

Text consolidated by Valsts valodas centrs (State Language Centre) with amending laws of:

6 November 2013 [shall come into force from 1 January 2014];

16 January 2014 [shall come into force from 1 February 2014].

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

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

On Compensation for Restrictions on Economic Activities in Protected Territories

Chapter I General Provisions

Section 1. Scope of Application of this Law

The Law prescribes the conditions for allocating compensation for restrictions on economic activities (hereinafter – compensation) in specially protected nature territories and micro-reserves set up by the State and local governments (hereinafter – protected territories) and resulting from the requirements for protection of the protected territories, as well as the procedures for allocating compensation.

Section 2. Types of Compensation and Sources of Financing

- (1) Compensation for restrictions on agricultural or forestry activities in protected territories shall be allocated as an annual support payment.
- (2) An annual support payment for restrictions on economic activities in protected nature territories of European significance (*Natura 2000*) shall be disbursed in accordance with the procedures laid down in the laws and regulations regarding allocation of rural development support from the resources of the relevant European Union funds.
- (3) An annual support payment for restrictions on economic activities in micro-reserves may be disbursed in accordance with the procedures laid down in the laws and regulations regarding allocation of rural development support from the resources of the relevant European Union funds.
- (4) Compensation for restrictions on economic activities in protected territories of national and local significance shall be allocated from the State or local government budget according to the funds provided for this purpose in the State or local government budget. The Cabinet shall issue regulations determining the restrictions on economic activities eligible for compensation and its payment conditions, procedures and scope.
- (5) In a protected territory – a nature reserve or a zone of another protected territory nature reserve, restricted mode or controlled mode – repurchasing of land may be used as a type of compensation, however, only for land that has not been built up.

¹ The Parliament of the Republic of Latvia

Section 3. Right of a Land Owner to Compensation

A land owner in the cases laid down in this Law has the right to compensation from:

- 1) the State — for restrictions on economic activities in the protected territories of State significance;
- 2) a local government — for restrictions on economic activities in the protected territories established by the relevant local government.

Section 4. Institutions Responsible for Disbursement of Compensation

(1) Disbursement of compensation shall be administered by the following institutions according to their competence:

- 1) the Nature Conservation Agency – if in accordance with this Law the right to compensation from the State budget is granted by the State;
- 2) the local government or the institution appointed thereby – if in accordance with this Law the right to compensation is granted by the local government.

(2) Compensation which is disbursed from the resources of the European Union funds, shall be administered in accordance with the laws and regulations regarding support payments of the European Union.

Chapter II Conditions for Allocation of Compensation

Section 5. General Conditions for Allocation of Compensation

(1) A land owner whose title to the land has been corroborated in the Land Register has the right to claim compensation, if the land boundaries between the properties of several land owners or legal possessors have been set up in accordance with the requirements laid down in the laws and regulations regarding cadastral survey of land and in The Civil Law.

(2) If a land property is owned by several owners, compensation shall be requested only by all joint land owners upon mutual agreement.

(3) A land owner may be allocated only one compensation a year for a particular plot of land in relation to which restrictions on economic activities have been imposed – from resources of the European Union funds or from the State or local government budget – in accordance with Section 3 of this Law. The land owner has the right to claim compensation if the forest land area has a valid forest inventory file in accordance with the laws and regulations regarding the forest inventory procedures.

(4) Compensation from the State or local government budget shall not be allocated to direct or indirect administration authorities and State or local government capital companies.

(5) A land owner's claim for compensation shall be considered if the immovable property tax has been paid for the previous year and the current quarter. If a fine has been imposed on a land owner regarding violations in the field of environment, as well as if damage has been caused to the environment or the forest as a result of actions of the land owner, the claim of such land owner for compensation shall be considered only after paying of such fines and reimbursement of the losses caused to the environment and forest by the land owner in accordance with the procedures laid down in the laws and regulations regarding violations in the field of environment.

Chapter III

Land Repurchasing

Section 6. Right to Request Land Repurchasing

(1) A land owner may request the land to be repurchased, if:

1) a decision or court adjudication on restoration of the title to the land that was included in a natural reserve or a zone of another protected territory natural reserve, restricted mode or controlled mode before the decision or the court adjudication entered into effect;

2) the land is included in a natural reserve or a zone of another protected territory natural reserve, restricted mode or controlled mode after:

a) a decision to restore the land title has been taken,

b) a contract on repurchasing of the land property has been concluded in accordance with the laws and regulations governing privatisation processes,

c) a court adjudication on acquisition of the land has entered into effect,

d) a written land purchase or other alienation transaction has been concluded, which has been drawn up as a notarial deed or has been notarially certified.

(2) An heir to the land may request the land to be repurchased, if:

1) an inheritance certificate has been received for the respective land property and the testator had the right to apply for land repurchasing in accordance with the provisions of this Law;

2) the land is included in a natural reserve or a zone of another protected territory natural reserve, restricted mode or controlled mode after discovery of the inheritance.

(3) The prohibition to divide the land property into land units smaller than 10 hectares laid down in the laws and regulations governing the distribution of land units shall not apply to the land repurchasing.

