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Place Names Act

Passed 05.11.2003
RT I 2003, 73, 485
Entry into force 01.07.2004

Amended by the following acts

Passed	Published	Entry into force
24.03.2004	RT I 2004, 22, 148	01.07.2004
24.01.2007	RT I 2007, 12, 66	01.01.2008
22.04.2010	RT I 2010, 22, 108	01.01.2011, enters into force on the date which has been determined in the Decision of the Council of the European Union regarding the abrogation of the derogation established in respect of the Republic of Estonia on the basis provided for in Article 140 (2) of the Treaty on the Functioning of the European Union, Council Decision 2010/416/EU of 13 July 2010 (OJ L 196, 28.07.2010, p. 24–26).
10.04.2013	RT I, 02.05.2013, 1	01.07.2013
19.02.2014	RT I, 13.03.2014, 4	01.07.2014
19.06.2014	RT I, 12.07.2014, 1	01.01.2015
19.06.2014	RT I, 29.06.2014, 109	01.07.2014, the titles of ministers replaced on the basis of subsection 107 ³ (4) of the Government of the Republic Act.
11.06.2015	RT I, 30.06.2015, 4	01.09.2015, in part 01.07.2015
29.10.2020	RT I, 13.11.2020, 2	01.12.2020

Chapter 1 GENERAL PROVISIONS

§ 1. Scope of application and purpose of Act

(1) This Act regulates the establishment and use of Estonian place names and the exercise of supervision thereover.

(2) The purpose of this Act is to ensure the harmonised use of Estonian place names and the protection of place names of cultural and historical value.

§ 2. Application of Administrative Procedure Act

The provisions of the Administrative Procedure Act apply to the administrative procedure prescribed in this Act, taking into account the specifications arising from this Act.

§ 3. Definitions

(1) A named feature is a natural or man-made geographic entity.

(2) An official place name is a place name which is established for a named feature by a legal act or a place name which is approved by a resolution of the Place Names Board.

(3) An unofficial place name is a place name which has not been established by a legal act or approved by a resolution of the Place Names Board.

(4) A generic term is a component of a place name which designates the type of the named feature.

(5) A qualifying attribute is an additional component of a place name which distinguishes between recurring place names.

(6) The core of a place name is the name of the place without the generic term and the qualifying attribute.

(7) For the purposes of this Act, establishment of a place name is any of the following acts performed by a names authority:

- 1) naming of a named feature which does not have an official name;
 - 2) changing an official place name or geometry of named feature;
- [RT I, 02.05.2013, 1 - entry into force 01.07.2013]
- 3) revocation of an official place name.

(8) The place name data are the data which describe the language features and the named feature related to a place name, and also the establishment of a place name.

[RT I, 02.05.2013, 1 - entry into force 01.07.2013]

§ 3¹. Legal status of place name

A place name does not create any independent rights or obligations of the named feature, except in the cases provided by law.

[RT I, 13.11.2020, 2 – entry into force 01.12.2020]

Chapter 2 ESTABLISHMENT OF PLACE NAMES

§ 4. Obligation for place names to be established

(1) A place name shall have been established for the following existing and planned named features or body of named features:

[RT I, 02.05.2013, 1 - entry into force 01.07.2013]

- 1) administrative units;
 - 2) rural municipality districts and city districts;
 - 3) settlement units;
 - 4) address units for the purposes of the Spatial Data Act, e.g. street, road, square, small place;
- [RT I, 02.05.2013, 1 - entry into force 01.07.2013]
- 5) railway stations, railway halts, other public transport stops, airfields, airports and ports;
- [RT I, 02.05.2013, 1 - entry into force 01.07.2013]
- 6) [repealed - RT I, 02.05.2013, 1 - entry into force 01.07.2013]
 - 7) land units, except for the cases provided for in subsection (3) of this section.
- [RT I, 02.05.2013, 1 - entry into force 01.07.2013]

(2) A place name may be established for a named feature or body of named features not covered in subsection (1) of this section if it is necessary to identify the feature using a place name.

