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

13 January 1994 [shall come into force on 19 January 1994];

27 October 1994 [shall come into force on 5 November 1994];

19 October 2000 [shall come into force on 10 November 2000];

27 August 2009 [shall come into force on 29 September 2009].

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 Supreme Council of the Republic of Latvia has adopted a law:

**On the Return of Properties to Religious Organisations**

**Terms Used in the Law**

Religious organisations are religious centres (Roman Curia, consistory, eparchy, union, council), congregations, missions, convents, religious training establishments, and religious associations.

The property objects of religious organisations shall be cult buildings, administrative, residential, household, and other buildings of religious organisations, mortuaries, land (also land occupied by forests and water reservoirs), inventory, objects of religious rites and other property, except for the deposits, and also land and buildings of the charity associations, shelters, poorhouses, etc. established by religious organisations.

Cult buildings are churches, houses of prayer, synagogues, and chapels.

Objects of religious rites are sacred images (icons), crosses, vessels, chalices, candlesticks, flags, and other objects.

[*13 January 1994*]

**Section 1.** Decrees of the Presidium of the Supreme Soviet of the Latvian SSR, decisions of the Council of People’s Commissars of the Latvian SSR and the Council of Ministers of the Latvian SSR, and also the local Council of People’s Deputies and their executive committees in the part on the alienation of properties of religious organisations which were adopted in the time period from 21 July 1940 until the moment of the coming into force of the law On Religious Organisations – 13 October 1990 – are repealed.

**Section 2.** The ownership rights to objects which were alienated in the territory of the Republic of Latvia in the time period from 21 July 1940 until the moment of the coming into force of this Law on the basis of the acts referred to in Section 1 of this Law, except for the land which has been granted for the permanent use to natural persons for the purposes provided for in Section 7 of this Law, and also except for the objects which have been transferred into the ownership of acquirers acting in good faith (natural persons) for a remuneration on the basis of notarially certified contracts, shall be restored to religious organisations. A natural person who has acquired the property objects of a religious organisation against its will after the coming into force of the law On Religious Organisations on 13 October 1990 may not be recognised to be an acquirer acting in good faith.

**Section 3.** If it is not possible to return a property object of religious organisations in kind (object has not survived or it has been acquired by the natural person referred to in Section 2 of this Law), its value shall be compensated. The procedures for and amount of a compensation shall be determined by a special law.

**Section 4.** Religious organisations may not apply for a compensation for property objects destroyed during World War II, and also for objects which according to the will expressed by such organisations in accordance with the procedures laid down in the articles of association (constitution, by-laws) of religious organisations have been transferred into ownership of legal persons or on the basis of notarially certified contracts into ownership of natural persons. A compensation to religious organisations shall also not be disbursed in cases if immovable property has been acquired or built using State resources.

**Section 5.** The composition of a property object of religious organisations shall be determined according to the composition recorded in documents. If there are no documents or they have not survived in full, and also in case of a dispute, the composition of the property object shall be established by a court.

[*27 October 1994*]

**Section 6.** Such religious organisations have the right to recover unlawfully alienated property objects according to their articles of association (constitution, by-laws) which in 1940 were registered with the Department of Churches and Denominations of the Ministry of the Interior of the Republic of Latvia or with the Department of Press and Associations of the Ministry of Public Affairs if they had not discontinued religious activity and have restored their status of a legal person. Registration of a religious organisation until 1940 shall be certified by a statement from the Latvian State Historical Archive. Restoration of the status of a legal person shall be certified by the registration certificate of the religious organisation.

Legal successors of former religious organisations, i.e. religious organisations which had discontinued their activity after 1940, however, have now restored their status of a legal person, have the same right to recover unlawfully alienated property objects. If a congregation or another religious organisation does not exist anymore, its property, and also the property of the charity and other associations, shelters, poorhouses, etc. property of religious organisations shall be taken over by the relevant religious centre in Latvia.

Restored religious organisations which belong to the same denomination to which the former religious organisation belonged, if the objectives, tasks, and primary teachings formulated in their articles of association (constitution, by-laws), and also the legal status, name, and territory of operation are the same, may be recognised as successors to the ownership rights. Succession of the ownership rights according to the opinion of the relevant religious centre shall be established by a court, but if there is no centre – the court shall request an opinion of the Advisory Council for Religious Affairs of the Ministry of Justice of the Republic of Latvia.

