law;

2) ensure the development of draft regulatory enactments in accordance with legal acts of the European Union, the North Atlantic Treaty Organization and other international organisations;

3) plan and supervise the fulfilment of the acquisition, preparation and updating of geodetic and cartographic basic data, as well as the provision of geospatial data services of the State agency "Latvian Geospatial Information Agency" within the framework of annual State budget;

4) establish the Council of Geospatial Information Experts and ensure the operation thereof;

5) determine the procedures for the provision of geospatial information support for the fulfilment of the tasks of the National Armed Forces and participation in the North Atlantic Treaty Organization;

6) in co-operation with sectoral ministries ensure the development of standards and/or adaptation of international standards in the field of geospatial information; and

7) co-ordinate the entering into international agreements regarding the use of geospatial information, which has been acquired using the remote sensing method, for the fulfilment of the functions and tasks of all concerned ministries.

(2) The State agency "Latvian Geospatial Information Agency" shall be the managing authority in the implementation of the State policy in the field of geodetic, cartographic and geospatial information. It shall obtain, prepare and update the geodetic and cartographic basic data referred to in Section 12, Paragraph five, Section 17, Paragraph three and Section 18, Paragraph two of this Law for civil and military needs, provide geospatial data services and perform other tasks specified in this Law and special regulatory enactments of other sectors.

(3) The State agency "Latvian Geospatial Information Agency" may enter into agreements regarding the performance of the relevant services for the fulfilment of the tasks specified in

Section 12, Paragraphs five and six, Section 17, Paragraph three, Section 18, Paragraph two and Section 31, Paragraph two of this Law.

(4) Individual functions in implementation of the geodetic, cartographic and geospatial information policy shall be fulfilled, according to the competence thereof, by the Ministry of Environment, the Ministry of Agriculture, the Ministry of Justice, the Ministry of Transport, the Ministry of Regional Development and Local Government, the Ministry of Economics, the Ministry of the Interior, the Ministry of Health, the Ministry of Education and Science, the Ministry of Culture and territorial local governments, as well as associations and foundations, operation of which in the relevant field has been registered.

(5) The ministries referred to in Paragraph four of this Section, according to their State administrative functions, tasks and competence, sectors or sectoral groups covered by them and the international legal norms binding to the Republic of Latvia, shall:

1) include such measures in sectoral policy planning documents as to ensure the acquisition, preparation and updating of the geospatial information necessary for the development and implementation of the relevant sectoral policy and the provision of the relevant geospatial data services;

2) provide the following information in sectoral policy planning documents regarding the measures referred to in Clause 1 of this Paragraph:

a) specific geospatial data sets and services, which are planned to be ensured by the relevant measures,

b) deadlines for the implementation of measures,

c) the financing granted and additionally necessary for the fulfilment of measures,

d) the institutions responsible for the implementation of measures, and

e) the procedures for the provision of reports on the fulfilment of measures;

3) ensure the acquisition, preparation, updating and availability of geospatial data sets and metadata thereof of the relevant sector in the national uniform geoportal, observing the measures referred to in Clause 1 of this Paragraph and the requirements specified in this Law for the circulation of geospatial information.

(6) The ministries referred to in Paragraph four of this Section shall prepare and submit to the Ministry of Defence data regarding geospatial information, services and measures of the relevant sector in order to ensure efficient acquisition, preparation and updating of geospatial information and provision of the relevant geospatial data services in the State and the fulfilment of the tasks specified in Section 8, Paragraphs two and three of this Law.

## **Section 5. Competence of the Ministry of Regional Development and Local Government in the Field of Geospatial Information**

The Ministry of Regional Development and Local Government, in accordance with the State administrative functions, tasks and competence thereof, as well as with the international legal norms binding to the Republic of Latvia, shall:

1) organise and co-ordinate the development and implementation of the State policy in the field of electronic government, information society and information technologies for the creation of the national uniform geoportal and the provision of operation thereof within the framework of the annual funding from the State budget;

2) draw up draft regulatory enactments and policy planning documents for the creation and introduction of the national uniform geoportal;

3) co-ordinate the co-operation of sectoral ministries, the State administrative institutions subordinate thereto and local government authorities in the creation and introduction of the geospatial services available in the national uniform geoportal;

4) ensure the management of the creation and maintenance of the national uniform geoportal; and

5) ensure the interoperability of the national uniform geoportal with the geoportal of the European Community.

## **Section 6. Competence of Territorial Local Governments in the Field of Geospatial Information**

Territorial local governments, in accordance with the functions, tasks and competence thereof, as well as with the international legal norms binding to the Republic of Latvia, shall within the framework of the annual budget:

1) organise the acquisition and maintenance of the geospatial information necessary for the fulfilment of the functions thereof, determine the procedures for the financing and use of these functions and ensure co-operation with other institutions in the field of the circulation of geospatial information, for example, with the State agency “Latvian Geospatial Information Agency” and the State Land Service;

2) ensure timely updating and maintenance of the geospatial information and services necessary for the operation thereof; and

3) ensure the conformity in the subordinate bodies and institutions with the requirements of this Law in the field of the circulation of geospatial information.