[RT I, 02.05.2013, 1 - entry into force 01.07.2013]

(3) A land unit is not subject to the naming obligation, if:

- 1) it is addressed according to the address unit;
 - 2) it is formed for servicing a technical object;
 - 3) no objects which require addressing are located there;
 - 4) it does not form independently used immovable property.
- [RT I, 02.05.2013, 1 - entry into force 01.07.2013]

§ 5. Names authorities and competence to establish place names

(1) The following are names authorities:

- 1) the Government of the Republic;
 - 2) ministers;
 - 3) local authorities.
- [RT I, 13.11.2020, 2 – entry into force 01.12.2020]

(2) The Government of the Republic shall establish place names for administrative units on the basis of the Territory of Estonia Administrative Division Act.

(3) Place names shall be established for settlement units pursuant to the procedure established on the basis of the Territory of Estonia Administrative Division Act.

(4) Place names for named features located in the territory of one local authority shall be established by the local authority. This provision does not apply in respect of named features specified in subsection (6) of this section.

[RT I, 13.11.2020, 2 – entry into force 01.12.2020]

(5) Depending on the type of named feature, place names shall be established for named features located in the territory of more than one local authority or for named features located outside the territory of local authorities either by the Government of the Republic or by the relevant minister according to his or her area of government. This provision does not apply upon establishment of the name of a county.

[RT I, 02.05.2013, 1 - entry into force 01.07.2013]

(5¹) As regards the named features specified in clause 4 (1) 4) of this Act which are located in the territory of several local authorities, the local authority shall establish a place name for the part of the named feature located in its territory.

[RT I, 13.11.2020, 2 – entry into force 01.12.2020]

(6) If establishment of a named feature is within the competence of the Government of the Republic or a minister, the place name shall be established by the Government of the Republic or the relevant minister.

§ 6. Organisation of establishment of place names

(1) The establishment of a place name shall be organised and the decision taken by a names authority on its own initiative or on the basis of a written application from a natural person or a legal person.

(2) A place name shall be established by a legal act issued by a names authority. A legal act with which a place name is established shall contain at least the following information:

- 1) the place name (if they exist, both the principal place name and the alternative place name);
- 2) the type of the named feature;
- 3) map of the location of the named feature, excluding the case when the feature identifying the named feature has been submitted to the state database maintaining the data of the named feature as basic data and its composition of data include the corresponding geometry.

[RT I, 02.05.2013, 1 - entry into force 01.07.2013]

(3) If the Government of the Republic or a minister is to establish a place name, the written opinion of the relevant local authority and the Place Names Board shall be sought before the name is established.

[RT I, 13.11.2020, 2 – entry into force 01.12.2020]

(4) A names authority shall send postal notification of its intent to establish a place name for a land unit which is in private ownership or for a named feature which is located within such a unit to the landowner and in so doing shall seek the opinion of the owner. The landowner shall present an opinion in writing within fifteen days as of receiving such notification. Failure to present an opinion within that term is deemed to mean that the consent of the landowner has been obtained. The provision shall not apply if the establishment of the place name is requested by the landowner himself or herself or if his or her consent is identifiable in the documentation concerning the forming of the land unit

[RT I, 02.05.2013, 1 - entry into force 01.07.2013]

(5) [Repealed - RT I, 02.05.2013, 1 - entry into force 01.07.2013]

(6) In order to establish a non-Estonian place name, the local authority shall seek the consent of the minister responsible for the area. The minister responsible for the area shall make a decision after he or she has received the opinion of the Place Names Board. It is not necessary to observe this procedure for obtaining approval if the named feature with a non-Estonian place name is located within the territory of a settlement of which the majority of the residents were non-Estonian speakers as at 27 September 1939.

[RT I, 13.11.2020, 2 – entry into force 01.12.2020]

(7) In order to establish an alternative place name, the local authority shall seek the opinion of the Place Names Board.

[RT I, 13.11.2020, 2 – entry into force 01.12.2020]

(8) The local authority shall publish a draft decision to establish a place name pursuant to the procedure established by the municipal council and at least fifteen days before the decision to establish the place name is to be taken. This provision does not apply upon establishment of the name of a land unit.

