

REPUBLIC OF LITHUANIA
LAW
ON TERRITORIAL PLANNING

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PART I

GENERAL PROVISIONS

Article 1. The Purpose of the Law

This Law shall regulate territorial planning in the Republic of Lithuania, also the inter-relationship between natural and legal entities, and public authorities involved in this process.

Article 2. Definitions

As used in this Law, the following terms mean the following:

land use planning - a sum total of measures for organising human activity in a territory, forming a social, economic, and ecological policy and developing a man-made landscape;

territorial planning - a process and procedure for regulating the land use planning for defining the intended purpose of the territory and land use, the priorities, the environmental, monument protection and other conditions, for developing a system of land, waters, residential areas, industry and infrastructure, for regulating the population employment, and for determining the rights of natural and legal entities engaged in the development of the territory;

master planning - a comprehensive planning for establishing the priorities, objectives and strategy in the use of a territory;

special planning - planning aimed at formulating programmes, conditions and solutions of development and management of one or several types of activities and land areas;

detailed planning - planning of parts of the municipality territory for establishing the conditions, rights and obligations in using a land plot and developing an activity in it;

infrastructure - a complex of a variety of activities servicing the economy and the population, ensuring the safety of the land and the population and protection of natural and cultural assets (energy, transport, communications, construction, education, health care, recreation and tourism, protection of natural and cultural assets, waste management, national, civil and fire protection);

organisers of planning - the Government, public authorities, the county governor, municipalities, natural and legal entities who organise the drafting, co-ordination and approval of documents of territorial planning;

planners - natural and legal entities who have a right to prepare documents of territorial planning and who have concluded a contract with the organisers of planning for the preparation of the document of territorial planning;

implementing bodies - the Government, the county governor, municipalities, natural and legal entities, land owners and users engaged in an economic or other activity on the planned territory who use the land, natural and recreational resources;

documents of territorial planning - documents prepared and approved in a manner prescribed by this Law (plans, projects and schemes) in which information about the territories, land plots or their groups, the needs, conditions and procedures for their management and development have been set out in writing and graphically (on a cartographic basis);

scheme - a document of territorial planning which contains general schematic facts about territories, the needs, conditions and procedure for their management and development;

plan (project) - a document of territorial planning which contains facts about territories, land plots or their groups, the needs, conditions and procedure for their management and development;

urbanised territories - territories under buildings, facilities and their fixtures with used land, engineering communications and green areas of common use, also the territories with public roads and railway complexes;

solution of a document of territorial planning - the result of solving the targets of territorial planning expressed in writing or represented graphically, setting out the character, conditions and procedure of management and development of territories, land plots or their groups;

co-ordination of solutions of documents of territorial planning - a procedure for co-ordinating solutions of separate plans; they will be altered, revised or supplemented when necessary.

Article 3. Objectives of Territorial Planning

1. Territorial planning shall have the following objectives:

1) to balance the development of the territory of the Republic of Lithuania;

2) to form an adequate, healthy and harmonious environment for living, work and recreation with the aim of creating better living conditions of equal value on the whole territory of Lithuania;

3) to form a policy of development of residential areas and infrastructure systems;

4) to reserve (define) territories for the development of infrastructure of residential areas, other spheres of activity, and different types of land;

5) to protect, use rationally and recover natural resources, natural and cultural heritage, recreational resources among them;

6) to maintain an ecological equilibrium or to restore it;

7) to harmonise the interests of natural and legal entities or their groups, also the interests of the public, municipalities and the State regarding the conditions for the use of a territory and land plots also with regard to the type of activity in the territory;

8) to promote investments for the social and economic development.

2. In setting out the aims for the planning of concrete territories, it is imperative to take account of their specific character (their geographical location, geological conditions, the level of their development, the density of construction etc.), the requirements of urban planning, architecture, technology, nature protection, monument protection and other, also the rights of land and other real estate owners, and the needs of State security and defence.

Article 4. Levels and Types of Territorial Planning

1. In terms of their importance, the following levels of territorial planning shall be distinguished:

1) the national level of the Republic of Lithuania (for territorial planning and its documents which shall be approved by the Seimas, the Government);

2) the county (for territorial planning and its documents which shall be approved by the county governor or by public authorities);

3) the municipality (for territorial planning and its documents which shall be approved by the municipality);

4) a natural or legal entity (for territorial planning and its documents which shall be approved by a legal entity).