## **Section 7. Competence of Associations and Foundations in the Field of Geospatial Information**

Associations and foundations or partnerships thereof, which unite natural persons and legal persons working in the field of geospatial information, may participate in the implementation of the State policy in the field of geospatial information, carrying out the discussion of regulatory documents and standards and providing opinions, carrying out the involvement of the society in the circulation of geospatial information, improving professional qualification and fulfilling other State administrative tasks delegated to associations and foundations or partnerships thereof.

## **Section 8. Representation of the Republic of Latvia in Institutions of the European Union and Provision of Information to the European Commission**

(1) The Ministry of Defence and the Ministry of Environment shall, within the framework of the competence thereof and upon mutual co-operation, ensure the representation of the Republic of Latvia in institutions of the European Union in issues related to the creation of the infrastructure for geospatial information of the European Community and the co-ordination and acceptance of draft provisions regulating the operation thereof in the institutions of the European Union.

(2) The Ministry of Defence shall, once in three years from 15 May 2010, prepare a report for the European Commission on the introduction of the infrastructure for geospatial information in the Republic of Latvia.

(3) The Ministry of Defence shall, upon the request of the European Commission, provide it with information in order to perform an analysis aimed at the establishment of such conditions for the creation of the infrastructure for geospatial information of the European Community, which would be possible from the practical point of view and proportionate to the anticipated costs and benefits thereof.

## **Section 9. Duties and Responsibility of the Owners, Legal Possessors and Users of Immovable Properties**

(1) The owner, legal possessor or user of an immovable property shall not create obstacles for the access to survey markers in order to perform geodetic or cartographic activities and shall not limit the performance of geodetic or cartographic activities in the territory owned or possessed thereby.

(2) The owner, legal possessor or user of an immovable property shall not perform activities, which are directed against continuous preservation and stability of geodetic marks or invariability of their construction, and shall observe the restrictions around survey markers specified in the Protection Zone Law.

(3) The owner, legal possessor or user of an immovable property shall be held liable for the violation of the duties specified in Paragraph two of this Section in accordance with the law.

### **Chapter III**

## **Acquisition, Preparation, Processing and Maintenance of Geospatial Information**

### **Section 10. Performance of Geodetic and Cartographic Activities**

(1) Geodetic and cartographic activities shall be the basis for the acquisition, preparation, processing and maintenance of geospatial information.

(2) Geospatial activities shall include:

- 1) the creation, maintenance and supervision of the geodetic reference system;
- 2) the establishment and use of permanent global positioning stations; and
- 3) the performance of geodetic works for sectoral needs.

(3) Geodetic activities shall be carried out by the employees of State and local government authorities, who have been assigned such tasks in special regulatory enactments if the qualification of the relevant employees conforms with the profession standard included in the classification of occupations, or by certified persons who may enter into employment legal relations or other civil legal relations with a merchant.

(4) Geodetic activities, which are related to the performance of geomagnetic or gravimetric measurements and other services provided in the field of geodesy, which should be available to the society, shall be ensured by the State agency "Latvian Geospatial Information Agency" according to the resources thereof. The referred to geodetic activities shall be carried out for a fee specified in accordance with the price list of public paid services of this State agency. The Cabinet shall issue regulations determining the price list of geodetic activities related to the performance of geomagnetic or gravimetric measurements and other services of the State agency "Latvian Geospatial Information Agency" and the procedures for application thereof.

(5) Cartographic activities shall be carried out by employees of State and local government authorities or by persons who may enter into employment legal relations or other civil legal relations with a merchant and whose qualification conforms with the profession standard included in the classification of occupations.

(6) Geodetic and cartographic activities, which result in the acquisition of basic data or data that within the meaning of this Law conform to the purpose of joint use and re-use of information, shall be carried out in accordance with the requirements of this Law and other regulatory enactments.

(7) Geodetic and cartographic activities shall be carried out without damaging the immovable property in which they are being carried out.

### **Section 11. Geodetic Co-ordinate System of Latvia (1992) and Topographic Map System (1993)**

(1) The geodetic co-ordinate system of Latvia (1992) shall be the national geodetic reference system.

- (2) The topographic map system (1993) is a mathematical system, which represents the division of topographic map sheets of the Republic of Latvia, using different scales.
- (3) The geodetic co-ordinate system of Latvia (1992), the topographic map system (1993) and the normal heights system of the Baltic States (1977) shall be used in the acquisition, preparation and maintenance of the basic data of geodetic information. The parameters of the referred to systems and the procedures for application thereof shall be determined by the Cabinet.
- (4) In international projects, as well as in co-operation with the North Atlantic Treaty Organization and Member States thereof, other international organisations and participants thereof have the right to use other geodetic reference systems and cartographic co-ordinate systems to be transformed to the geodetic co-ordinate system of Latvia.

