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6 September 2011 [shall come into force on 10 September 2011];

27 August 2019 [shall come into force on 30 August 2019].

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

Republic of Latvia

Cabinet

Regulation No. 916

Adopted 9 November 2004

By-laws of the National Cultural Heritage Board

[27 August 2019]

*Issued pursuant to
Section 16, Paragraph one of the State Administration Structure Law*

I. General Provision

1. The National Cultural Heritage Board (hereinafter – the Board) is an institution of direct administration under the supervision of the Ministry of Culture which implements the national policy in the field of protection of cultural monuments.

[27 August 2019]

II. Functions, Tasks and Competence of the Board

[27 August 2019]

2. The Board shall have the following functions:

2.1. to implement the protection of cultural monuments;

2.2. to manage the cultural monuments in the State territory.

[27 August 2019]

3. In order to ensure the performance of functions, the Board shall:

3.1. gather information about objects having cultural value, and also inspect cultural monuments;

3.2. evaluate the conformity of objects with the status of cultural monuments of State or local significance;

3.3. take the decision regarding the inclusion of a newly discovered object under the State protection if it has historical, scientific, artistic or other cultural value;

3.4. prepare recommendations for the Minister for Culture regarding the inclusion of the relevant object into the list of State protected cultural monuments or the exclusion from it;

3.5. determine cultural monument protection zones and the maintenance regime thereof;

3.6. evaluate and harmonise building designs which have been developed for cultural monuments or objects located in a cultural monument protection zone;

3.7. if necessary, issue the provisions and technical rules for construction planning in cultural monuments and objects located in a cultural monument protection zone and transform the cultural historical environment;

3.8. issue permits for the performance of economic activities in a cultural monument or in the protection zone thereof if the cultural monument or the cultural historical environment thereof is transformed due to the relevant activities;

3.9. take decisions regarding the suspension of economic activities in a cultural monument or in the protection zone thereof if the rules for the protection of cultural monuments are violated;

3.10. maintain the State Protected Cultural Monument Register;

3.11. issue instructions to the owners (possessors) of cultural monuments regarding the use and preservation of the relevant cultural monument;

3.12. issue permits for the performance of research works in the cultural monuments;

3.13. issue permits for construction, as well as for the performance of repair (renovation), conservation, restoration or reconstruction work in the cultural monuments or in the protection zones thereof;

3.14. provide an opinion on whether the relevant cultural monument or building located in the protection zone thereof and transforming the cultural historical environment is suitable for operation;

3.15. take the decision regarding the determination of the status of an environment-degrading object which is located in the territory of the cultural monument or the protection zone thereof;

3.16. issue permits for the exportation of art objects and antique objects to foreign countries;

3.17. organise the procedure for returning illegally exported cultural objects;

3.18. take a decision regarding the use of the State's pre-emptive rights or the rejection of these if the owner alienates a cultural monument of State significance;

3.19. determine the cultural historical value of a cultural monument in order to determine the compensation for damage caused thereto;

3.20. in accordance with the Public Procurement Law, finance research, conservation and restoration works, and also other measures related to the protection of cultural monuments from funds specially allocated for such purposes;

3.21. organise events related to the contemporary improvement of architectural quality in territories of cultural monuments and the protection zones thereof;

3.22. take the decision regarding the imposition of an administrative penalty;

3.23. perform other tasks specified by laws and regulations.

[6 September 2011]

4. According to its competence, the Board shall:

4.1. participate in scientific research related to the conservation of cultural heritage;

4.2. participate in the development of draft laws and regulations and the preparation of policy planning documents, and also provide opinions regarding the draft laws and regulations developed by other authorities;

4.3. ensure the accumulation, registration, storage and use of documents in accordance with the Archives Law;

4.4. prepare the draft budget of the Board;

4.5. participate in the preparation and implementation of international agreements.

[27 August 2019]

5. The Board has the rights specified in the law On Protection of Cultural Monuments and also the following rights:

5.1. to request and receive free of charge the information and documents required from natural persons and legal persons for the purpose of implementing the tasks of the Board;

5.2. to represent the Republic of Latvia in the international organisations and at events in conformity with the competence thereof;

5.3. in order to ensure the operation of the Board, to conclude contracts with natural and legal persons;

5.4. to provide paid services in accordance with the procedures prescribed in laws and regulations;

5.5. to create expert councils;

5.6. to organise specialist training and the assessment of qualifications;

5.7. exercise other rights specified by laws and regulations.

[27 August 2019]

III. Organisation of the Board

[27 August 2019]

6. The work of the Board is managed by the Head of the Board. The Head of the Board shall perform the functions of the head of an institution of direct administration prescribed by the State Administration Structure Law. The Head of the Board shall be appointed and dismissed by the Minister for Culture.

[27 August 2019]

7. The Head of the Board shall have deputies. The competence of the Deputy Heads of the Board shall be determined by the Head of the Board.

[27 August 2019]

8. The organisation of the Board shall be determined by the Head of the Board.

[27 August 2019]

9. The functions and tasks of structural units of the Board shall be determined in regulations.

[27 August 2019]

IV. Ensuring Lawfulness of Operation of the Board and an Operational Report

[27 August 2019]

10. The lawfulness of operation of the Board shall be ensured by the Head of the Board. The Head of the Board shall be responsible for the establishment and operation of the system for verification of administrative decisions.

[27 August 2019]

11. The Head of the Board shall take the decision regarding the administrative act issued by an official of the Board or an actual action of an official and employee contested by a private person.

[27 August 2019]

12. A private person may contest the administrative acts issued by the Head of the Board and the actual action thereof to the Ministry of Culture. The decisions of the Ministry of Culture may be appealed in court.

[27 August 2019]

13. The Board shall, at least once a year, submit a report to the Ministry of Culture on the operation of the Board and its results.

[27 August 2019]

V. Closing Provision

14. Cabinet Regulation No. 232 of 25 June 1996, By-law of the State Inspection for Heritage Protection (*Latvijas Vēstnesis*, 1997, No 111), is repealed.

Prime Minister

I. Emsis

Minister for Culture

H. Demakova