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

3 June 2010 [shall come into force on 1 July 2010];

5 June 2014 [shall come into force on 1 January 2015];

30 March 2017 [shall come into force on 26 April 2017];

3 October 2019 [shall come into force on 1 November 2019];

20 October 2022 [shall come into force on 10 November 2022].

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

President has proclaimed the following law:

**Amelioration Law**

**Chapter I**

**General Provisions**

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

1) **amelioration**– a set of land improvement measures which mitigate the adverse climatic events and change the hydrological condition of the soil in a specific territory, and also provide protection for the infrastructure and territories against flooding;

2) **amelioration system** – a complex of structures and installations registered in the amelioration cadastre for the regulation of groundwater regime in a specific area;

3) **State amelioration system**– an amelioration system belonging to the State the operation and maintenance of which is ensured by the State;

4) **amelioration system of national significance**– an amelioration system which conforms to the criteria and parameters specified in laws and regulations and the operation and maintenance of which is ensured by the State;

5) **local government amelioration system**– an amelioration system owned by a local government the operation and maintenance of which is ensured by the local government;

51) **amelioration system of local government significance for common use**–an amelioration system for common use which has a significant impact on the water regime in building territories, agricultural and forest territories, infrastructure objects (streets, roads, water management objects, local government polders) specified in the spatial plan of the local government;

6) **amelioration system for common use**– an amelioration system which regulates the water regime on two or more land properties or on land under legal possessions;

7) **amelioration system of a single property**– an amelioration system which regulates the water regime on one land property;

8) **operation of an amelioration system**– use of an amelioration system for the designed purposes;

9) **maintenance of an amelioration system**– a complex of supervision and care works of an amelioration system which ensure the operation and preservation thereof;

10) **ameliorative hydrometry**– systematic observations and measurements of the water regime of waterways, water reservoirs and amelioration systems at hydrometrical stations, as well as the processing of the obtained data;

11) **hydrometrical station**– a stationary equipped place where systematic observations and measurements of the water regime of waterways, water reservoirs and amelioration systems are made.

[*3 June 2010; 5 June 2014; 20 October 2022*]

**Section 2.**The purpose of the Law is to ensure such mechanism for the management of amelioration systems which promotes the sustainable management and use of natural resources, ensures the water regime necessary for the safety and welfare of inhabitants, development of infrastructure, as well as construction, operation, maintenance, and management of amelioration systems.

[*5 June 2014; 30 March 2017*]

**Section 3.**The owner or legal possessor of the land has the right to perform land amelioration in conformity with the requirements laid down in the laws and regulations regarding the construction of amelioration systems and has the obligation to operate and maintain an amelioration system in accordance with the requirements of the relevant laws and regulations.

[*20 October 2022*]

**Section 4.**(1) *Valsts sabiedrība ar ierobežotu atbildību “Zemkopības ministrijas nekustamie īpašumi”* [State limited liability company Immovable Properties of the Ministry of Agriculture] (hereinafter – the State limited liability company Immovable Properties of the Ministry of Agriculture) shall issue technical regulations for the following activities in ameliorated lands and exploitation protection zones around amelioration structures and installations:

1) for the construction, movement, and rebuilding of structures and engineering communications;

2) for the extraction of mineral resources;

3) for afforestation;

4) for the planting of woody plantations in the ameliorated agricultural land;

5) for other activities in places where it may disturb the operational regime of the amelioration system.

(2) In order to receive technical regulations the owner or legal possessor of immovable property or his or her authorised person shall submit an application to the State limited liability company Immovable Properties of the Ministry of Agriculture in which the intention is substantiated and to which a plan of the intended site of the measure in scale of 1:10 000 or higher accuracy is attached.

(3) [5 June 2014]

[*5 June 2014* / *See Paragraph 8 of Transitional Provisions*]

**Section 5.**Construction, rebuilding, or renewal of structures and engineering networks within the boundaries of ameliorated land or outside them, or in exploitation protection zones around land amelioration structures and installations may not deteriorate the groundwater regime and the operation of the amelioration system.

[*5 June 2014*]

**Section 6.**Owners or legal possessors of the land shall jointly ensure the design and construction of an amelioration system for common use in accordance with the procedures laid down in laws and regulations.

**Section 7.**Based on their effect on the groundwater regime, amelioration systems shall be classified as follows:

1) drainage system – a complex of dedicated structures for land drainage;

2) irrigation system – a complex of dedicated structures and installations for land irrigation;

3) two-way amelioration system – a drainage system which may also be also be used for land irrigation.