[RT I, 13.11.2020, 2 – entry into force 01.12.2020]

(9) If establishment of a place name is initiated by a natural person or a legal person, that person shall submit a written application to the names authority which is competent to establish the name pursuant to § 5 of this Act. An application for establishment of a place name shall contain the justification for the choice of the place name. If necessary, the written opinion of the relevant local authority or the Place Names Board shall be annexed.
[RT I, 13.11.2020, 2 – entry into force 01.12.2020]

(10) A names authority shall refuse to establish a place name if:

- 1) the place name applied for is in contradiction with the requirements of Chapter 3 of this Act;
- 2) the named feature for which the name is applied for is not clearly identifiable.

(11) The provisions concerning open proceedings apply to the establishment of place names, taking account of the specifications provided for in this Act.

[RT I 2004, 22, 148 - entry into force 01.07.2004]

§ 7. Bases for changing and revocation of official place names

(1) An official place name shall be changed if:

- 1) the place name is in contradiction with the requirements of Chapter 3 of this Act;

[RT I, 02.05.2013, 1 - entry into force 01.07.2013]

- 2) the various forms of the place name in use need harmonising.

(2) An official place name may be changed if:

- 1) in actual use, an unofficial place name is preferred and it meets the requirements of Chapter 3;

- 2) there is a desire to restore a historical Estonian place name;

3) the place name in use is misleading due to a change in the named feature or the planned area or the place name in use and the geometry of the named feature do not ensure unambiguous understanding.

[RT I, 02.05.2013, 1 - entry into force 01.07.2013]

- 4) [repealed - RT I, 02.05.2013, 1 - entry into force 01.07.2013]

(3) In order to change a place name for a reason not covered in subsections (1) and (2) of this section, the names authority, with the exception of the Government of the Republic, shall seek the consent of the minister responsible for the area. The minister responsible for the area shall make a decision after he or she has sought the opinion of the Place Names Board.

(4) The names authority is required to initiate proceedings to change a place name within thirty days as of becoming aware of any of the circumstances specified in subsection (1) of this section.

(5) An official place name may be revoked if the named feature does not actually exist.

[RT I, 02.05.2013, 1 - entry into force 01.07.2013]

(6) A place name shall be changed or revoked with a legal act issued by the names authority.

[RT I 2004, 22, 148 - entry into force 01.07.2004]

§ 8. Notification of establishment of place names

(1) Within ten days, a names authority shall send a legal act to establish a place name to:

- 1) the Place Names Board;

- 2) the controller or processor of the national place names register (hereinafter *register*).

[RT I, 13.11.2020, 2 – entry into force 01.12.2020]

(2) Subsection (1) of this section shall not apply when making register entries on the basis of subsection 18 (31) of this Act.

[RT I, 02.05.2013, 1 - entry into force 01.07.2013]

Chapter 3 REQUIREMENTS FOR PLACE NAMES

§ 9. Language of place names

(1) Estonian place names shall be in Estonian.

(2) The procedure for determining whether place names are in Estonian shall be established by a regulation of the Government of the Republic.

(3) Exceptions to the language of place names are permitted if they are historically or culturally justified. In order to prevent corruption of or unjustified changes to indigenous place names, the language of the residents of the area in question as at 27 September 1939 shall be taken into account when making an exception.

(4) In international professional and business communication, the cores and qualifying attributes of Estonian place names shall be identical to those used in Estonia. As an exception, a translation of the country name “*Eesti*” [Estonia] and of the names of interstate bodies of water may be used.

§ 10. Orthography of place names

- (1) Place names shall be documented in the Estonian-Roman alphabet.
- (2) If a place name is rendered in a non-Roman alphabet, the spelling of the name shall be in accordance with an official character table regulating the transcription and transliteration of names. If a place name is transcribed into the alphabet of a language for which there is no character table, the spelling of the name shall be approved on the basis of expert analysis carried out by the Office of Onomastic Expertise.
- (3) The spelling of a place name shall be in accordance with the rules of Estonian orthography and may reflect the local dialectal sound structure of the name.
- (4) The spelling of a non-Estonian place name shall be in accordance with the rules of orthography of the relevant language. If the spelling of a place name originates from a non-Roman alphabet, the spelling shall be in accordance with the official character table.
- (5) If one and the same place name is established for different named features, the spelling of the cores of the name shall be identical.
- (6) The character tables regulating the transcription and transliteration of place names shall be established by a regulation of the minister responsible for the area.