The issue on restoration of the ownership rights of foreign religious organisations on a case-by-case basis shall be decided by the government of the Republic of Latvia.

[*13 January 1994; 19 October 2000; 27 August 2009*]

**Section 7.** The grounds for the examination of an issue on return of the property objects of religious organisations shall be the application of the owner or his or her successor to ownership rights which must be submitted by 31 March 1994 to the city council or parish council according to the location of the property object.

The ownership rights of religious organisations (or the fact of their succession) must be proven with documents, but if documents have not survived – with a court judgment.

Return of city land to owners or their successors to ownership rights – religious organisations – shall take place in accordance with the law of the Republic of Latvia On Land Reform in Cities of the Republic of Latvia. The land ownership rights to owners or their successors to ownership rights – religious organisations – in rural areas of the Republic of Latvia shall be restored (or inherited) starting from 1 January 1993 on the basis of a land request of such organisations, except when in the first round of land reform such land has been granted in permanent use to other natural persons:

– for farms;

– for household plots;

– for maintaining individual orchards;

– for maintaining residential houses or completion of commenced construction;

– for maintaining summer cottages.

If it is not possible to return land or its part in kind to owners or their successors of ownership rights – religious organisations, they have the right to receive an equivalent land in ownership at another place or to receive a compensation.

[*13 January 1994; 27 October 1994*]

**Section 8.** The city council or parish council shall examine the application within three months after receipt of all the necessary documents and take the decision to return the property object in kind or to grant a compensation for the property, or to refuse to restore the ownership rights. The ownership rights to immovable property shall be regarded to be restored or inherited from the moment when a document certifying the ownership rights is registered in accordance with the procedures laid down in the law, but to the remaining property – from the moment of the transfer of such property.

The certificate of the right to property issued by the city council or parish council shall be the document certifying the ownership rights. Such certificate may be recognised as invalid only by a court.

[*27 October 1994*]

**Section 9.** Religious organisations are not entitled to request a payment from the current possessor for the use of the property object to be returned until restoration of the ownership rights. The current possessors are not entitled to request a compensation for the maintenance, repair, or reconstruction of the property object.

Cult buildings and other buildings of religious organisations which are in the use of other possessors shall be returned without deteriorating their state.

Claims of religious organisations against the current possessors of property objects on the losses caused to the objects shall be examined in accordance with the procedures laid down in legislative acts.

Local governments may provide support to religious organisations in restoration of cult buildings and other property objects.

[*27 October 1994*]

**Section 10.** If the former owner of cult, residential, or other buildings or its successor to ownership rights – religious organisation – has not applied or proven its ownership rights within the laid down time period, the abovementioned buildings shall be taken over into the ownership by the State without changing the status of cult buildings.

Religious organisations have the priority right to receive such buildings for use.

**Section 11.** Art works and cultural values, and also objects which have been recognised as cultural monuments shall be returned to religious organisations in conformity with the law of the Republic of Latvia On Protection of Cultural Monuments.

**Section 12.** Legal persons have an obligation to vacate the buildings to be returned to religious organisations within a year from the moment of restoration of the ownership rights, but the premises which are necessary for ensuring the activity of a religious organisation (cult premises, premises of the chancellery, apartment of the clergyman, and premises of the Sunday school) shall be returned without delay.

**Section 13.** The rights of the current tenants of residential buildings of religious organisations shall be protected in accordance with the procedures laid down in the law of the Republic of Latvia On the Denationalisation of Building Properties in the Republic of Latvia.

**Section 14.** Originals of the documents of religious organisations present in the State archives of the Republic of Latvia shall not be subject to reclaiming. The State archives of the Republic of Latvia shall make and issue copies of such documents upon request of religious organisations.

**Section 15.** Disputes among religious organisations, and also religious organisations and other legal or natural persons regarding return of the property shall be examined by a court in accordance with the procedures laid down in legislative acts.

[*19 October 2000; 27 August 2009*]

**Section 16.** Religious organisations shall be exempted from the State fee and court expenditures in cases regarding recovery of an unlawfully alienated property.

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Rīga, 12 May 1992