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Item 14
of the Provisional Agenda

TOPONYMIC GUIDELINES FOR MAP EDITORS AND OTHER EDITORS

Legislation in Estonia Concerning Geographical Names

(Submitted by Estonia)

Submitted by the Place Names Board of Estonia, Ministry of Internal Affairs

UNITED NATIONS GROUP OF EXPERTS
ON GEOGRAPHICAL NAMES (UNGEGN)

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LEGISLATION IN ESTONIA CONCERNING GEOGRAPHICAL NAMES

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At the Seventh United Nations Conference on the Standardization of Geographical Names held in New York in January 1998 the Estonian delegation presented a report on a law on place names adopted in Estonia in 1996 (Document E/CONF.91/L.2). It has now become possible to present to the experts of UNGEGN the translation of the full text of the law, prepared by the Estonian Translation and Legislative Support Centre (<http://www.legaltext.ee/>).

PLACE NAMES ACT

Passed on 11 December 1996
(RT = Riigi Teataja [State Gazette] I 1997, 1, 3),
entered into force 18 January 1997,
amended by the following Acts:
17.06.98 entered into force 10.07.98 - RT I 1998, 59, 941.
20.01.1999 - RT I 1999, 10, 155, § 44

Chapter 1 GENERAL PROVISIONS

§ 1. Purpose of Act

This Act provides the bases for the official standardisation and use of Estonian place names.

§ 2. Place names and establishment thereof

(1) A place name is a name which has become fixed or is fixed as the name of a place regarded as a natural or man-made geographic entity.

(2) Establishment of a place name means any of the following acts performed by a body or official authorised by this Act:

- 1) establishment of the name of a place without an official name;
- 2) changing an official place name;
- 3) revocation of an official place name.

§ 3. Official place names

A place name is official if it is established pursuant to this Act or has been established pursuant to other legislation in force.

§ 4. Naming obligation

(1) The following shall have an official place name:

- 1) counties, rural municipalities and cities (administrative units);
 - 2) rural municipality and city districts;
 - 3) settlement units;
 - 4) streets, squares and other small places used in addresses (address units);
 - 5) cadastral units subject to entry in the cadastral land register if they include entities outside the street network which need an address. A name may be established for a cadastral unit and the name shall be retained even if the cadastral unit is given an address according to a street name;
 - 6) natural features registered in the state cadastre or a state register, and immovable monuments and heritage conservation areas under state protection;
 - 7) railway stations and stops, public transport stops, ports, lighthouses, airports and airport terminals.
- (2) Official place names may also be established for places not specified in subsection (1) of this section if the identification of places is necessary for government agencies or local government bodies in their activities.

Chapter 2

STANDARDIZATION OF PLACE NAMES

§ 5. Competence to establish place names

- (1) Names of administrative units shall be established by the Government of the Republic.
- (2) Names of settlement units shall be established pursuant to the procedure established by the Government of the Republic.
- (3) Names of rural municipality and city districts, cadastral units registered in the cadastral land register and small places shall be established pursuant to the procedure established by the local government council.
- (4) Names of railway stations and stops, ports, lighthouses, water area features, airports, airport terminals and highways belonging to the state and traffic facilities thereon shall be established by the Minister of Transport and Communications.
- (5) Names of natural features registered in the state cadastre or a state register shall be established by the Minister of the Environment.
- (6) Names of immovable monuments and heritage conservation areas registered in a state register shall be established by the Minister of Culture.
- (7) Before establishing an official place name, the responsible minister shall ask the opinion of the corresponding local government body and the Place Names Board. Place names registered in a state register shall be established in accordance with legislation established for the corresponding register.
- (8) When establishing the name of a cadastral unit which is in private ownership and has been entered in the cadastral land register, or the name of a place located within such unit, the opinion of the owner shall be asked.

§ 6. Place Names Board and membership thereof

- (1) The Government of the Republic shall establish the Place Names Board (§§ 7-9) within the area of government of the Minister of Internal Affairs, which consists of eleven to fifteen members and is governed by statutes.
- (2) The members of the Place Names Board, including the chair, shall be appointed by the Government of the Republic for up to five years.