**Section 8.**Amelioration systems shall be classified as follows according to the data of the amelioration cadastre, as well as depending on their operation and maintenance:

1) a State amelioration system;

2) an amelioration system of national significance;

3) a local government amelioration system;

31) an amelioration system of local government significance for common use;

4) an amelioration system for common use;

5) an amelioration system of a single property.

[*5 June 2014*]

**Section 9.**The procedures for determining and reimbursing losses related to the damage to, destruction or limitation of the right to use amelioration systems shall be determined by the Cabinet.

**Chapter II**

**Management of an Amelioration System**

**Section 10.**The construction of an amelioration system shall be controlled by the building authority of the local government.

**Section 11.**The operation and maintenance of an amelioration system shall be supervised by the State and local government authorities in accordance with the procedures laid down in laws and regulations.

**Section 12.**The owner or legal possessor of land shall ensure the possibility to access the amelioration structures and installations located within the boundaries of the land in his or her ownership or legal possession to officials and persons authorised or appointed thereby who control and monitor the amelioration system or perform tasks related to the inventory, construction, operation, and maintenance of the amelioration system.

[*5 June 2014*]

**Section 13.**The procedures for performing ameliorative hydrometric work shall be determined by the Cabinet.

**Section 13.1**The list of State amelioration systems and amelioration systems of national significance shall be approved by the Minister for Agriculture in accordance with the laws and regulations regarding amelioration cadastre.

[*5 June 2014*]

**Chapter III**

**Amelioration Cadastre**

**Section 14.**(1) The amelioration cadastre shall include information on any amelioration system in the ownership or legal possession of the State, local government, natural person or legal person, including data on the layout of the ameliorated land and the quantitative and qualitative condition of the amelioration system.

(2) Data of the State Immovable Property Cadastre Information System on borders and cadastral designation of the plot of land shall be used for the establishment and maintenance of the amelioration cadastre. Data of the State Immovable Property Cadastre Information System on the owner or legal possessor of land – the name, surname and personal identification number of a natural person or the name and registration number of a legal person – shall be used for the management of amelioration systems.

(3) The content of the amelioration cadastre, the procedures for its establishment and maintenance, and also procedures for the exchange of information exchange shall be determined by the Cabinet.

[*30 March 2017; 20 October 2022*]

**Section 15.**Data of the amelioration cadastre shall be maintained and updated by the State limited liability company Immovable Properties of the Ministry of Agriculture.

**Section 16.**(1) In order to update the amelioration cadastre:

1) the State limited liability company Immovable Properties of the Ministry of Agriculture shall perform the initial inventory of the State amelioration system and the amelioration system of national significance;

2) the owner or legal possessor of land shall perform the initial inventory of the amelioration system of a single property and an amelioration system for common use;

3) a local government is entitled to perform inventory of the local government amelioration systems or amelioration systems of local government significance for common use located within its administrative territory. The local government shall inform in writing the owner or legal possessor of plot of land within the borders of which the respective amelioration system is located of performing the inventory one month before its performance.

(2) The owner or legal possessor of land shall submit the information obtained during the inventory to the State limited liability company Immovable Properties of the Ministry of Agriculture.

(3) The content of and the procedures for performing the inventory of an amelioration system, as well as the procedures for submitting and updating the data of the amelioration cadastre shall be determined by the Cabinet.

[*20 October 2022*]

**Section 17.**Upon a request of the owner or legal possessor of land, local government, or *valsts sabiedrība ar ierobežotu atbildību “Latvijas Valsts ceļi”* [State limited liability company Latvians State Roads], the State limited liability company Immovable Properties of the Ministry of Agriculture shall issue to the requester a statement of the amelioration cadastre on the amelioration system or a part of the amelioration system of the plot of land.

[*20 October 2022*]

**Section 18.**(1) The owner or legal possessor of land shall, within a month after changes in an amelioration system, inform the State limited liability company Immovable Properties of the Ministry of Agriculture in writing of the quantitative or qualitative changes in the amelioration system which is located within the borders of the land in his or her ownership or legal possession.

(2) A local government shall, within a month after establishment of quantitative or qualitative changes in the amelioration system of local government significance for common use, inform thereof in writing the State limited liability company Immovable Properties of the Ministry of Agriculture and the owner or legal possessor of plot of land within the border of which the respective amelioration system is located.

[*20 October 2022*]

**Chapter IV**

**Construction, Operation and Maintenance of an Amelioration System**

[*30 March 2017*]

**Section 19.**The State amelioration system and an amelioration system of national significance shall be constructed, maintained, and operated by the State limited liability company Immovable Properties of the Ministry of Agriculture.

[*5 June 2014*]

**Section 20.**Hydrometrical stations for ameliorative hydrometry shall be maintained, systematic observations, measurements and calculations shall be made therein and hydrometric data shall be made available to the public by the State limited liability company Immovable Properties of the Ministry of Agriculture.

