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1 June 1993;
2 December 1993;
9 February 1995;
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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.

The Supreme Council of the
Republic of Latvia has adopted a Law:

On Protection of Cultural Monuments

Protection of cultural monuments is a system of measures, which ensures preservation of the cultural and historical heritage and encompasses the registration, investigation, practical preservation thereof, and utilisation of cultural monuments and popularisation thereof.

Chapter One General Provisions

Section 1. Subject of This Law

Cultural monuments are a part of the cultural and historical heritage – cultural and historical landscapes and individual territories (ancient burial sites, cemeteries, parks, places of historical events and the activities of famous persons), as well as individual graves, groups of buildings and individual buildings, works of art, facilities and articles with historical, scientific, artistic or other cultural value and the preservation of which for future generations is in conformity with the interests of the State and people of Latvia, as well as international interests.

Section 2. Types of Cultural Monuments

The types of cultural monuments are as follows:

1. Immovable cultural monuments:

- individual objects – buildings, works of art, facilities and articles, individual burial sites; and

- complex objects – archaeological sites, architectural ensembles and complexes, historical town centres and other populated areas, streets, squares, blocks, cultural layer, cemeteries, cultural and historical landscapes, memorial places, and historical places and territories.

2. Movable cultural monuments:

- individual objects – archaeological finds, antiquities, elements of immovable monuments, historical relics, works of art, manuscripts, rare printed matter, cinema documents, photo-documents and video-documents, phonograms; and

- complex objects – historically evolved complexes, holdings and collections of separate objects which objects have an indivisible cultural and historical value.

Objects which have survived in their initial state, as well as separate parts and fragments thereof shall be recognised as cultural monuments.

Section 3. Prohibition to Destroy, Move or Modify Cultural Monuments

It is prohibited to destroy cultural monuments. Immovable cultural monuments may be moved or modified only in exceptional cases with the permission of the State Inspection for Heritage Protection of the Ministry of Culture (hereinafter – State Inspection for Heritage Protection). Modification of a cultural monument or replacement of the original parts thereof with new parts shall be permitted only if it is the only possibility to preserve the monument or if the cultural and historical value of the monument does not decrease as a result of the modification.

[9 February 1995]

Section 4. Prohibition to Export Cultural Monuments

It is prohibited to export cultural monuments from the Republic of Latvia. Temporary exportation of cultural monuments shall be possible only with permission of the State Inspection for Heritage Protection in accordance with procedures prescribed by the Cabinet.

[9 February 1995; 15 November 2001]

Section 5. State Administration in respect of Protection and Utilisation of Cultural Monuments

State administration in respect of the protection and utilisation of cultural monuments shall be ensured by the Cabinet and shall be implemented by the State Inspection for Heritage Protection.

Administrative instruments – instructions, issued by the State Inspection for Heritage Protection within its scope of competence as prescribed by law and Cabinet regulations, regarding utilisation and preservation of each individual cultural monument shall be binding on the owner (possessor) of the relevant cultural monument.

The Cabinet shall issue regulations on the registration, protection, utilisation and restoration of cultural monuments.

[9 February 1995; 15 November 2001]

Section 6. State Inspection for Heritage Protection Inspector

The State Inspection for Heritage Protection shall appoint a State Inspection for Heritage Protection inspector in each district and republic city who shall be directly subject to the Inspection and who shall work in accordance with service instructions.

[9 February 1995]

Chapter Two Ownership Rights and Utilisation of Cultural Monuments

Section 7. Ownership Rights in Respect of Cultural Monuments

The State or local governments, as well as natural persons and other legal persons may own cultural monuments in the Republic of Latvia.

When recording the right of ownership in respect of immovable property that has been acknowledged as a cultural monument, an appropriate notation on limitations of rights shall be made in the Land Register. Such notation shall be made on the basis of a submission of the State Inspection for Heritage Protection.

If an immovable property is a cultural monument, this shall be a sufficient ground for making a relevant notation in the Land Register. The notation shall be made within a time period of 10 days from receipt of the submission from the State Inspection for Heritage Protection, or concurrently with registration of the ownership rights. Lists of immovable cultural monuments shall be submitted to the Land Registry offices by the relevant State cultural monument protection inspector.

[1 June 1993; 9 February 1995]

Section 8. Transactions with Cultural Monuments

If an owner of a cultural monument alienates the cultural monument, the State shall have the right of first refusal. Procedures according to which the State shall exercise the right of first refusal shall be prescribed by Cabinet regulations.

It is prohibited to alienate separate parts of one cultural monument or a complex of monuments, as well as divide land if, as a result, preservation of a cultural monument is endangered.

Alienation of a cultural monument may take place if the owner of the cultural monument has notified the State Inspection for Heritage Protection of the intention to alienate the cultural monument, the State cultural monument protection inspector of the relevant district has inspected the cultural monument, and the future owner thereof has been acquainted with the instructions on utilisation and preservation of the relevant cultural monument.