2) There shall be the following types of territorial planning:

1) general;

2) special;

3) detailed;

3. Planning shall be organised by the Government, public authorities, county governors, municipality boards (mayors), natural and legal entities within the framework of their competence stipulated by laws and other legal acts.

4. Planning shall be financed by the planning organisers from the national budget, from the funds of municipalities or private legal and natural entities.

PART II. TERRITORIAL PLANNING

CHAPTER 1. GENERAL PLANNING

Article 5. Objects of General Planning

The objects of general planning shall be:

- 1) the territory of the Republic of Lithuania;
- 2) the territory of the county;
- 3) the territory of the municipality or its parts;

Article 6. Organisers of General Planning

The organisers of general planning shall be:

- 1) the Government;
- 2) the governor of the county;

3) the municipality board (the mayor).

Article 7. Requisite Documents for General Planning

1. The requisite documents for general planning are master plans (the explanatory note and drawings);

1) the master plan of the territory of the Republic of Lithuania;

2) the master plan of the territory of the county;

3) the master plan of the territory of the municipality;

4) master plans of parts of the municipality territory.

2) Master plans for parts of the municipality territory shall be formulated by the decision of the municipality council.

Article 8. The Process of General Planning

1. The process of general planning of the territories of the Republic of Lithuania, counties, municipalities, towns, townships and villages shall comprise:

1) studies, analysis, forecasting, formulation and approval of the objectives and preliminary solutions of the development. This part shall involve the examination of the quality of life and the environment, the natural framework, geological conditions, also the dynamism of social, economic activities, employment of the population, the use of the territory, its infrastructure facilities, it will also define the development objectives of the territory and preliminary solutions of all the above issues;

2) drafting and approval of the master plan. The master plan shall present solutions or their alternatives for meeting the projected planning objectives, the intended purpose of land use shall be defined, priorities for the use of territories shall be established by specifying the regime of management of economic, construction and other activities, the use and protection of natural and cultural assets, water and other natural resources and the recreational

resources; state, county or municipality territories shall be reserved for major projects and infrastructure, also territories planned to be taken over for public needs by specifying the regime for their temporary use; the principles of application of the building right in the territory under planning shall be formulated, the residential area system development policy and principles of energy resources supply shall be identified; the social, economic and other consequences of the solutions shall be appraised, potential losses shall be projected and the possibilities for their compensation shall be considered. The master plan of the municipality shall indicate the town, township, village and other territories the general or detailed plans whereof shall have to be amended, supplemented or drawn up anew; the territories shall also be indicated where the right to build shall not be applied. The solutions of the master plan shall be approved;

3) operative planning. Together with the databank of territorial planning, information shall be accumulated and analysed continuously, the order of actions and investment needs shall be established, programs for the implementation of the solutions of the master plan shall be formulated. When revising alternative solutions, account shall be taken of the social, economic and technical potential, the impact on the environment, also of the actual changes occurring during the implementation of the master plan of the territory under planning. The solutions of this part which do not alter the solutions of the master plan, by the decision of the municipality board (the mayor), the county governor or the Government, shall be approved as supplements of the master plan and shall be incorporated into the master plan. Operative planning shall be the basis for formulating changes in the solutions of the master plan and in a manner prescribed by paragraph 4 of Article 23 of this Law for filing them for approval to the agency which has approved the master plan.

2. The approved master plan shall become valid and shall serve as the basis for formulating, changing or supplementing documents of general, special or detailed territorial planning of the corresponding or lower level, and for taking in a prescribed manner the land for public needs, for setting aside territories for the state, county and municipality objects intended for public use and for the development of infrastructure.

Article 9. Formulation, Co-ordination, Approval, Change and Validity of Master Plans

1. The manner in which master plans are formulated, co-ordinated, changed, supplemented, approved and validated shall be established by this Law and the regulations for master plans approved by the Government.

2. The master plan forecasts shall be made for a period of no less than twenty years. Master plans shall be of unlimited duration. They may be changed, supplemented at the proposal of the Government, the county governor or the municipality board (the mayor) in the manner prescribed in point 3, paragraph 1 of Article 8, paragraph 2 of this Article and paragraph 4 of Article 23.