## **Section 12. Geodetic Reference System**

- (1) The geodetic reference system shall include:
  - 1) the mathematical model of the geodetic reference system of the State territory; and
  - 2) a geodetic network, which ensures practical linking of the mathematical model to the State territory.
- (2) The components of the geodetic network of the geodetic reference system shall be:
  - 1) the national geodetic network;
  - 2) the system of permanent global positioning base stations "Positioning System of Latvia"; and
  - 3) the local geodetic network.
- (3) The creation and maintenance of the geodetic reference system shall be co-ordinated and supervised by the State agency "Latvian Geospatial Information Agency".
- (4) The Cabinet shall determine the procedures for the creation, use and maintenance of the geodetic reference system.
- (5) The State agency "Latvian Geospatial Information Agency" shall create and maintain a data base of the national geodetic network and markers thereof. The State agency "Latvian Geospatial Information Agency" shall be the manager of the State information system of the national geodetic network.
- (6) The State agency "Latvian Geospatial Information Agency" shall create and maintain the system of permanent global positioning base stations "Positioning System of Latvia", ensuring the use thereof for a fee. The State agency "Latvian Geospatial Information Agency" shall be the manager of the system of permanent global positioning base stations "Positioning System of Latvia". The Cabinet shall issue regulations regulating the price list for the use of the system of permanent global positioning base stations "Positioning System of Latvia" and the procedures for application thereof.
- (7) A local geodetic network shall be created, supplementing the national geodetic network up to such density of geodetic network markers, which conforms to the objective of the acquisition of information. The installation, maintenance and protection of the markers of the local geodetic network shall be ensured by the territorial local government, which shall provide the State agency "Latvian Geospatial Information Agency" with the current information regarding the markers of the local geodetic network located within the administrative territory thereof.
- (8) The Cabinet shall determine the procedures for the installation and maintenance of the markers of the local geodetic network, as well as for the provision of information.

## **Section 13. Topographic Information of High Detailed Elaboration**

- (1) Topographic information of high detailed elaboration shall be such geospatial information, the scale certainty of which is 1:5000 or more.

- (2) Topographic information of high detailed elaboration shall be stored in a data base.
- (3) The Cabinet shall determine the specification of topographic information of high detailed elaboration, the methodology for the acquisition, preparation and processing of the information, the general requirements for the preparation of a topographic plan, the general requirements for the co-ordination thereof, the elements to be represented therein, as well as the responsibility of the performer of geodetic work in the process of the acquisition and preparation of topographic information of high detailed elaboration.
- (4) The State Land Service shall accumulate topographic information of high detailed elaboration regarding the whole State territory in the central data base of the topographic information of high detailed elaboration and shall be the manager of the national information system of topographic information of high detailed elaboration.
- (5) The Cabinet shall determine the procedures for the creation and maintenance of the central data base of topographic information of high detailed elaboration, including the following requirements therein:
- 1) regarding the content of the information to be accumulated in the central data base of topographic information of high detailed elaboration;
  - 2) regarding exchange of information between the data base of a territorial local government and the central data base of topographic information of high detailed elaboration; and
  - 3) the procedures for the submission and acceptance, updating and distribution of topographic information of high detailed elaboration.
- (6) In order to ensure the fulfilment of the functions and tasks of a territorial local government, it shall create and maintain a data base of topographic information of high detailed elaboration regarding the administrative territory thereof in accordance with the specification of the topographic information of high detailed elaboration specified by the Cabinet, shall perform verification of the submitted information and ensure the interoperability of the data base with the central data base in accordance with the procedures specified by the Cabinet. The council of the local government shall determine the procedures for the submission and acceptance of topographic information of high detailed elaboration.
- (7) The territorial local government has the right to delegate the task referred to in Paragraph six of this Section by entering into a delegation contract in accordance with the procedures specified in the State Administrative Structure Law. If the referred to task of administration is delegated to the State Land Service, it shall maintain the topographic information of high detailed elaboration regarding the administrative territory of the territorial local government in the central data base in accordance with the procedures specified in Paragraph five of this Section.
- (8) The territorial local government and the State Land Service shall distribute the information accumulated in the data base according the amount of data accumulated in the data base thereof.

#### **Section 14. Protection of the Markers of the Geodetic Network**

- (1) Markers of the national geodetic network fixed in an area shall be the State property and shall be under the State protection.
- (2) Markers of a local geodetic network fixed in an area shall be the property of a local government and shall be under the protection of the local government.
- (3) Markers of the national geodetic network and a local geodetic network fixed in an area shall be specified protection zones in accordance with the Protection Zone Law.

#### **Section 15. Expert-examination of the Results of Geodetic Work**



- (1) An expert-examination of the results of geodetic work shall be ensured by the State agency “Latvian Geospatial Information Agency” upon a request. The expert-examination of the results of geodetic work shall be performed in accordance with the procedures specified by the Cabinet.
- (2) The Cabinet shall issue regulations, in which the price list of the expert-examination of the results of geodetic work provided by the State agency “Latvian Geospatial Information Agency” and the procedures for application thereof are specified.

