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

Supreme Council
of the Republic of Latvia
21 November 1990

Law On Land Reform in the Rural Areas of the Republic of Latvia

Chapter One General Provisions

Section 1. Objective of Land Reform

The objective of the land reform is to reorganise the legal, social and economic relationships of land property and the use of land in the countryside during a gradual privatisation in order to promote the renewal of the traditional rural lifestyle of Latvia, to ensure the economic use and protection of natural and other resources, preservation and raising of soil fertility, increase of qualitative agricultural product production.

Section 2. Tasks of Land Reform

To establish legal grounds for protection of the rights of users and owners of land.
To develop economic and territorial conditions for the economic use and protection of land and other natural resources.

To grant land for use to natural and legal persons in return for payment but to the citizens of the Republic of Latvia, who shall express such a wish, to restore land ownership rights or to transfer land into ownership without or with remuneration in accordance with the procedures prescribed by law.

To ensure the formation of farms ¹ and home farms ² in conformity with a rational territorial plan.

¹ Farms are regarded as agricultural holdings, the land users (owners) of which have been granted the land upon the decision of local government for the development or maintenance of farms.

² Home farms are regarded as agricultural holdings in the ownership of the user (owner) of which there is a residential house or structures necessary for the work of a craftsman, and these holdings are of a subsidiary farm character. This definition shall be also applied to the newly established home farms in which the referred to Translation © 2008 Tulkošanas un terminoloģijas centrs (Translation and Terminology Centre)

To retain such land area to the present land users without which it is impossible to use the buildings, structures and production facilities of public necessity for the intended purposes.

To create pre-conditions for further consistency of land use area and external boundaries, as well as for preservation and restoration of farmsteads.

To determine the size of the sections of land to be granted for non-agricultural purposes in accordance with the intended norms or documentation of a project.

Section 3. Basic Provisions of Land Reform

The land reform shall cover all the land of the Republic's rural areas and the users thereof.

The land reform shall be performed integrating it with other elements of agricultural reform.

On the ground of equal rights land use forms of natural and legal persons or the property of citizens of the Republic of Latvia to land may exist concurrently.

The land shall be granted for permanent use to natural persons with a transition of rights to other persons or for permanent use – to legal persons upon the request thereof.

The citizens of the Republic of Latvia have the right to freely choose and to exercise ownership rights to land, forms of land use and economic organisation, conforming to the interests and possibilities thereof.

The rights to acquire land into ownership of the legal persons registered in Latvia are regulated by other laws.

[22 January 1992; 10 November 1994]

Section 4. Procedures for the Performance of Land Reform

Land reform shall be performed in two rounds: the first round – from 1990 to 1996, the second – within a time period of 10 to 15 years commencing from 1 January 1993.

Within the scope of the first round of land reform - until 20 June 1991 - the former land owners or their heirs, all present land users and new requesters of land shall submit the requests regarding allocation of land for use in rural areas. The new land requesters shall indicate the time period from which they wish to commence the use of land, but it shall not be later than 1 November 1996. After examination of the land requests, for each parish a land survey project shall be compiled according to which the decisions regarding allocation of land for permanent use shall be taken and the land boundaries on site shall be determined.

During the second round of land reform the following shall be performed:

- the restoration of land ownership rights or transfer of land into ownership without remuneration or with remuneration to the citizens of the Republic of Latvia;
- the inventory of the land undistributed during the first round of land reform, the development of programmes for the acquisition and implementation thereof;
- the survey of boundaries and territory of the granted land and preparation of plans of land use units; and
- the cadastral survey of land and other natural resources and evaluation of immovable property.

The granting of land for use and termination of land use rights during the second round of the reform shall be performed according to general procedures in conformity with

structures are not yet present, but which shall be built within the time period specified in the document of granting of land.

the Law of the Republic of Latvia On Land Use and Land Management and other legislative enactments related to land.

[22 January 1992]

Section 5. Land Commissions

The co-ordination of work and ensuring of the lawfulness of land reform shall be performed by the Central Land Commission of the Republic of Latvia and land commissions of districts, parishes, as well as the land commissions of such villages and cities under the administrative jurisdiction of which is also land of rural areas³, in accordance with the Law of the Republic of Latvia On Land Commissions.

