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Text consolidated by Tulkošanas un terminoloģijas centrs (Translation and Terminology Centre) with amending laws of:

16 June 1999;

30 November 2000.

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:

## **On Recording of Immovable Property in the Land Registers**

### **Chapter I General Provisions**

#### **Section 1.**

This Law prescribes the procedures by which the land regained or privatised by natural persons or legal persons, the land of the State and local governments, as well as apartments and buildings (structures), which are located on this land or in the land, shall be recorded in the land Registers

#### **Section 2.**

Rights related to immovable property shall be corroborated in the Land Register in accordance with the requirements specified in the Land Register Law, taking into account the provisions of this Law.

#### **Section 3.**

Immovable property shall be recorded in the Land Register, on the basis of the document, which certifies the legal acquiring of the immovable property.

#### **Section 4.**

A document regarding the payment of the processing fee shall be attached to a request for corroboration, except for the case, when a submitter is exempted from that in accordance with the law. In respect of the land a request for corroboration shall be appended by the plan of the land boundaries, in respect of buildings (structures), apartment properties and newly erected buildings a building inventory file shall be presented, in which the current evaluation of the buildings (structures), apartment properties and newly erected buildings shall be indicated and prohibitions against alienation and other encumbrances shall be registered or a note regarding the absence of prohibitions and encumbrances shall be made. Other documents

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

shall be appended additionally to a request for corroboration in accordance with the cases specified in this Law.

*[16 June 1999]*

#### **Section 5.**

Documents appended to a request for corroboration shall be stored in the file of the immovable property, but a land registry document (certificate) shall be issued to the owner upon his or her request in accordance with the procedures specified in the Land Register Law.

*[16 June 1999]*

#### **Section 6.**

The information included in a building inventory file, in which characterisation and evaluation of the buildings (structures) is provided, shall be appended to the file of the immovable property in the form of a true copy, but the actual building inventory file shall be returned to the owner.

### **Chapter II Recording of Land in Land Registers**

#### **Section 7.**

The land regained by a natural person or legal person shall be recorded in the land Register in the name of this person, on the basis of the decision regarding the restoration of land property rights taken in accordance with the procedures specified by the Law or on the basis of the judgment of a court.

#### **Section 8.**

The land of the State or local governments shall be recorded in the Land register in the name of the State or the relevant local government, on the basis of documents indicated in the Law On the State and Local Government Land Ownership Rights and Recording of Such Rights in Land Registers.

#### **Section 9.**

(1) The land privatised by a natural or legal person shall be registered in the Land Register, on the basis of a purchase contract.

(2) In the case of the purchase of land, a request for corroboration shall be appended by the decision regarding the handing over of the land in ownership for payment, which is taken by the authority specified in laws.

*[16 June 1999]*

#### **Section 10.**

By recording the land in the Land Register, a judge of the Land Register Office shall review a request for corroboration and the relevant documents referred to in Section 7, 8 or 9

of this Law in accordance with Section 77 of the Land Register Law, as well as he or she shall ensure, whether the request is appended by the documents referred to in Section 4 of this Law.

#### **Section 11.**

If restrictions or encumbrances of ownership rights are indicated in a decision regarding the restoration or land property rights or the handing over of the land in ownership for payment or in the purchase contract, a note shall be made, indicating what restrictions and encumbrances have been specified by a decision or contract, along with the recording of the land in the Land Register A note shall be replaced with the entry, if the land owner or the relevant interested person submits a request for corroboration.

*[30 November 2000]*

### **Chapter III**

#### **Recording of Buildings (Structures) of Natural Persons in the Land Registers**

#### **Section 12.**

Buildings (structures) shall be recorded in the Land Registers concurrently with the land, except for the cases referred to in Section 13 of this Law.

#### **Section 13.**

Buildings (structures), which in accordance with Section 14 of the Law On the Time and Procedures for the Coming into Force of the Introduction, Inheritance Law and Property Law of the Renewed Civil Law of 1937 of the Republic of Latvia, is an independent immovable property and is located on another persons land, shall be recorded in the Land Register in accordance with general procedures.

#### **Section 14.**

- (1) By recording buildings (structures), which are an independent object of the ownership rights, a separate section shall be opened in the Land Register.
- (2) If the land is acquired by the owner of the buildings (structures), the land shall be added to the section of the buildings (structures) and the previous section of land shall be closed.
- (3) If the buildings (structures) are acquired by the owner of the land, the buildings (structures) shall be added to the section of land and the previous section of buildings (structures) shall be closed.

