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- 8 May 2003 [shall come into force from 1 June 2003];
- 15 December 2005 [shall come into force from 1 January 2006];
- 14 September 2006 [shall come into force from 22 September 2006];
- 7 June 2007 [shall come into force from 28 June 2007];
- 13 November 2008 [shall come into force from 22 November 2008];
- 26 March 2009 [shall come into force from 1 May 2009];
- 12 November 2009 [shall come into force from 1 January 2010];
- 27 May 2010 [shall come into force from 16 June 2010];
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- 28 April 2011 [shall come into force from 1 June 2011];
- 14 June 2012 [shall come into force from 18 July 2012];
- 20 December 2012 [shall come into force from 23 January 2013];
- 30 January 2014 [shall come into force from 27 February 2014];
- 13 February 2014 [shall come into force from 7 March 2014];
- 30 October 2014 [shall come into force from 29 November 2014];
- 21 May 2015 [shall come into force from 17 June 2015];
- 10 September 2015 [shall come into force from 13 October 2015];
- 4 February 2016 [shall come into force from 16 February 2016].

If a whole or part of a section has been amended, the date of the amending law appears in square brackets at the end of the section. If a whole section, paragraph or clause has been deleted, the date of the deletion appears in square brackets beside the deleted section, paragraph or clause.

The *Saeima*<sup>1</sup> has adopted and  
the President has proclaimed the following Law:

## On Prevention of Conflict of Interest in Activities of Public Officials

### Chapter I General Provisions

#### Section 1. Terms Used in the Law

The following terms are used in this Law:

1) **office** – work or service within the scope of specified authorisation in an institution of a public person, in a public, political or religious organisation, as well as in a commercial company;

2) **work-performance contract** – a contract governed by civil law by which a public official undertakes to perform work of a specified amount for the benefit of another person for certain remuneration;

3) **authorisation** – a set of rights which has been granted to a public official by another person in order that the public official shall act in the name and interests of the authorising person;

4) **counterparty** – a natural or legal person or an association of natural or legal persons established on the basis of a contract, which in accordance with the provisions of this Law is in declarable business relations with a public official;

5) **conflict of interests** – a situation where in performing the duties of office of the public official, the public official must take a decision or participate in taking of a decision or perform other activities related to the office of the public official which affect or may affect the personal or financial interests of this public official, his or her relatives or counterparties;

6) **relative** – father, mother, grandmother, grandfather, child, grandchild, adoptee, adopter, brother, sister, half-sister, half-brother, spouse;

<sup>1</sup> The Parliament of the Republic of Latvia

7) **creative work** – journalistic, literary or artistic work for which royalties or fees are received;

8) **institution of a public person:**

- a) an institution (its unit) of a public person,
- b) a capital company of a public person,
- c) a capital company, in which the share of a public person in the equity capital separately or together exceeds 50 per cent or in which a public person has another decisive influence in accordance with the Group of Companies Law,
- d) a capital company, in which the share of capital companies of a public person or several public persons in the equity capital separately or together exceeds 50 per cent or in which one public person or several public persons has or have another decisive influence in accordance with the Group of Companies Law;

9) **head of the institution of a public person:**

a) head of the institution of a public person (in a ministry – State Secretary). The *Saeima*, Presidium of the *Saeima* or Speaker of the *Saeima* shall not be the head of the authority, a higher public official, an institution or collegial authority in respect of a member of the *Saeima*,

- b) the board of directors of a capital company of a public person,
- c) the board of directors of such capital company, in which the share of a public person in the equity capital separately or together exceeds 50 per cent or in which a public person has another decisive influence in accordance with the Group of Companies Law,
- d) the board of directors of such capital company, in which the share of capital companies of a public person or several public persons in the equity capital separately or together exceeds 50 per cent or in which one public person or several public persons has or have another decisive influence in accordance with the Group of Companies Law.

[28 April 2011; 30 November 2014]

## **Section 2. Purpose of the Law**

The purpose of this Law is to ensure that the actions of public officials are in the public interest, prevent the influence of a personal or financial interest of any public official, his or her relatives or counterparties upon the actions of the public official, to promote openness regarding the actions of the public officials and their liability to the public, as well as public confidence regarding the actions of public officials.

## **Section 3. Scope of Application of this Law**

This Law provides for:

- 1) restrictions and prohibitions upon public officials;
- 2) prevention of conflict of interest in actions of public officials;
- 3) declaration of the financial status of public officials and a mechanism for the verification of the declarations of public officials.

## **Section 4. Public Officials**

(1) Public officials are:

- 1) the President;
- 2) members of the *Saeima*;
- 3) the Prime Minister, Deputy Prime Ministers, Ministers, Ministers for Special Assignments, and Parliamentary Secretaries;

- 4) the head of the Chancellery of the President of Latvia and his or her deputy, the Director of the *Saeima* Chancellery and his or her deputy;
- 5) advisors to the President, advisors, consultants and assistants, as well as heads of the Offices of the Prime Minister, Deputy Prime Ministers, Ministers, and Ministers for Special Assignments;
- 6) the Governor of the Bank of Latvia, his or her deputy and members of the Council of the Bank of Latvia;
- 7) the Auditor General, members of the Council of the State Audit Office, and the sectoral head of the audit department of the State Audit Office;
- 8) the Chairperson of the Central Electoral Commission, his or her deputy and the Secretary of the Central Electoral Commission;
- 9) the Director of the Constitution Protection Bureau and his or her deputy;
- 10) the head of the Prevention and Combating of Corruption Bureau, his or her deputies, central administration divisional heads and their deputies, heads of territorial offices and investigators;
- 11) the head of the Prevention of the Laundering of Proceeds from Crime Service and his or her deputy;
- 12) the Ombudsman and his or her deputy;
- 13) members of the National Electronic Mass Media Council of Latvia, members of the Council of the Public Utilities Commission, members of the Council of the Finance and Capital Market Commission;
- 14) the chairperson of a local government council and his or her deputy, the executive director of a local government and his or her deputy, as well as the head of the administration of a rural territory (or *pagasts*) or town in the municipality local government;
- 15) councillors of local government councils;
- 16) head of an institution of a public person and his or her deputy;
- 17) civil servants of the general or specialised State Civil Service;
- 18) a member of the board of directors of a capital company who represents the interests of a public person in the capital company, or a member of the board of directors in a capital company, in which the share of a public person in the equity capital separately or together exceeds 50 per cent or in which a public person has another decisive influence in accordance with the Group of Companies Law;
- 19) a member of the council or board of directors of a capital company of a public person;
- 19<sup>1</sup>) a member of the board of directors of such capital company, in which the share of capital companies of a public person or several public persons in the equity capital separately or together exceeds 50 per cent or in which one public person or several public persons has or have another decisive influence in accordance with the Group of Companies Law, and a member of such council of capital company, who represents the interests of the capital company of a public person;
- 20) a representative of the holder of capital share of a public person and his or her authorised person;
- 21) judges, prosecutors, sworn notaries and sworn bailiffs;
- 22) professional service soldiers of the National Armed Forces;
- 23) [12 November 2009];
- 24) member of the Public Procurement Commission;
- 25) officials with special service ranks of the Ministry of the Interior system institutions and the Latvian Prison Administration;
- 26) an insolvency administrator;
- 27) the chairperson and a member of the Council for Appeal of Industrial Property.

