

N° 1723.

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## ESTONIE ET LETTONIE

Convention relative à la transcription  
des biens immeubles. Signée à  
Riga, le 22 juillet 1927.

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## ESTONIA AND LATVIA

Convention regarding the Registra-  
tion of Immovable Property.  
Signed at Riga, July 22, 1927.

## TEXTE LETTON. — LATVIAN TEXT.

N<sup>o</sup> 1723. — KONVENCIJA<sup>1</sup> STARP LATVIJU UN IGAUNIJU PAR NEKUSTAMU MANTU IERAKSTĪŠANU ZEMES GRĀMATĀS.

*Estonian and Latvian official texts communicated by the Estonian and Latvian Ministers for Foreign Affairs. The registration of this Convention took place May 24, 1928.*

LATVIJAS VALDĪBA un IGAUNIJAS VALDĪBA vēlēdamās nokārtot jautājumu par nekustamu mantu ierakstīšanu zemes grāmatās sakarā ar robežas galīgu nospraušanu starp abām valstīm, nolēma noslēgt piemērotu konvenciju un iecēla par saviem pilnvarotiem :

LATVIJAS VALDĪBA :

ārlietu ministri F. CIELENA kungu,

IGAUNIJAS VALDĪBA :

ārkārtējo sūtni un pilnvaroto ministri pienācīgā Jul. SELJAMAA kungu,

kuŗi, uzrādījuši savas labā un pienācīgā formā atrastās pilnvaras, vienojās par sekošiem noteikumiem :

## 1. pants.

Nekustamās mantas, kuŗas ierakstītas zemes grāmatās vienā līgumslēdzēju valstī un kuŗas sakarā ar valsts robežas nospraušanu pārgājušas nedalītā veidā otras valsts teritorijā, tiek ierakstītas attiecīgas valsts zemes grāmatās pēc sekošiem noteikumiem :

1. §. Divu gadu laikā pēc šīs konvencijas ratifikācijas dokumentu apmaiņas dienas minēto nekustamu mantu īpašniekiem ir tiesība prasīt viņu nekustamās mantas ierakstīšanu vietējā zemes grāmatu nodaļā, nemaksājot Notar. nolik. 369. p. 2. punktā paredzētos nodokļus vai nodevas ; pēc minētā termiņa notecēšanas tādi ieraksti apmaksājami attiecīgiem nodokļiem vai nodevām uz vispārējiem pamatiem.

2. §. Pieprasīt nekustamo mantu ierakstīšanu zemes grāmatās, bez to īpašniekiem, var arī visas citas ieinteresētas personas un iestādes.

3. §. Iepriekšējos (1. un 2.) paragrafos paredzētie pieprasījumi jāiesniedz tai zemes grāmatu nodaļai, kuŗas rajonā atrodās pārgājuse nekustamā manta, pievienojot tiem pagasta, miesta vai pilsētas pašvaldības, vai arī policijas apliecību par to, ka nekustamā manta patiesi atrodas attiecīgas valsts robežās, kā arī uzdodot minētās nekustamās mantas īpašnieka vārdu, ieraksta numuru, atrašanās vietu un nosaukumu.

4. §. Saņēmusi augšminēto pieprasījumu, zemes grāmatu nodaļa griežas tieši pie attiecīgas zemes grāmatu nodaļas otrā valstī ar lūgumu izsūtīt viņai attiecīgu zemes grāmatu lietu (N<sup>o</sup> 4. nol. 330. pants).

5. §. Saņēmusi iepriekšējā paragrafā minēto lūgumu, zemes grāmatu nodaļa pārbauda caur policiju, vai norādītā nekustamā manta patiesi pārgājusi otras valsts teritorijā, un, ja šis apstāklis

<sup>1</sup> The exchange of ratifications took place at Tallinn, May 15, 1928.

<sup>1</sup> TRADUCTION.