§ 11. Principal and alternative place names

- (1) A named feature shall have one official name, except in the cases specified in subsections (2) and (3) of this section.
- (2) A named feature which is not an administrative unit or an address unit for the purposes of the Spatial Data Act, e.g. street, road, square, small place, may have two official names, of which one is the principal name and the other is an alternative name.
[RT I, 02.05.2013, 1 - entry into force 01.07.2013]
- (3) Principal and alternative names may be established for historically and culturally justified reasons if the aim is to preserve:
 - 1) the non-Estonian place name of a named feature which already has an Estonian name or for which an Estonian name is also to be established;
 - 2) a second Estonian name.
- (4) If clause (3) 1) of this section is applied, the principal and alternative place names shall be selected as follows:
 - 1) if the named feature is located within the territory of a settlement of which the majority of the residents were Estonian speakers as at 27 September 1939, the Estonian name shall be established as the principal name;
 - 2) if the named feature is located within the territory of a settlement of which the majority of the residents were non-Estonian speakers as at 27 September 1939, the non-Estonian name shall be established as the principal name. As an exception, a nationally recognised Estonian name may be established as the principal name if its use has been rooted in history.
- (5) The spelling of a place name written using the orthography of an Estonian dialect which has a separate literary standard may be established as an alternative name.

§ 11¹. Place name components

- (1) The place name components include the core of a place name, qualifying attribute and generic term.
 - (2) The procedure for the formalisation and use of a place name shall be established by the minister responsible for the area by a regulation, which shall set forth the following:
 - 1) requirements towards use and formalisation of place name components;
 - 2) principles of ascertaining misleading similarities between place names;
 - 3) fundamental rules of location of geometries of named features;
 - 4) requirements towards use, abbreviation or omission of a generic term of a place name;
 - 5) requirements towards official place names entered in the place names register and data characterising relevant named features;
 - 6) procedure for classification of named features.
- [RT I, 02.05.2013, 1 - entry into force 01.07.2013]

§ 12. Restrictions on use of identical place names

(1) Named features have identical names if the full forms of the place names, together with the generic term, are identical.

(2) None of the following shall have identical place names:

- 1) administrative units;
- 2) settlement units located within the boundaries of one rural municipality or one city;
- 3) named features located within the boundaries of one settlement unit, except in the case provided for in subsection (3) of this section.

(3) Unless otherwise provided by law, identical names may be held by land units which:

- 1) belong to one register part in the land register and where no objects that require addressing are located or an object that requires addressing is located only on one land unit;
- 2) were formed for servicing utility works;
- 3) do not form independently used immovable property.

[RT I, 02.05.2013, 1 - entry into force 01.07.2013]

§ 13. Requirements for selection of place names

(1) Upon establishment of a place name, a name which is well recognised and widespread in the locality or which is of historical or cultural value shall be preferred.

(2) If it is not possible to establish a place name on the basis of the principle specified in subsection (1) of this section, the following shall be preferred upon establishment of the place name:

- 1) place names which are connected to the locality;
- 2) place names which are connected to the characteristics of the named feature;
- 3) place names of national significance.

(3) A commemorative name is a place name established in the memory or honour of a person.

(4) The procedure for establishing commemorative names shall be established by a regulation of the Government of the Republic.

[RT I, 02.05.2013, 1 - entry into force 01.07.2013]

(4¹) The name of a person shall not be used as a commemorative name during the lifetime of that person. Within five years as of the person's death a commemorative name may be assigned only upon the consent of the minister responsible for the area. The minister responsible for the area shall grant the consent or refuse from granting thereof after he or she has sought the opinion of the Place Names Board.