3. The master plan of the territory of the Republic of Lithuania shall be prepared by the decision of the Government. The preparation of the plan shall be organised by the Ministry of Construction and Urban Planning. The Government shall submit the master plan for the approval of the Seimas. During four months after the day of filing, the Seimas shall approve the master plan and shall publicly announce the beginning of its entry into force or it shall not approve it but shall adopt a decision on the procedure of entry into force of separate solutions and the further manner of work

4. The master plan of the county territory shall be prepared by the decision of the county governor or by a joint decision of several governors. Preparation of the territorial plan of one county shall be organised by the county governor, that of several counties - by one of the county governors by mutual agreement. The county governor shall submit the master plan to the Government for approval. During three months from the day of filing the Government shall approve the master plan and publicly announce about its entry into force or shall not approve it but shall adopt a decision on the entry into force of its separate solutions and the further manner of work.

5. Master plans of the municipality territory or its separate parts shall be prepared by the decision of the municipality council. Their preparation shall be organised by the municipality board (the mayor). The municipality board shall submit the master plan to the council for approval. During two months from the day of filing, the council shall approve the master plan and publicly announce about the beginning of its entry into force or shall not approve it but shall adopt a decision on the entry into force of its separate solutions and the further manner of work.

6. The solutions of the master plan of the territory of the Republic of Lithuania shall be co-ordinated with the solutions of the valid county master plans in accordance with the regulations prescribed by Article 23 of this Law and paragraph 1 of this Article. If the master plans of a county or several counties have not been prepared, the solutions of the national master plan shall be co-ordinated with the documents of special planning of the Republic of Lithuania and the county level; they shall also be approved in writing by county governors and public authorities referred to in the above regulations.

7. The solutions of the master plans of the county and municipality territories shall be co-ordinated with the solutions of the valid master plans of the neighbouring territories and of the higher-level and lower-level plans in a manner prescribed in Article 23 and paragraph 11 of this Article and shall not contradict the solutions of master plans of a higher level. In the event of the absence of the master plan of the territory of the Republic of Lithuania, the solutions of the county plan shall be co-ordinated with the valid documents of special planning at the national level and shall be approved by the public authorities in a manner prescribed in paragraph 1 of this Article. In the event of the absence of the master plan of the county territory, the solutions of the master plan of the municipality territory shall be co-ordinated with the valid documents of special planning of the county level and shall be approved by the county governor. In the event of the absence of the municipality territory master plan the solutions of the master plan of the county territory shall be co-ordinated with the valid documents of special planning of the municipality level and shall be approved in writing by the municipality board (the mayor).

8. The Seimas, the Government, the municipality board may within the framework of their competence reject master plans if the general procedure of co-ordination and filing for approval as prescribed by Article 23 of this Law has been violated. If the Seimas, the Government or the municipality board refuse to approve the filed master plans, these authorities shall submit to the planning entity a justified refusal during four, three and two months respectively.

9. The rejected master plan may be filed for the second time not later than within eight months after submitting the refusal. If the master plan is filed within the prescribed time limit without the contradictions unresolved, the Seimas, the Government or the municipality board shall accordingly adopt a decision with regard to the further procedure of work.

10. After adoption of the master plan, all prior decisions of an appropriate level establishing the priorities of the use of a territory, the objectives and strategies of its development, also the solutions of detailed plans and documents of special planning which contradict the solutions of the master plan of an appropriate level shall become invalid.

CHAPTER 2. SPECIAL PLANNING

Article 10. Objects of Special Planning

The following may be the objects of special planning:

- 1) The land stock of the Republic of Lithuania, including forest land, water resources;
- 2) social, cultural, economic activities on the territory under planning;
- 3) systems of infrastructure and their parts;
- 4) protected territories, their systems, natural and immovable cultural properties.

Article 11. Organisers of Special Planning

The following shall be organisers of special planning:

- 1) public authorities;
- 2) county governors;
- 3) municipality boards (mayors);
- 4) legal and natural entities.

Article 12. Documents of Special Planning

1. The following may be the documents of special planning:

- 1) land surveys and schemes;
- 2) forest maps;
- 3) water projects;
- 4) plans of reserves and sanctuaries;
- 5) schemes of planning of national and regional parks;
- 6) protection projects of protected objects of landscape, nature and immovable cultural monuments;
- 7) schemes for the use and protection of natural, social and other resources, and of the nature framework;
- 8) schemes and projects for the development of tourism and recreation;
- 9) schemes and projects for the lay-out and development of communications, energy, transportation and other infrastructure facilities;
- 10) projects of sanitary protection zones of resorts, water bodies and environmentally hazardous facilities;

2. Documents of special planning must be prepared if this is provided by laws and other statutory acts, also when necessary.

3. Organisers of special planning may initiate the above and other required documents of special planning (plans, schemes and projects).