## **Section 16. Cartographic Activities**

Cartographic activities shall include:

- 1) the acquisition, preparation, processing and maintenance of the basic data of geospatial information specified in Section 17 of this Law;
- 2) the acquisition and processing of aerial photographs, images from space and laser scanning of the surface of the Earth for the preparation of orthophoto and relief data;
- 3) the creation, maintenance and updating of digital area and surface models;
- 4) the drawing up and issuance of topographic maps;
- 5) the drawing up and issuance of air navigation and maritime navigation maps;
- 6) the drawing up and issuance of sectoral thematic maps, for example, cadastre, addresses, forest sections, agricultural land, amelioration, spatial planning, soil, geology, hydrology and other maps necessary for visualisation of the relevant sectoral information or – in the cases when the relevant sectoral thematic maps are not issued in polygraphic form – the preparation, publication and updating of data of the thematic maps of these sectors;
- 7) the drawing up and issuance of maps of administrative boundaries or the preparation, publication and updating of data of administrative boundaries;
- 8) the drawing up and issuance of survey and informative maps;
- 9) the drawing up and issuance of training maps;
- 10) the drawing up and issuance of national atlases; and
- 11) the preparation, publication and updating of information regarding place names, catalogues and dictionaries of geographic names.

## **Section 17. Basic Data of Geospatial Information**

- (1) Basic data of geospatial information shall be as follows:
  - 1) images of the surface, data of remote sensing and orthophotos of the Earth within the framework of the scale line 1:50 000 – 1:2000 or larger scale;
  - 2) digital models of area and surface, which are used in order to draw up topographic plans and topographic maps within the framework of the scale line 1:250 000 – 1:500 or larger scale;
  - 3) geospatial information, which is included in topographic plans and topographic maps within the framework of the scale line 1:250 000 – 1:500 or larger scale;
  - 4) geospatial information of the information system of the immovable property State cadastre;
  - 5) boundaries of administrative territories, descriptions thereof and geospatial information of the State Address Register;
  - 6) geospatial information of the boundaries of encumbered territories and objects causing protection zones;
  - 7) geospatial information regarding subterranean depths;
  - 8) geospatial information regarding the quality, fertility and degradation of soil;
  - 9) geospatial information of inventory and amelioration of land for agricultural use and forests;

10) geospatial information regarding airways, aircraft flight areas, objects and obstacles dangerous for the safety of aircraft flights;

11) geospatial information regarding hydrographic measurements, geospatial information, which is included in maritime navigation maps of territorial waters and economic zone of the Republic of Latvia, geospatial information regarding waterways and means of navigation in order to ensure safe navigation;

12) geographic information regarding the State border line, the border zone and boundary points;

13) geospatial information regarding special areas of conservation;

14) geospatial information regarding the actual and planned (permitted) use of territory;

15) geospatial information regarding the infrastructure of land, maritime, air and pipeline transport and traffic junctions; and

16) geospatial information of engineering communications.

(2) The holders of the basic data of geospatial information shall be determined in this Law or in the special regulatory enactments of the relevant sector.

(3) The State agency “Latvian Geospatial Information Agency” shall acquire, prepare and update the following basic data and shall be the holder thereof:

1) images of the surface, data of remote sensing and orthophotos of the Earth within the framework of the scale line 1:50 000 – 1:2000;

2) digital models of area and surface, which are used for drawing up of topographic plans and topographic maps within the framework of the scale line 1:250 000 – 1:500;

3) geospatial information, which is included in topographic plans and topographic maps within the framework of the scale line 1:250 000 – 1:2000; and

4) the basic data of geospatial information in order to provide support for the fulfilment of the tasks of the National Armed Forces and the participation thereof in the North Atlantic Treaty Organization in accordance with the procedures specified by the Ministry of Defence.

## **Section 18. Information Regarding Place Names**

(1) The Cabinet shall determine the procedures for the creation, assigning, approval, accumulation, publication, use, preservation and protection of place names.

(2) Information regarding place names, which is necessary for the performance of geodetic and cartographic activities, shall be compiled in the Data Base of Place Names. The State agency “Latvian Geospatial Information Agency” shall be the holder of the Data Base of Place Names and the manager of the national information system of place names.

## **Section 19. Classification of Geospatial Objects Included in Geospatial Data Sets**

(1) The uniform national classification system of geospatial objects shall be used for the preparation, maintenance and use of the basic data of geospatial information.

(2) The code, name and description of the relevant geospatial objects shall be included in the uniform national classification system of geospatial objects.

(3) The uniform national classification system of geospatial objects shall be developed, approved and introduced in accordance with the procedures for the introduction and use of the uniform classification system of economic information.

(4) The Ministry of Defence shall develop and maintain the uniform national classification system of geospatial objects, as well as co-ordinate the introduction and use thereof.

(5) The uniform national classification system of geospatial objects shall ensure interoperability with the uniform identification system of spatial objects of the infrastructure for geospatial information of the European Community.

