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

17 June 2010 [shall come into force on 1 August 2010];

12 November 2015 [shall come into force on 1 January 2016];

23 November 2016 [shall come into force on 1 January 2017].

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:

**Land Survey Law**

**Chapter I General Provisions**

**Section 1. The following terms are used in this Law:**

1) [17 June 2010];

2) **land survey** – within the meaning of this Law, the legal, economic, and technical measures for rearranging or dividing a section of the administrative territory of a local government included in a land survey project;

3) [12 November 2015];

4) **inter-area** – a separately situated land parcel which is separated from the main land parcel by land owned by another person;

5) [12 November 2015];

6) **type of land use** – a characterisation of the land area according to the natural qualities thereof and the current economic utilisation of the land which conforms to the classification of the types of land use.

[*17 June 2010; 12 November 2015*]

**Section 2.** The purpose of this Law is to promote the arrangement of land properties, and also sustainable utilisation of land resources, determining the types of land survey work, the implementation procedures, and the rights and obligations of the persons involved in land survey.

**Section 3.** Land survey shall include:

1) the development of a land survey project;

2) the specification of the types of land use.

**Section 4.** (1) Land survey work shall be performed by certified persons whose civil liability regarding the professional activity has been insured.

(2) A certificate for a performer of land survey work shall be issued or the issuance thereof shall be refused, the validity of the certificate shall be suspended or renewed, the term of validity of the certificate shall be extended or the extension thereof shall be refused, and the certificate shall be cancelled by the certification authority authorised by the Cabinet.

(3) [23 November 2016];

(4) The procedures for issuing and registering a certificate, suspending and renewing the validity of a certificate, extending the term of validity of a certificate and cancelling a certificate, the procedures for supervising the activity of certified persons, the procedures for civil liability insurance and the minimum amount for an insurance contract shall be determined by the Cabinet.

(41) The Cabinet shall approve the price list for paid services for the certification of performers of land survey work, the extension of the term of validity of a certificate, and the supervision of the activity of certified persons.

(5) The administrative acts issued by a certification authority referred to in Paragraph two of this Section may be contested at the State Land Service. The decision of the State Land Service may be appealed to the District Administrative Court in accordance with the procedures laid down in the Administrative Procedure Law. The contesting or appeal of the decision shall not suspend its validity and execution.

[*17 June 2010; 23 November 2016*]

**Section 5. A land survey project shall be proposed by:**

1) a land owner or multiple owners in relation to their properties or owners of structures after coordination with the land owners, if the structures are superficiary and are independent property objects;

2) a State institution of direct administration in relation to the land under the jurisdiction of the State if it is necessary in the State or public interest. The relevant land owner is informed of the proposal, if the land survey project concerns the land in his or her ownership;

3) a local government in relation to the land under its jurisdiction, if it is necessary for the performance of the autonomous functions of such local government. The relevant land owner is informed of the proposal, if the land survey project concerns the land in his or her ownership;

4) a State institution of direct administration or a local government in relation to the immovable properties which are intended to be alienated for public needs;

5) [17 June 2010];

6) boards of the protected territories in relation to specially protected nature territories.

[*17 June 2010*]

**Section 6.** Land survey work, and also coordination and approval of a land survey project shall be financed by the initiator thereof. If the land survey work is initiated by several persons referred to in Section 5, Clause 1 of this Law, the co-financing share of each person shall be determined in proportion to the land area in his or her ownership which is included in the land survey project or by common accord.

[*17 June 2010*]

**Chapter II Development of a Land Survey Project**

**Section 7.** A land survey project and the amendments thereto shall be developed in conformity with:

1) the spatial plan of the local government and the requirements laid down in the laws and regulations regarding spatial planning, utilisation, and building;

2) borders of a land parcel;

3) borders of a section of a land parcel.

[*17 June 2010; 12 November 2015*]

**Section 8.** (1) The land survey project shall be developed for the following land survey work:

1) the liquidation of inter-areas or the exchange of sections of land parcels by rearranging the borders of land parcels;

2) [12 November 2015];

3) the division of land parcels (also those in joint ownership);

4) [12 November 2015];

5) [12 November 2015];

6) [12 November 2015].

(2) If a land parcel is divided or its border is changed when developing a land survey project, the border of the territory covered by the project shall correspond to the borders of the existing land parcels. The border of the territory covered by the project need not correspond to the borders of the existing land parcels if several land survey works referred to in Paragraph one of this Section are performed simultaneously.

(3) A land survey project need not be developed if:

1) a repeated cadastral survey is performed for a land parcel or a section of land parcel, or cadastral survey is performed for a section of land parcel;

2) two or more adjacent land parcels are merged and a local government decision has been taken thereon.

(4) In the cases referred to in Paragraph three of this Section a land survey project may be developed upon proposal of the project initiator.