4. Documents of special planning may be component parts of master plans and detailed plans; they may also contain special provisions for the preparation, supplement and revision of master plans and special plans.

Article 13. The Process of Special Planning

1. The process of special planning shall comprise:

1) studies, analysis, forecasts, inventorying if necessary, formulation of objectives of the activity and their approval;

2) drafting, co-ordination, approval, public discussion of the solutions of the document of special planning, appraisal of the social and economic consequences and impact on the environment.

2. Solutions of the document of special planning must be approved in a manner prescribed by paragraph 1 of Article 14.

Article 14. Drafting and Validity of Documents of Special Planning

1. The necessity of drafting individual types (land management, forest management and other) of documents of special planning, their structure, the procedure of their preparation, approval and validity shall be established by this Law, the laws regulating the respective activity, the rules of documents of special planning (separate for each type). They shall be approved by the ministry to the sphere of regulation whereof belongs the planned activity, together with the keeper of the code of regulations - the Ministry of Construction and Urban Planning.

2. Solutions of the documents of special planning must not contradict the valid master plans, they must be co-ordinated, discussed publicly and approved in a manner prescribed by the regulations of Article 23 and paragraph 1 of this Article.

3. Documents of special planning shall not replace the master plan and detailed plans, except in the cases referred to in paragraph 4 of this Article. Until the solutions of these

documents have not been co-ordinated with the solutions of the master plan, or, in the event of its absence, with the solutions of all the valid special and detailed plans of the appropriate level, they shall be regarded as recommendations.

4. Documents of special planning (land surveys and forest maps) drafted for agricultural and forest land shall become detailed plans when they are in full conformity with the provisions of Articles 17-20 of this Law.

5. The procedure for drafting and validation of land reform land surveys shall be established by Law on Land Reform.

CHAPTER 3. DETAILED PLANNING

Article 15. Objects of Detailed Planning

The following shall be objects of detailed planning:

- 1) land plots and forest property or their groups;
- 2) territories of towns, townships or their parts;
- 3) village territories.

Article 16. Organisers of Detailed Planning

Organisers of detailed planning shall be :

1. land owners;
2. land users;
3. state land managers;
4. municipal councils (mayors).

Article 17. Mandatoriness of Detailed Planning

1. Drawing up of detailed plans of territories (objects of detailed planning) indicated in the master plan shall be mandatory.

2. Owners, managers and users of land plots and forestry properties or groups thereof, also municipalities (according to the functional purpose of the plots) must draw up detailed plans if at least one of the following acts or actions are intended:

- 1) construction, reconstruction or demolition;
- 2) development of land plots or their groups, changing of their location, area or boundaries;
- 3) taking of land for public needs;
- 4) use of mineral resources, change of the manner of use of water resources;
- 5) change of intended purpose of land use, type of land use and business, or land area composition, also management of territory under green areas;
- 6) determination or changing of the territory development regimen or purpose of buildings and structures;
- 7) forest use and reforestation in all forestry properties, except when carried out by owners of up to 3 hectares of forest land (not in forest tracts) located in territories that are not reservations.

3. Detailed plans pursuant to which land and other real estate is taken for public needs shall be drafted by public authorities, county governors or municipalities.

Article 18. Detailed Planning Documents

1. The following documents shall be considered as detailed planning documents:

- 1) detailed plans of land plots or groups thereof in urbanised territories as well as detailed plans of plots containing engineering infrastructure;
- 2) detailed plans of towns, townships and villages;
- 3) detailed plans of land plots in unurbanised territories, territories not subject to urbanisation (forest land, agricultural land, etc.) as well as land management projects of land plots or groups thereof in unurbanised territories;
- 4) forestry property forest management projects.

2. Detailed plans are documents on the basis whereof restrictions are imposed on activities on the plot and requirements for construction and territory development, land servitudes and land use purpose are determined, land surveys and construction projects are prepared, land and other real property is taken for public needs.