(2) Also persons who in fulfilling official duties in institutions of a public person have the following rights in accordance with laws and regulations, shall be considered to be public officials:

- 1) to issue administrative acts;
- 2) to fulfil supervisory, control, inquiry or punishment functions in relation to persons who are not directly or indirectly subordinate to them;
- 3) to take or prepare decisions to acquire the property of a public person, to transfer it in the ownership, use or possession of other persons, to alienate from other persons or to encumber with property or obligation rights, as well as to divide financial resources.

(2<sup>1</sup>) Also persons who in fulfilling official duties in State security authorities perform at least one of the following activities, shall be considered to be public officials:

- 1) intelligence;
- 2) counter-intelligence;
- 3) investigatory operations;
- 4) the processing, analysis or protection of information acquired through intelligence, counter-intelligence or investigatory operations.

(2<sup>2</sup>) Also persons who in fulfilling official duties in institutions involved in the management of European Union or foreign financial aid perform at least one of the following activities, shall be considered to be public officials:

- 1) fulfil supervisory, control or punishment functions in relation to persons who are not directly or indirectly subordinate to them;
- 2) take decisions on the submitted project or project application;
- 3) take such a decision, which affects the use of the granted financial aid.

(2<sup>3</sup>) Also persons who hold the offices of chairperson of the board of a port, port manager or member of the board of a port shall be considered to be public officials. Persons employed in private ports shall be considered to be public officials only if such is provided for in Paragraph three of this Section.

(3) Persons who fulfil official duties externally of institutions of a public person shall also be considered to be public officials, if in accordance with the laws and regulations the State or local government has permanently or temporary delegated to them any of the functions referred to in Paragraph two of this Section.

A member of the board of directors of such capital company, in which the share of capital companies of a public person or several public persons in the equity capital separately or together exceeds 50 per cent or in which one public person or several public persons has or have another decisive influence in accordance with the Group of Companies Law, and a member of such council of capital company, who represents the interests of the capital company of a public person, shall not be considered to be a public official, if the relevant capital company is registered in a foreign state. Prevention of conflict of interest in the activities of members of the board of directors or council of such capital companies shall be ensured in accordance with the procedures and in the amount laid down in laws and regulations and articles of association by a capital company of a public person, which owns capital shares in the abovementioned capital company registered in a foreign state.

*[8 May 2003; 15 December 2005; 14 September 2006; 7 June 2007; 26 March 2009; 12 November 2009; 27 May 2010; 28 April 2011; 14 June 2012; 30 October 2014; 21 May 2015; 10 September 2015 / Clauses 26 and 27 of Paragraph one shall come into force on 1 January 2016. See Paragraphs 22 and 26 of Transitional Provisions. Law of 30 October 2014 "Amendments to the Law On Prevention of Conflict of Interest in Activities of Public Officials", by which Paragraph one of Section is supplemented with Clause 26 in the following wording: "26) an insolvency administrator." insofar as it does not ensure guarantees of professional activity for administrators of insolvency proceedings who are also concurrently advocates, for preservation of the selected occupation, has been recognised as not corresponding to the first sentence of Section 106 of the Constitution of the Republic of*

*Latvia by the Judgment of the Constitutional Court of 21 December 2015, which entered into effect on 23 December 2015.)*

## **Section 5. Control of the Implementation of this Law**

(1) The Prevention and Combating of Corruption Bureau, as well as other authorities and public officials in conformity with the competence determined in this Law or other laws and regulations shall control the implementation of this Law.

(2) The activities of the Prevention and Combating of Corruption Bureau shall be governed by the Prevention and Combating of Corruption Bureau Law.

## **Chapter II Restrictions and Prohibitions with Respect to Public Officials**

### **Section 6. General Restrictions on Combining Offices of Public Officials**

(1) A public official is permitted to combine an office of the public official with another office, the performance of a work-performance contract or authorisation, or economic activity in the status of an individual merchant, or by registering with the State Revenue Service as the performer of economic activity in accordance with the Law On Personal Income Tax, if restrictions on the combining of the offices of the public official are not provided for in this Law or other laws and regulations.

(2) Unless stricter restrictions are laid down in law, a public official shall be allowed, in conformity with the special restrictions on combining offices determined in Section 7, Paragraphs two, three, four, five, 5.<sup>1</sup>, six, seven, eight, and thirteen of this Law, to combine his or her office of the public official with no more than two other paid offices or offices compensated in some other way in other institutions of a public person. The work of a teacher, scientist, doctor, professional athlete and creative work shall not be considered as the offices referred to in this Paragraph. The combining of offices referred to in this Paragraph shall be permissible if it does not entail a conflict of interests, is not in contradiction with ethical norms binding upon the public official and does not harm the performance of the direct duties of the public official.

(3) A public official is permitted to combine his or her office of the public official with another office in such institution of a public person, in which he or she is fulfilling the official duties of a public official, if such combining of offices does not entail a conflict of interests and if restrictions for combining the office of a public official are not provided for in this Law or other regulatory enactment.

*[28 April 2011; 30 November 2014; 10 September 2015]*

### **Section 7. Special Restrictions on Combining Offices of Public Officials**

(1) Combining the office of the President with another office shall be determined by the Constitution of the Republic of Latvia.

(2) Members of the *Saeima*, the Prime Minister, Deputy Prime Ministers, Ministers, Ministers for Special Assignments, and Parliamentary Secretaries are permitted to combine their office as public officials only with:

1) offices that they hold in accordance with laws, or international agreements ratified by the *Saeima*;

2) offices in a trade union, an association or foundation, a political party, a political party union or a religious organisation if it is not otherwise laid down in Paragraph 14 of this Section;

3) the work of a teacher, scientist, doctor, professional athlete and creative work;

4) other offices or work in the *Saeima* or the Cabinet, if it is determined in decisions of the *Saeima* and its institutions, or regulations or orders of the Cabinet;

5) offices that they hold in international organisations and institutions if it is determined by a decision of the *Saeima*, Cabinet regulations or orders.