#### **Section 15.**

- (1) By recording the buildings (structures) in the Land Register, which are located on the land not recorded in the Land Register, in accordance with Section 13 of this Law, a request for corroboration shall be appended by the plan of the boundaries with the cadastre number and the decision of the authority specified by laws regarding the approval of the land area and plan of the boundaries.
- (2) The following note shall be made in the first part of Land Register section: "Zemes īpašuma tiesības nav noskaidrotas. Ēkas (būves) saistītas ar zemes gabalu (adrese, platība, kadastra numurs)" [Land ownership rights have not been ascertained. Buildings (structures) are connected with a land parcel (address, area, cadastre number)].

## **Section 16.**

By recording the buildings (structures), which are located on the land recorded in the Land Register, in accordance with Section 13 of this Law in the Land Register, a statement regarding the connection of the buildings (structures) with the land (section of Land Register, address, cadastre number, land owner) shall be added to a request for corroboration and a note shall be made thereof in the first part of Land Register section.

## **Section 17.**

Buildings (structures) shall be recorded in the Land Register, on the basis of one of the following documents:

- 1) a statement from the State Archive regarding ownership of the buildings (structures) or the land on 21 July 1949, if the buildings (structures) have been built before 21 July 1940;
- 2) a document, which is issued by the authority specified by the law, regarding the restoration of ownership rights to illegally alienated buildings (structures);
- 3) a deed certified in accordance with specified procedures regarding the acceptance of the building (structure) for service;
- 4) a deed of transaction in writing regarding the acquiring of the buildings (structures) (if a transaction has been concluded up to 28 February 1993, as well as in other cases specified by other laws it shall be notarially certified);
- 5) a certificate regarding the rights to the estate (until 31 December 1992);
- 6) a judgment or a decision of the court, except those judgments of the court, which are referred to in Section 7 and 8 of the Law On Returning of Buildings to their Lawful Owners;
- 7) a deed regarding the acquiring of buildings (structures) in auction by judicial process (up to 29 March 1995);
- 8) an extract from a register of a collective farm or a farm record card issued by the State Archive or local government and which certifies the acquiring of the buildings (structures) in connection with property relations in the collective farm homestead specified by the law;
- 9) a contract regarding the acquiring of buildings (structures) as a result of the privatisation of the State or local government's property; and
- 10) other documents, which certify the legal acquiring of the buildings (structures).

## **Section 18.**

If a natural person has acquired the buildings (structures) before 5 April 1993 and he or she has not retained any document certifying ownership rights (contract, certificate regarding the rights to the estate, a deed regarding acceptance of the building for service and similar documents), the buildings (structures) shall be recorded in the Land Register in the name of this person, on the basis of a statement of the local government or the State Land Service, in which it is indicated on which legal basis this person has acquired the buildings (structures).

## **Section 19.**

Buildings (structures), in the technical building inventory file of which the signs of unauthorised construction work are indicated, as well as small buildings and temporary structures shall not be recorded in the Land Register. Surface and underground utilities, pipeline routes, roads, streets, parking lots and other similar buildings shall not be recorded in the Land Register as independent objects of property as well.

[16 June 1999]

## **Section 20.**

If buildings (structures), on which restriction for alienation or easements registered in the State Land Service or local government have been imposed in accordance with the procedures specified in the law, restriction for alienation or easements shall be recorded in the Land Register in the form of notes and the notes shall be deleted or replaced with entries only upon the request of interested persons.

## **Section 21.**

If a natural person has acquired buildings (structures) after 4 April 1993 as a result of a transaction or by inheritance, they shall be recorded in the Land Register in the name of this person provided that the applicant for corroboration shall submit evidence that an assignor or estate-leaver has been the owner of these buildings (structures). If the referred to assignor has acquired the buildings (structures) after 4 April 1993, the evidence regarding the ownership of the previous assignor or estate-leaver and legality of the transaction shall be submitted (legal capacity, capacity to act, a consent of the third person when such consent is required in accordance with the law), until the ownership rights of the assignor or estate-leaver is proved (construction, registration in the institutions specified by the law).

[16 June 1999]

## **Section 22.**

If the applicant for corroboration cannot submit the documents referred to in Section 21 of this Law, the basis for corroboration may be a judgment of a court by which the ownership rights have been certified. In preparing a matter for adjudication, the court shall publish in the newspaper *Latvijas Vēstnesis* [the official Gazette of the Government of Latvia] an announcement in which persons having any objections against the claim are invited to submit such objections within a time period of three months.