3. Detailed plans are documents entitling natural and legal persons to develop activities on the land plot.

Article 19. Process of Detailed Planning

1. The process of detailed planning shall comprise:

1) assessment of the present condition of the territory under planning, its resources and their quality, drafting of a plan of the present condition (land cadastre map, plans of the existing structures, green areas, natural and cultural heritage properties, engineering network), analysis and, as necessary, investigation of master plan solutions, evaluation of hygiene standards, and demographic determinants and morbidity rates of the population;

2) preparation and approval of development programmes of the territory under planning (type of the projected activities and their economic basis; development indicators; engineering facilities; water and energy consumption; amount of wastewater and waste; traffic intensity and number of parking places; indicators of population and environmental impacts, assessment of consequences of projected activities and forecast of possible losses, as well as other data related to the peculiarities of the territory under planning);

3) preparation and approval of the principal drawing and explanatory note providing for the solutions (intended purpose of land use and its modifications; boundaries of land plots or land estates being divided or joined; manner of use of the territory; location or manner of location of buildings and structures; urban, natural and cultural heritage, architectural, engineering terms of territory management and use; conditions of use of water resources; location of engineering facilities and network or territories reserved for the facilities and network; land servitudes);

2. A detailed plan shall consist of the territory under planning development programme and solutions which, when approved, shall become legally valid.

3. In the event that the activities specified in par. 2 of Article 17 are carried out on a small scale, procedure laid down in the regulations specified in par. 1 of Article 20 must be applied in order to simplify the requirement for detailed planning, also drafting, co-ordination and approval of the detailed plan..

Article 20. Drafting, Co-ordination, Approval and Implementation of Detailed Plans

1. The procedure for preparation, co-ordination and approval of detailed plans (except for forestry property management) shall be established by the detailed plan regulations approved by the Ministry of Construction and Urban Planning.

2. The procedure for preparing, approving and enforcing forest management plans for forestry property shall be laid down by the Law on Forestry of the Republic of Lithuania.

3. If detailed planning is organised by municipal or public authorities (land users), they must, prior to producing solutions relative to detailed plans, present to the public a

programme for the development of the territory under planning. The programme must be approved by the municipal council. Other organisers of detailed planning (land users and land owners) shall address, prior to undertaking the drawing up of a detailed plan, the municipality administration officer - chief architect (hereinafter - chief architect of the municipality) regarding the terms and procedure of planning.

4. A detailed plan (programme and solutions) must be in conformity with the valid master plan.

5. Detailed plans shall be presented for approval upon their co-ordination, public discussion, inspection in the established manner by the territorial planning supervisory body. Detailed plans shall be approved by the municipal council. The plan shall be approved within a month from the day of filing of the application. Detailed plans shall become valid as of the day of their approval in the established manner.

6. Forestry property management projects, also detailed plans providing for the taking of land for public needs or for the changing of the intended purpose of land use shall be approved in the manner laid down by the Government.

7. If implementation of the detailed plan programme and solution is impossible without developing the municipality's infrastructure, the detailed plan shall be approved only after an agreement concerning the development of the infrastructure is concluded between the municipality and the organiser of planning

8. The municipal council shall refuse to approve a detailed plan which is not in conformity with the master plan, also if the prescribed procedure of agreement, public discussion or supervision has been violated or if the detailed plan solutions do not meet the regulations of territorial planning or construction. Upon refusing to approve a detailed plan, the municipality must present its justified refusal to the organisers of planning within a month from the day the project was submitted for approval. The organiser of planning may appeal to the territorial planning supervisory body against the refusal to approve. The supervisory body must within a month from the filing of the appeal present to the organiser of planning a justified finding regarding approval of the detailed plan. The decision of the supervisory body may be appealed against in court.

9. A rejected detailed plan may be repeatedly presented for approval no later than within 6 months from the day a justified refusal was given. If the detailed plan is presented unfinished by the specified date, the municipality council shall decide whether further work is opportune.

10. Validity of detailed plans:

1) plans of land plots or their groups in urbanised and unurbanised territories shall be valid for the time period provided for by the territory under planning development programme and also until the programme or activity specified therein remains unchanged;

2) plans of town, townships and village detailed plans shall be of unlimited duration. Should a special need arise, the plans may be changed and supplemented in the manner laid down in par. 4 of Article 23 of this Law;

3) detailed plans of unurbanised territories shall be valid for an unlimited period. The organisers of planning may introduce changes therein on their own initiative in compliance with the procedure laid down in par. 4 of Article 23 of this Law.

11. All formerly adopted decisions regarding land use, terms of land development, of business expansion character and restrictions thereon shall become invalid on the territory under planning as of the day of the detailed plan validation. Decisions adopted after the day of the detailed plan validation and which are contrary to the detailed plan shall not be valid.

12. The county governor shall adopt, based on the valid detailed plan or land management project drafted on its basis, no later than within a month from the approval thereof, a decision concerning the changing, supplementing or invalidation of the public land cadastre data.