(3) The Governor of the Bank of Latvia, his or her deputy and members of the Council of the Bank of Latvia, the Auditor General, members of the Council of the State Audit Office, the Chairperson of the Central Electoral Commission and his or her deputy, the Director of the Constitution Protection Bureau and his or her deputy, the Ombudsman and his or her deputy, members of the National Electronic Mass Media Council of Latvia, the Chairperson and members of the Council of the Public Utilities Commission, the chairperson of the Financial and Capital Market Commission, his or her deputies and members of the Council of the Financial and Capital Market Commission, the Director-General of the State Revenue Service, directors of administration of the State Revenue Service and their deputies, judges, prosecutors, sworn notaries and sworn bailiffs, the Director of the Corruption Prevention and Combating Bureau and his or her deputies, central administration divisional heads and their deputies, heads of territorial offices and investigators, the head of the Office for Prevention of Laundering of Proceeds Derived from Criminal Activity and his or her deputy, the chairperson and members of the Council for Appeal of Industrial Property are permitted to combine the office of a public official only with:

1) offices which they hold in accordance with the law or international agreements ratified by the *Saeima*, Cabinet regulations and orders, if it does not jeopardize the independence of the public official or institution, in which the relevant public official is employed, stipulated in laws and regulations;

2) the work of a teacher, scientist, professional athlete and creative work;

3) the work of an expert (consultant) performed in the administration of another state, international organisation or a representation (mission) thereof, if it does not entail a conflict of interests and a written permit has been received from the public official or collegial authority which has appointed, elected or approved the relevant person in the office or which is referred to in Section 8.<sup>1</sup>, Paragraph eleven of this Law;

4) the office in a trade union or association of the relevant profession, except the heads of the institutions referred to in this Paragraph;

5) the office in an association, if it does not entail a conflict of interests and a written permit has been received from the public official or collegial authority which has appointed, elected or approved the relevant person in the office or which is referred to in Section 8.<sup>1</sup>, Paragraph eleven of this Law, and if it is not provided otherwise by the law.

(4) The Chief of the State Police and his or her deputy, the Chief of the Security Police and his or her deputy, the Chief of the State Border Guard and his or her deputy, the Chief of the State Fire and Rescue Service and his or her deputy, the Chief of the Internal Security Office and his or her deputy, the Chief of the municipal police and his or her deputy is permitted to combine the office of public official only with:

1) offices which they hold in accordance with the Law or international agreements ratified by the *Saeima*, Cabinet regulations and orders;

2) the work of teacher, scientist, professional athlete and creative work.

(5) Chairpersons of local government councils, deputy chairpersons of city councils, executive directors of local governments and their deputies, heads of institutions of public persons and their deputies, the head of the Chancellery of the President of Latvia and his or her deputies, the Director of the *Saeima* Chancellery and his or her deputies, heads of a rural territory (or *pagasts*) or town administration in municipality local governments are permitted to combine their office of public official only with:

1) offices which such persons hold in accordance with laws, or Cabinet regulations and orders;

2) offices in a trade union, an association or foundation, a political party, a political party union or a religious organisation, if it is not laid down otherwise in Paragraph fourteen of this Section;

3) the work of teacher, scientist, doctor, professional athlete and creative work;

3<sup>1</sup>) offices in a capital company in which the public person is a shareholder, if it is related to the representation of the interests of the public person in such company, does not entail a conflict of interest and a written permission has been received from the public official or collegial authority, which has appointed, elected or approved in office the relevant person;

3<sup>2</sup>) offices in a capital company in which the capital company of the public person is a shareholder, if it is related to the representation of the interests of the public person in such company, does not entail a conflict of interest and a written permission has been received from the public official or collegial authority, which has appointed, elected or approved in office the relevant person;

4) other offices in an institution of a public person if such combination does not entail a conflict of interests and written permission has been received from the public official or collegial authority which has elected, appointed or approved the relevant person in the office;

4<sup>1</sup>) the work of an expert (consultant) performed in the administration of another state, international organisation or a representation (mission) thereof, if it does not entail a conflict of interests and written permission has been received from the public official or collegial authority which has elected, appointed or approved the relevant person in the office.

(5<sup>1</sup>) The officials referred to in Section 4, Paragraph one, Clause 19.<sup>1</sup> and Paragraph 2.<sup>3</sup> of this Law for whom special conditions for combining of the office are not laid down in this Section, may combine the office of public official only with:

1) offices which such persons hold in conformity with laws, Cabinet regulations and orders;

2) offices in an association or foundation, a political party, a political party union or a religious organisation;

3) the work of teacher, scientist, doctor, professional athlete and creative work;

4) other offices, in the performance of a work-performance contract or authorisation if combination thereof does not entail a conflict of interests and written permission has been received from the public official or collegial authority which has elected, appointed or approved the relevant person in the office.

(5<sup>2</sup>) A member of the council of a capital company of a public person and a member of the council of a capital company, who represents the interests of the public person in the capital company, may combine the office of public official only with:

1) offices which such persons hold in accordance with the law, Cabinet regulations and orders;

2) offices in a trade union, an association or foundation, a political party, a political party union or a religious organisation, if it is not prescribed otherwise in Paragraph fourteen of this Section;

3) the work of teacher, scientist, doctor, professional athlete and creative work;

4) other office, if combination thereof does not entail a conflict of interests and written permission has been received from the respective representative of the holder of capital shares of the public person, which has nominated the respective person for electing in the office of a member of the council.

(5<sup>3</sup>) A member of the board of directors of a capital company of a public persons, as well as a member of the board of directors of such capital company, in which the share of the public person in the equity capital separately or together exceeds 50 per cent or in which the public person has another decisive influence in accordance with the Group of Companies Law, may combine the office of public official only with:

1) offices which such persons hold in accordance with the law, Cabinet regulations and orders;

2) offices in a trade union, an association or foundation, a political party, a political party union or a religious organisation, if it is not prescribed otherwise in Paragraph fourteen of this Section;

3) the work of teacher, scientist, doctor, professional athlete and creative work;

4) other offices in a capital company, in which he or she holds an office of a member of the board of directors, if such combination does not entail a conflict of interests and written permission has been received from the managing body of the capital company, which has elected the relevant person in the office;

5) other offices in an institution of a public persons, if such combination does not entail a conflict of interests and written permission has been received from the managing body of the capital company which has elected the relevant person in the office;

6) offices in a capital company, except the capital company referred to in Section 1, Clause 8, Sub-clauses “b”, “c”, and “d” of this Law, in which the public person or a capital company of a public person is a shareholder, if it is related to the representation of the interests of the public person in such company, does not entail a conflict of interest and a written permission has been received from the public official or collegial authority, which has appointed, elected or approved in office the relevant person.

(6) Civil servants of the general or specialised State Civil Service, sectoral heads of the Audit Departments of the State Audit Office, the Secretary of the Central Electoral Commission, officials with special service ranks of the Ministry of the Interior system institutions and the Prisons Administration, as well as officials of the municipal police and the officials referred to in Section 4, Paragraphs two and 2.<sup>1</sup> of this Law for whom special conditions for combining of the office are not laid down in this Section, may combine the office of public official only with:

1) offices which such persons hold in conformity with laws, and Cabinet regulations and orders;

2) the work of teacher, scientist, doctor, professional athlete and creative work;

2<sup>1</sup>) offices in a trade union;

3) other offices, in the performance of a work-performance contract or the fulfilment of authorisations not referred to in Paragraph eleven of this Section if combination thereof does not entail a conflict of interests and written permission of the head of the relevant institution of a public person or a person authorised by him or her has been received;

4) economic activity in the status of an individual merchant, or by registering with the State Revenue Service as a person performing economic activity in accordance the Law On Personal Income Tax, if such combination does not entail a conflict of interests and a written permission of the head of the relevant institution of a public person or of his or her authorised person has been received.