Section 6. Legal Grounds for Land Reform

Land reform shall be performed in compliance with this Law, as well as the following laws in force in the Republic of Latvia:

- Law On Land Use and Land Management,
- Law on Environmental Protection,
- Law on Land Commissions and

By-law regarding Implementation of Land Reform, as well as other legal enactments.

[22 January 1992]

Chapter Two

Submission and Examination of the Requests for Granting of Land

Section 7. Land Requesters

Citizens and residents of legal age of the Republic of Latvia, as well as the former land owners of the Republic of Latvia residing abroad (according to the situation on 21 July 1940) or their heirs have the right to submit a request for allocation of land for permanent use for the maintenance, restoration of farms or home farms or for formation of new ones, for the maintenance or construction of residential houses, summer cottages, the maintenance of individual orchards or formation thereof or for other purposes. If land has been also requested in other parishes, the place of submission of such requests, the aim of use and area of land shall be indicated in the application.

The Executive Committees of the parish or district Councils of People's Deputies shall submit land requests for the purpose of local government and individual subsidiary farms.⁴

Legal persons shall submit requests regarding allocation of land for permanent use for the purpose of activities thereof.

³ *As the People's Deputy Councils and the land commissions of villages and cities thereof, under the administrative jurisdiction of which is also land of rural areas, in implementation of land reform perform the same functions as the parish People's Deputy Councils and the land commissions thereof, hereinafter in this Law the word parish shall also refer to villages and cities under the jurisdiction of which also lies the land of rural areas.*

⁴ *Individual subsidiary farms are farms (including gardens and service land) which are granted for limited use on the basis of a rental contract by local governments or other legal persons from the land thereof to the citizens of the Republic of Latvia who live in State or co-operative apartments, as well as in personal apartments or houses, if they do not use land usable for agriculture on a permanent basis or there is not enough of it, and the basic occupation of at least one family member able to work takes place outside the subsidiary farm.*

Section 8. Content and Justification of the Request

Within the request for allocation of land for permanent use, in conformity with Section 12 of this Law the area of land under request and the aim of its use shall be indicated.

The justification of the size of the land area and economic activities, as well as a site plan or scheme of the land shall be appended to the request.

Section 9. Deadline and Place for the Submission of the Request

The requests for allocation of land for permanent use shall be submitted to the Council of People's Deputies of such parish, in the territory of which the section of land under request is located, until 20 June 1991.

Any other previously announced deadlines for submission of a land request shall be harmonised with the provisions of this Law.

Section 10. Legal Consequences of Non-compliance with the Land Request Deadline

Former land owners or their heirs, present land users or the new land requesters, who have not requested land for use until the time period specified in Section 9 of this Law, lose the priority specified in Section 12 of this Law and may receive land for use according to general procedures.

Section 11. Land Term Requests

The requesters of land referred to in Section 7 of this Law may make a request regarding allocation of land for use, indicating a time period from which they wish to commence the use of the land, but it shall not be later than 1 November 1996.

If the land requester wishes to receive the land in several rounds, the initial area of the requested section of land, areas of sections of the land to be requested in the next rounds and preferable time periods for allocation shall be indicated in the application.

Section 12. Sequence for Satisfaction of Land Use Requests

1. Former land owners (according to the situation on 21 July 1940) or their heirs have the priority of receiving the land for use to the whole previously owned area regardless of the fact whether the land has or has not been allocated to them in perpetuity or permanent use at the moment of coming into force of this Law, except for the cases when on the land area previously owned by them or on a part thereof legally:

- farms or home farms have been established, if within the boundaries thereof there are no buildings owned by the former owners of this land;
- residential houses have been purchased or built or the construction thereof has been commenced, retaining land for a home farm to the owners of such houses;
- such nature protection sites of national significance have been established, the land of which has been transferred for use to nature protection institutions, and other national specially protected nature objects (or the parts thereof) have been established, the list of which shall be approved by the Presidium of the Supreme Council of the Republic of Latvia at the request of the Environmental Protection Committee of the Republic of Latvia;
- historical, cultural and archaeological monuments are located;

- exist deposits of mineral resources of industrial significance the list of which shall be approved by the Council of Ministers of the Republic of Latvia;
- the land requested by local governments is located;
- the land necessary for selection, experiments, scientific research and education is located; or
- such structures, buildings or orchards of industrial and public significance owned by natural or legal persons are located, for use of which in accordance with building projects and other agricultural enactments in force a minimum land area shall be kept, if the former land owners or their heirs, as well as natural persons, who wish to establish new farms upon mutual agreement, do not compensate owners the value of such immovable property.