[RT I, 02.05.2013, 1 - entry into force 01.07.2013]

(4²) The name of a person shall not be used as a commemorative name if that person has acted against the foundation of the Republic of Estonia, permanence of its constitutional order or restoration of the independence of Estonia.

[RT I, 13.11.2020, 2 – entry into force 01.12.2020]

(4³) The minister responsible for the area shall make a proposal to a names authority to bring the commemorative names specified in subsection (4²) of this section into conformity with the law immediately after receipt of a respective proposal from the Place Names Board.

[RT I, 13.11.2020, 2 – entry into force 01.12.2020]

(5) Numbers and any other non-alphabetical signs shall not be used as place names. Following the entry into force of this Act, numbers and other such non-alphabetical signs shall not be used as qualifying attributes either.

(6) The following shall be avoided upon establishment of a place name:

- 1) place names which are identical or misleadingly similar;
- 2) place names with a vulgar or derogatory meaning;
- 3) place names which are incompatible with the history and culture of Estonia.
- 4) similarity of geometries of different named features or their misleading location in any other way.

[RT I, 02.05.2013, 1 - entry into force 01.07.2013]

(7) In order to avoid identical place names when an existing place name is being changed, the preference upon establishment of the new place name shall be to amend or modify in some other way the existing place name such that the place name established is clearly distinguishable.

(8) Upon division of a named feature with a historically and culturally important name which is well recognised in the locality, it is not permitted for a completely new name to be established for the historical core of the named feature. If the restrictions on the use of identical place names preclude an old name from being used, a name composed of the core and the qualifying attribute of the old name shall be used.

Chapter 4

USE OF PLACE NAMES

§ 14. Use of official place names

(1) The use of official place names entered in the register shall be mandatory:

- 1) upon maintenance of databases and in documents of holders of information for the purposes of the Public Information Act;
- 2) in the provision of postal services, in the dissemination of information, on public signs, on signposts or in notices;
- 3) in reference books and textbooks, and on geographical maps;
- 4) in address details for the purposes of the Spatial Data Act.

(2) If a principal place name and an alternative place name have been established for a named feature, both names shall be used in the requisite information on documents of holders of information for the purposes of the Public Information Act, large-scale geographical maps, spatial data sets, public signs and signposts in the order in which they are set out in the register.

(3) The provisions of subsections (1) and (2) of this section do not apply in respect of maps concerning history and cultural history and databases concerning history and cultural history. Exceptions may be made from the requirement provided for in subsection (1) of this section in the cases provided for in subsection 16 (1) of this Act.

[RT I, 02.05.2013, 1 - entry into force 01.07.2013]

§ 15. Use of unofficial place names

(1) An unofficial place name may be used if subsection 14 (1) of this Act does not require the use of an official place name.

[RT I, 02.05.2013, 1 - entry into force 01.07.2013]

(2) The use of unofficial place names in public information shall not be misleading.

§ 16. Specifications regarding use of official names

(1) The generic term or other part of a place name may be shortened or omitted if the place name is used:

[RT I, 02.05.2013, 1 - entry into force 01.07.2013]

- 1) in the provision of spatial data services, including the depiction of a place name, and on geographical maps;
[RT I, 02.05.2013, 1 - entry into force 01.07.2013]
- 2) on a public sign;
- 3) on a signpost;
- 4) in information on residence or location and in location address.

[RT I, 02.05.2013, 1 - entry into force 01.07.2013]

(2) The procedure for shortening or omitting the generic term, qualifying attribute or other part of a place name shall be established by a regulation of the minister responsible for the area.

[RT I 2004, 22, 148 - entry into force 01.07.2004]

Chapter 5 NATIONAL PLACE NAMES REGISTER

§ 17. General principles of operation of national place names register

(1) The purpose of the establishment and use of the register is to record and collect information on Estonian place names, to analyse, process and preserve such information and to make it available to users such that the use of place names becomes better organised.

[RT I, 02.05.2013, 1 - entry into force 01.07.2013]

(1¹) In the course of the analysis of the information collected in respect of the Estonian place names for the purposes of subsection (1) of this section, the conformity of a place name to the requirements of this Act and other legislation is verified.