(7) The Commander of the National Armed Forces and his or her deputies, National Armed Forces Chief of Staff and his or her deputies, heads of departments and administrations, National Armed Forces type commanders, unit commanders (heads) and heads of garrisons are permitted to combine the office of public official with another office only with:

1) an office which they hold in accordance with laws, or international agreements ratified by the *Saeima*, Cabinet regulations and orders;

2) the work of teacher, scientist, doctor, professional athlete and creative work.

(8) Other National Armed Forces professional service soldiers and civil employees are permitted to combine the office of public official with another office, the performance of the work-performance contract, authorisation not mentioned in Paragraph eleven of this Section or economic activity in the status of an individual merchant or by registering with the State Revenue Service as a person performing economic activity in accordance with the Law On Personal Income Tax, if such combination does not create a conflict of interest and a written permission has been received from the National Armed Forces commander or from his or her authorised official. If a professional service soldier is appointed in the office in a civil State



institution or State security institution for a definite period of time in accordance with the procedures provided for in the law, a written permission regarding the combination of the offices shall be issued by the head of the institution who has appointed him or her in the office.

(9) [7 June 2007]

(10) A public official, for whom the special restrictions on combining offices are laid down in Paragraph two, three, four, five, 5.<sup>1</sup>, six, seven, or eight of this Section, is permitted to combine the office of a public official with the economic activity in the status of an individual merchant or by registering as a person performing economic activity in accordance with the Law On Personal Income Tax, if within the scope of such activity the income is derived only from farming, forestry, fishery, rural tourism or professional activity of a general practitioner, and a written permission need not be obtained in the cases referred to in Paragraphs six and eight of this Section for combination of the relevant offices.

(10<sup>1</sup>) A public official, for whom the special restrictions on combining offices are laid down in Paragraph two, three, four, five, 5.<sup>1</sup>, six, seven, or eight of this Section and who has registered with the State Revenue Service as a performer of economic activity in accordance with the Law On Personal Income Tax, shall be permitted to combine his or her office with such economic activity, which is performed by administering the immovable property which belongs to this public official, and a written permission need not be received in the cases referred to in Paragraphs six and eight of this Section for combining the relevant offices.

(10<sup>2</sup>) In the cases referred to in this Section, when it is allowed to combine the office with the work of a teacher, scientist, doctor, professional athlete or creative work, combination of the relevant offices shall be permissible also when registering as a person performing economic activity in accordance with the Law On Personal Income Tax, and a written permission need not be received in the cases referred to in Paragraphs six and eight of this Section for combination of the relevant offices.

(11) A public official, for whom the special restrictions on combining offices are laid down in Paragraph two, three, four, five, 5.<sup>1</sup>, six, seven, or eight of this Section, shall be permitted to combine his or her office with the fulfilment of such authorisation on the basis of which such official acts in the name of his or her kin, if it does not entail a conflict of interests.

(11<sup>1</sup>) A public official, for whom the special restrictions on combining offices are laid down in Paragraph two, three, four, five, 5.<sup>1</sup>, six, seven, or eight of this Section, shall be permitted to combine his or her office with the office in the commission, council or Chapter of Order established by the President, if it does not entail a conflict of interest. Receipt of a written authorisation is not required for combination of such offices.

(12) [28 April 2011]

(13) A public official, for whom the special restrictions on combining offices are laid down in Paragraph two, three, four, five, 5.<sup>1</sup>, six, seven, or eight of this Section, shall be permitted to combine his or her office with service in the National Guard, unless laid down otherwise in law, and a written permission need not be received in the cases referred to in Paragraphs six and eight of this Section for combination of the relevant offices.

(14) In addition to those public officials, who by other laws and by this Section are not permitted to combine their public official office with an office in a political party or association of political parties, this type of combination of offices is also not permitted for the Director of the State Chancellery and his or her deputies, State Secretaries and their deputies, as well as members of boards and councils of State capital companies.

*[8 May 2003; 15 December 2005; 14 September 2006; 7 June 2007; 13 November 2008; 26 March 2009; 12 November 2009; 30 September 2010; 28 April 2011; 14 June 2012; 20 December 2012; 30 October 2014; 21 May 2015; 10 September 2015 / Paragraph three in relation to a judge who needs to provide the service of an assistant to his or her disabled child has been recognised as not corresponding to the Constitution of the Republic of Latvia by the Judgment of the Constitutional Court of 23 November 2015, which entered into effect*

*on 25 November 2015. Amendment regarding supplementation of Paragraph three with the words “the chairperson and members of the Council for Appeal of Industrial Property” after the words “the head of the Office for Prevention of Laundering of Proceeds Derived from Criminal Activity and his or her deputy” shall come into force on 1 January 2016. See Paragraph 26 of Transitional Provisions]*

### **Section 8. Procedures for Fulfilment of Restrictions on Combining the Offices of Public Officials if Combination of Offices is Prohibited**

(1) A person who, after assuming office as a public official, concurrently holds an office the combining of which with the office of public official is not permitted, has a duty within seven days in writing:

1) to notify a higher public official or collegial authority of the fact that he or she holds one or more offices (performs a work-performance contract or authorisation) the combining of which with the office of public official is prohibited;

2) to submit to the authority in which the person holds an office the combining of which with the office of public official is prohibited a submission requesting the release of him or her from the relevant office.

(2) If the person who after assuming office as a public official at the same time performs economic activity, fulfils work-performance contract or authorisation, the combining of which with the office of public official is prohibited, he or she shall, within three months from the day of assuming the office, terminate the economic activity, work-performance contract or cease the authorisation.

(3) The authority (person), which has received the submission of a public official referred to in Paragraph one, Clause 2 of this Section, has a duty, within one month, to take a decision to release the person from the office. The decision shall be sent to the relevant public official.

(4) If a public official has not received the decision referred to in Paragraph three of this Section due to circumstances beyond his or her control, he or she has a duty after the expiry of the time period referred to in Paragraph three of this Section:

1) to notify in writing a higher public official or collegial authority, as well as the Prevention and Combating of Corruption Bureau thereof;

2) to suspend the performance of the duties of the relevant office;

3) to notify the authority (person) referred to in Paragraph one, Clause 2 of this Section regarding the suspension of receipt of remuneration and to not utilise further payments of remuneration.

(5) If the authority referred to in Paragraph one, Clause 2 of this Section has not fulfilled the provisions of Paragraph three of this Section, the public official shall be considered as having observed the requirements of this Law.

*[7 June 2007; 28 April 2011]*

### **Section 8.<sup>1</sup> Procedures for Fulfilment of Restrictions on Combining the Offices of Public Officials, if for the Performance of the Combination of Offices Permission is Necessary**

(1) A person who upon assuming an office of a public official at the same time holds another office and such combining of offices is permitted upon receipt of a written permission from the officials (authorities) has a duty prior to appointment, election or approval to office, to submit in writing to such official (authority) a request to permit the combination of the public official office with another office. Also performance of economic activity, work-performance contract or authorisation shall be considered as office in this Section.

(2) If a person whose public official status is determined after a decision on his or her appointment, election or approval to office has been taken, at the same time holds another

office and such combining of offices is permitted upon receipt of written permission from officials (authorities), the relevant person has a duty within seven days from the day of specification of public official status to submit in writing a request to permit the combination of the public official office with another office.