**Section 21.**Amelioration systems on the State forest land transferred under the management of *valsts akciju sabiedrība “Latvijas Valsts meži”* [State joint-stock company Latvian State Forests], the State Forest Service and the Nature Conservation Agency shall be operated and maintained by *valsts akciju sabiedrībs “Latvijas Valsts meži”*, the State Forest Service and the Nature Conservation Agency accordingly, except for that specified in Section 19 of this Law.

**Section 22.**(1) The construction, operation, and maintenance of a local government amelioration system shall be ensured by the relevant local government.

(2) If the local government amelioration system is located in the administrative territory of two or several local governments, they have an obligation to participate in the construction, operation, and maintenance of the local government amelioration system.

[*5 June 2014*]

**Section 22.1**(1) The construction, operation, and maintenance of an amelioration system of local government significance for common use shall be ensured by the owners or legal possessors of the relevant land. The local government may participate in the construction, operation, and maintenance of an amelioration system of local government significance for common use.

(2) The procedures by which a local government shall participate in the construction, operation, and maintenance of an amelioration system of local government significance for common use and also the procedures by which the local government shall participate in covering the costs of construction, operation, and maintenance of an amelioration system of local government significance for common use shall be determined by the Cabinet.

[*5 June 2014*]

**Section 22.2**(1) A local government shall decide on granting the status of an amelioration system of local government significance for common use. Before taking the decision, the local government shall agree upon the location, designations of the amelioration cadastre and length of the amelioration system for common use with the State limited liability company Immovable Properties of the Ministry of Agriculture, and shall also find out and evaluate the opinion of the owners or legal possessors of the land parcels within the border of which the amelioration system for common use is located. The decision taken may be appealed before a court in accordance with the procedures laid down in the Administrative Procedure Law. Appeal of the decision shall not suspend its operation.

(2) A local government may provide additional requirements for the operation and maintenance of an amelioration system of local government significance for common use and liability for violating the aforementioned requirements in its binding regulations.

(3) A local government shall, within one month after the decision to grant the status of an amelioration system of local government significance for common use is taken, inform the State limited liability company Immovable Properties of the Ministry of Agriculture thereof.

[*5 June 2014; 30 March 2017; 20 October 2022*]

**Section 23.**An amelioration system for common use shall be operated and maintained by the owners or legal possessors of the relevant land.

**Section 24.**An amelioration system of a single property shall be operated and maintained by the owner or legal possessor of the relevant land.

**Section 25.**The Cabinet shall issue regulations regarding the operation and maintenance of an amelioration system by stipulating the requirements with which the owner or legal possessor of land must comply while using, caring for and preserving the amelioration system.

**Section 25.1**Construction intention planned in the borderland shall be agreed upon with the State Border Guard before the submission of the intention application to the building authority.

[*30 March 2017*]

**Section 25.2**Owners of amelioration systems have the obligation to agree upon the construction intention for an amelioration system with the owner or legal possessor of the respective land. The procedure for agreeing upon the construction intention may be replaced with the timely provision of information to the owner or legal possessor of the respective land in writing if the renewal of State amelioration systems and amelioration systems of national and local government significance is planned without changing the width of the previously determined protection zone or the size of the protection zone.

[*30 March 2017; 20 October 2022*]

**Chapter V**

**Financing of Amelioration**

**Section 26.**

[3 June 2010]

**Section 27.**The construction, rebuilding and renewal, operation and maintenance of the State amelioration system and an amelioration system of national significance shall be financed from the funds provided for this purpose in the State budget.

[*3 June 2010; 5 June 2014*]

**Section 28.**The construction, operation and maintenance of a local government amelioration system shall be financed by the local government.

**Section 29.**(1) The construction, operation and maintenance of an amelioration system for common use shall be financed by the owners or legal possessors of the relevant land according to a fixed fee.

(2) The procedures for calculating and distributing the costs and settling the accounts for the construction, operation, and maintenance of an amelioration system for common use, amelioration system of local government significance for common use, and also such local government amelioration system and amelioration system of local government significance for common use which is located in the administrative territory of two or several local governments shall be determined by the Cabinet.

(3) In cases when an amelioration system for common use does not provide the water regime provided for in the construction norms for amelioration systems and hydrotechnical structures or creates an accident threat, the local government is entitled to ensure the financing of the construction, operation and maintenance of an amelioration system for common use by collecting payment from the owner or legal possessor of the land.

[*5 June 2014*]

**Section 30.**The construction, operation and maintenance of an amelioration system of a single property shall be financed by the owner or legal possessor of the relevant land.

