

APPROVED

by the Director's Order No. 1PI(2.1.)-63  
of 24 February 2012 of  
the National Land Service  
under the Ministry of Agriculture

## **REGULATIONS OF Kelmė DIVISION OF THE NATIONAL LAND SERVICE UNDER THE MINISTRY OF AGRICULTURE**

### **I. GENERAL REGULATIONS**

1. Kelmė Division of the National Land Service under the Ministry of Agriculture (hereinafter – the Division) shall be a structural subdivision of the National Land Service under the Ministry of Agriculture (hereinafter – the National Land Service) directly subject to the Deputy Director of the National Land Service governing activities of the General Affairs Department, Activities Coordination Division and Territorial Divisions (hereinafter – the Deputy Director).

2. The Division shall in its activities follow the Constitution of the Republic of Lithuania, Lithuanian Laws, the Decrees of the President of Lithuania, Government Resolutions of the Republic of Lithuania, Orders of the Prime Minister of the Republic of Lithuania, Orders of the Minister of Agriculture, Orders of the Director of the National Land Service and these regulations as well as other legislation regulating the activities of the Division.

### **II. OBJECTIVES AND FUNCTIONS OF THE DIVISION**

3. Objectives of the Division shall be:

3.1. to implement state policy in the area of land management and administration, property rights to land, forest, water bodies restoration, transfer of the state land use and other areas of land reform, land management, real property cadastre, land accounting, geodesy, cartography and state spatial georeferential data sets planning, Lithuanian spatial information infrastructure;

3.2. to perform functions of a state land trustee;

3.3. to organize and implement state control of land use;

3.4. to maintain the activities of real property cadastre data;

3.5. to ensure the planning of land management documents (approval), coordination of territorial document planning;

4. The Division implementing assigned tasks performs these functions:

4.1. under the authority of the Director of the National Land Service:

4.1.1. deals with the restoration of property rights to land, forest and water bodies, provides gratuitous public ownership of land parcels, makes decisions on increasing recoverable land area in accordance with legal acts;

4.1.2. sells state land parcels to individuals according to the trust law;

4.1.3. transfers or leases state land parcels to individuals for gratuitous use except those land parcels that could be leased or transferred for gratuitous use by other state land trustees according to the laws and orders of the Republic of Lithuania;

4.1.4. confirms land management planning documents;

4.1.5. according to the laws and conditions, acts on behalf of the state inheriting and acquiring private land to the state ownership prescribed by law, also implementing common ownership rights with other individuals by the trust owned land governed by the National Land Service, making decisions to purchase or refuse purchasing on the priority of purchasable private land parcels;

4.1.6. deals with the change of purpose of land use;

4.1.7. determines servitude according to the law and procedures;

4.1.8. deals with formation or modification of the state land parcels in accordance with the territorial planning documents;

4.1.9. deals with reorganization of planned municipalities' or private land parcels according to the territorial planning documents;

4.1.10. deals with ascertainment or replacement of cadastral data of land parcels;

4.1.11. prepares purchase and sale agreement of land, inherited by heirs who cannot possess property rights to land according to the laws of the Republic of Lithuania;

4.1.12. signs documents necessary for sold by instalments state land parcels for compulsory mortgage registration and de-registration, and submits them to the Central Mortgage Office of the Republic of Lithuania, also receives registry documents related to the land compulsory mortgage registration and de-registration;

4.1.13. signs documents and performs actions related with functions of the state land trustee in the preparation of territorial planning documents;

4.1.14. according to the cases of the Civil Code of the Republic of Lithuania issues (or refuses) consents to transfer real property on the state land or parcel (or part of it) required to be transferred for real property (part of it) to exploit the lease right;

4.1.15. issues (or refuses) consents to mortgage law on leasing the state land;

4.1.16. determines parts of land parcels needed for object exploitation of privatization consisting buildings or parts of equipment or several self-functioning buildings or equipment (if not all of the buildings or equipment on land parcel (or parts thereof) are objects of privatization) and makes decisions on setting these parts;

4.1.17. prepares certificates whether land parcels assigned to private objects in rural area are returned in kind for citizens who are entitled to restoration of rights to extant real property under the Lithuanian Law on Restoration of Citizen Rights to an Extant Real Property;

4.1.18. organizes the preparation of the state detailed territorial planning documents and land plans controlled by laws and other legal acts and trust law of the National Land Service equal to detailed territorial planning documents;

4.1.19. organizes project planning of rural development land management, land reform land management, state land formation and reformation and approves selected territorial boundaries of land reform land management projects and project preparation deadlines;

4.1.20. issues planning conditions for district and local territorial planning document preparation;

4.1.21. makes decisions on granting the right to use fishing area on state water bodies that are administered according to the trust right by the National Land Service, furthermore prepares and signs documents and performs other functions related to the use of the state water bodies;