[*17 June 2010; 12 November 2015*]

**Section 8.1** Amendments to a land survey project shall be developed upon proposal of the project initiator if changes to the land survey project concern a part of the designed territory for which data of cadastral land survey have not yet been registered yet in the State Immovable Property Cadastre Information System after approval of the land survey project.

[*12 November 2015*]

**Section 9.** (1) A land survey project for the land survey work referred to in Section 8, Paragraph one of this Law shall be developed in relation to that part of the administrative territory of the local government which is included in the land survey project (hereinafter – the designed territory) for which laws and regulations or decisions of the local government council do not provide for the development of a detailed plan.

(2) For the designed territory for which there is a valid detailed plan, but also the land survey work referred to in Section 8, Paragraph one of this Law must be performed, the land survey project may be developed as a supplement to the detailed plan in conformity with the conditions of this Law in relation to the development of the land survey project.

[*17 June 2010; 12 November 2015*]

**Section 10.** (1) A land survey project shall consist of an explanatory note and a graphic part. The procedures for the development and approval of the land survey project and the amendments thereto, the content thereof, the requirements in relation to the explanatory note and graphic part, and also the procedures for the handling of data and documents shall be determined by the Cabinet.

(2) The graphic part of the land survey project shall be formed in the Latvian Geodetic Coordinate System within a level of detail necessary for the project.

[*12 November 2015*]

**Section 11.** (1) The interested owners shall participate in the development of the land survey project by submitting their proposals.

(2) If a land survey project is to be developed for a property which is encumbered with credit liabilities, a written consent of the creditor shall be required for the development of the respective project, except for the case when the land survey project is to be developed for an immovable property which is intended to be alienated for public needs.

[*17 June 2010*]

**Section 12.** (1) A developer of the land survey project has an obligation to assess the proposals of the persons referred to in Section 11, Paragraph one of this Law and, within two weeks, to inform them of compliance or rejection of these proposals, indicating the grounds for rejection. The proposals and replies thereto shall be registered and compiled in conformity with the record-keeping provisions and shall be appended to the land survey project.

(2) When developing a land survey project, the developer thereof shall invite the persons involved in the implementation of the project to the consultations regarding the submitted proposals and the possibilities to carry them out.

**Section 13.** A land survey project shall not be developed for land properties regarding which judicial proceedings have been initiated and a pledge notation has been entered in the Land Register or for which inheritance has been revealed, except for the case when the land survey project is to be developed for an immovable property which is intended to be alienated for public needs.

[*17 June 2010*]

**Section 14.** The development of a land survey project for the division of a land parcel in joint ownership into separate properties shall be proposed by all joint owners thereof or any one of them in order to separate the undivided share owned by him or her into a separate property.

[*17 June 2010*]

**Section 15.** (1) Joint owners may not request the division of a land parcel in joint ownership into actual shares, if the section of the designed territory to be separated does not conform to the territory utilisation and building regulations of the local government, and also to the requirements laid down in other laws and regulations.

(2) If a structure present in a land and structure joint property is indivisible, the structure together with the land parcel required for the maintenance thereof may be separated from the joint property, if it conforms to the territory utilisation and building regulations of the local government, and also to the requirements of other laws and regulations. The abovementioned land parcel with the structure shall remain within the joint property, but the remaining part of the designed territory may be divided into separate properties in accordance with the provisions of Paragraph one of this Section.

[*17 June 2010; 12 November 2015*]

**Section 16.** When dividing a land parcel in joint ownership, formation of inter-areas is not permissible.

[*17 June 2010*]

**Section 16.1** (1) When developing a land survey project for an immovable property which is intended to be alienated for public needs, the section of the designed territory to be separated and the part of the designed territory left over after separation may form an inter-area and not conform to the territory utilisation and building regulations of the local government, and also to the requirements laid down in other laws and regulations.

(2) The part of the designed territory left over after separation may form an inter-area and not conform to the territory utilisation and building regulations of the local government, and also to the requirements laid down in other laws and regulations only if a relevant agreement has been made between the owner of the immovable property and the authority which alienates the immovable property for public needs.

(3) In accordance with Paragraphs one and two of this Section the part of the designed territory left over after separation shall be big enough to allow it to be separated with boundary markers.

[*17 June 2010*]

**Section 17.**

[17 June 2010]

**Section 18.** (1) After development of the land survey project the land owners shall certify with their signature that they agree to the implementation of the project, and also coordinate the borders of the designed territory.

(2) A signature of land owners shall not be necessary for coordinating the land survey project and the developer of the land survey project shall include information in the land survey project on the proposals and objections expressed by these persons if:

1) the land survey project is proposed by a State institution of direct administration or a local government in relation to the immovable properties which are intended to be alienated for public needs;

2) a court judgement has entered into effect regarding the land survey project.

