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

11 March 2004 [shall come into force on 8 April 2004].

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:

**On the Reinstatement of the Payment of Compensation to Persons Administratively Unduly Exiled and the Deletion of Property Compensation Certificates Granted to Those Persons**

**Section 1.** This Law prescribes the procedures for the reinstatement of the payment of compensation and deletion of the property compensation certificates which in accordance with Cabinet Regulation No. 148 of 23 April 1996, Procedures for Returning Property or Recovering the Value Thereof to Persons whose Administrative Exile from the Part of the Territory of the Latvian SSR or Latvian SSR Included in the RSFSR has been Declared to be Unfounded, which, by the judgment of the Constitutional Court of 10 June 1998, has been declared invalid from the time of the adoption thereof, have been granted to persons administratively unduly exiled and also other politically repressed persons who correspond to the law On Determination of the Status of a Politically Repressed Person for Persons who have Suffered from the Communist and Nazi Regime for the share of the value of the property taken away during political repression (excluding nationalised property, unharvested harvest, fruit trees and fruit bushes) and not reimbursed in cash.

[*11 March 2004*]

**Section 2.** District councils and republic city councils (hereinafter – the local governments) shall review the decisions on the granting of property compensation certificates (hereinafter – the certificates) to persons administratively unduly exiled and other politically repressed persons (if the person has died – the heirs thereof) regarding the property taken away which in accordance with Cabinet Regulation No. 148 of 23 April 1996, Procedures for Returning Property or Recovering the Value Thereof to Persons whose Administrative Exile from the Part of the Territory of the Latvian SSR or Latvian SSR Included in the RSFSR has been Declared to be Unfounded, have been adopted in the time period from 2 May 1996 to 10 June 1998 and which prescribe that the aforementioned persons have the right to delete the certificates granted in accordance with the procedures laid down by this Law.

[*11 March 2004*]

**Section 3.** Certificates shall be deleted by paying compensation in cash – 28 lats per certificate in accordance with the decision of the local government.

**Section 4.** Local governments shall review the decisions taken from 2 May 1996 to 10 June 1998 on refusal to accept applications made by persons administratively unduly exiled and other politically repressed persons (the heirs thereof) in connection with the expiry of the time limit for the submission of applications (1 March 1996) and also decisions on the calculation of compensation to persons administratively unduly exiled and other politically repressed persons (the heirs thereof) if the aforementioned persons do not wish to receive reimbursement in the form of certificates for the property taken away and shall take the relevant decisions.

[*11 March 2004*]

**Section 5.** If the court has appointed a trustee of the inheritance, the interests of the heirs shall be ensured by the trustee of the inheritance in the process of the deletion of certificates and the payment of cash.

**Section 6.** Local governments shall, not later than until 31 December 2004, submit to an authority specified by the Cabinet in accordance with the Annex to this Law (hereinafter – the Information Centre) the lists of those persons for whom certificates are to be deleted (hereinafter – the list).

[*11 March 2004*]

**Section 7.** When drawing up the list, the local government shall check whether the status of the politically repressed person has not been revoked for the former owner of the property. If the status of the politically repressed person has been revoked for a person who has been compensated for the property taken away, the local government shall cancel the relevant decision on the granting of certificates, notify thereof the credit institution whereto the relevant decision has been sent and the Information Centre. The credit institution whereto the relevant local government decision has been sent shall cancel the number of certificates referred to in the decision.

**Section 8.** The Information Centre shall check the lists submitted by local governments within two weeks after receipt thereof. If there is no information at the Information Centre on the persons specified in the list or the list reveals contradictions, errors or inaccuracies, the Information Centre shall inform the local government thereof and, if necessary, request additional information.

**Section 9.** The local government shall send the additional information referred to in Section 8 of this Law to the Information Centre not later than within a week after receipt of the request and, if necessary, shall make amendments to the decision on the granting of certificates.

**Section 10.** The Information Centre shall send the checked list to the relevant credit institution and shall inform the Treasury thereof. The Information Centre shall not include in the list the persons who have been unduly granted the right to delete certificates.

[*11 March 2004*]

**Section 11.** After receipt of the checked lists from the Information Centre, the credit institution shall draw up and send an invitation to the recipient of compensation to arrive at the credit institution and to transfer the certificates to the account of the special privatisation certificates opened by the Information Centre (hereinafter – the special certificate account).

[*11 March 2004*]

**Section 12.** If the recipient of compensation has transferred fewer certificates to the special certificate account at the time of receipt of the compensation than he or she has the right to delete, the amount to be paid shall be recalculated according to the nominal value of the certificates credited to the special certificate account.

**Section 13.** If there are fewer certificates in the account of the privatisation certificates of the recipient of compensation at the time of payment of the compensation than he or she has the right to delete, the recipient of compensation is entitled to choose one of the following options:

1) to supplement the number of certificates in the account of the privatisation certificates up to the number of certificates to be deleted;

2) to enter into a contract with a credit institution which pays compensation for the receipt of a loan for the purchase of missing certificates in order to supplement the account of the privatisation certificates up to the number of certificates to be deleted;

3) to delete a smaller number of certificates.

[*11 March 2004*]

**Section 14.** After receipt of the documents certifying the transfer, the authority determined by the Cabinet shall transfer the funds of privatisation of the State property into the current account of the recipient of compensation to the credit institution in which the account of the privatisation certificates of the recipient of compensation is opened.

[*11 March 2004*]

**Section 15.** After transfer of funds into the account of the recipient of compensation, the credit institution has the right to write off the amount specified in the loan agreement referred to in Section 13, Paragraph two of this Law without dispute.

**Section 16.** The payment of compensations upon deletion of certificates shall take place in accordance with the procedures determined by the Cabinet.

[*11 March 2004*]

**Section 17.** Such certificates shall not be deleted and compensation in cash shall not be paid for such certificates which at the time of payment of the compensation have been pledged or for which a payment guarantee and a security have been issued.

[*11 March 2004*]

**Transitional Provisions**

1. With the coming into force of this Law, Cabinet Regulation No. 295, Procedures For the Deletion of Certificates of Property Compensation Granted to Persons Administratively Unduly Exiled in Respect of the Property Taken Away (*Latvijas Vēstnesis*, 1998, No. 235/236), issued in accordance with Article 81 of the Constitution, is repealed.

2. The Cabinet shall determine the relevant authority referred to in Sections 6 and 14 of this Law until 1 May 2004 and also shall make appropriate amendments to the Cabinet Regulations associated with this Law.

[*11 March 2004*]

The Law has been adopted by the *Saeima* on 17 September 1998.

President G. Ulmanis

Rīga, 29 September 1998

Annex to the law On the Reinstatement of the Payment of Compensation to Persons Administratively Unduly Exiled and the Deletion of Property Compensation Certificates Granted to Those Persons

Approved by Council (Advisory Council)

Decision No. \_\_\_ of.\_\_\_.\_\_\_\_\_\_\_\_\_. 199\_\_

|  |  |  |  |
| --- | --- | --- | --- |
|  |  | |  |
|  | (local government which has allocated the certificates) | |  |
|  | |  | |
|  | | administrative territorial classification code | |

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| No. | Given name, surname and personal identity number | Address, postal code, telephone number | Compensation granted in lats | of which | | Name of the credit institution | Number of the settlement point |
| paid in lats | paid in certificates |
|  |  |  |  |  |  |  |  |

\_\_\_ persons indicated in the page

\_\_\_ pages in total

|  |  |  |
| --- | --- | --- |
| Chairperson of the local government  (executive director) |  |  |
|  |  | (signature and full name) |
|  |  |  |
| (date) |  |  |

Place for a seal