[RT I, 02.05.2013, 1 - entry into force 01.07.2013]

(2) The register shall be established, the statutes for the maintenance thereof shall be approved and the processor of the register shall be appointed by the minister responsible for the area pursuant to the procedure provided for in the Public Information Act, taking account of the specifications of this Chapter.

[RT I, 13.11.2020, 2 – entry into force 01.12.2020]

(3) The controller of the register is the Land Board.
[RT I, 13.11.2020, 2 – entry into force 01.12.2020]

(4) The controller of the register shall organise in the course of the maintenance of the register the systematic acquisition and analysis of place names in order to ensure the correspondence of all place names and geometries of named features to the actual use. If necessary, the controller of the register shall make proposals for bringing the names used in spatial data sets and on geographical maps in compliance with the requirements established for place names and actual name use.
[RT I, 02.05.2013, 1 - entry into force 01.07.2013]

(5) The administrators of the state databases in whose databases the information concerning the named features is registered as basic data shall forward the data of all the named features contained in the database and their subsequent changes to the controller of the register.
[RT I, 02.05.2013, 1 - entry into force 01.07.2013]

§ 18. Information in register

(1) Official place names and information characterising relevant named features shall be entered in the register.
[RT I, 02.05.2013, 1 - entry into force 01.07.2013]

(2) The unofficial place names and information characterising relevant named features, which are used in spatial data sets, address data or on geographical maps, shall be entered in the register. Other unofficial place names, as historically or culturally significant place names or spellings, and information characterising relevant named features may also be entered in the register.
[RT I, 02.05.2013, 1 - entry into force 01.07.2013]

(3) Information shall be submitted to the controller or processor of the register pursuant to the procedure provided for in the statutes for the maintenance of the register. Any natural or legal person may apply for a place name to be entered in the register if that person submits information to the controller or processor of the register concerning the place name and the type of named feature and a map of the location of the feature.
[RT I, 13.11.2020, 2 – entry into force 01.12.2020]

(3¹) The basis for making a register entry may be an entry made with regard to a named feature in another state database maintaining the information concerning the named feature as basic data.
[RT I, 02.05.2013, 1 - entry into force 01.07.2013]

(4) The controller or processor of the register has the right to refuse to enter a place name in the register if the place name is not in compliance with law and the controller or processor may initiate a place name dispute pursuant to Chapter 7 of this Act. In the event of refusal, the names authority or the person who applied for the place name to be entered in the register and the Place Names Board shall be informed in writing.
[RT I, 13.11.2020, 2 – entry into force 01.12.2020]

(5) [Repealed - RT I, 02.05.2013, 1 - entry into force 01.07.2013]

(6) Information contained in the register shall be published on a website.
[RT I 2004, 22, 148 - entry into force 01.07.2004]

§ 19. Interbase cross-usage of data

In order to perform the functions of the register assigned thereto by law, the controller or processor of the register is permitted to make inquiries and obtain information from other databases and to communicate information to other databases.
[RT I, 13.11.2020, 2 – entry into force 01.12.2020]

Chapter 6 PLACE NAMES BOARD AND OFFICE OF ONOMASTIC EXPERTISE

§ 20. Place Names Board and membership thereof

(1) The minister responsible for the area shall establish the Place Names Board and appoint the members thereof.
[RT I, 13.11.2020, 2 – entry into force 01.12.2020]

(2) The minister responsible for the area shall approve by its regulation the statutes of the Place Names Board.
[RT I, 13.11.2020, 2 – entry into force 01.12.2020]

§ 21. Functions of Place Names Board

The Place Names Board shall perform the following functions:

- 1) approve, by a resolution, official place names for named features for which place names have not been established by a names authority and where it is necessary for an official place name to be established or where a corresponding application is made by an interested party;
- 2) advise names authorities and, at their request, provide an opinion;
- 3) if necessary, make proposals to names authorities through the minister responsible for the area for the establishment of place names;
- 4) monitor the use of official place names and, if necessary, make proposals through the minister responsible for the area to bring names into conformity with the requirements of legal acts;
- 5) make proposals through the minister responsible for the area for the amendment of legal acts regulating the establishment and use of place names;
- 6) participate in the preparation, organisation and publication of gazetteers of place names;
- 6¹) approve for a form of place name with a generic term a form of the place name without a generic term, and for a form of a place name without a generic term a form of the place name with a generic term, if necessary; [RT I, 02.05.2013, 1 - entry into force 01.07.2013]
- 7) submit positions in name disputes; [RT I, 13.11.2020, 2 – entry into force 01.12.2020]
- 8) perform other functions arising from its statutes. [RT I 2004, 22, 148 - entry into force 01.07.2004]