## **Section 23.**

(1) The conditions referred to in Section 21 of this Law shall not be applied and buildings (structures) shall be recorded in the Land Register in accordance with the general procedures, if they have been acquired on the basis of laws regulating the restoration of ownership or privatisation or alienation of State and local government property.

(2) If State and local government property privatisation or alienation has been performed on the basis of the Law On Privatisation of Objects of State and Local Government Property or the Law On Procedures for Alienation of the State and Local Government Property, the authority promoting privatisation or alienation shall submit a request for corroboration to the Land Register Office.

*[16 June 1999]*

#### **Section 24.**

Buildings (structures) owned by a member of a co-operative (co-operation) society of horticulture, garage, summer cottages or other shall be recorded in the Land Register in his or her name, if the relevant member of the co-operative has participated in the drawing up of the deed regarding the transfer for service of the building (structure). If this person has not been a member of the co-operative (co-operation) society of horticulture, garages, summer cottages or other when the building (structure) has been transferred for service, a request for corroboration shall be appended by the statement from the relevant co-operative, successor in interest or the State Archive regarding the admittance of this person as a member of a co-operative.

#### **Section 25.**

Newly erected buildings (commenced construction until transferring for service) shall be recorded in the Land Register on the basis of the statement issued by the construction inspection (building authority) in which the legal basis of construction and characterisation of newly erected building is indicated.

*[16 June 1999]*

### **Chapter IV**

#### **Recording in the Land Register of Buildings (Structures) of Legal Persons**

#### **Section 26.**

Buildings (structures) of legal persons shall be recorded in the Land Registers taking into account the requirements specified in Sections 12-16, 19 and 25 of this Law.

#### **Section 27.**

The presence of buildings (structures) in the balance sheet of a legal person (in the accounting of fixed assets) shall not of itself result in ownership rights.

*[16 June 1999]*

#### **Section 28.**

Buildings (structures) shall be recorded in the Land Register, on the basis of one of the following documents:

- 1) a document, which is issued by the authority specified by the law, regarding the restoration of ownership;
- 2) a deed certified in accordance with specified procedures regarding the acceptance of the building (structure) for service;

- 3) a deed of transaction regarding the acquiring of the buildings (structures);
- 4) a judgment or decision of the court, except those judgments, which have been referred to in Section 7 and 8 of the Law On Returning of Buildings to their Lawful Owners;
- 5) a deed regarding the acquiring of the buildings (structures) in an auction by judicial process (up to 29 March 1995);
- 6) the deed of government or local government taken in accordance with administrative procedures regarding transfer of buildings (structures) in the ownership to other legal subject, also regarding the inclusion thereof in the composition of the fixed assets of the undertaking (company);
- 7) company's memorandum of association approving the transfer of the buildings (structures) into ownership of the company;
- 8) deed of evaluation of fixed assets which certifies inclusion of the buildings (structures) in the composition of a company's fixed assets, transforming the State or local government undertaking into a company; and
- 9) any other document, which certifies the legal acquiring of the buildings (structures).

## **Section 29.**

Legal persons shall append to a request for corroboration the documents, which certify their legal capacity and capacity to act (articles of association, by-laws etc.).

## **Section 30.** [16 June 1999]

## **Section 31.**

If a legal person has acquired buildings (structures) as a result of a transaction, they shall be recorded in the Land Register in accordance with the procedures specified in Sections 21-23 of this Law in the name of a legal person, verifying the ownership rights of the assignor until they are unequivocally proved (constructions, State or local government property, registration in the institutions specified by the law).

## **Section 32.**

(1) The conditions referred to in Section 31 of this Law shall not be applied and buildings (structures) shall be recorded in the Land Register in accordance with the general procedures, if they have been acquired on the basis of laws regulating the privatisation and alienation of State and local government property or the modification of State and local government undertakings into companies.

(2) If the privatisation or alienation of State and local government property has been performed on the basis of the Law On Privatisation of Objects of State and Local Government Property or the Law or the Law On Procedures for Alienation of the State and Local Government Property, the authority promoting privatisation and alienation shall submit a request for corroboration to the Land Register Office.