[*17 June 2010*]

**Section 19.** The local government shall approve the land survey project and the amendments thereto by issuing an administrative act.

[*12 November 2015*]

**Section 20.**

[12 November 2015]

**Section 21.** If the property included in the land survey project has been encumbered with credit liabilities, transfer of those credit liabilities to the newly formed property and entering of the designed territory in the Land Register shall be coordinated with the creditor, except for cases when the immovable property included in the land survey project is intended to be alienated for public needs.

[*17 June 2010*]

**Section 22.** (1) A land survey project and the amendments thereto shall be implemented within four years after approval of the land survey project. The land survey project shall be implemented, if the designed territory has undergone a cadastral survey, has been registered in the State Immovable Property Cadastre Information System, and has been entered in the Land Register.

(2) If the spatial plan of the local government is amended during implementation of the land survey project, the land survey project shall be implemented according to the spatial plan of the local government which was in effect at the time of approval of the land survey project.

[*12 November 2015*]

**Chapter III Types of Land Use**

**Section 23.** The entering and recording of the types of land use in the State Immovable Property Cadastre Information System shall be performed by the State Land Service in conformity with the administrative territorial division.

[*17 June 2010; 12 November 2015*]

**Section 24.** The procedures for the categorisation of the types of land use and the specification criteria thereof shall be determined by the Cabinet.

**Transitional Provisions**

1. Until initial entry of land in the Land Register, the local government shall take the decision on division or merging of land parcels to be formed according to the procedures of land privatization and land reform or on rearranging of land borders, in conformity with the spatial plan of the local government and the requirements laid down in the laws and regulations regarding spatial planning, utilisation, and building. The decision shall be accompanied by a graphic annex indicating the solution for the division or merging of land parcels or the rearranging of land borders.

[*12 November 2015*]

2. By 1 December 2006 the Cabinet shall issue:

1) the regulations for the certification of land survey work in accordance with Section 4 of this Law;

2) the regulations for the development of a land survey project in accordance with Section 10, Paragraph one and Section 19, Paragraph one of this Law;

3) the procedures for the classification of the types of land use and the specification criteria in accordance with Section 24 of this Law.

3. The licences for the performance of land survey work in accordance with the procedures laid down in laws and regulations shall be issued until 31 December 2007. The licences for the performance of the land survey work which have been issued until 31 December 2007 shall be valid until the time period indicated in the document, but not longer than 31 December 2010.

4. A person to whom the land use rights have been granted in accordance with the law On Land Use and Land Survey, the law On Land Reform in the Rural Areas of the Republic of Latvia, the law On Land Reform in the Cities of the Republic of Latvia, the law On the Completion of Land Reform in Rural Areas, the law On Completion of Land Reform in Cities, and the law On Land Ownership Rights of the State and Local Governments and Corroboration Thereof in the Land Registers, shall submit a land border plan to the Land Registry Office for recording of the land ownership rights and shall not develop a land survey project.

5. The land under the jurisdiction of the State and local government shall be entered in the Land Register in accordance with the law On Land Ownership Rights of the State and Local Governments and Corroboration Thereof in the Land Registers, a land border plan shall be submitted to the Land Registry Office for recording of the land ownership rights and the land survey project shall not be developed.

6. In relation to the territory for which a spatial plan of the local government has not been developed, but in which the land survey work referred to in Section 8, Paragraph one of this Law must be performed, the decision on the development of the land survey project shall be taken by the local government.

[*17 June 2010*]

7. The Cabinet shall, by 31 December 2010, issue the regulations referred to in Section 4, Paragraph four and Section 19, Paragraph three of this Law.

[*17 June 2010*]

8. If the local government decision on the development of the land survey project for concretisation of encumbrances of the immovable property specified in the spatial plan and other laws and regulations applicable to the land parcel has been taken before 1 August 2010, the development of the land survey project shall be continued in accordance with the laws and regulations in force.

[*17 June 2010*]

9. Section 4, Paragraph five of this Law and amendments to Section 19 shall come into force on 1 January 2011.

[*17 June 2010*]

10. The Cabinet shall, by 1 June 2016, issue the Cabinet regulations provided for in Section 10, Paragraph one of this Law. Until the day of coming into force of the respective Cabinet regulations, but not longer than until 1 June 2016, Cabinet Regulation No. 288 of 12 April 2011, Regulations for the Development of a Land Survey Project, shall be applicable, insofar as they are not in contradiction with this Law.

[*12 November 2015*]

11. The Cabinet shall, by 30 April 2017, issue the Cabinet regulations provided for in Section 4, Paragraph 4.1 of this Law.

[*23 November 2016*]

The Law shall come into force on 1 January 2007.

The Law has been adopted by the *Saeima* on 14 September 2006.

Acting for the President, Chairperson of the *Saeima* I. Ūdre

Rīga, 3 October 2006