## **Section 20. Acquisition, Preparation and Updating of Geospatial Information**

- (1) The basic data of geospatial information shall be acquired, prepared and updated in accordance with the requirements for updating specified in this Law and other regulatory enactments.
- (2) The basic data of geospatial information prepared in accordance with the procedures specified in this Law shall be used for the preparation and updating of sectoral geospatial data sets.
- (3) The holder of a geospatial data set shall be responsible for updating of geospatial information according to the latest available basic data of geospatial information.
- (4) The acquisition, preparation and updating of the thematic maps and data sets for sectoral needs shall be performed, taking into account the requirements specified in the special regulatory enactments of the relevant sector.
- (5) The geospatial information, which is prepared upon the request of an institution in order to ensure the fulfilment of the functions and tasks of the relevant institution, shall conform to the requirements for the circulation of geospatial information specified in this Law and other regulatory enactments.

## **Section 21. Metadata**

- (1) The holder of a geospatial data set shall ensure the creation of metadata of the relevant geospatial information and continuous updating thereof.
- (2) The Cabinet shall determine the mandatory content of metadata of geospatial data sets.

## **Chapter IV**

### **Certification of the Performers of Geospatial Work**

#### **Section 22. General Provisions for Certification of the Performers of Geodetic Work**

- (1) Geodetic work shall be performed by certified persons, whose civil liability regarding the professional activity has been insured.
- (2) A performer of geodetic work shall be issued a certificate by a certification authority accredited in the Latvian National Accreditation Bureau.
- (3) The certified person shall pay a State fee for the receipt of a certificate or extension of the term of validity thereof.

#### **Section 23. Issuance and Registration of the Certificate Necessary for the Performance of Geodetic Work and Supervision of Activities of the Certified Persons**

- (1) Information regarding the certified performers of geodetic work shall be included in the Register of the Persons Certified for Geodetic Work, Land Survey and Land Cadastral Survey. The Register of the Persons Certified for Geodetic Work, Land Survey and Land Cadastral Survey shall be maintained by a certification authority accredited in the Latvian National Accreditation Bureau.
- (2) The procedures for the issuance and registration of a certificate, extension of the term of validity and cancellation thereof, supervision of the activities of certified persons, as well as the State fee rate and the procedures for payment thereof, the procedures for the civil liability insurance and the minimum amount for an insurance contract shall be determined by the Cabinet.

## **Chapter V**

### **General Provisions for the Provision of Geospatial Information and Geospatial Data Services**

#### **Section 24. Provision of Geospatial Information and Geospatial Data Services**

(1) The holder of a geospatial data set shall ensure the provision of information via the infrastructure for geospatial information in accordance with the procedures specified in this Law.

(2) The holder of geospatial information shall provide geospatial information, as well as geospatial data services on the basis of a request of an institution, natural person or legal person in accordance with the procedures specified in the Law On Submissions and the Freedom of Information Law for the requesting of information at the disposal of an institution.

(3) The holder of geospatial information may reach an agreement with the requester of geospatial information or geospatial data service regarding permanent co-operation in the provision of geospatial information at the disposal thereof.

#### **Section 25. Protection of Copyright of Holders of Geospatial Information and of Holders of Geospatial Data Sets**

(1) Copyright to a data base of geospatial information or the protected work included therein and the possession of the rights of the data base creator shall be determined in accordance with the Copyright Law.

(2) Users of a geospatial data set shall receive a licence for the re-use of the geospatial data set or enter into a licence contract with the holder of the relevant geospatial data set. Provisions of the licence or the licence contract may be included in other contracts entered into by and between the holder of the geospatial data set and the user. The following shall not be allowed in the licence or licence contract referred to:

- 1) to discriminate the users of the geospatial data set;
- 2) to include such restrictions, which are in contradiction with Section 27, Paragraphs three and four of this Law; and
- 3) to limit competition.

(3) Holders of a geospatial data set shall enter into a co-operation contract for a joint use of this data set with the holder of the relevant geospatial data set or in an interdepartmental agreement. The text of the co-operation contract or the interdepartmental agreement shall include provisions in relation to the way of use of geospatial data sets. The following shall not be allowed in these provisions:

- 1) to discriminate the users of the geospatial data set; and
- 2) to include such restrictions, which are in contradiction with Section 27, Paragraphs three and four of this Law.

(4) If, in fulfilling the State administrative functions, the data base of geospatial information is used and the copyright to this data base or the protected work included therein or the right of creator of the data base belong to the third person, other persons shall be provided with access to such data base of geospatial information in conformity with the provisions for use of the data base.

(5) The provisions for the use of a data base referred to in Paragraph four of this Section shall not restrict the users of a data base of geospatial information in the fulfilment of State administrative functions and tasks specified thereto to a full extent.

(6) Users of geospatial data sets, which are involved in the disaster management, rescue operations or the liquidation of consequences caused by emergency situations, shall, in timely manner, provide themselves with a written permission of the holder of the geospatial data set

for the use of the data base in any of the ways referred to in Paragraphs two and three of this Section for the use of the relevant geospatial data set upon the request in cases of disasters, upon existence of threats of a disaster and in case of announcement of emergency situation.