*[16 June 1999]*

### **Section 33.**

Buildings (structures) which have been owned by a legal person, except religious organisations, on 21 July 1940 shall be recorded in the Land Register in the name of a legal person on the basis of the statement from the State Archive and a statement signed by the manager of this legal person, that the buildings (structures) are included in the balance sheet (in the accounting records of fixed assets). A request for corroboration shall be appended by the statement of the relevant State authority, that the buildings (structures) have not been transferred into State ownership, and by a document regarding restoration of the land ownership rights.

*[16 June 1999]*

### **Section 34.**

Buildings (structures) of religious organisations shall be recorded in the Land Register, on the basis of the decision of the city council or parish council regarding restoration of ownership or an agreement regarding the return of the property.

## **Chapter V**

### **Recording of State and Local Government Buildings (Structures) in Land Registers**

### **Section 35.**

Buildings (structures) of the State and local government shall be recorded in the Land Registers taking into account the requirements specified in Sections 12-16, 19 and 25 of this Law.

### **Section 36.**

(1) Buildings (structures) shall be recorded in the Land Registers in the name of the State or local government, on the basis of one of the following documents:

1) a statement from the State Archive regarding the proprietary effects of the buildings (structures) to the State, liquidated State institution, undertaking or company with State capital on 21 July 1940;

2) a deed regarding the acceptance of the buildings (structures) for exploitation;

3) a deed of transaction regarding the acquiring of the buildings (structures);

4) a judgment or decision of the court, except those judgments, which have been referred to in Section 7 and 8 of the Law On Returning of Buildings to their Lawful owners;

5) a deed taken in accordance with administrative procedures regarding transfer of the buildings (structures) owned by the State to local government or vice versa;

6) a statement of the local government, State institution or State undertaking certified by a sworn auditor, that a residential house is in the balance sheet of the local government or State institution or in the composition of the undertaking's fixed assets;

7) other document, which certifies legal acquiring of buildings (structures).

(2) the State buildings (structures) shall be recorded in the Land Register in the name of the relevant State institution in accordance with provisions of Section 8 of the Law On the State and Local Government Land Ownership Rights and Recording of Such Rights in Land Registers. If buildings (structures) are located on foreign land, they shall be recorded in the Land Register in the name of the State on behalf of the person of that Ministry, in the

possession of which these buildings (structures) are, if it is not otherwise specified by the Cabinet.

*[16 June 1999]*

### **Section 37.**

Buildings (structures) which within the period of time from 21 July 1940 have been built by undertakings, institutions, organisations subordinated to the USSR, also Latvian divisions of the public organisations of the USSR, the Ministry of Defence of the USSR, Ministry of Interior and the internal security force and border guard forces thereof, except the cases when these buildings (structures) have been alienated in accordance with the procedures specified by the law shall be recorded in the Land Registers in the name of the State.

### **Section 38.**

The following buildings (structures) shall be recorded in the Land Register in the name of the local government, if:

- 1) they have been built before 21 July 1940 on the land which has been recorded in the Land Register in the name of the relevant local government or fund of rural local governments, if the relevant local government has regained land ownership rights and the buildings (structures) are in the legal possession of the local government or the authority thereof and are included in the balance sheet thereof (in the accounting records of fixed assets, which is certified by a statement signed by the relevant manager;
- 2) they have been built by resources of the local government after the coming into force of the Law On Local Governments of 15 February 1990;
- 3) they have been handed over into the ownership of the local government by the law;
- 4) they have been transferred into the ownership of the local government by a regulatory enactment issued by the Council of Ministers or the Cabinet; or
- 5) they have been acquired by another legal basis.

*[16 June 1999]*

### **Section 39.**

Buildings (structures), which have been transferred into the ownership of the State without remuneration by local government during the land reform, and buildings (structures) which have been transferred into the ownership of the local government by the State or other local government during the land reform, may be recorded in the land Register also in those cases, when these buildings (structures) have not been recorded in the Land Register before the transferring into exploitation thereof. Ownership rights shall be corroborated on the basis of the decision of the relevant city council, parish or district council or the order of the Cabinet.

## **Chapter VI**

### **Recording of an Apartment in Land Registers**

#### **Section 40.**

Privatised apartments present in a multi-unit residential house may be recorded in the Land Register only then, if a residential house has been recorded in the Land Register in accordance with this Law and a statement from the Privatisation Commission of Residential Buildings regarding the dividing of a residential house into apartment properties.

*[16 June 1999]*

#### **Section 41.**

Privatised apartment property present in the multi-unit residential house of the State or local government shall be recorded in the Land Register in the name of acquirer in accordance with the procedures specified by the law.