CHAPTER 4. REGULATION OF TERRITORIAL PLANNING

Article 21. Territorial Planning Data Bank and Sources of Information

1. Territorial planning data bank is a part of a geographical information system comprised of graphic and textual data required for the analysis and evaluation of the territory under planning, for its development forecasts, for drawing up territorial planning documents and substantiating the solutions thereon.

2. Information required for the drafting of territorial planning documents and for forming the data bank shall be received from data banks serving different purposes and controlled by different entities, from national programmes, statistical data bases of public authorities, the manager of land cadastre, valid detailed, general and special territorial planning documents, also natural and legal entities.

3. The territorial planning data bank shall be comprised of the national, county and municipal territorial planning data banks.

4. The procedure of territorial planning data bank data storage and structure shall be determined and its management shall be regulated by territorial planning data bank regulations approved by the Government.

5. Storage and management of the national territorial planning data bank shall be organised by the Ministry of Construction and Urban Planning, of the county data bank - by the county governor, of the municipality data bank - by the municipal board (mayor).

6. Public authorities, managers of public registers, cadastres, classifiers, specialised data banks, also organisers of national programmes, detailed, general and special planning, provided that these are public or local authorities, must present the available data to territorial planning organisers free of charge, if the latter are public or local authorities, their authorised persons and the manager of the national territorial planning data bank, at the request of the above-mentioned entities. Other natural and legal entities shall receive and present information on the object under planning or data of the conducted research for a certain charge fixed by mutual agreement. Private legal and natural persons shall pay the prescribed stamp duty for the information concerning the territory under planning furnished to them for the purpose of planning organisation by public authorities, managers of public registers, cadastres, classifiers, specialised data banks, also by organisers of national programmes, general, detailed and special planning, provided that they are public or local authorities.

Article 22. Code of Territorial Planning Regulations

1. The code of territorial planning regulations is a system of statutory acts, regulations, methods, recommendations, technical standards and requirements adopted by the Government, ministries, departments, Government offices and other public authorities which lay down the basic functional and special requirements of environmental and immovable cultural properties protection, also technical, architectural, urban planning and other requirements for all solutions of territorial planning and designing.

2. The code of regulations shall be managed, prepared for publication and published in the form of a collection by the Ministry of Construction and Urban Planning.

Article 23. General Procedure for Co-ordinating and Presenting for Approval Territorial Planning Documents

1. Prior to their presentation for approval, solutions of general, special and detailed territorial planning documents must be:

1) co-ordinated with the effective territorial planning documents of the appropriate level registered in the territorial planning documents register, or they must have a written approval of appropriate bodies in the manner laid down by the regulations of territorial planning documents preparation and this Law;

2) discussed in public;

3) inspected by the territorial planning supervisory body.

2. The procedure of co-ordination of territorial planning solutions shall be implemented by the organiser of planning of the planned document together with the person drafting the document who represent one party and the authorised representative of the organiser of planning of the approved territorial planning document representing the other party.

3. The following entities shall be the authorised representatives of the organiser of planning of the approved territorial planning document in the procedure of co-ordination of territorial planning document solutions:

1) Minister of Construction and Urban Planning - in case of the master plan of the Republic of Lithuania;

2) administration officer authorised by the county governor - in case of the county master plan;

3) chief architect of the municipality - in case of master plans of municipality's territory or parts thereof, also detailed plans of towns, townships, villages;

4) the organiser of detailed planning or his authorised representative - in case of detailed plans;

5) organiser of special planning or his authorised representative - in case of special planning documents.

4. The procedure of co-ordination of territorial planning document solutions shall be the basis for preparing their revision, supplementing and amendment. Amendments and supplements of the documents must be co-ordinated, publicly discussed and approved in the manner prescribed by the code of territorial planning regulations.

5. The procedure of co-ordination in one agency must be completed within 20 working days from the day of filing of the application. The procedure shall be deemed completed when the persons specified in par. 2 hereof sign the deed of co-ordination or approval. The deed may contain comments or bilateral obligations and agreements.

6. In the event that the second party refuses to take part or fails to take part in the procedure specified in par. 2 hereof, the organiser of planning and the planner shall sign a unilateral deed in the manner laid down by the code of territorial planning regulations.

7. Disputes arising during the co-ordination or approval procedure shall be investigated by the territorial planning supervisory body.