§ 22. Rights of Place Names Board

(1) The Place Names Board has the right to obtain the information and documents necessary to perform its functions from public authorities and local authorities and state and local government bodies and from other legal and natural persons. [RT I, 13.11.2020, 2 – entry into force 01.12.2020]

(2) The Place Names Board may demand written justification for the choice of a place name from the names authority.

§ 23. Office of Onomastic Expertise

(1) The Office of Onomastic Expertise shall perform the following functions:

- 1) provide expert opinions in matters concerning place names;
- 2) organise studies commissioned by the Place Names Board or the names authorities.

(2) The Government of the Republic shall, on the proposal of the minister responsible for the area, designate a research institution with scientific staff specialising in onomastics as the Office of Onomastic Expertise. [RT I 2004, 22, 148 - entry into force 01.07.2004]

Chapter 7 NAME DISPUTES AND SUPERVISION

§ 24. Name disputes

(1) Disputes which arise over the establishment or use of a place name can be resolved in an administrative court pursuant to the procedure provided by law. [RT I, 13.11.2020, 2 – entry into force 01.12.2020]

(2) [Repealed – RT I, 13.11.2020, 2 – entry into force 01.12.2020]

(2¹) If a local authority is the names authority, a challenge against its decision can be filed in accordance with the procedure provided for in the Administrative Procedure Act. The right to file a challenge exists, in addition to the cases provided for in the Administrative Procedure Act, also in case a person finds that his or her rights are violated by incorrect use of a place name. The challenge is resolved by a local authority. [RT I, 13.11.2020, 2 – entry into force 01.12.2020]

(3) Name disputes which arise between governmental authorities or authorities authorised thereby shall be resolved by the Government of the Republic or by way of subordination. The body resolving the dispute shall seek the opinion of the Place Names Board before making a decision. [RT I, 13.11.2020, 2 – entry into force 01.12.2020]

§ 24¹. Seeking opinion in name disputes

(1) A natural or legal person, a local authority or a court may seek the prudent position (hereinafter *opinion*) of the Place Names Board in a dispute over the establishment or use of a place name.

(2) If an opinion is sought, the term for filing a challenge or action regarding a decision of a names authority or the term for resolution thereof shall be suspended as of the inquiry for seeking the opinion until the opinion of the Place Names Board is declared as provided for in § 24² of this Act.

(3) The Place Names Board shall immediately notify the administrative authority about the suspension of the term for filing a challenge as provided for in subsection (2) of this section.

[RT I, 13.11.2020, 2 – entry into force 01.12.2020]

§ 24². Submission and withdrawal of opinion

(1) In its opinion the Place Names Board shall give recommendations and make proposals to ensure the compliance of the place name and establishment thereof with the requirements provided for in this Act. The opinion shall be submitted on the basis of the facts and the positions of the parties, or on the basis of the rights specified in § 22 of this Act. Adherence to the opinion of the Place Names Board is recommended, and it is not intended to create, modify or terminate the rights or obligations of persons.

(2) The Place Names Board shall give its opinion within 30 days after receipt of the positions of the disputing parties. In judicial proceedings, the Place Names Board shall give its opinion within the term and on the conditions set by the court. The term for providing an opinion of the Place Names Board may be extended in justified cases.

(3) The decision on submission of the opinion of the Place Names Board shall be passed by a simple majority of votes. Any minority board member is entitled to a dissenting opinion which shall be recorded separately at the end of the decision.