**Section 31.**Ameliorative hydrometry, practical scientific research and development of amelioration, preparation of sectoral norms (standards) and organisation of the amelioration cadastre shall be financed from the funds from the State budget intended for this purpose.

**Chapter VI**

**Ameliorative Technical Documentation**

**Section 32.**(1) Ameliorative technical documentation shall contain the documentation of agricultural land amelioration projects, drawings of hydrotechnical structure projects (originals), documentation of drainage and polder projects, forest amelioration projects, documentation of projects for buildings and structures of undertakings in the field of amelioration, as well as documentation of different water management developments.

(2) The archives of ameliorative technical documentation shall be stored by the State limited liability company Immovable Properties of the Ministry of Agriculture.

**Chapter VII**

**Administrative Offences in the Field of Amelioration and Competence in Administrative Offence Proceedings**

[*3 October 2019 / Chapter shall come into force on 1 July 2020. See Paragraph 10 of Transitional Provisions*]

**Section 33.**(1) For the littering, polluting, allowing to overgrow or clogging of the amelioration system, a fine from three to forty units of fine shall be imposed on a natural person, but a fine from twenty to one hundred units of fine on a legal person.

(2) For the damage to or destruction of an amelioration system, a fine from fourteen to one hundred and forty units of fine shall be imposed on a natural person, but a fine from twenty-eight to two hundred and eighty units of fine on a legal person.

[*3 October 2019 / This Section shall come into force on 1 July 2020. See Paragraph 10 of Transitional Provisions*]

**Section 34.**The administrative offence proceedings for the offences referred to in Section 33 of this Law shall be conducted by the official of a local government building authority or the environmental control official of the local government.

[*3 October 2019 / This Section shall come into force on 1 July 2020. See Paragraph 10 of Transitional Provisions*]

**Transitional provisions**

1. With the coming into force of this Law, the Amelioration Law of 20 November 2003 (*Latvijas Republikas Saeimas un Ministru Kabineta Ziņotājs*, 2004, No. 2) is repealed.

2. [3 June 2010]

3. [3 June 2010]

4. The Cabinet shall issue the regulations referred to in Section 13 and Section 16, Paragraph three of this Law by 30 June 2010.

5. Until the day when the relevant Cabinet regulations come into force, but not later than until 30 June 2010, the following Cabinet regulations shall be applicable insofar as they are not in contradiction with this Law:

1) Cabinet Regulation No. 272 of 8 April 2004, Regulations Regarding the Operation and Maintenance of Land Amelioration Systems;

2) Cabinet Regulation No. 520 of 1 June 2004, Procedures for the Determination and Reimbursement of Losses Related to the Damage to, Destruction or Limitation of the Right to Use Amelioration Systems;

3) Cabinet Regulation No. 629 of 27 July 2004, Regulations Regarding Land Amelioration Cadastre;

4) Cabinet Regulation No. 662 of 3 August 2004, Procedures for Calculation of the Costs of Construction, Operation and Maintenance of Amelioration Systems for Common Use, Their Distribution and Settlement.

6. [3 June 2010]

7. With the coming into force of this Law, the Rural Support Service shall transfer and the State limited liability company Immovable Properties of the Ministry of Agriculture shall accept the amelioration cadastre and ameliorative hydrometry and all the moveable and immovable property relating to them, concurrently excluding the property from the balance of the Rural Support Service and placing it in the balance of the State limited liability company Immovable Properties of the Ministry of Agriculture.

8. Section 4, Paragraph one, Clause 4 of this Law in relation to the issuance of technical provisions for planting of woody plantations in ameliorated land to be used for agriculture shall come into force concurrently with the relevant amendments to the Law on Agriculture and Rural Development.

[*5 June 2014*]

9. The Cabinet shall, by 31 December 2014, issue the regulations referred to in Section 22.1, Paragraph two and Section 29, Paragraph two of this Law.

[*5 June 2014*]

10. Chapter VII of this Law shall come into force concurrently with the Law on Administrative Liability.

[*3 October 2019*]

11. Until the immovable property is registered in the Land Register for the first time, the user of land referred to in the laws governing the land reform and privatisation is the subject of the cadastre which is entered in the State Immovable Property Cadastre Information System as the user, and data of this user are used for the management of amelioration systems. The user of land has the rights and obligations specified in Sections 12, 17, and 18, Section 22.1, Paragraph one, Section 22.2, Paragraph one, and Sections 23, 24, and 30 of this Law.

[*20 October 2022*]

This Law shall come into force on 25 January 2010.

This Law has been adopted by the *Saeima* on 14 January 2010.

President V. Zatlers

Rīga, 22 January 2010