(7) The holder of a geospatial data set shall provide free access to the information regarding the provisions for the joint use and re-use of the relevant geospatial data set. The Cabinet shall determine the mandatory content of the provisions for the use of geospatial data sets and the procedures for the receipt of a permit.

## **Section 26. Fee for Provisions of Geospatial Information and Geospatial Data Services**

(1) Metadata shall be free of charge.

(2) Acquisition, preparation and maintenance of the basic data of geospatial information for the performance of State administrative functions and tasks shall be ensured from the funds from the State or local government budget, if it has not been specified otherwise in regulatory enactments.

(3) A fee for the verification of topographic information of high detailed elaboration, registration in the data base, preparation and issuance thereof from the central data base referred to in Section 13, Paragraph four of this Law shall be made in accordance with the procedures specified by the Cabinet, but from a data base of territorial local government – in accordance with the procedures specified in the binding regulations of the territorial local government.

(4) Exchange of topographic information of high detailed elaboration between the data base of a territorial local government and the central data base shall take place free of charge.

(5) The holder of a geospatial data set shall ensure the provision of the basic data of geospatial information according to the amount of the funding granted from the State or local government budget.

(6) The fee for re-use of geospatial information and a geospatial data service shall be determined in accordance with the price list of public paid services of the holder of the relevant geospatial information or the provider of the geospatial data service. The Cabinet shall issue regulations determining the price list of re-use of geospatial information and geospatial data services and the procedures for the application thereof.

(7) The fee for the joint use of geospatial information, including the basic data of geospatial information, or the receipt of geospatial data services for the fulfilment of State administrative functions and tasks, if funding has not been provided for the acquisition, preparation and maintenance of the relevant geospatial information or for the provision of the relevant geospatial data service from the resources of the State budget granted for this purpose to the institution, shall be determined according to the price list of public paid services of the holder of the relevant information or the provider of the geospatial data service. The Cabinet shall issue regulations determining the price list of receipt of geospatial information and geospatial data services and the procedures for the application thereof.

(8) In providing the institutions and structures of the European Communities with a report in the field of environment in accordance with the procedures specified in regulatory enactments, geospatial information shall be provided free of charge.

(9) As an exception to the conditions of re-use of information provided for in the Freedom of Information Law, the fee for re-use of geospatial information shall not exceed the costs for the collection, making, reproduction and distribution of such information.

(10) The Cabinet shall issue regulations regulating the procedures for making of payment for the verification of topographic information of high detailed elaboration, registration in the data base, preparation and issuance thereof.

## **Section 27. Restrictions Specified for the Provision of Geospatial Information**

(1) A holder of geospatial information does not have a duty to create new geospatial information or to adapt the existing information in order to fulfil a request for re-use.

(2) A holder of geospatial information need not to fulfil a request for re-use if it is related to incommensurate consumption of resources, which exceeds simple processing of information.

(3) Holders of geospatial data sets may restrict the public access to geospatial data sets, using the services referred to in Section 28, Paragraph two of this Law, if such access has a negative impact on international relations, public security or national defence.

(4) Holders of geospatial data sets may restrict the public access to geospatial data sets, using the services referred to in Section 28, Paragraph two, Clause 2, 3, 4 or 5 of this Law, where such access would adversely affect any of the following:

1) the confidentiality of the proceedings of State or local government authorities, where such confidentiality is provided for by regulatory enactments;

2) the course of justice, the ability of any person to receive a fair trial or the ability of a public authority to conduct an enquiry of a criminal or disciplinary nature;

3) the confidentiality of commercial or industrial information, where such confidentiality is provided for by national or Community law to protect a legitimate economic interest, including the public interest in maintaining statistical confidentiality and tax secrecy;

4) intellectual property rights;

5) the confidentiality of files relating to a natural person where the relevant natural person has not consented to the disclosure of the information to the public;

6) the interests or protection of any person who supplied the geospatial information requested on a voluntary basis without being under, or capable of being put under, a legal obligation to do so, unless that person has consented to the release of the geospatial information concerned; or

7) the protection of the environment to which such geospatial information relates, such as the location of rare species.

(5) Holders of geospatial data sets shall not, on the basis of Paragraph four, Clauses 1, 3, 5, 6 and 7 of this Section, limit the access to information regarding emission in the environment.

(6) Geospatial information, which includes data of natural persons, shall be processed in conformity with the regulatory enactments regulating the data protection of natural persons.

(7) Holders of geospatial data sets, upon restricting the public access to data, shall provide a justified reply, specifying specific conditions and considerations, which forbid the issuance of information.

## **Chapter VI**

### **Creation and Operation of Infrastructure for Geospatial Information**

#### **Section 28. Infrastructure for Geospatial Information and National Uniform Geoportal**

(1) An infrastructure for geospatial information shall be created in electronic form for joint use of geospatial information among institutions and for re-use of geospatial information.