If it is not possible to assign for use the land previously owned by the former owners (according to the situation on 21 July 1940) or their heirs or a part of it, due to the referred to exceptions, then, with their consent, they shall be granted an equivalent land area within the boundaries of a parish or district.

2. After satisfaction of the requests of former land owners (according to the situation on 21 July 1940) or their heirs and satisfaction of the requests received in the exceptional cases referred to in Clause 1 of this Section, the land shall be allocated for use in the following sequence:

- 1) for enlargement of the existing farms and home farms;
- 2) for establishment of new farms and home farms, if on the section of land under request a residential house and production buildings of the land requester are located or the construction thereof has been commenced;
- 3) for establishment of new farms and home farms, if on the section of land under request there is not a residential house owned by the land requester, the preference shall be given to the inhabitants of that parish;
- 4) for construction of individual residential houses;
- 5) for the other needs of inhabitants;
- 6) to legal persons - land, which is in their permanent use at the moment of coming into force of this Law; and
- 7) to legal persons – the land, which is being requested for permanent use anew.

[25 February 1992]

Section 13. Further Procedures for Examination of Unsatisfied Requests of Land

If it is not possible to satisfy all land requests regarding granting of land in the territory of the relevant parish, the parish land commission shall, with the consent of the requesters, submit the unsatisfied requests to a district land commission.

The district land commission, with the consent of the requesters of land, shall send the requests to other parishes, the territory of which includes free land.

The Land Commission of the Supreme Council of the Republic of Latvia shall compile the unsatisfied requests regarding the allocation of land in the territory of the district and after co-ordination with the requesters of land shall send to districts, the territory of which includes free land, or organise the development of programmes for the acquisition of areas necessary for the satisfaction of requests.

Section 14. Further Use of Non-requested Land

The land not requested during the first round of land reform shall remain under the supervision of the relevant Councils of People's Deputies.

The State Land Service shall perform the inventory of such land and with the local Councils of People's Deputies shall jointly develop programmes for acquisition and further use thereof.

[27 April 1993]

Section 15. Taxation of Term Request Sections of Land with a State Fee

A single State fee of the following amount shall be applied to natural and legal persons, for whom the land is reserved with an indicated term for commencement of use of land:

- up to 1 year, in the amount of 30% from the annual land tax,
- for 2 years, in the amount of 55% from the annual land tax,
- for 3 years, in the amount of 75% from the annual land tax,
- for 4 years, in the amount of 90% from the annual land tax, and
- for 5 years, in the amount of 100% from the annual land tax.

Provisions of this Section do not apply to former land owners (according to the situation of 21 July 1940) or their heirs.

Chapter Three Land Survey Work

Section 16. Procedures for Development, Co-ordination and Approval of Parish Land Survey Projects

Parish land survey projects shall be developed by the State Land Service in co-ordination with the parish Councils of People's Deputies.

The parish land survey projects shall comply with the requirements specified in this Law and in the by-law regarding implementation of land reform in the Republic of Latvia, as well as in the Republic of Latvia Law On Land Use and Land Survey.

Development of parish land survey shall be completed until 31 January 1992. The schedule for project development within a district shall be jointly compiled by the district land commission and the State Land Service and submitted to the Land Commission of the Supreme Council of the Republic of Latvia.

The parish land survey project shall be put out for public inspection at least two weeks prior to the examination thereof at the parish land commission. The beginning of the inspection shall be duly announced in a district newspaper.

If land users, land requesters and inhabitants of the parish have objections to particular project solutions, they shall submit them to the parish land commission in writing within a period of 10 days after expiration of the project inspection term.

The parish land survey project shall be examined by the parish land commission, and after co-ordination with the parish land commission it shall be approved by the parish Council of People's Deputies.

[22 January 1992; 27 April 1993]

Section 17. Allocation of Land for Use

Decisions regarding granting of land to land users shall be taken by the parish Council of People's Deputies on the basis of the approved parish land survey project, but in non-contentious cases – also on the basis of the primary land survey project. In particular cases

provided for in the Republic of Latvia Law On Land Use and Land Survey, the decisions regarding granting of land may be also taken by other national and administrative authorities.