N<sup>o</sup> 1723. — CONVENTION ENTRE L'ESTONIE ET LA LETTONIE, RELATIVE A LA TRANSCRIPTION DES BIENS IMMEUBLES. SIGNÉE A RIGA, LE 22 JUILLET 1927.

LE GOUVERNEMENT D'ESTONIE et LE GOUVERNEMENT DE LETTONIE, désireux de régler la question de la transcription des biens immeubles en connexion avec le tracé définitif de la frontière entre les deux Etats, ont résolu de conclure une convention appropriée et ont nommé pour leurs plénipotentiaires :

LE GOUVERNEMENT D'ESTONIE :

Monsieur Jul. SELJAMAA, envoyé extraordinaire et ministre plénipotentiaire d'Estonie;

LE GOUVERNEMENT DE LETTONIE :

Monsieur F. CIELENS, ministre des Affaires étrangères ;

Lesquels, après s'être communiqué leurs pleins pouvoirs trouvés en bonne et due forme, sont convenus des dispositions suivantes :

*Article premier.*

Les immeubles déjà transcrits par le service de transcription d'une Partie contractante et passés, dans toute leur étendue, par suite de la délimitation de la frontière esto-lettonne, au territoire de l'autre Partie contractante, seront transcrits par le service de transcription correspondant de cette dernière, conformément aux règles suivantes :

§ 1. Les propriétaires desdits biens immeubles ont le droit de demander, dans un délai de deux années à compter du jour de l'échange des instruments de ratification de la présente convention que la transcription de ces immeubles soit effectuée en franchise de droits et taxes prévus par le point 2 de l'article 369 de la loi sur les actes notariés ; ce délai passé, la transcription se fera sur les bases générales contre paiement des droits et taxes respectifs.

§ 2. La demande de transcription du bien immeuble peut être faite non seulement par le propriétaire, mais encore par toutes autres personnes ou institutions intéressées.

§ 3. Les demandes prévues par les paragraphes précédents (§§ 1 et 2) seront adressées au service de transcription dans le ressort duquel l'immeuble est situé ; elles seront accompagnées d'un certificat délivré par l'administration autonome de la commune, du bourg ou de la ville, ou par la police et attestant que l'immeuble en question est en effet situé sur le territoire de l'Etat respectif, ainsi que de l'indication du nom du propriétaire, du numéro de transcription du lieu où se trouve l'immeuble et de sa dénomination.

§ 4. Après avoir reçu la demande mentionnée, le service de transcription s'adressera directement au service de transcription respectif de l'autre Etat en le priant de lui transmettre le dossier de transcription respectif (loi sur les actes notariés, article 330).

<sup>1</sup> Communiqué par le Gouvernement estonien.

<sup>1</sup> Communicated by the Estonian Government.

<sup>1</sup> TRANSLATION.

No. 1723. — CONVENTION BETWEEN ESTONIA AND LATVIA,  
REGARDING THE REGISTRATION OF IMMOVABLE PROPERTY.  
SIGNED AT RIGA, JULY 22, 1927.

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THE GOVERNMENT OF ESTONIA and THE GOVERNMENT OF LATVIA, being desirous of settling the question of the registration of immovable property consequent on the final delimitation of the frontier between the two States, have resolved to conclude a Convention for this purpose, and have appointed as their Plenipotentiaries :

THE GOVERNMENT OF ESTONIA :

M. Jul. SELJAMAA, Envoy Extraordinary and Minister Plenipotentiary of Estonia ;

THE GOVERNMENT OF LATVIA :

M. F. CIELENS, Minister for Foreign Affairs ;

Who, having communicated their full powers, found in good and due form, have agreed upon the following provisions :

*Article 1.*

Immovable property already registered by the registration department of one Contracting Party and transferred *in toto* to the territory of the other Contracting Party as the result of the delimitation of the Estonian-Latvian frontier, shall be registered by the corresponding registration department of the latter in accordance with the following rules :

§ 1. The owners of the said immovable property shall be entitled, within two years from the date of the exchange of the instruments of ratification of the present Convention, to request the registration of such immovable property free from the duties and imposts referred to under No. 2 of Article 369 of the Law on notarial acts ; after the expiry of this period, registration shall be effected in the usual manner on payment of the respective duties and imposts.