(3) A public official who wishes to combine a public official office with another office, and such combining of offices is permitted upon receipt of a written permission from officials (authorities) prior to the commencement of the combination of offices to submit in writing to the abovementioned official (authority) a request to permit the combination of the public official office with another office.

(4) If a public official holds several public official offices, written permission shall be received for each office the combining of which with another office in accordance with this Law permission is necessary.

(4<sup>1</sup>) If a public official (authority) that appoints, elects or approves a person to the office of a public official is the same as the one which according to the conditions of the relevant Paragraph of Section 7 of this Law takes a decision to permit combining the office of a public official with other offices, on the basis of information provided by the person, shall take a decision to permit combining the offices, also when appointing, electing or approving a person to the relevant office. In this case, no other permission is necessary for the mutual combining of the relevant offices. The issues referred to in Paragraph five of this Section shall be evaluated and reflected in the decision to appoint, elect or approve to the office. A permission for combination of offices may be revoked according to Paragraph six of this Section.

(5) In the cases determined in this Law, a public official (authority) upon receipt of the request referred to in Paragraph one, two, or three of this Section to permit a public official to combine a public official office with another office has a duty to:

1) evaluate whether the combination of the office will not entail a conflict of interest, will not be in contradiction with ethical norms binding upon the public official and will not harm the performance of the direct duties of the public official;

1<sup>1</sup>) evaluate whether the combination of the office will not harm the interests of the State of Latvia, if the performance of the work is intended in a foreign state, international organisation, the representation (mission) thereof or on their behalf;

2) within one month, take a decision on issuing of permission or a refusal to issue permission for the combination of offices.

(6) If after coming into effect of the decision to issue permission for the combination of offices, the legal or factual circumstances, which are referred to in Paragraph five, Clause 1 of this Section and which were the basis for the taking of the relevant decision, have changed, and the change of such circumstances does not permit the continued combination of offices, the relevant public official (authority) shall revoke the decision to issue permission for the combination of offices.

(7) The decisions referred to in Paragraph five, Clause 2 and Paragraph six of this Section shall be taken and drawn up in accordance with the procedures laid down in the Administrative Procedure Law, indicating the justification for the decision in accordance with the requirements of Paragraph five, Clause 1 of this Section and other laws and regulations.

(8) If with a decision the issuing of permission to combine offices is refused or a decision is taken, which revokes a decision to issue permission for the combination of offices, the relevant official may dispute and appeal such decisions in accordance with the procedures laid down in the Administrative Procedure Law. The dispute or appeal of a decision shall not suspend the operation thereof.

(9) If a public official has been refused the issuing of a permission to combine offices and such official already holds the office to be combined, and also in the case if the decision to issue permission for the combination of offices has been revoked in accordance with Paragraph six of this Section, the public official shall, within one month, submit a request to

release him or her from one or several offices in order to observe the restriction regarding the combination of offices laid down in this Law. To the further actions of authorities (persons) and the public official, Section 8, Paragraphs three, four and five of this Law shall be applicable.

(10) If a public official has been refused the issuing of a permission to combine the office with the performance of economic activity, fulfilment of work-performance contract or authorisation, and the work-performance contract has already come into effect, this official has assumed the fulfilment of authorisation or has commenced the performance of economic activity, and also in the case, if the decision to issue permission for the fulfilment of the abovementioned obligations has been revoked in accordance with Paragraph six of this Section, the relevant official, if he or she continues to perform the office of a public official in relation to which the combination of offices with the performance of work-performance contract or authorisation referred to in this Paragraph has been refused, shall, within three months, terminate the economic activity, work-performance contract or cease the authorisation.

(11) A decision to issue the permit referred to in Section 7, Paragraph three, Clauses 3 and 5 of this Law shall be taken by the Governor of the Bank of Latvia – for the members of the Council of the Bank of Latvia, the Auditor General – for the members of the Council of the State Audit Office, the Chairperson of the Central Electoral Commission – for his or her deputy of the Central Electoral Commission, the Prime Minister – for the Director of the Corruption Prevention and Combating Bureau and the Director of the Constitution Protection Bureau, the assignments sitting of the Constitutional Court – for the judges of the Constitutional Court (also for the Chairperson and his or her deputy), the Chairperson of the relevant court – for other judges, the Minister for Justice – for the Chairpersons of district (town) and regional courts, the Chairperson of the Supreme Court – for the Prosecutor General, for the members of the Council of Public Utilities Commission, the Chairperson of the relevant council – for the members of the National Electronic Mass Media Council, Council of the Finance and Capital Market Commission (also for the Deputy Chairperson). The Presidium of the *Saeima* shall take a decision to issue the relevant permits for other public officials referred to in Section 7, Paragraph three of this Law, who have been elected, appointed or approved in the office by the *Saeima*.

[7 June 2007; 13 November 2008; 27 May 2010; 30 September 2010; 28 April 2011; 14 June 2012]

## **Section 9. Restrictions on the Obtaining of Income**

(1) A public official is permitted to concurrently receive remuneration for the performance of duties of office as public official and remuneration for the performance of such duties of office, work-performance contract or authorisation as are not prohibited to the official by this Law and other laws, as well as to obtain income from commercial activity or other sources of income, which are not prohibited to him or her by this Law and other laws.

(2) If the performance of the duties of office of a member of the *Saeima* is combined with the office of the Prime Minister, Deputy Prime Minister, Minister for Special Assignments, or Parliamentary Secretary, he or she is permitted to receive the remuneration intended only for one office.

(3) A public official shall not obtain income from capital shares and stock, as well as from any kind of securities in commercial companies that are registered in tax-free or low-tax countries and territories in accordance with Cabinet regulations.

(4) A public official while he or she is a representative of the holder of capital shares of a public person, as well as three years after the fulfilment of these duties is prohibited:

1) to receive, directly or through the intermediation of third parties, any kind of financial benefit, including financial resources, not related to the performance of his or her duties;

2) to accept gifts from the relevant capital company or members of its supervisory or executive bodies;

3) to acquire capital shares, stocks or property of the relevant capital company;

4) to hold other offices in the relevant capital company.

(5) A public official, who in accordance with Section 7, Paragraph five, Clause 3.<sup>2</sup> of this Law holds an office in a capital company, in which a State or local government is a shareholder, is prohibited from gaining income from such capital company, in which the State or local government capital company is a shareholder and in which the public official holds the relevant office.