4.1.22. provides data for the manager of the Real Property Register and the Real Property Cadastre to register formed, reformed state land parcels, real rights to them, the real rights restrictions, legal facts and cadastral data changes, moreover receives documents from the manager of the Real Property Registry and Real Property Cadastre related with implementation of functions of the Division;

4.1.23. according to the laws, issues consents (or refuse to grant them) to build communications or engineering networks, structures necessary for them to function on the state land where there are no formed land parcels, also to reconstruct, serve and build simple temporary structures;

4.1.24. issues consents (or refuse to grant them) to develop territorial planning documents, when a person has rights and obligations of an organizer of the territorial planning according to the legal acts;

4.2. provides information about the state budget for land reform, land management and administration activities;

4.3. performing organizer's functions of territorial planning documents:

4.3.1. provides data necessary to announce competitions to perform territorial planning document preparation works and the required amount of work;

4.3.2. makes service contracts of preparation and implementation of territorial planning documents required to perform functions according to these regulations and controls the performance of the contracts;

4.4. inspects land cadastral data files and performs the accuracy of land cadastre data inspection on-site;

4.5. deals with requests to take land for public needs and prepares documents for decisions to take land for public needs;

4.6. controls planned work related with the condition of land use and condition change of land use adjustment with land use planning documents;

4.7. coordinates land consolidation activities and according to the laws participates in the process of land consolidation:

4.8. organizes and performs the state control of land use – performs inspections on-site;

4.9. performs accounting of the state land fund;

4.10. according to the laws provides data about state land users and tenants for the relevant municipal administration;

4.11. provides information to the Director of the National Land Service on quality of work of surveyors or geodesists preparing land management planning documents and proposals for performance evaluation of these individuals, as well as qualification certificates to prepare land management planning documents, suspension or cancellation of land surveyor or surveyor's qualification certificates;

4.12. according to the competence prepares, collects and summarizes information about land management, restoration of the ownership rights, land reform and other issues; provides information to Activities Coordination Division of the National Land Service;

4.13. confirms list of citizens who are paid in cash for the state land, forest and water bodies, and citizens who are paid in cash when they refuse new land parcels for individual construction that is transferred gratuitously; also prepares financial compensation for the state land, forest and water bodies;

4.14. manages, maintains and takes responsibility for incoming and outgoing document archive and files of land use, restoration of the ownership rights and land cadastral measurements;

4.15. according to the competence coordinates the implementation of one-stop shop service at the National Land Service following the rules of the analysis of personal applications and their

service at the public administration institutions, offices and other public administration entities and other legal acts of the Republic of Lithuania regulating those services at the National Land Service;

4.16. according to the competence represents the National Land Service in courts and other institutions;

4.17. ensures that property management, use, protection, disposition and contractual obligations comply with the principles of legality and sound financial management at the National Land Service;

4.18. according to the competence keeps in touch with the appropriate level officials of international organizations, national and foreign institutions, collaborates with other structural divisions of the National Land Service;

4.19. according to the competence participates in the preparation of legislation of the National Land Service and other institutions;

4.20. according to the competence analyses persons' written applications, inquiries and complaints related to the theoretical issues of the application of Law;

4.21. according to the competence participates in the organized conferences, sessions and activities of committees of the National Land Service and other institutions;

4.22. according to the competence provides information to other structural divisions of the National Land Service;

4.23. manages the documentation of the Division;

4.24. performs other temporary assignments from the management of the National Land Service.

### **III. RIGHTS OF DIVISION**

5. Officers of the Division implementing tasks entrusted to them and performing assigned functions have the right to:

5.1. receive documents from the structural divisions of the National Land Service and other institutions and organizations necessary for the tasks and functions of the Division, assignments of the National Land Service and other duties and tasks to be performed;

5.2. receive necessary tools and equipment;

5.3. require the workplace to comply with hygiene and safety requirements;

5.4. operate other rights compatible with the Laws and Regulations of the Republic of Lithuania.

#### **IV. ORGANIZATION OF ACTIVITIES OF THE DIVISION**

6. The Head of the Division governs the activities of the Division and is appointed and dismissed by the Director of the National Land Service. The Head of the Division is directly subject to the Deputy Director.

7. The Head of the Division:

7.1. plans and organizes work of the Division: distributes tasks for the officers and monitors their implementation;

7.2. shall personally be responsible for the performance of assigned tasks and functions of the Division;

7.3. submits proposals to the Deputy Director concerning Division officers' encouragement and employment of responsibility;

7.4. submits proposals to the Deputy Director concerning work improvement of the Division and the National Land Service;

7.5. reports on the activities of the Division to the Deputy Director;

7.6. under the jurisdiction of the Division participates in organized conferences, meetings and activities of the committees of the National Land Service and other agencies;

7.7. performs other functions prescribed by Law and by the management orders of the National Land Service.

8. In the temporary absence of the Head of the Division his functions are performed by any other civil servant of the National Land Service appointed by the Director of the Service.

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