[9 February 1995]

Section 9. Procedures for Allotting Land Parcels on which Cultural Monuments are Located

Land parcels on which cultural monuments are located shall be allotted for use or shall be acquired in accordance with procedures prescribed by legislative enactments regarding land only if the potential user or owner has been acquainted with the instructions on the utilisation and preservation of the relevant cultural monument.

[9 February 1995]

Section 10. Restriction of Economic Activity in Cultural Monuments

Economic activity and any other type of activity in cultural monuments (the territories, zones, museum reserves, national parks, etc. thereof), as well as use of pictures and symbols of the cultural monument for commercial purposes, shall be permitted only with the consent of the owner of the cultural monument.

Section 11. Preservation of Cultural Monuments

Natural persons and legal persons shall ensure that cultural monuments in their ownership (possession) are preserved. The possessors thereof shall ensure preservation of cultural monuments owned by the State.

An owner (possessor) of a cultural monument shall have the following duties:

1) to comply with legislative and other regulatory enactments, as well as instructions of the State Inspection for Heritage Protection regarding utilisation and preservation of cultural monuments; and

2) to inform the State Inspection for Heritage Protection of any damage suffered by the cultural monument in his or her ownership (possession).

[9 February 1995]

Chapter Three State Registration of Cultural Monuments

Section 12. Organisation of State Registration of Cultural Monuments

Cultural objects of value which lay claim to inclusion in the list of State protected cultural monuments shall be subject to State registration irrespective of the fact who owns, possesses or utilises such objects of value. State registration of monuments shall encompass assessment and inspection of monuments, determination of the historical, scientific, artistic, architectonic, archaeological, ethnographic or other cultural value thereof, recording and research thereof, and preparation of registration documents, as well as the inclusion thereof into the State information system – the State Protected Cultural Monuments Register. The State Protected Cultural Monuments Register shall be maintained and up-dated by the State Inspection for Heritage Protection.

[6 November 2003]

Section 13. Right to Inspect Objects which Have Cultural Value

The State Inspection for Heritage Protection has the right to inspect objects that have cultural value in order to take a decision regarding the issue of entering such objects in the national register.

[9 February 1995]

Section 14. State Protected Cultural Monuments

Cultural monuments, in conformity with their historical, scientific, artistic or other cultural value, are classified into cultural monuments of State or local significance, and shall be included in accordance with procedures specified by the Cabinet as cultural monuments of State or local significance in a list of State protected cultural monuments. The State Inspection for Heritage Protection shall inform the owner (possessor) of an object in writing regarding a proposal to grant the status of a State protected cultural monument to the relevant object. The owner (possessor) of the object shall, within 30 days of receipt of the notification, inform the State Inspection for Heritage Protection in writing regarding his or her opinion. Having evaluated the opinion of the owner (possessor) of the object, the State Inspection for Heritage Protection shall submit to the Minister for Culture a proposal for granting the status of a cultural monument to the object and the inclusion thereof in the list of State protected cultural monuments.

The list of State protected cultural monuments and amendments thereto shall be approved by the Minister for Culture. The list of State protected cultural monuments, as well as amendments thereto shall be published in the newspaper *Latvijas Vēstnesis* [the official Gazette of the Government of Latvia]. An object shall acquire the status of a State protected cultural monument on the day following the publication of the relevant information in the newspaper *Latvijas Vēstnesis*.

The consent of the owner (possessor) shall not be necessary for the inclusion of an object in the list of State protected cultural monuments. He or she shall be granted tax relief or receive compensation for losses if such have occurred as a result of restrictions on the use of the land or the object.

Marking of cultural monuments and the territories thereof in the plans of administrative territorial units and documents of State cadastral surveys shall be ensured by the State Land Service with State budgetary resources.

[1 June 1993; 9 February 1995; 15 November 2001]

Section 15. Loss of the Status of State Protected Cultural Monument

If an object has completely lost the value of a cultural monument, the State Inspection for Heritage Protection shall submit a proposal for approval by the Minister for Culture regarding exclusion of the relevant object from the list of State protected cultural monuments. A cultural monument shall be excluded from the list of State protected cultural monuments in accordance with the procedures prescribed by the Cabinet. An object shall lose the status of a State protected cultural monument on the day following the publication of the relevant information in the newspaper *Latvijas Vēstnesis*.

[9 February 1995; 15 November 2001]

Section 16. Specially Protected Cultural Monuments

Ensembles and complexes of cultural monuments having particular historical, scientific or artistic value, upon a decision by the Cabinet may be declared cultural monument reserves that shall be protected in accordance with a by-law for each such reserve. The Cabinet shall approve by-laws for cultural monument reserves.