The sections of land wherein national specially protected nature objects, cultural historical and archaeological monuments are located shall be allocated for use only on condition that legislative enactments regulating the legal regime of such objects shall be observed. The relevant State institution shall conclude an agreement regarding it with the land user.

To a natural person land may be allocated for the establishment of one farm only.

Within the decisions regarding granting of land only that area of sections of land and boundaries of land shall be included, which are provided for immediate use.

In cases of land term requests the area and boundaries of land to be reserved shall be indicated within decisions.

The land of a term request shall be transferred to a former or another user of land for limited use until the time of expiration of the request.

[25 September 1991; 22 January 1992]

Section 18. Allocation of the Granted Land

Land users shall be familiarised with the boundaries of land granted during the first round of land reform within a period of two months of the decision granting land being taken.

The establishment of boundaries of the granted land, affirming the boundaries of the established plots of land with boundary marks and compiling acts of determination of boundaries, shall be performed by persons certified in land cadastral surveying.

[27 April 1993; 28 September 2006]

Section 19. Sequence and Terms for Delimitation of the Granted Land

The sequence for delimitation of the granted land shall be specified by parish land commissions, but terms – by the Land Commission of the Supreme Council of the Republic of Latvia.

Section 20. Cadastral Survey of Land and other Natural Resources and Evaluation of Immovable Property

During the first round of land reform the existing land evaluation data shall be used, but during the second round of land reform, the cadastral survey of land and other natural resources, as well as evaluation of buildings, structures and other objects upon the granted land shall be performed in compliance with the by-law regarding cadastral survey of natural resources and evaluation of immovable property.

Section 21. Development, Registration and Issuance of a Land Use Plan

After the granted land has been delimited and surveyed, a person certified in land cadastral survey shall compile a land boundary plan and, having registered it in the information system of the State Cadastre of Immovable Property, shall issue such plan to the land user.

[28 September 2006]

Section 22. Financial and Material Provisions for Land Reform Work

(1) The procedures for and sequence of the examination of applications and performance of land cadastral survey from the State budget funds, if it is related to restoration of land ownership rights or compensation of a land property by land of an equivalent value for the former land owners, who owned a land property in the Republic of Latvia on 21 July 1940, and their surviving spouses, children and grandchildren, politically repressed and disabled persons belonging to Group 1, shall be specified by the Cabinet. The land cadastral survey shall be performed from the State budget funds, if it is related to restoration of land ownership rights or compensation of a land property by land of an equivalent value, only within such administrative territory, in which the former land properties are located.

(2) The land cadastral survey work to be performed for the State budget funds shall be performed in accordance with the procedures specified in regulatory enactments by the State limited liability company "Latvijas Valsts mērnieks" [Latvian State Land Surveyor], which is institutionally subordinated to the Ministry of Justice. The State limited liability company "Latvijas Valsts mērnieks" [Latvian State Land Surveyor] shall take decisions regarding cadastral survey of land from the funds of the State budget.

[14 June 2007]

Section 23. Performers of Land Reform Work

Work of the land reform shall be performed by the State Land Service and persons certified in land management and land cadastral survey according to the competence in co-operation with the local governments.

[28 September 2006]

Chapter Four

General Provisions for Restoration of Land Ownership Rights or Transfer of Land into Ownership of Citizens [27 April 1993]

Section 24. Holders of Land Properties [27 April 1993]

Section 25. Procedures for Taking a Decision regarding Restoration of Land Ownership Rights or Transfer of Land into the Ownership of Citizens [27 April 1993]

Section 26. Maximum Size of the Land Area to be Transferred into the Ownership of a Farmer [27 April 1993]

Section 27. Legal Grounds for Land Privatisation [27 April 1993]

Transitional Provisions

1. The Cabinet shall issue the regulations referred to in Section 22, Paragraph one of this Law by 1 October 2007.

2. Until the day of coming into force of the Cabinet regulations referred to in Section 22 of this Law, but not later than until 30 April 2007, Cabinet Regulation No. 16 of 26 October

1993, Regarding Procedures for Financing of Land Reform and Land Privatisation Works,
shall be in force insofar as it is not in contradiction to this Law.
[14 June 2007]

Chairperson of the Supreme Council of the Republic of Latvia

A. Gorbunovs

Secretary of the Supreme Council of the Republic of Latvia

I. Daudišs

Rīga, 21 November 1990