8. The territorial planning supervisory body must present the general or detailed plan or special planning document inspection report within a month from the day of submission of the draft plan or document in the manner laid down by the regulations 0specified in par. 1 of Article 30.

9. Special planning documents may be presented for co-ordination, in the manner laid down herein, by the organiser of planning or his authorised representative.

Article 24. Registration of Territorial Planning Documents

1. A register of territorial planning documents shall be set up for the purpose of registration of territorial planning documents.

2. The management of territorial planning registers shall be regulated by the territorial planning register regulations approved by the Government.

3. All the approved territorial planning documents shall be presented in the obligatory manner to the register managers for registration no later than within 15 days from their approval. The managers of territorial planning documents register shall within 15 days notify the manager of the land cadastre of the registered planning document.

4. The national territorial planning documents register shall be managed by the Ministry of Construction and Urban Planning, the county register - by the county governor, the municipality register - by the chief architect of the municipality.

5. All natural and legal persons of the Republic of Lithuania shall have the right of access to the data of the territorial planning documents register at the corresponding register management agency and, upon paying a fixed stamp duty, receive copies thereof.

PART 3. TRANSPARENCY OF TERRITORIAL PLANNING

Article 25. Participation of the Public in the Process of Planning

1. General, detailed and special territorial planning documents must be submitted for public discussion.

2. Public discussion of territorial planning documents shall be arranged by the organiser of planning.

3. The general procedure of the participation of the public in the process of planning shall be regulated by the provisions of public discussion of territorial planning document drafts, approved by the Government. The provisions may prescribe a simplified public discussion procedure for detailed plans the structure as well as drafting and approval procedure whereof may be simplified under par. 3 of Article 19, also for special territorial planning documents which concern the interests of one person only.

Article 26. Public Announcement of Territorial Planning Documents

1. The purpose and dates of preparation of master plans, also of national and county level territorial planning documents shall be publicly announced on the Lithuanian radio and

television, in the press, whereas those of detailed plans and municipal level special territorial planning documents - in the local mass media no later than within 10 days from the passing of the decision to draft the plan. The announcement shall specify the stages and procedure of public discussion.

2. All natural and legal persons of the Republic of Lithuania shall have the right of access to the territorial planning documents that are under preparation, also those which have been approved, at the agency organising the planning and, upon paying a fixed stamp duty, receive copies of extracts and drawings thereof, provided that the planning is organised by public or local authorities. Other organisers of planning shall provide copies for a charge fixed by mutual agreement.

3. The agency which organised the planning shall acquaint the public with the prepared drafts of territorial planning documents. They shall also be open for public survey at open exhibitions.

4. A period of at least two months shall be assigned for the presentation to the public of the drafted national, county and municipal master plans and special planning documents with at least one month of the period being allotted for public exposition.

5. At least a month's period shall be allotted for granting access to the drafted detailed plan, with at least a week of the period being assigned to public exposition.

6 The organisers of planning must send a written notification of the drawn up territorial planning document and its consideration procedure to the land owners and other real estate owners, whose real estate is reserved under the detailed plan or special planning documents solutions for key national, county or municipal projects and for the development of infrastructure, is set apart in order to be taken for public needs or if it is intended to change its condition, manner or purpose of use.

Article 27. Procedure for Submitting Proposals for Planning

1. All natural and legal persons and public organisations concerned with planning shall be entitled to submit their proposals and make comments respecting the planning solutions, whereas the real estate owners in the territories under planning, tenants, other interested natural and legal persons who reside or whose headquarters are located in the territory under planning shall have the right to file their claims.

2. Proposals, comments and claims shall be filed in writing prior to the public meeting. The procedure and time period of their filing shall be laid down in the provisions identified in par. 3 of Article 25 of this Law. Following the public meeting no proposals or claims shall be accepted.

Article 28. Public Meeting

1. The organisers of planning may submit to the public meeting in the established manner the detailed planning solution, objectives of the master plan or the drawn up territorial planning document.

2. During the public meeting the organiser of planning and the planner shall discuss the changes introduced pursuant to the previous comments and proposals and shall also explain why certain proposals were found unacceptable.

3. The initiators of the rejected comments, proposals and claims may within a month's period from the day of public meeting appeal against the territorial planning documents solutions to the bodies which exercise state supervision of territories under planning. State planning supervision bodies shall deliver a justified decision within 3 weeks from the day of receipt of the complaint. The decision of the body of supervision may be appealed against in court.

4. Upon the expiry of the period set aside for filing complaints against territorial planning documents solutions, the documents shall be presented for approval.