(2) In order to ensure the availability of the geospatial data sets included in the infrastructure for geospatial information and metadata thereof, a national uniform geoportal shall be created. At least the following geospatial data services shall be ensured in the geoportal:

1) discovery services making it possible to search for geospatial data sets on the basis of the content of the corresponding metadata and to display the content of the metadata;

2) view services making it possible, as a minimum, to display, navigate, zoom in/out, pan, or overlay viewable geospatial data sets, as well as to display legend information and any relevant content of metadata;

3) download services, enabling copies of geospatial data sets, or parts of such sets, to be downloaded and, where practicable, accessed directly;

4) transformation services, enabling geospatial data sets to be transformed with a view to achieving interoperability; and

5) services allowing geospatial data services to be invoked directly in information systems.

(3) The Ministry of Regional Development and Local Government shall be the manager of the geoportal. The functions and tasks thereof, the geospatial data sets to be included in the geoportal, the metadata, as well as the requirements to be put forward to the holders of geospatial data sets and their duties in order to ensure the availability of geospatial data sets and metadata thereof in the geoportal and use thereof, as well as the provisions for the use of geospatial information included in the geoportal shall be regulated by the Cabinet.

(4) The following provisions shall be determined for a joint use and re-use of the information included in the infrastructure for geospatial information, observing the general provisions for the provision of geospatial information and geospatial data services included in Chapter V of this Law and applying the exceptions to the conditions of re-use of information provided for in the Freedom of Information Law:

1) the discovery and viewing of geospatial data sets in the geoportal, without downloading, is free of charge;

2) a fee for viewing of a geospatial data set in the geoportal, without downloading, may be requested for such geospatial data sets, the maintenance of which is not fully ensured from the resources of the State budget and the holder of information of which must ensure extensive and frequent updating of geospatial information; and

3) viewing of geospatial data sets in the geoportal, without downloading, may be restricted for re-use for commercial purposes.

## **Section 29. Provision of Geospatial Information to the Geoportal of the European Community**

(1) The manager of the geoportal shall ensure the availability of the geospatial data sets included in the geoportal and metadata thereof to the geoportal of the European Community.

(2) The manager of the geoportal shall observe the technical specifications and interoperability requirements of geospatial data sets and metadata specified for the geoportal of the European Community.

## **Chapter VII**

### **Special Provisions for the Circulation of Geospatial Information**

## **Section 30. Circulation of Geospatial Information in Case of Emergency Situations, Extraordinary States or Announcement of Mobilisation**

(1) In cases when an extraordinary state or mobilisation has been announced, geospatial information shall be transferred to the National Armed Forces and the authorities, which perform the tasks specified in the civil protection plans, upon the request free of charge.

(2) In case of a disaster or announcement of an emergency situation State or local government authorities shall receive or download geospatial information regarding the territory where the disaster has taken place or the emergency situation has been announced from the uniform geospatial information portal free of charge.

## **Section 31. Circulation of Geospatial Information Regarding Demarcation of the State Border of the Republic of Latvia**

(1) The Ministry of Foreign Affairs, pursuant to the State administrative functions, tasks and competence thereof and international legal norms binding to the Republic of Latvia, shall:

1) plan and ensure measures for demarcation of the State border in accordance with transnational contracts; and

2) ensure the keeping of original demarcation documents of the State border and the sending of copies to the competent authorities.

(2) The State agency "Latvian Geospatial Information Agency" shall, within the framework of demarcation work of the State border of the Republic of Latvia, ensure the specification of geodetic coordinates of the state border signs of the Republic of Latvia and representation thereof in maps in accordance with transnational contracts.

### **Transitional Provisions**

1. The Cabinet shall issue the regulations referred to in Section 11, Paragraph three, Section 12, Paragraph four, Section 12, Paragraph eight, Section 15, Paragraph one, Section 18, Paragraph one, Section 21, Paragraph two, Section 23, Paragraph two and Section 26, Paragraph ten of this Law by 31 December 2010.

2. The Cabinet shall issue the regulations referred to in Section 13, Paragraph three and Section 13, Paragraph five of this Law by 30 June 2011.

3. The Cabinet shall issue the regulations referred to in Section 25, Paragraph seven and Section 28, Paragraph three of this Law by 15 May 2010.

4. Until the day of the coming into force of the relevant Cabinet regulations, but not later than 31 December 2010, the following regulatory enactments shall be applicable:

1) Decision No. 172 of the Council of Ministers of the Republic of Latvia, *On the Procedures for the Issuance of Cartographic Materials*;

2) Decision No. 213 of the Council of Ministers of the Republic of Latvia, *On Transition to the Geodetic Co-ordinate System of Latvia*;

3) Decision No. 484 of the Council of Ministers of the Republic of Latvia, *On By-law Regarding the Procedures for the Establishment, Supervision and Protection of State Geodetic Support Points*;

4) Decision No. 254 of the Council of Ministers of the Republic of Latvia of 2 July 1992, *On the Assigning of Names and Renaming of Railroad Stations, Ports, Airports and Objects of Physical Geography*; and

5) Decision No. 257 of the Supreme Council of the Republic of Latvia of 6 June 1991, *On the Procedures for Assigning of Names and Renaming of Objects of Physical Geography and Other Objects*.