§ 2. Applications for the registration of immovable property may be made not only by the owner, but also by any other interested parties or institutions.

§ 3. The applications referred to in the foregoing paragraphs (§ 1 and § 2) shall be addressed to the registration department within whose district the immovable property is situated ; they shall be accompanied by a certificate issued by the autonomous administration of the commune, town or city, or by the police ; this certificate shall attest that the immovable property in question is in fact situated within the territory of the State concerned, and shall give the name of the owner, the registration number of the locality in which the immovable property is situated, and its description.

§ 4. On receipt of the above-mentioned application, the registration department shall apply direct to the corresponding registration department of the other State, requesting it to forward the appropriate registration file (Law on Notarial Acts, Article 330).

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<sup>1</sup> Traduit par le Secrétariat de la Société des Nations, à titre d'information.

<sup>1</sup> Translated by the Secretariat of the League of Nations, for information.

§ 5. On receipt of the request mentioned in the preceding paragraph, the registration department shall verify through the police whether the immovable property in question has in fact been transferred to the territory of the other State, and, should this prove to be the case, shall close the corresponding record in the register (Article 309 of the Law on Notarial Acts), shall put in order the registration file (Article 330 of the Law on Notarial Acts), shall attach thereto an abstract of the register and shall forward the file to the registration department making the application.

§ 6. On receipt of the registration file mentioned in the preceding paragraph (§ 5), the registration department shall start in respect of the said immovable property a new sheet in the corresponding register in accordance with the provisions laid down in Articles 309 to 330 of the Law on Notarial Acts ; it shall notify the registration department of the other Contracting Party of this act, at the same time stating the number of the new sheet in the register, and shall deliver to the owner an abstract of this register.

#### *Article 2.*

The registration of parts of immovable property intersected by the Estonian-Latvian frontier, shall be effected in the registers of the respective States in accordance with the following provisions:

§ 1. A plan of the smaller part of the immovable property detached by the frontier line shall be drawn up in five copies ; this plan shall indicate both the area of the part detached and the ground expropriated to form the frontier zone (giving separate figures for the Estonian and Latvian sections), in conformity with Article 9 of the Supplementary Convention on Frontier Questions, dated November 1, 1923, and shall also give a description of the immovable property, its former number in the register and the name of the owner. One copy of the said plans shall be sent to the registration department and to the land survey department of each of the Contracting Parties ; the fifth copy shall be handed to the owner.

The above-mentioned plans shall be drawn up and despatched by a Mixed Committee, to be appointed at a later date by the two Governments and on which both Parties shall be equally represented. The cost of drawing up the said plans shall be borne by each of the two States in respect of the district for the delimitation of which it was responsible (Article 7 of the Supplementary Convention on Frontier Questions dated November 1, 1923).

§ 2. On receipt of the plan mentioned in the preceding paragraph, the registration department competent in respect of the intersected property shall attach the said plan to the corresponding registration file, and shall note under No. 2 of Part I of the corresponding sheet of the register (Article 320 of the Law on Notarial Acts) the area of that portion of the immovable property expropriated to form part of the frontier zone (giving separate figures for the Estonian and Latvian sections), and the area of the immovable property which has remained in the other State beyond the frontier zone, whilst under No. 1 of Part I of the sheet shall be entered the area of the immovable property remaining in the State to which it belonged prior to delimitation.

§ 3. The registration department shall then put in order the registration file and make a copy thereof, which it shall send direct to the corresponding registration department of the other State.

Where the larger portion of the immovable property, in respect of which no plan has been drawn up in conformity with the first paragraph of the present Article, has been transferred to the other side of the frontier zone, the registration department shall send, together with the copy of the sheet from the register, the original plan of such immovable property or, where this is impossible, a certified copy thereof.