Article 29. Transparency of the Approved Master Plans

1. The organiser of planning must freely distribute abstracts of the approved master plans.

2. Based on the operational planning data, the municipal board (mayor), the county governor, the Government must, prior to the opening of each election to, accordingly, municipality or Seimas, present reports on the territorial planning activity and its results.

PART 4. STATE SUPERVISION OF TERRITORIAL PLANNING

Article 30. State Supervision of Territorial Planning and its Bodies

1. State supervision of territorial planning means control of general, detailed and special territorial planning documents preparation, co-ordination and public discussion procedures, also the checking of the solutions as against the requirements of the territorial planning regulations. The general procedure of supervision shall be laid down by the territorial planning supervision regulations approved by the Government.

2. State supervision of territorial planning shall be exercised by:

1) of general planning of the territory of the Republic of Lithuania, special territorial planning on the level of the Republic of Lithuania - by the State Territorial Planning and Construction Inspectorate;

2) of general planning of county territories, special planning on the county level - by the Ministry of Construction and Urban Planning;

3) of general planning, detailed planning, of the territories of municipalities, special planning on the municipal level and on the level of natural and legal entities - by the county governor.

3. The implementation of plans shall be controlled by public authorities according to their respective competence in the manner laid down by laws and other statutory acts.

4. The organiser of planning of territorial planning document and the body which approves the document shall not be entitled to exercise supervision of territorial planning. In such event the supervision shall be exercised by a superior body of state territorial planning supervision.

Article 31. Rights of the Supervisory Bodies

The officers of the body exercising supervision shall be entitled to:

1) verify whether or not the planning documents preparation, co-ordination, public discussion procedure complies with the legal statutes, whether or not the solutions conform to the code of territorial planning regulations;

2) demand that violations of regulations be rectified and the code of territorial planning regulations be abided by, also demand that additional co-ordination or expert examination be undertaken, and apply administrative sanctions with regard to persons who refuse to comply with the requirements;

3) deliver justified conclusions regarding the appropriateness of the document approval to the body which approves territorial planning documents;

4) resolve disputes arising in the process of planning and during the implementation of plans, unless the dispute settlement procedure is regulated by other laws.

Article 32. Territorial Planning and Supervision Specialists

1. Master and detailed plans may be drawn up by the specialists who have been issued a licence for general territorial planning in the manner laid down by the Government, also by legal entities, provided that such activity is prescribed by their charters and the works are carried out by the specified specialists.

2. Specialists with qualifications in architecture, civil engineering, water management, land management, forest management, geography or other spheres shall be entitled to prepare (only in their respective professional sphere) special planning documents. The specialists shall need licences only in cases provided for in appropriate laws.

3. Old town regeneration projects, also cultural monuments and properties protection projects and schemes may be drafted by specialists whose performance has been evaluated in the manner set forth in the Law on the Immovable Cultural Properties.

4. Diplomaed specialists with a 3 years length of service in the sphere of territorial planning, who have completed a special course of training according to the programme approved by the Ministry of Construction and Urban Planning and passed a general territorial planning qualifications examination shall be entitled to work as chief architects of municipalities, county governor's administration officers or state inspectorate officers responsible for supervision and control of territorial planning.

5. The Ministry of Construction and Urban Planning, complying with the provisions regulating the awarding of qualifications and the issuing of licences, shall arrange examinations for acquiring the qualifications fit for engaging in general territorial planning and for being issued a corresponding licence. The Ministry of Construction and Urban Planning shall keep the register of persons possessing the qualifications and licences required in order to engage in general territorial planning, and shall also possess other rights laid down by laws and related to the granting, suspension and revocation of qualifications and licences.

PART 5. INDEMNIFICATION FOR DAMAGES AND LIABILITY FOR VIOLATIONS OF THE LAW

Article 33. Indemnification for Damages

If validation of the territory's detailed or master plan precludes the use of the real estate or its part in the previous manner and for the previous purpose, or in general restricts the use thereof, the real estate owner or user of public property may demand that the organiser of planning should indemnify for the damages or award other real property of equal value. Disputes concerning indemnification for damages shall be settled in court.

Article 34. Liability for Violations of the Law

Persons who violate the Law shall be held liable under administrative, civil and criminal laws of the Republic of Lithuania.

I promulgate this Law passed by the Seimas of the Republic of Lithuania.

PRESIDENT OF THE REPUBLIC

ALGIRDAS BRAZAUSKAS