§ 7. Functions of Place Names Board

The Place Names Board shall:

- 1) advise bodies and officials responsible for the establishment of place names and, at their request, provide the opinion of the Board;
- 2) through the Minister of Internal Affairs, make proposals for the establishment of place names to bodies and officials responsible for the establishment of place names;
- 3) monitor the use of official place names and, if necessary, make proposals through the Minister of Internal Affairs to bring names into conformity with the requirements of legislation;

- 4) through the Minister of Internal Affairs, make proposals for the amendment of legislation providing for the establishment and use of place names;
- 5) participate in the preparation, organisation and publication of gazetteers of place names;
- 6) perform other functions assigned to the Board by the statutes.

§ 8. Rights of Place Names Board

- (1) The Place Names Board has the right to obtain documents, certificates and other information necessary for performing its functions from state agencies and local government agencies.
- (2) The Place Names Board may demand a written justification for the selection of a place name from the minister who or the local government council which established the place name.

§ 9. Office of Onomastic Expertise

- (1) The functions of the Office of Onomastic Expertise with regard to place names are to provide expert opinions concerning names, and to organise ad hoc studies commissioned by the Place Names Board or bodies responsible for the establishment of place names.
- (2) The Government of the Republic shall, on the proposal of the Minister of Internal Affairs, designate a research institution with scientific staff specialising in onomastics as the Office of Onomastic Expertise.

§ 10. Change and revocation of place names

- (1) An official place name may be changed or revoked pursuant to the procedure provided for in § 5 of this Act.
- (2) An official place name may be changed if:
 - 1) several official place names are identical or misleadingly similar;
 - 2) the spelling of the name is corrupt or does not conform to the rules of orthography;
 - 3) the variant names already in use are subject to harmonisation;
 - 4) a different unofficial place name is persistently used in preference to the official name;
 - 5) the historical place name of Estonian origin is restored;
 - 6) the name currently in use is misleading.
- (3) Consent to change an official place name on other grounds shall be granted by the Minister of Internal Affairs to a local government council after hearing the opinion of the Place Names Board.
- (4) An official place name is revoked if the named entity ceases to exist or is destroyed.

§ 11. Information on establishment of place names

- (1) A local government council shall publish a prior notice concerning the establishment of a place name pursuant to the procedure provided for in the statutes of the city or rural municipality at least thirty days before the establishment of the place name.
- (2) A minister responsible for the establishment of a place name shall publish a prior notice concerning the establishment of the place name in a national newspaper at least thirty days before the establishment of the place name.

§ 12. Publication of establishment of place names

- (1) Regulations of the Government of the Republic and ministers concerning the establishment of place names shall be published in the *Riigi Teataja* pursuant to the procedure provided by law.
- (2) The legislation of a local government body concerning the establishment of place names shall be published pursuant to the procedure provided for in the statutes of the city or rural municipality (*remaining part repealed*: 20.01.1999, RT I 1999, 10, 155, § 44).
- (3) Legislation concerning the establishment of official place names which has entered into force shall be immediately sent to the registrar of the Place Names Register and to the Place Names Board.

§ 13. Name disputes

- (1) Name disputes between government agencies shall be resolved by way of subordination. A body responsible for resolving a dispute concerning the selection or use of a name shall ask the opinion of the Place Names Board before resolving the dispute.
- (2) The conformity of establishment and use of official place names with legislation may be contested in an administrative court pursuant to the procedure provided by law.

Chapter 3
REQUIREMENTS FOR PLACE NAMES

§ 14. Language of place names

- (1) Estonian place names shall be in Estonian. The procedure for determining whether a place name is in Estonian shall be established by the Government of the Republic.
- (2) Exceptions to the language of place names are permitted if they are justified by reasons connected with history or cultural history. To prevent corruption of indigenous place names and unjustified changes thereto, exceptions are made based on the language of the permanent settlers of the corresponding place as at 27 September 1939 (taking into account an indigenous non-Estonian language).
- (3) The Minister of Internal Affairs grants consent to the local government council for the establishment of a place name in a non-Estonian language, having heard the opinion of the Place Names Board.
- (4) In international professional and business communication, the cores and qualifying attributes of Estonian place names shall be identical to the ones used in Estonia. As an exception, translation of the country name "Eesti" [Estonia] and the names of interstate bodies of water may be used.