[8 May 2003; 15 December 2005; 7 June 2007; 13 November 2008; 26 March 2009; 30 October 2010]

## **Section 10. Restrictions on Commercial Activities**

(1) The President, members of the *Saeima*, the Prime Minister, Deputy Prime Ministers, Ministers, and Ministers for Special Assignments may not be the shareholders, stockholders, partners of such commercial company or such individual merchants who receive orders for public procurements, partnership procurements, procurements of public service providers or concessions, State financial resources or State-guaranteed credits. Parliamentary Secretaries, State Secretaries and their deputies, the Governor of the Bank of Latvia and his or her deputy, members of the Council of the Bank of Latvia, the Auditor General, members of the Council of the State Audit Office, sectoral directors of the Audit Departments of the State Audit Office, the Director of the Constitution Protection Bureau and his or her deputy, the Director of Corruption Prevention and Combating Bureau and his or her deputy, the Director-General and the directors of administration of the State Revenue Service, members of the Council of Public Utilities Commission, members of the Council of the Finance and Capital Market Commission may not be the shareholders, stockholders, partners of such commercial company or such individual merchants who receive orders for public procurements, partnership procurements, procurements of public service providers or concessions, State financial resources or State-guaranteed credits, except the cases where they are granted as a result of an open competition.

(1<sup>1</sup>) The directors of State authorities and their deputies not referred to in Paragraph one of this Section may not be shareholders, stockholders, partners of such commercial company or such individual merchants who receive orders for public procurements, partnership procurements, procurements of public service providers, concessions or financial resources, except the cases where they are granted as a result of an open competition.

(1<sup>2</sup>) The prohibition referred to in Paragraphs one and 1.<sup>1</sup> of this Section shall also apply to relatives of the relevant public officials, if the public official is implementing subordination over an institution, which takes the relevant decision, or if the public procurement, partnership procurement, procurement of public service providers, concession or financial resources are received from the institution, which employees the public official, except the cases where they are granted as a result of an open competition.

(2) The relevant public officials and their relatives must comply with the provisions laid down in Paragraphs one, 1.<sup>1</sup> and 1.<sup>2</sup> of this Section also for two years after the public officials have ceased to perform the duties of the relevant office of the public official.

(3) A member of the board of directors or council of a capital company of a public person and a member of the board of directors of such capital company, in which the share of capital companies of public persons in the equity capital separately or together exceeds 50 per cent or in which one public person or several public persons has or have another decisive influence in

accordance with the Group of Companies Law, as well as such member of the council of such capital company, who represents the interests of the capital company of a public person, shall not be a shareholder, stockholder, partner of such commercial company or such individual merchant who receives orders for public procurements, partnership procurements, procurements of public service providers, concessions or financial resources, except the cases where they are granted as a result of an open competition.

(4) Chairpersons of local government councils, their deputies and councillors, executive directors of local governments and their deputies, as well as the directors of the rural territory (or *pagasts*) or town administration in the municipality local governments, shall not be the shareholders, stockholders, partners of such commercial company or such individual merchants who receive orders for public procurements, partnership procurements, procurements of public service providers or concessions, financial resources or local government guaranteed credits or privatisation fund resources, except the cases where they are granted as a result of an open competition.

(4<sup>1</sup>) The directors of local government institutions and their deputies shall not be the shareholders, stockholders, partners of such commercial company or such individual merchants who receive orders for public procurements, partnership procurements, procurements of public service providers or concessions or financial resources, except the cases where they are granted as a result of an open competition.

(5) Chairpersons of city councils and municipality councils, their deputies, executive directors of these local governments and their deputies, as well as the directors of the rural territory or town administration in municipality local governments, shall observe the provisions of Paragraph four of this Section also two years after they have ceased to perform the duties of office of the relevant public official.

(6) The exceptions referred to in Paragraphs one, 1.<sup>1</sup>, 1.<sup>2</sup>, three, and four of this Section are not permissible if the public official manages an institution of a public person, which has announced an open competition, or if this official has appointed to the office any of the members of the procurement commission or of the members of the concession procedure commission, or if any of the persons referred to in Section 4, Paragraph one, Clause 24 of this Law is under his or her direct or indirect subordination.

(6<sup>1</sup>) The exception specified in Paragraphs one and 1.<sup>2</sup> of this Section do not apply to members of the National Electronic Mass Media Council and their relatives, if the order referred to in Paragraph one or 1.<sup>2</sup> of this Section is carried out or financial resources (grant from the State budget for public order and other financial resources) are granted by public electronic mass medium or electronic mass medium that implements a public order.

(7) A public official, for two years after he or she has taken a decision or participated in taking of a decision to grant public procurements, partnership procurements, procurements of public service providers or concessions, to grant financial resources to a public person, or has performed monitoring, control or punishment functions, or has administered insolvency proceedings, is prohibited to obtain the property of such merchant, and also to become a shareholder, stockholder, partner or hold offices in such commercial company, in relation to which during performing his or her duties this public official has taken a decision or participated in taking of a decision to grant public procurements, partnership procurements, procurements of public service providers or concessions, to grant financial resources to a public person, or has performed monitoring, control or punishment functions, or has administered insolvency proceedings.

*[8 May 2003; 15 December 2005; 14 September 2006; 26 March 2009; 12 November 2009; 30 October 2014; 10 September 2015 / Amendment regarding supplementation of Paragraph seven with the words “or has administered insolvency proceedings” after the word “functions” shall come into force on 1 January 2016. See Paragraph 22.<sup>1</sup> of Transitional Provisions]*

## **Section 11. Restrictions on Issuing Administrative Acts, Performance of Supervision, Control, Inquiry or Punitive Functions and Entering Into Contracts**

(1) A public official is prohibited, in the performance of the duties of the public official, to prepare or issue administrative acts, perform the supervision, control, inquiry or punitive functions, enter into contracts or perform other activities in which such public officials, their relatives or counterparties are personally or financially interested.

(2) A public official shall not issue administrative acts, perform supervision, control, inquiry or punitive functions, enter into contracts or perform other activities in relation to his or her counterparties also for two years after termination of contractual relationship.

(3) A person who, prior to assuming the office of the public official, has been a member of the supervisory, executive or control body of a commercial company, is prohibited, for two years after he or she has become a public official and ceased employment or other relationship governed by civil law with the commercial company, to issue administrative acts which affect the activities of the relevant commercial company.

(4) The restriction on the issue of administrative acts laid down in Paragraph three of this Section shall not apply to such public officials who, before assuming the office of a public official, have been members of the supervisory, executive body or control body of a commercial company in which the share of a public person in the equity capital separately or together exceeds 50 per cent or in which the public person has another decisive influence in accordance with the Group of Companies Law.

(5) The restrictions on the issue of administrative acts laid down in this Section do not apply to members of the *Saeima* and the Cabinet in cases when the abovementioned public officials participate in the issue of the relevant *Saeima* or Cabinet administrative acts.

(6) The restrictions laid down in Paragraphs one and two of this Section shall not apply to:

1) the President, members of the *Saeima*, members of the Cabinet or local government council councillors in cases where the abovementioned public officials participate in the adoption of external laws and regulations or political decisions;

2) members of the *Saeima*, members of the Cabinet or local government council councillors in cases where the abovementioned public officials participate in the adoption decisions of the *Saeima*, Cabinet or local government council respectively on the specification of their own remuneration or the appointment, election or approval of themselves to office.