[2 December 1993]

Section 17. Protection of Newly-discovered Cultural Monuments

Newly-discovered objects, having historical, scientific, artistic or other cultural value, irrespective of the ownership thereof, shall be under State protection until a decision is taken on the inclusion of such objects in the list of State protected cultural monuments but not more than six months from the day the owner of the object was informed thereof.

The finder shall within 10 days notify the State Inspection for Heritage Protection of the objects found in the ground, above the ground, in water, in ancient buildings or parts and remains thereof and which might have historical, scientific, artistic or other cultural value .

[9 February 1995]

Section 18. State Protection of Cultural Values Found in Museums, Libraries and Archives

State registration and protection of cultural values found in museums and libraries shall be performed in accordance with procedures provided for in legislative enactments of the Republic of Latvia regarding museum and library holdings. Procedures for registration of documentary monuments are prescribed in the Law of the Republic of Latvia On State Archives.

Section 18.¹ Exportation of Art and Antique Articles from the Republic of Latvia and Importation Thereof into the Republic of Latvia

Procedures for exportation from and importation into the Republic of Latvia of art and antique articles shall be regulated by Cabinet regulations.

[15 November 2001]

Section 18.² Return of Illegally Exported Art and Antique Articles

An action may be brought in court regarding return of an illegally exported art or antique article to the country from which it has been exported if the exportation of the art or antique article from the relevant country is illegal also at the time of bringing the action.

The right to claim in respect of an illegally exported art or antique article shall lapse:

- 1) 30 years after the moment it was illegally exported;
- 2) after 75 years if it is subject to special protection; or
- 3) after more than 75 years if such time period has been provided for in a mutual agreement with the relevant country binding on the Republic of Latvia.

A claim regarding return of an illegally exported art or antique article may be brought in court not later than within one year from the day that information regarding the location or owner, possessor or holder of the art or antique article was received.

Procedures for return of illegally exported art or antique articles shall be regulated by Cabinet regulations. These regulations apply also to such art or antique articles that have been illegally exported from the territory of the relevant country until the date of coming into force of these Regulations.

[15 November 2001; 6 November 2003]

Section 19. Utilisation of Cultural Monuments

Cultural monuments shall, as a priority, be utilised for purposes of science, education and culture. Utilisation of cultural monuments in economic activities shall be permitted only if such activity does not damage the monument, and does not reduce the historical, scientific and artistic value thereof.

Chapter Four Preservation of Cultural Monuments

Section 20. Procedures for Entering into Effect of Instructions by the State Inspection for Heritage Protection

The State Inspection for Heritage Protection inspector shall send to the owner (possessor) of a cultural monument, instructions on the utilisation and preservation of the relevant cultural monument. Such instructions shall enter into effect at the moment the owner (possessor) of the cultural monument receives them and certifies with his or her signature that he or she has become acquainted therewith.

[9 February 1995]

Section 21. Procedures for Performance of Investigation, Conservation, Restoration and Renovation of Cultural Monuments

Cultural monuments shall be conserved, restored and renovated only upon a written permit of the State Inspection for Heritage Protection and under its control.

Work of cultural monument investigation that may lead to modification of the cultural monument, as well as archaeological investigation, may be performed only with the written permission of the State Inspection for Heritage Protection and under its control.

Section 22. Preservation of Cultural Monuments, Performing Building and Other Work

Prior to commencement of building, land amelioration, road construction, extraction of mineral resources and other economic activity the performer thereof shall ensure assessment of cultural property in the area of intended activity. Natural persons and legal persons, who as a result of economic activity discover archaeological or other objects with cultural and historical value, shall immediately notify the State Inspection for Heritage Protection thereof and further activity shall be suspended.

Section 23. Cultural Monument Protection Zones

In order to ensure protection of cultural monuments, cultural monument protection zones shall be determined. The consent of the user or owner of the land shall not be required to create such zones. Zones and maintenance regimes thereof shall be determined by the State Inspection for Heritage Protection. The protection zone around cultural monuments for which no protection zones have been determined and around newly-discovered cultural monuments in rural populated areas shall be at a distance of 500 metres, but in towns – at a distance of 100 metres. Any economic activity within the protection zone of a monument shall be performed only with permission from the State Inspection for Heritage Protection.

The head of the State Inspection for Heritage Protection, taking into account Cabinet regulations, may determine environment-degrading objects that are located within the cultural monument protection zones. Such objects shall be designated for demolition and further development thereof shall not be permitted.

[9 February 1995]

Section 24. Financing of Cultural Monument Preservation

Conservation, maintenance, renovation and restoration of a cultural monument shall be performed by the owner (possessor) of the cultural monument at his or her own expense.

Upon a proposal of the State Inspection for Heritage Protection, funds from the State budget may be allocated for investigation of cultural monuments and conservation and restoration of economically unusable cultural monuments of State significance, but from the budgets of local governments – funds for conservation and restoration of economically unusable cultural monuments of local significance.