§ 15. Orthography of place names

- (1) Place names shall be documented in Estonian-Latin alphabet. Place names in non-Latin alphabets shall be spelled in compliance with official character tables.
- (2) The rules for transcription and transliteration of names shall be provided for in official character tables. The tables shall be approved by the Minister of Education.
- (3) The spelling of a place name shall conform to the rules of Estonian orthography but may reflect the local (dialectal) sound structure of the name. The spelling of a non-Estonian place name shall conform to the rules of orthography of the language concerned and if the spelling of a place name originates from a non-Latin alphabet, it shall be in conformity with the official character table.
- (4) The spelling of the same core of names shall be identical in all place names. The core of a place name is the name without the generic term (the word signifying the type of place) and the qualifying attribute (prefixed attribute distinguishing names with a recurrent core).

§ 16. Principal and alternative place names

- (1) All places may have only one official name except in the cases set out in subsections (2) and (3) of this section.
- (2) A place, but not an administrative or address unit, may have two official names, one of which is the principal and the other an alternative place name, in order to:
 - 1) retain the indigenous non-Estonian name (subsection 14 (2)) in cases justified by reasons connected with history or cultural history if the place name in Estonian already exists or a place name in Estonian is established;
 - 2) retain a second name in Estonian in cases justified by reasons connected with history or cultural history.
- (3) If clause (2) 1) of this section is applied, the principal and alternative place names shall be selected as follows: if, as at 27 September 1939, the majority of the population in the area of the settlement unit was Estonian-speaking, the principal name shall be the Estonian name, otherwise it shall be the indigenous non-Estonian name; exceptions may be made in favour of considering the Estonian name the principal name if the name is nationally recognised and established in use.
- (4) The Minister of Internal Affairs grants consent to the local government council for the establishment of an alternative place name, having heard the opinion of the Place Names Board.

§ 17. Requirements for selection of place names

- (1) Upon the establishment of an official place name, the name which is locally most widely recognised and widespread and is most significant in terms of history and cultural history shall be preferred.
- (2) If a place name cannot be established on the basis of the characteristics specified in subsection (1) of this section, the following shall be preferred upon the establishment of the place name:
 - 1) place names which are established in local usage or are connected with such names;
 - 2) names connected with the characteristics of the place;
 - 3) names of national significance.
- (3) The name of a person shall not be used as a commemorative name of a place during the lifetime of that person. The procedure for establishing commemorative names shall be established by the Government of the Republic.

(4) Numbers or any other non-alphabetical signs shall not be used as place names. After the entry into force of this Act such signs shall not be used as qualifying attributes (subsection 15 (4)).

(5) Upon the establishment of an official place name, the use of identical or misleadingly similar place names and vulgar or derogatory meanings of names, and incompatibility with the history and cultural history of the country and the nation shall be precluded.

§ 18. Restrictions on use of identical place names

(1) Places have identical names if the full forms of the names (together with the generic term) are identical.

(2) Names of administrative units, settlement units located within a rural municipality or a city and of small places located within a settlement unit shall not be identical.

Chapter 4 USE OF PLACE NAMES

§ 19. National Place Names Register and sets of data concerning place names

(1) Official place names shall be entered in the National Place Names Register pursuant to the procedure established by the Government of the Republic.

(2) The set of data concerning place names in the national cartographic database shall constitute the National Place Names Register. The statutes of the register shall be approved by the Government of the Republic.

(3) A local government shall maintain a set of data concerning the names of places located within the territory of the local government. Ministries shall maintain sets of data concerning place names the establishment of which falls within the competence of the corresponding minister.