[7 June 2007; 30 October 2014]

## **Section 12. Prohibition to Influence Issue of Administrative Acts, as well as the Performance of Supervision, Control, Inquiry and Punitive Functions**

A public official is prohibited to influence in any manner other public officials using his or her office position when preparing or issuing administrative acts or performing supervision, control, inquiry or punitive functions with respect to:

1) this official, his or her relatives or counterparties;

2) issues the deciding on which shall influence or may influence the personal or financial interests of the official, his or her relatives or counterparties;

3) those natural or legal persons from whom the official or his or her relatives obtain any type of income;

4) such commercial company the shareholder, stockholder, partner or the member of supervisory, control or executive body of which the official is or his or her relatives are, as well as with respect to an individual merchant who is a public official himself or herself or his or her relatives.

## **Section 13. General Restrictions on Accepting Gifts**

(1) A public official in fulfilling the duties of office is permitted to accept gifts in the cases referred to in Section 13.<sup>1</sup>, Paragraph one of this Law. In the performance of duties external of the office the public official is permitted to accept gifts taking into account the restrictions laid down in Section 13.<sup>2</sup> of this Law.

(2) Within the meaning of this Law, a gift is any financial or other kind of benefits (including services, granting and transfer of rights, release from obligations, waiver of a right, as well as other activities the result of which a benefit is created), the beneficiary of which directly or indirectly is the public official.

(3) Within the meaning of this Law a gift shall not be deemed to be:

1) flowers;

2) souvenirs, books or representation articles if from one person within one year the received souvenirs, books or representation articles total value in monetary terms does not exceed the amount of one minimal monthly wage;

3) awards, prizes or honours the provision of which is provided for in external laws and regulations;

4) any benefits and guarantees, which the public official in fulfilling his or her duties of office, is ensured in accordance with the procedures laid down in laws and regulations by an institution of a public person in which the relevant person fulfils the duties of office;

5) services and various types of rebates, which are offered by commercial companies, individual merchants, as well as farms and fishery enterprises and which are publicly accessible;

6) services and discounts, which are offered by commercial companies, individual merchants, as well as farms and fishery enterprises and which are specially intended for the soldiers of professional service of the National Armed Forces, who have been participants to international operations.

[7 June 2007; 14 June 2012; 30 October 2014]

### **Section 13.<sup>1</sup> Special Restrictions on Accepting Gifts while Fulfilling the Duties of a Public Official**

(1) The President, the Chairperson of the *Saeima*, the Prime Minister and the Minister for Foreign Affairs, upon fulfilling the duties of the office, as well as the spouses of the abovementioned officials are permitted to accept diplomatic gifts within the framework of State, official or work visits in Latvia or abroad with which heads of states, chairpersons of parliaments, heads of governments or ministers for foreign affairs exchange upon prior coordination in accordance with the procedures provided for in the diplomatic protocol.

(2) A public official, upon fulfilling the duties of the office, is permitted to accept also gifts which are presented:

1) within the framework of State, official and working visits in Latvia or abroad;

2) by officials of foreign states or international organisations to the public officials working in diplomatic and consular missions of the Republic of Latvia;

3) to a public official as a representative of an institution of a public person on public holidays and on days of commemoration and celebration;

4) to a public official by an institution of a public person in which the relevant person fulfils the duties of the office.

(3) A public official while he or she is the representative of the holder of capital shares of a public person in a capital company, as well as two years after the end of the fulfilment of such duties is prohibited from receiving gifts from the relevant capital company and members of the managing body thereof.

(4) Diplomatic gifts and such gifts, which are accepted in the cases referred to in Paragraph two, Clause 1, 2 or 3 of this Section are the property of the institution of a public person.

(5) The Cabinet shall determine the procedures by which the diplomatic gifts and the gifts referred to in Paragraph two of this Section, which in accordance with this Law are the



property of the institution of a public person, shall be registered, evaluated, used and redeemed.

[14 June 2012; 30 October 2014]

### **Section 13.<sup>2</sup> Special Restrictions on Accepting Gifts External to the Fulfilment of the Duties of a Public Official**

(1) A public official is prohibited from accepting gifts outside the fulfilment of the duties of office if in relation to the donor the public official has, within two years prior to receipt of the gift, prepared or issued an administrative act or performed supervision, control, inquiry or punitive functions, or has administered insolvency proceedings, and also entered into contracts or performed other activities associated with the fulfilment of the duties of office.

(2) If a public official has accepted gifts from natural or legal persons outside the performance of the duties of office, he or she is not entitled to prepare or issue an administrative act or perform supervision, control, inquiry or punitive functions, or to administer insolvency proceedings, and also enter into contracts or perform other activities associated with the fulfilment of the duties of office in relation to the donor for the time period of two years after acceptance of the gift.

[7 June 2007; 10 September 2015 / Amendment regarding supplementation of Paragraph one with the words “or has administered insolvency proceedings” after the word “functions” and supplementation of Paragraph two with the words “or to administer insolvency proceedings” after the word “functions” shall come into force on 1 January 2016. See Paragraph 22.<sup>1</sup> of Transitional Provisions]

### **Section 13.<sup>3</sup> Procedures for the Registration, Evaluation, Use and Redemption of Gifts**

[14 June 2012]

### **Section 14. Restrictions on Acceptance of Donations**

(1) Within the meaning of this Law, a donation is the allocation (transfer) of financial resources, goods or services without compensation for specified purposes.

(2) A public official or collegial authority is prohibited from requesting or accepting a donation from a natural or legal person, as well as other types of financial aid for public needs if the donation or aid affects the taking of a decision in relation to such natural or legal person.

(3) A public official, as well as an institution of a public person may accept a donation and other type of financial aid for the needs of the institution of a public person – for the improvement of staff training or work organisation or technical support if the donation is provided by any non-involved third party and it has been accepted in conformity with the restrictions laid down in Paragraph two of this Section, as well as it does not place the public official in a conflict of interest situation. Prior to the acceptance of the donation or financial aid, permission from a higher official or collegial authority shall be necessary.

(4) A public official or collegial authority is prohibited to take any decisions in relation to the donor for a time period of two years after acceptance of the donation or financial aid referred to in Paragraph three of this Section.

(5) A public official is prohibited from requesting donations directly or through the intermediation of other persons or accepting donations or participating in any other way in the collection thereof:

1) for the needs of the public official himself or herself or the needs of his or her relatives, except cases where it is necessary for the treatment of a serious illness;

2) for the needs of those natural or legal persons from which the public official or his or her relatives acquire or have acquired any type of income during the performance of the duties of office of the public official, except the income from the capital shares in capital

companies if the capital share does not exceed one per cent of the capital of the relevant capital company;

3) for the needs of those merchants where the public official or his or her relatives are members of their administration or audit authorities, or where the official or his or her relatives own more than one per cent of the capital.

*[8 May 2003; 30 October 2014]*

### **Section 15. Prohibition to be a Representative**

(1) A public official may not be a representative of an institution of a public person:

1) if this official or his or her relatives are financially or otherwise personally interested in the matter to be examined or also if the interests of the official or his or her relatives are in conflict with the interests of the State or local government authority which the official represents;

2) in relations with such natural or legal persons from whom the official or his or her relatives obtain any type of income;

3) in relations with the counterparties;

4) in relations with such commercial companies the shareholder, stockholder, partner, or member of supervisory, control or executive body of which the public official is or his or her relatives are, as well as in relations with individual merchants who themselves are public officials or their relatives.