In such cases the land survey department shall send to the corresponding department of the other State the plan of the immovable property in question or a copy of such plan, giving full particulars regarding the land and valuation of that portion of the property which has been transferred to the other State.

§ 4. On receipt of the copy of the registration file referred to in § 3 (with or without the original plan) and of a copy of the new plan referred to in paragraph 1, the registration department

within whose area is situated the transferred portion of the property shall start in respect thereof a new sheet in the register in accordance with Articles 309-330 of the Law on Notarial Acts; under No. 1 of Part I of this sheet (Article 320 of the Law on Notarial Acts) shall be entered particulars relating to the transferred portion of the immovable property, and under No. 2 of the same Part, particulars relating to the area of the portion situated beyond the frontier zone, and the area expropriated to form this zone (giving separate figures for the Latvian and Estonian sections).

§ 5. On completion of the operations described in the preceding paragraph (§ 4), the registration department shall furnish the corresponding department of the other Contracting Party with particulars relating to the starting of a new sheet in its registers for the portion of the immovable property in question, giving the new number of the said sheet, and shall deliver to the owner a copy of the register.

§ 6. Registration departments shall make entries referring to the division of the property on the original deeds of registration submitted by owners or creditors of immovable property.

§ 7. The operations described in §§1-6 shall be exempt from all duties and imposts.

§ 8. The minimum prescribed by the laws of each of the Contracting States shall not apply to the lands referred to in the present Article.

#### *Article 3.*

Debts and other liabilities constituting a charge on immovable property intersected by the frontier line, shall also be registered and charged to the detached portion of the immovable property, in virtue of Article 18 of the Convention concluded on October 19, 1920, between Latvia and Estonia, regarding the delimitation on the spot of the frontier between the two States, and also regarding the rights of the nationals of each State in the territory of the other and the status of immovable property intersected by the frontier line.

The judgments of the Courts of either of the Contracting Parties with regard to liabilities and claims entered in the registers of the two State, shall be executed in the other State, in virtue of paragraphs 1274 to 1280 of the Code of Civil Procedure.

Where portions of immovable property intersected by the frontier line, and on which debts are secured, belong to different owners, all claims shall be addressed jointly and severally to the two owners of the property thus intersected and encumbered, according to the place in which is situated one of the encumbered portions. In order to demand execution within the territory of the one Contracting Party of sentences given in such cases by the Courts of the other Party against the owner of that portion of the immovable property situated in the former State, there must be submitted, in addition to the annexes provided for in paragraph 1276 of the Code of Civil Procedure, a certified statement from the notary of the locality to the effect that the said owner has not within a period of one month given any reply to the proposal to reach a friendly settlement with the author of the claim, or has not consented to any settlement.

#### *Article 4.*

Immovable property which was not entered in the registers, or which was registered in the archives of the former notary of Pskoff, shall be registered in the two contracting countries in conformity with their laws.

#### *Article 5.*

Instructions relating to the execution of the provisions of the present Convention shall be given to the respective registration departments by the Minister of Justice of each Contracting Party.

*Article 6.*

The present Convention must be ratified, and the instruments of ratification shall be exchanged at Tallinn. The Convention shall come into force as from the exchange of ratifications, and shall remain in force for two years.

If, on the expiration of this period, neither of the Contracting Parties expresses a desire to denounce or modify the present Convention, it shall be deemed to be prolonged for an indefinite period, and shall remain in force for a further six months from the date of its denunciation by either of the Contracting Parties.

The present Convention is drawn up in duplicate, in Estonian and in Latvian, both texts being equally authentic.

In faith whereof the above-mentioned Plenipotentiaries have signed the present Convention, and have thereto affixed their seals.

RIGA, *July 22, 1927.*

(S.) Jul. SELJAMAA.

(S.) F. CIELENS.