(4) Information in the National Place Names Register shall be used pursuant to the statutes of the register. Information in the register and the sets of data of local governments and ministries concerning place names are public and the exchange of such information is without charge.

§ 20. Use of place names in addresses

(1) The geographical address of a cadastral unit in the cadastral land register shall include:

1) the name of the address unit (clause 4 (1) 4)) together with the number of the building (the number of the apartment or another room is added after a hyphen) or with the name of the cadastral unit in the cadastral land register (outside the street network: only the name of the cadastral unit in the cadastral land register);

2) the name of the settlement unit (unless it is the local government);

3) the name of the local government;

4) the name of the county;

5) the name of the state (in international communication).

(2) The postal address of a cadastral unit in the cadastral land register shall include the information set out in clause (1) 1) of this section, the postal code (together with the country code in international communication) and the name of the post office with or without the ordinal number of the post office. Addresses shall be in Estonian also in international communication; the name of the state may be added in translation.

(3) A more specific format of addresses shall be determined by the national standard.

§ 21. Use of place names in texts, on signs and elsewhere

(1) Official place names shall be used in documents of state and local government bodies, on maps, in dissemination of information, on public signs, signposts and notices and in the addresses of legal persons.

(2) (*Repealed - 17.06.98 entered into force 10.07.98 - RT I 1998, 59, 941*)

(3) In research, reference books and textbooks, the official Estonian place name shall primarily be used, to which the unofficial or non-Estonian name may be added.

(4) If both the principal and alternative names (subsection 16 (2)) have been established for a place, both names shall be used in documents of state and local government bodies, on maps, public signs, signposts and notices in the order given in the legislation concerning the establishment of the place name. A name written according to the rules of orthography of an Estonian dialect with a separate literary standard may be used in the same manner and cases.

(5) In addition to subsections (1)-(4) of this section, the Government of the Republic may specify cases in which the use of an official place name is obligatory.

§ 22. Use of unofficial place names

(1) Unofficial place names may be used in all cases in which it is not required by law to use official place names or in which an official name has not been established for a place pursuant to the procedure provided by this Act.

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

(3) In order to enter an unofficial place name on the base map of Estonia, the opinion of the Place Names Board shall be asked and the requirements set out in §§ 14, 15 and 17 of this Act shall be taken into account.

Chapter 5 FINAL PROVISIONS

§ 23. Amendment of Code of Administrative Offences

The Code of Administrative Offences (RT 1992, 29, 396; 1997, 66-68, 1109; 73, 1201; 81, 1361, 1362; 86, 1459, 1461, 1466, 1467; 93, 1561, 1563, 1564, 1565; 1998, 2, 42; 17, 265; 23, 321; 30, 410; 34, 484; 36/37, 552, 553; 38, 562; 51, 756, 759; 52/53, 771; 60, 951, 952; 64/65, 1004) is amended as follows:

1) the Code is amended by adding § 170¹:

“§ 170¹. Violation of Place Names Act

A fine of up to fifty days wages is imposed on an official who violates the requirements for the use of official place names in documents of state and local government bodies, on maps, in dissemination of information, on public signs, signposts and notices and in the addresses of legal persons.”;

2) subsection 186 (1) is amended by adding the words “§ 170¹” after the words “subsection 170 (4)”;

3) subsection 215 (1) is amended by adding the words “and in § 170¹” after the words “in subsections 170 (1), (2) and (3)”;

4) clause 228 (1) 10) is amended by adding the words “§ 170¹”;

5) subsection 228 (1) is amended by adding subclause 29¹:

“29¹) county governments – § 170¹”.

§ 24. Revision of place names

(1) Official place names in use on the date of entry into force of this Act shall be brought into compliance with this Act before they are entered in the National Place Names Register.

(2) The bodies responsible for the establishment of place names shall bring place names into conformity with this Act.

§ 25. Supervision

(1) County governors shall exercise supervision over the implementation of this Act by local governments.

(2) A government agency designated by the Government of the Republic shall exercise supervision over compliance with the requirements for the use of official place names.

(3) In government agencies, the establishment and use of place names is monitored by way of supervisory control.