5. The licences for the performance of cartographic work issued up to 31 December 2007 shall cease to be in effect on the date of coming into force of this Law. Licences for the performance of geodetic work issued up to 31 December 2007 shall be in effect up to the period of time indicated in the licence, but not longer than until 31 December 2010.

6. The data base of topographic information of high detailed elaboration referred to in Section 13, Paragraph six of this Law shall be created or the delegation contract referred to in Section 13, Paragraph seven of this Law shall be entered into within six months after the date of coming into force of this Law.



7. Until the date of coming into force of the Cabinet regulations referred to Section 13, Paragraph three of this Law:

1) topographic survey of high detailed elaboration shall be performed in accordance with Cabinet Regulation No. 168 of 2 May 2000, *Regulations Regarding the Latvian Construction Standard LBN 005-99 "Provisions for Engineering Research in Construction"*, and the methodologies of the State Land Service issued on the basis thereof and in accordance with the binding regulations of territorial local governments, which have been co-ordinated with the State Land Service; and

2) the territorial local government shall create and maintain the data base referred to in Section 13, Paragraph six of this Law in accordance with Cabinet Regulation No. 168 of 2 May 2000, *Regulations Regarding the Latvian Construction Standard LBN 005-99 "Provisions for Engineering Research in Construction"* and the methodologies of the State Land Service issued on the basis thereof. Until the date of coming into force of this Law the territorial local government shall maintain the data base of topographic information of high detailed elaboration in accordance with the binding regulations thereof.

8. Until the date of coming into effect of the Cabinet regulations referred to in Section 13, Paragraph five of this Law the State Land Service shall maintain the central information system referred to in Section 13, Paragraph four of this Law in accordance with the Cabinet Regulation No. 168 of 2 May 2000, *Regulations Regarding the Latvian Construction Standard LBN 005-99 "Provisions for Engineering Research in Construction"*, and the methodologies of the State Land Service issued on the basis thereof, arranging the information in individual files according to the map sheet nomenclature of the scale 1:1000 of the topographic map system of 1993.

9. Until the date of coming into effect of the Cabinet regulations referred to in Section 13, Paragraph five of this Law the State Land Service shall enter into a co-operation contract regarding initial transfer of the topographic information of high detailed elaboration at the disposal thereof to a territorial local government in relation to the territory thereof and the territorial local government – regarding regular transfer of the topographic information of high detailed elaboration to the State Land Service for the maintenance of the central data base:

1) within three months after the date of coming into force of this Law – with territorial local governments, which have created a data base of topographic information of high detailed elaboration prior to the date of coming into force of this Law; and

2) within one month from the creation of the data base of topographic information of high detailed elaboration – with the territorial local governments, which create the data base of topographic information of high detailed elaboration after the date of coming into force of this Law.

10. Section 9, Paragraph three of this Law shall come into force after relevant amendments have been made to the Latvian Administrative Violations Code.

11. Within six months after the date of coming into force of this Law a territorial local government shall issue the binding regulations referred to in Section 13, Paragraph six of this Law, but the binding regulations previously issued by the territorial local government regarding the circulation of topographic information of high detailed elaboration shall cease to be in effect.

12. Until the creation of the data base of topographic information of high detailed elaboration referred to in Section 13, Paragraph six of this Law or entering into the delegation contract

referred to in Section 13, Paragraph seven of this Law, topographic survey information of high detailed elaboration regarding the administrative territory of a territorial local government shall be registered and accumulated and the data necessary for the performance of survey shall be issued by the State Land Service, except the case when the referred to information is maintained by the territorial local government according to the binding regulations thereof.

13. The Cabinet shall, within six months after the date of coming into force of this Law, issue the regulations referred to in Section 10, Paragraph four, Section 12, Paragraph six and Section 15, Paragraph two of this Law.

14. Section 25, Paragraphs two, three, four, five, six and seven of this Law shall come into force on 15 May 2010. The norms of Section 25 of this Law in relation the process of development of spatial plan shall be applied from 1 January 2014. The contracts entered into up to 15 May 2010 regarding the use of data base, if they are not in contradiction with the requirements of Section 25 of this Law, shall be effective in the term indicated in the relevant contract.

15. Section 28, Paragraphs one and two of this Law shall come into force on 15 May 2010.

#### **Informative Reference to European Union Directives**

This Law contains legal norms arising from:

1) Directive 2007/2/EC of the European Parliament and of the Council of 14 March 2007 establishing an Infrastructure for Spatial Information in the European Community (INSPIRE);

2) Directive 2003/98/EC of the European Parliament and of the Council of 17 November 2003 on the re-use of public sector information; and

3) Directive 2003/4/EC of the European Parliament and of the Council of 28 January 2003 on public access to environmental information and repealing Council Directive 90/313/EEC.

This Law has been adopted by the *Saeima* on 17 December 2009.

President

V. Zatlers

Riga, 30 December 2009