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If a whole or part of a paragraph has been amended, the date of the amending regulation appears in square brackets at the end of the paragraph. If a whole paragraph or sub-paragraph has been deleted, the date of the deletion appears in square brackets beside the deleted paragraph or sub-paragraph.

Republic of Latvia

Cabinet

Regulation No.916

Adopted 9 November 2004

By-law of the State Inspection for Heritage Protection

*Issued pursuant to Section 16, Paragraph one of the
State Administration Structure Law*

I. General Provision

1. The State Inspection for Heritage Protection (hereinafter ó Inspection) is an institution of direct administration subordinate to the Ministry of Culture that implements State policy in the field of protection of cultural monuments.

II. Functions, Tasks and Competence of the Inspection

2. The Inspection shall have the following functions:

- 2.1. to implement the protection of cultural monuments; and
- 2.2. to manage the cultural monuments in the State territory.

3. In order to ensure the fulfilment of functions, the Inspection shall:

- 3.1. gather information about objects having cultural value, as well as inspect cultural monuments;
- 3.2. evaluate the conformity of objects with the status of cultural monuments of State or local significance;
- 3.3. take the decision regarding the inclusion of a newly discovered object under State protection if it has historical, scientific, artistic or other cultural value;
- 3.4. prepare recommendations for the Minister for Culture regarding the inclusion of the relevant object into the list of State protected cultural monuments or the exclusion thereof;
- 3.5. determine cultural monument protection zones and the maintenance regime thereof;
- 3.6. evaluate and harmonise building designs which have been developed for cultural monuments or objects located in a cultural monument protection zone;
- 3.7. if necessary, issue the provisions and technical rules for construction planning in cultural monuments and objects located in a cultural monument protection zone and transform the cultural historical environment;
- 3.8. issue permits for the performance of economic activities in a cultural monument or in the protection zone thereof if the cultural monument or the cultural historical environment thereof is transformed due to the relevant activities;

- 3.9. take decisions regarding the suspension of economic activities in a cultural monument or in the protection zone thereof if the rules for the protection of cultural monuments are violated;
- 3.10. maintain the State Protected Cultural Monument Register;
- 3.11. issue instructions to the owners (possessors) of cultural monuments regarding the use and preservation of the relevant cultural monument;
- 3.12. issue permits for the performance of research works in the cultural monuments;
- 3.13. issue permits for construction, as well as for the performance of repair (renovation), conservation, restoration or reconstruction work in the cultural monuments or in the protection zones thereof;
- 3.14. provide an opinion on whether the relevant cultural monument or building located in the protection zone thereof and transforms the cultural historical environment is suitable for operation;
- 3.15. take a decision regarding the determination of the status of an environment-degrading object which is located in the territory of the cultural monument or the protection zone thereof;
- 3.16. issue permits for the exportation of art objects and antique objects to foreign countries;
- 3.17. organise the procedure for returning illegally exported cultural objects;
- 3.18. take a decision regarding the use of the State's pre-emptive rights or the rejection of these if the owner alienates a cultural monument of State significance;
- 3.19. determine the cultural historical value of a cultural monument in order to determine the compensation for damage caused thereto;
- 3.20. in accordance with the Public Procurement Law shall finance research, conservation and restoration works, as well as other measures related to the protection of cultural monuments, from funds specially allocated for such purposes;
- 3.21. organise events related to the contemporary improvement of architectural quality in territories of cultural monuments and the protection zones thereof;
- 3.22. take a decision regarding the imposition of an administrative punishment; and
- 3.23. perform other tasks specified in regulatory enactments.

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4. According to its competence, the Inspection shall:

- 4.1. participate in scientific research related to the conservation of cultural heritage;
- 4.2. participate in the development of draft regulatory enactments and the preparation of policy planning documents, as well as provide opinions regarding the draft regulatory enactments developed by other institutions;
- 4.3. ensure the accumulation, registration, storage and use of documents in accordance with the Archives Law;
- 4.4. prepare the Inspection's draft budget; and
- 4.5. participate in the preparation and implementation of international agreements.

5. The Inspection has the rights specified in the Law On Protection of Cultural Monuments, as well as the following rights:

- 5.1. to request and receive free of charge required information and documents from natural persons and legal persons for the purpose of implementing the tasks of the Inspection;
- 5.2. to represent the Republic of Latvia in the international organisations and at events in conformity with the competence thereof;
- 5.3. in order to ensure the Inspection's operations, to enter into contracts with natural persons and legal persons;
- 5.4. to provide paid services in accordance with the procedures prescribed in regulatory enactments;

- 5.5. to create expert councils;
- 5.6. to organise specialist training and the assessment of qualifications; and
- 5.7. to exercise other rights specified in regulatory enactments.

III. Structure of the Inspection

6. The work of the Inspection is managed by the Head of the Inspection. The Head of the Inspection shall perform the functions of the head of an institution of direct administration prescribed by the State Administration Structure Law. The Head of the Inspection shall be appointed and dismissed by the Minister for Culture.
7. The Head of the Inspection shall have deputies. The competence of the Deputy Heads of the Inspection shall be determined by the Head of the Inspection.
8. The structure of the Inspection shall be determined by the Head of the Inspection.
9. The functions and tasks of the constitutional units of the Inspection shall be determined in the rules of procedure of the Inspection.

IV. Provision of the Rule of Law in the Activities of the Inspection and Operational Report

10. The rule of law in the activities of the Inspection shall be ensured by the Head of the Inspection. The Head of the Inspection shall be responsible for the establishment and operation of a system for the examination of the Inspection's decisions.
11. The Head of the Inspection shall take a decision regarding the administrative act issued by an official of the Inspection disputed by a private person or an actual action of an official and employee.
12. A private person may contest the administrative acts issued by the Head of the Inspection and the actual action thereof in the Ministry of Culture. The decisions of the Ministry of Culture may be appealed in court.
13. The Inspection shall submit a report regarding the operations of the Inspection and the results thereof to the Ministry of Culture at least once a year.

V. Closing Provision

14. Cabinet Regulation No 232 of 25 June 1996 By-law of the State Inspection for Heritage Protection (*Latvijas Vēstnesis*, 1997, No 111) is repealed.

Prime Minister

I. Emsis

Minister for Culture

H. Demakova