[16 January 2014]

Section 7. Institutions Responsible for Land Repurchasing

The repurchasing of land shall be organised by the following institutions according to their competence (hereinafter – responsible institutions):

1) the Nature Conservation Agency – if in accordance with this Law the rights to land repurchasing are exercised by the State;

2) a local government or the institution appointed thereby – if in accordance with this Law the rights to land repurchasing are exercised by a local government.

Section 8. Land Repurchasing Order

(1) Starting from 2015, land that has been included in a natural reserve or in the zone of another protected territory natural reserve, restricted mode or controlled mode after acquisition of the land title shall be repurchased using the resources allocated for such purpose in the State or local government budget.

(2) Starting from 2016, land that has been included in a natural reserve or in the zone of another protected territory natural reserve, restricted mode or controlled mode, if the title to such land has been restored taking into account the condition of Section, 6 Paragraph one, Clause 1 of this Law, shall be repurchased using the resources allocated for such purpose in the State or local government budget.

(3) Within the scope of the land owner group referred to in Paragraphs one and two of this Section, the priority in repurchasing plots of land shall be given to such plots of land, which have been received by their owners during land reform as equivalent plots of land in accordance with the laws and regulations governing land reform, and plots of land whose

owners have been granted the status of a politically repressed person. Land from other land owners shall be repurchased in submission order of applications.
[6 November 2013]

Section 9. Land Repurchasing Application

(1) An application by a land owner or heir to the responsible institution shall be the grounds for commencing the land repurchasing procedure. The following shall be indicated in the application:

- 1) the location of the land;
- 2) the cadastral designation of the land;
- 3) the given name and surname of the applicant (for a legal person – the name and registration number);
- 4) the address and telephone number.

(2) The land owner shall append documents confirming its right to claim land repurchasing in accordance with Section 6, Paragraph one of this Law to the application:

- 1) a decision to restore the land title;
- 2) a contract regarding repurchasing of the land property concluded in accordance with the laws and regulations governing privatisation processes;
- 3) a court adjudication regarding the acquisition of land into ownership;
- 4) a derivative of the land purchase or another alienation transaction that has been drawn up as a notarial deed or has been notarially certified.

(3) A land owner shall append documents confirming its right to claim land repurchasing in accordance with Section 6, Paragraph two of this Law to the application – a death certificate or inheritance certificate.

(4) An application may be submitted electronically, if the electronic document conforms to the requirements laid down the laws and regulations regarding drawing up of electronic documents.

(5) The Cabinet shall issue regulations regarding the procedures for accepting a land repurchasing application.

[16 January 2014]

Section 10. Land Pricing

(1) The responsible institution shall take a decision as to whether the land repurchasing application is justified. After taking of the referred-to decision, the responsible institution shall determine the price of the land in accordance with the Law On Alienation of the Immovable Property Necessary for Public Needs. If a land owner agrees to the price, the responsible institution shall prepare the information which is necessary for the Cabinet to take a decision to permit the repurchasing of the land.

(2) If a land owner does not agree with the price, the dispute shall be resolved in a court in accordance with the Civil Procedure Law.

Section 11. Repurchasing of a Plot of Land

After the Cabinet has taken a decision to permit the repurchasing of land, the responsible institution shall apply the voluntary alienation procedures laid down in the Law On Alienation of the Immovable Property Necessary for Public Needs.

Section 12. Corroboration of the Title to the Repurchased Land in the Land Register

- (1) After entering into a contract the responsible institution shall submit a corroboration request to the Land Register Office in order to corroborate the title to the repurchased land.
- (2) The repurchased land shall be recorded in the Land Register in the name of the State in the person of the Ministry of Environmental Protection and Regional Development or in the name of the respective local government.

Transitional Provisions

1. With the coming into force of this Law, the Law On the Rights of Landowners to Compensation for Restrictions on Economic Activities in Specially Protected Nature Territories and Microreserves (*Latvijas Republikas Saeimas un Ministru Kabineta Ziņotājs*, 2005, No. 15, 24; 2007, No. 3, 10; 2008, No. 1, 24; 2009, No. 14; *Latvijas Vēstnesis*, 2010, No. 144, 205; 2011, No. 201), is repealed.

2. If compensation – payment from the State or local government budget – covering the financial benefit not acquired by the land owner due to restrictions on economic activity imposed by the laws and regulations governing the protection and use of the protected territories has been received for any forest stand within the plot of land in accordance with Paragraph 1 of these Transitional Provisions, and no additional forestry restrictions have been imposed, the compensation referred to in Section 2 of this Law for the respective forest stand area shall not be allocated and the land owner may not apply for repurchasing of land.

3. For a land owner who has applied for compensation after 31 December 2009 and whose compensation has not been calculated and disbursed yet, the compensation shall be calculated and disbursed starting from 2015 if the land owner has not applied to receive the annual support payment or land repurchasing.

[6 November 2013]

4. Section 2, Paragraph three of this Law on annual support payments for restrictions on economic activities in micro-reserves shall come into force as soon as financing from the resources of the respective European Union funds are available.

5. The Cabinet shall issue the regulations referred to in Section 2, Paragraph four and Section 9, Paragraph five of this Law by 1 September 2013.

This Law shall come into force on 1 June 2013.

This Law has been adopted by the *Saeima* on 4 April 2013.

President

A.Bērziņš

Rīga, 17 April 2013