(4) The Place Names Board is entitled to withdraw from the submission of an opinion entirely or partially if:

- 1) the dispute or a part thereof for which the opinion is sought does not concern the establishment of a place name or compliance with the requirements for place names provided for in this Act;
- 2) the opinion cannot be given due to the unclarity of the circumstances;
- 3) the disputing party or parties do not submit their position in the name dispute or withdraw from submission thereof.

(5) The opinion or the decision on withdrawal from submission of an opinion shall be signed by the chairman of the Place Names Board or his or her substitute, and it shall consist of a part describing the circumstances and the positions of the parties, the reasons of the Place Names Board and the assessment or proposals set out in the resolution.

(6) The opinion or the decision on withdrawal from submission of an opinion shall be served on the parties electronically or by post as soon as possible but not later than two working days after its signing.

[RT I, 13.11.2020, 2 – entry into force 01.12.2020]

§ 25. Procedure for resolving name disputes

[Repealed – RT I, 13.11.2020, 2 – entry into force 01.12.2020]

§ 26. Exercise of state and administrative supervision

[RT I, 13.03.2014, 4 - entry into force 01.07.2014]

Supervision over compliance with the requirements provided for in this Act shall be exercised by the following authorities:

- 1) the state and administrative supervision in the field of linguistics by the governmental authority, which shall monitor the official and public use of language in place names;
- 2) the state supervision in the field of cartography by the governmental authority, which shall monitor the use of place names on geographical maps.

[RT I, 13.03.2014, 4 - entry into force 01.07.2014]

§ 26¹. Specific state supervision measures

In order to exercise state supervision provided for in this Act, the law enforcement authority may apply the specific state supervision measure provided for in § 30 of the Law Enforcement Act on the basis of and pursuant to the procedure provided for in the Law Enforcement Act.

[RT I, 13.03.2014, 4 - entry into force 01.07.2014]

§ 26². Non-compliance levy rates

Upon failure to comply with a precept, the maximum rate of the non-compliance levy imposed pursuant to the procedure provided for in the Substitutional Performance and Non-Compliance Levies Act is 640 euros.

[RT I, 13.03.2014, 4 - entry into force 01.07.2014]

Chapter 8

LIABILITY

[Repealed -RT I, 12.07.2014, 1 - entry into force 01.01.2015]

§ 27.–§ 29.[Repealed - RT I, 12.07.2014, 1 - entry into force 01.01.2015]

Chapter 9 IMPLEMENTING PROVISIONS

§ 30. Implementation of Place Names Act

(1) The Place Names Act (RT I 1997, 1, 3; 2002, 90, 521) is repealed.

(2) A names authority with the competence prescribed in § 5 of this Act shall submit official place names which were established before the entry into force of this Act and information concerning the relevant named features to the processor of the register not later than by 1 January 2005. Before the information is submitted, the place name shall be brought into conformity with the requirements of Chapter 3 of this Act.

(3) The use of place names in documents of state authorities or local government authorities or bodies, on geographical maps, in the dissemination of information, on public signs, on signposts or in notices shall be brought into conformity with this Act not later than by 1 July 2005. This provision does not apply in respect of maps concerning history and cultural history.

(4) Place names contained in information on residence and location entered in local government databases shall be brought into conformity with this Act not later than by 1 January 2005.

(5) The use of an official place name in the case specified in subsection 14 (3) of this Act shall be brought into conformity with this Act not later than by 1 July 2005.

(6) Not later than by 1 January 2005, the Ministry of Justice shall organise the submission to the processor of the register of an electronic list of the names and addresses of registered immovables which were entered in the land register before the entry into force of this Act. The processor of the register shall verify that the names of registered immovables entered in the land register conform to this Act and shall submit the names of the corresponding registered immovables for entry in the place names register. If registered immovable names appear which are not in conformity with this Act, the processor of the register shall make a proposal to a names authority for the name of the registered immovable to be brought into conformity with this Act. The names authority is required, within one year as of receiving the proposal specified in this subsection, to decide to change or delete the name of the registered immovable and to submit a written application to the land registry department of the court of the location of the registered immovable for the name of the registered immovable to be changed or deleted.

§ 31. Entry into force of Act

This Act enters into force on July 1 2004.