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

16 December 2010 [shall come into force on 1 January 2011];

28 November 2013 [shall come into force on 26 December 2013];

3 April 2019 [shall come into force on 1 May 2019].

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:

**Law on the Latvian Environmental Protection Fund**

**Section 1. Scope of Application of the Law**

The Law prescribes the purpose of the Latvian Environmental Protection Fund and the procedures for the use of the resources thereof.

**Section 2. Legal Status of the Latvian Environmental Protection Fund**

(1) The Latvian Environmental Protection Fund (hereinafter – the Fund) is an aggregate of State budget resources for the implementation of environmental protection measures and projects.

(2) The holder of the resources of the Fund shall be an institution of direct administration under the subordination of the Ministry of Environmental Protection and Regional Development (hereinafter – the Administration of the Fund).

(3) The Fund shall operate in a transparent manner.

[*16 December 2010; 3 April 2019*]

**Section 3. Purpose of the Fund**

The purpose of the Fund is to promote sustainable development of the national economy by integrating environmental protection requirements in all sectors of national economy in order to ensure the right of citizens to live in a high quality environment in accordance with the State environmental policy guidelines, and also sufficient measures to preserve biodiversity and protect ecosystems.

**Section 4. Resources of the Fund and Use Thereof**

(1) Resources of the Fund shall be formed by:

1) a State budget grant from general revenue in the amount laid down in the law on the State budget for the current year;

2) gifts, donations, and foreign financial assistance of persons, including foreign persons.

(2) The Fund shall support financially the projects implemented by private individuals and legal persons governed by public law in conformity with Section 6, Paragraph two, Clause 1 of this Law.

(3) Resources of the Fund shall be used for the implementation of the objective of the Fund and also for ensuring the operations of the Council, the Administration, and the Advisory Council of the Fund.

(4) The State budget grant allocated to the Fund from general revenue shall be used for the financing of such measures and projects which are related to environmental protection in conformity with Section 6, Paragraph two, Clause 1 of this Law.

(5) The use of resources of the Fund shall be determined by the Council of the Latvian Environmental Protection Fund (hereinafter – the Council of the Fund) in accordance with the procedures laid down in the by-law thereof.

**Section 5. State Budget Grant for the Fund**

The State budget grant allocated to the Fund from general revenue shall not be less than in the previous budget year.

**Section 6. Council of the Fund**

(1) The Council of the Fund shall be the decision-making body which shall take decisions on matters relating to the planning of operations and use of resources of the Fund. The chairperson of the Council of the Fund shall be the Minister for Environmental Protection and Regional Development, or the person authorised thereby, who shall be an official of the Ministry of Environmental Protection and Regional Development.

(2) The Council of the Fund shall have the following tasks:

1) to purposefully and effectively manage and allocate resources for the implementation of environmental protection measures and projects (hereinafter – the projects), financing of measures and projects related to environmental protection, environmental education, environmental monitoring, preservation and protection of biodiversity, air protection and climate change, research, evaluation, and renewal of environmental and natural resources, the protection of water, soil and ground protection and rehabilitation, waste management, radioactive waste management, protection and control of human health, strengthening the performance of environmental protection institutions, provision of assistance to other countries in the management of environmental problems, awarding a premium to public environmental inspectors and performance of other tasks laid down in the by-law of the Council of the Fund;

2) to ensure the control of the use of the State budget resources allocated to the Fund.

(3) The Council of the Fund shall distribute resources of the Fund in accordance with the objective of the Fund within the time limits and in the amount specified by the Council of the Fund in accordance with the procedures laid down in the by-law of the Council of the Fund.

(4) The by-law of the Council of the Fund and the composition of the Council of the Fund shall be approved by the Cabinet.

[*16 December 2010; 28 November 2013*]

**Section 7. Taking of Decisions by the Council of the Fund**

(1) The Council of the Fund shall take decisions by a simple majority of the members of the Council of the Fund present at the meeting. In the event of a tied vote, the vote of the chairperson of the Council of the Fund shall be decisive.

(2) The minutes of the meeting of the Council of the Fund shall be signed by the chairperson of the Council of the Fund.

(3) The members of the Council of the Fund shall be independent in taking a decision.

**Section 8. Administration of the Fund**

(1) The Administration of the Fund shall have the following functions:

1) to ensure the implementation of the decisions of the Council of the Fund;

2) to administer the use of resources of the Fund.

(2) The Administration of the Fund shall have the following tasks:

1) to announce tenders for projects submitted for receipt of financing of the Fund and to organise the evaluation of projects in conformity with the decisions of the Council of the Fund;

2) to ensure the efficient use of resources of the Fund in accordance with the decisions of the Council of the Fund;

3) to perform the functions of the secretariat of the Council of the Fund;

4) to ensure full transparency in the use of resources of the Fund – to publish information on the amount of project financing and the source of the grant, to ensure publicly available information on projects submitted to and financed by the Fund, to prepare and publish an annual public report on the activities of the Fund;

5) to fulfil the instructions of the Council of the Fund and the chairperson thereof in accordance with the procedures laid down in the by-law of the Council of the Fund.

(3) [3 April 2019]

[*3 April 2019*]

**Section 9. The Advisory Council of the Fund**

(1) In order to promote the observing of public interests in the allocation of resources of the Fund and the participation thereof in the decision-making process, the chairperson of the Council of the Fund shall establish the Advisory Council of the Latvian Environmental Protection Fund (hereinafter – the Advisory Council of the Fund) and approve the by-law thereof.

(2) The decisions by the Advisory Council of the Fund shall be of a recommendatory nature.

**Section 10. Evaluation of Projects**

The project applications submitted to the Administration of the Fund shall be evaluated by the State environmental institutions and by the Advisory Council of the Fund. Experts may be invited for the evaluation of projects.

**Section 11. Limits on the Activities of the Fund**

(1) The Administration of the Fund shall not have the right to assume liabilities at the expense of the property of the Fund if such liabilities do not directly relate to the purpose and tasks of the Fund.

(2) The property of the Fund shall not be pledged or otherwise encumbered.

(3) The Administration of the Fund shall be prohibited from becoming a member of a partnership, a member (shareholder) in a capital company, purchase of securities, undertaking of liabilities arising from guarantee agreements, entering into loan agreements, and also giving as a gift, lending, or donating of the property of the Fund.

**Section 12. Control of the Lawfulness of the Activities of the Fund**

The lawfulness of the activities of the Council of the Fund shall be the responsibility of the chairperson of the Council of the Fund.

**Transitional Provisions**

1. The Cabinet shall, until 1 April 2006, issue the regulations referred to in Section 6, Paragraph four and in Section 8, Paragraph three of this Law.

2. Until the coming into force of the Cabinet Regulation referred to in Section 8 of this Law, but not later than until 1 April 2006, Cabinet Regulation No. 715 of 16 December 2003, By-law of the Latvian Environmental Protection Fund, shall be applied insofar as it is not in contradiction with this Law.

3. Until 31 December 2006, the State agency The Museum of Natural History shall be financed from the resources of the Fund.

The Law shall come into force on the day following its proclamation.

The Law has been adopted by the *Saeima* on 22 December 2005.

President V. Vīķe-Freiberga

Rīga, 3 January 2006