*[16 June 1999]*

#### **Section 42.**

In accordance with the procedures specified in Section 41 of this Law, on the basis of a document submitted by the relevant Apartment Privatisation Commission, also apartments which have been privatised in accordance with the Law On Privatisation of Co-operative Apartments, the Law On Privatisation of Agricultural Undertakings and Collective Fisheries or other laws shall be recorded in the Land Register.

#### **Section 43.**

Until the modification of the privatised co-operative and other privatised residential houses into residential properties, an apartment may be recorded in the Land Register, if a residential house has been recorded in the Land Register in accordance with the Law On Apartment Property.

#### **Section 44.**

If ownership rights to an apartment have been acquired as a result of a transaction or by inheritance after 4 April 1993, they shall be recorded in the Land Register and the ownership rights shall be corroborated in accordance with the procedures, which have been specified in Sections 21-23 or Sections 31 and 32 of this Law.

#### **Section 45.**

Ownership rights to apartments, which have been acquired in a residential house owned by natural persons and legal persons, shall be corroborated in accordance with the provisions provided for in the Law On Apartment Property, if a residential house has been recorded in the Land Register and a request for corroboration has been appended by the certification of the State Land Service regarding the division of a house ownership into apartment properties.

## **Chapter VII**

### **Recording in Land Registers of Immovable Properties Divided into Several Independent Properties**

#### **Section 46.**

Immovable property, also buildings, which have been divided into real parts, upon agreement of joint holder or by a judgment of a court, if necessary, imposing restrictions or determining easements, may be recorded in the Land Register in separate sections as an independent object of property in the following cases

- 1) each owner has a separate land parcel, on which his or her buildings or part of his or her building is located, and the cadastre number has been granted to the land parcel;
- 2) a local government has specified an address for each separated immovable property; and
- 3) a building inventory file has been arranged for each part of the residential house and household buildings as an independent property.

#### **Section 47.**

Ownership rights shall be corroborated in the case referred to in Section 46 of this Law, on the basis of agreement of joint holders or a judgment of a court regarding termination of a joint property. A document approving the legal acquiring of the immovable property (land, building) and a decision of the local government regarding the location (address) of buildings (structures) shall be appended to the request for corroboration.

## **Chapter VIII**

### **Final Provisions**

#### **Section 48.**

Request for corroboration connected with the recording of immovable properties in the Land Registers shall be reviewed by the judge of the Land Register Office within 30 days.

#### **Section 49.**

(1) A judge of the Land Register Office shall review a submission within a shortened period of time by the wish of an applicant for corroboration – within three days, charging ten times the relevant processing fee.

(2) In reviewing a request for corroboration in a shortened period of time, provisions of the Section 73 of the Law On Land Registers shall be taken into account.

*[16 June 1999]*

#### **Section 50.**

Natural persons – former owners, who owned the land on 21 July 1940, spouses thereof and first class intestate heirs, politically repressed persons and disabled persons of Group I, to whom the land ownership rights have been restored in the course of land reform – shall be exempted from the processing fee, which is taken in accordance with Section 107 of

the Law On Land Registers, in the initial recording of the immovable property in the Land Register and corroborating the rights related to it.

### **Transitional Provisions**

1. With the coming into force of this Law, Cabinet Regulation No.140, Regulations regarding Recording of Immovable Properties in the Land Registers, issued in accordance with Article 81 of the Constitution (*Latvijas Republikas Saeimas un Ministru Kabineta Ziņotājs*, 1996, No. 11), is repealed.

2. Provisions of Section 19, second sentence of this law are not applied, if the objects referred therein have been transferred for privatisation until the day of coming into force of this Law and are located on land owned by or under the jurisdiction of the State or local government.  
[16 June 1999]

3. Provisions of Section 21 of this Law are not applied (alienation agreements may not be the basis for corroboration of the proprietary rights of the acquirer), if immovable property has not been recorded in the Land Register and alienation contract regarding:

1) buildings (structures) have been recorded into after 1 January 2000, except for the buildings (structures) referred to in Sub-paragraphs 3 and 4;

2) residential properties have been recorded into after 1 January 2001;

3) buildings (structures) to be privatised has been recorded into after 1 January 2002;  
and

4) buildings (structures) of those undertakings (companies), which have been recognised as insolvent with a judgment of a court, has been recorded into after 1 January 2002.

[16 June 1999]

This Law has been adopted by the *Saeima* on 30 January 1997.

For the President,  
Chairperson of the *Saeima*

A.Čepānis

Rīga, 20 February 1997