In each specific case the State Inspection for Heritage Protection shall enter into agreement with the owner (possessor) of the relevant cultural monument in respect of the allocation of State budgetary funds for investigation of cultural monuments and conservation and restoration of cultural monuments of State significance, as well as in respect of control of the utilisation of the funds. Investigational work required due to building, land amelioration, road construction and performance of other economic activity, shall be financed by the performer of work at the expense of the commissioning party.

[9 February 1995]

Section 25. Use of Funds Obtained from Utilisation of Cultural Monuments

Funds obtained by local governments from the lease of cultural monuments, deductions from the profit obtained as a result of commercial activity related to cultural monuments, fines for damage or destruction of cultural monuments, and compensation for losses related thereto shall be transferred to the revenue of the special budget of a parish or city local government. Such funds are permitted to be used only for investigation, conservation, renovation and restoration of cultural monuments.

[9 February 1995]

Chapter 5

Supervision and Control of Compliance with Legislative Enactments regarding Cultural Monuments and Liability for Violation of Legislative Enactments on Cultural Monuments

Section 26. State Supervision and Control of Cultural Monument Protection

The State Inspection for Heritage Protection is a direct administration institution subordinate to the Ministry of Culture that carries out State control of cultural monument protection, performs assessment and investigation of cultural heritage, and registration of monuments. The Cabinet shall approve the by-laws of the Inspection.

The State Inspection for Heritage Protection of the Ministry of Culture of the Republic of Latvia has the right to:

1) without hindrance verify compliance with legislative enactments regarding protection of cultural monuments in any object throughout the Republic of Latvia irrespective of the fact who owns or utilises the monument;

2) suspend any economic activity in the immediate proximity of a cultural monument or in the protection zone thereof, or restrict traffic in cases where regulations regarding the protection of cultural monuments are violated and cultural monuments are endangered, until the moment when threats to the cultural monument have been rectified;

3) propose that implementation of decisions of officials or local government institutions be suspended if such decisions are contrary to legislative enactments on the protection of cultural monuments, until such decisions are examined anew in accordance with procedures prescribed by law;

4) propose that banking institutions discontinue funding of such activities, in the performance of which legislative enactments on the protection of cultural monuments are violated;

5) bring an action against natural persons and legal persons in respect of payment for losses if such persons have caused harm to a cultural monument;

6) draw up an administrative violation report regarding violation of regulations on the protection of cultural monuments, examine administrative violation matters and impose administrative sanctions;

7) examine antique and commission shops, art galleries and auctions of cultural values in order to prevent illegal transactions with cultural monuments or, if necessary, take the monuments under State protection as cultural property;

8) equip vehicles of the Inspection with special lights and warning devices, and utilise graphical design of colours and inscriptions;

9) carry out expert-examination of cultural monuments and issue permits for exportation thereof out of the Republic of Latvia; and

10) take part in the work of the customs service by controlling the legality of exportation of cultural monuments.

[9 February 1995; 28 April 2005]

Section 27. Procedures for Alienation of Cultural Monuments

Cultural monuments, the owner of which fails to ensure the preservation thereof, shall be alienated by judicial process upon a proposal of the State Inspection for Heritage Protection. In

case of alienation of buildings, the rights of the tenants shall be preserved in accordance with legislative enactments of the Republic of Latvia.

Section 28. Cultural and Historical Value of Cultural Monuments

The cultural and historical value may be determined for each cultural monument. Such determination shall be performed by the State Inspection for Heritage Protection. Compensation for damage caused to a cultural monument shall be calculated in conformity with the cultural and historical value determined for such cultural monument.

[9 February 1995]

Section 29. Public Control of Cultural Monument Protection [9 February 1995]

Section 30. Liability for Violation of Legislative Enactments regarding Protection of Cultural Monuments

Transactions with cultural monuments, which are carried out in violation of the procedures prescribed by law, shall be deemed invalid.

For failure to fulfil regulations in respect of protection, utilisation, registration, restoration and renovation of cultural monuments, violation of the protection zone regime for cultural monuments, and other violations prescribed by legislative enactments, persons shall be held criminally, administratively or otherwise liable in accordance with legislative enactments of the Republic of Latvia.

Chapter Six Application of International or Bilateral Agreements

Section 31. Fulfilment of Obligations Arising from International or Bilateral Agreements

The Republic of Latvia shall participate in the work of international organisations and may enter into separate agreements with foreign states in respect of issues regarding protection of cultural monument and registration thereof, specialist training and information exchange.

If the provisions of international or bilateral agreements regarding protection, utilisation or restoration of cultural monuments are contrary to legislative enactments regarding cultural monuments of the Republic of Latvia, the provisions of international or bilateral agreements shall apply.

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, 12 February 1992