(2) A public official shall not be a representative of the holder of capital shares of a public person, except the cases provided for by the Law On the Capital Shares of a Public Person and the Management of Capital Companies.

*[30 October 2014]*

### **Section 16. Prohibition to Receive Supplementary Payments**

(1) A public official who, in performing the duties of office of a public official, must provide free services or take decisions, is prohibited from accepting payments for the performance of such duties.

(2) A public official who, in performing the duties of office of a public official, must provide services or take a decision for a fee set a public person, is prohibited from accepting a supplementary payment for the performance of such duties.

(3) Within the meaning of this Law payment is:

1) the transfer without compensation of property, including financial resources, to the relevant public official or his or her relatives;

2) the transfer of property without payment or for reduced payment for the use of the relevant public official or his or her relatives;

3) the provision of services without payment or for reduced payment to the relevant public official or his or her relatives.

*[8 May 2003; 30 October 2014]*

### **Section 17. Restrictions on Advertising**

(1) A public official is prohibited from working in any kind of advertising or from utilising his or her name for advertising, except in cases where such is included in the duties of office of the public official.

(2) Within the meaning of this Law, advertising is the public expression of any kind of personal evaluation of a public official regarding a specific merchant or the goods produced or services provided by the merchant, if the official has received remuneration for such expression.

## **Section 18. Restriction to Act with regard to the Property of an Institution of a Public Person**

(1) A public official may perform the activities referred to in Section 4, Paragraph two, Clause 3 of this Law, as well as use the property or financial resources of an institution of a public person only for the purposes provided for in external laws and regulations and in accordance with the procedures laid down in laws and regulations.

(2) [21 May 2015]

*[8 May 2003; 26 March 2009; 30 October 2014; 21 May 2015]*

## **Section 19. Prohibition to Utilise Information**

It is prohibited to disclose unlawfully the information accessible to the public official in connection with the performance of the duties of office of the public official or utilise such information for purposes not related to the performance of the duties of office of the public official or fulfilment of specific terms of reference.

## **Chapter III Duties and Rights of the Head of an Institution of a Public Person and the Public Official in Prevention of Conflict of Interest**

*[28 April 2011; 30 October 2014]*

## **Section 20. Duties of the Head of an Institution of a Public Person**

(1) The head of an institution of a public person has a duty, in conformity with his or her competence, not to allow the public officials working in this institution to be in a conflict of interest situation and in such situation implement the powers of office of the public official.

(2) The head of an institution of a public person has a duty to transfer by a written order the performance of any function or task to another public official if the public official who should perform the specified function or task in conformity with the duties of office is in a conflict of interest situation. If the public official referred to in Section 4, Paragraph one, Clause 26 of this Law is in a conflict of interest situation, then the provisions of the Insolvency Law and the Civil Procedure Law regarding removal of the administrator from legal protection proceedings, insolvency proceedings of a natural person, and insolvency proceedings of a legal person shall be applicable upon application of the Insolvency Administration or the administrator.

(3) In the cases provided for and in accordance with the procedures provided for in this Law the head of an institution of a public person has a duty to decide upon the issue regarding the possible combining of office of the public official with another office, in the performance of a work-performance contract or authorisation.

(4) [8 May 2003]

(5) The head of an institution of a public person or his or her authorised person has a duty to ensure, in accordance with the procedures laid down in this Law and in Cabinet regulations, the drawing up of lists of public officials and amendments thereto and submission thereof electronically within 15 days to the State Revenue Service, by using the Electronic Declaration System of the State Revenue Service.

(5<sup>1</sup>) With respect to the public officials referred to in Section 4, Paragraph one, Clause 2 of this Law, the submission of the lists of such public officials and amendments thereto shall be ensured by the Director of the Chancellery. With respect to the public officials referred to in Section 4, Paragraph one, Clause 26 of this Law, the submission of the lists of such public officials and amendments thereto shall be ensured by the Director of the Insolvency Administration. With respect to the public officials referred to in Section 4, Paragraph three of

this Law, the submission of the lists of such public officials and amendments thereto shall be ensured by the head of such State or local government authority, which has delegated the relevant functions, granted financial resources, transferred property or which is responsible for fulfilment of the delegated functions or the use of the financial resources

(6) The head of an institution of a public person has a duty to inform without delay the Prevention and Combating of Corruption Bureau or in the cases determined in this Law – the director of the Constitution Protection Bureau, regarding detected violations of this Law committed by the public officials of the relevant institution.

(7) The head of an institution of a public person, a person whom the head of an institution has entrusted fulfilment of duties related to the prevention of a conflict of interest and corruption in the relevant institution, or a collegial authority are prohibited from disclosure of information, which has become known thereto, concerning which public official or employee of the relevant institution of a public person has informed regarding conflicts of interest, and from causing any direct or indirect unfavourable consequences to such a person without any objective reason. The prohibition to disclose information shall not apply to the provision of information to the Corruption Prevention and Combating Bureau, the State Police, the Constitution Protection Bureau, the court and the Prosecutor's Office.

*[8 May 2003; 15 December 2005; 12 November 2009; 28 April 2011; 30 October 2014; 10 September 2015 / The second sentence of Paragraph two and amendment regarding supplementation of Paragraph 5.<sup>1</sup> with a new second sentence shall come into force on 1 January 2016. See Paragraph 22.<sup>1</sup> of Transitional Provisions]*

## **Section 21. Duties of Public Officials**

(1) Public officials shall without delay provide information in writing to a higher public official or collegial authority regarding:

1) their financial or other personal interest, as well as financial or other personal interest of their relatives or counter-parties regarding the performance of any action included in the duties of their office;

2) commercial companies the shareholder, stockholder, partner, member of a supervisory, control or executive body of which the public official is or his or her relatives are, or on the fact that the public official himself or herself or his or her relative is an individual merchant who receive a public procurement, partnership procurement, procurement of public service providers or concession of the respective institution of a public person or financial resources or a public person, or State or local government guaranteed credits, except the cases where they are granted as a result of an open competition.

(2) A higher public official or collegial authority after receipt of the information referred to in Paragraph one of this Section shall assign the performance of the functions of the relevant public official to another public official. In relation to the public officials referred to in Section 4, Paragraph one, Clause 26 of this Law after receipt of the information referred to in Paragraph one of this Section the provisions of the Insolvency Law and the Civil Procedure Law regarding removal of the administrator from legal protection proceedings, insolvency proceedings of a natural person, and insolvency proceedings of a legal person shall be applicable upon application of the Insolvency Administration or the administrator.

*[8 May 2003; 30 October 2014; 10 September 2015 / The second sentence of Paragraph two shall come into force on 1 January 2016. See Paragraph 22.<sup>1</sup> of Transitional Provisions]*

## **Section 21.<sup>1</sup> Informing Regarding Conflicts of Interest of Other Public Officials**

A public official shall provide information regarding conflicts of interest known to him or her, in which other public officials of the relevant authority are involved, to the head of the authority or to the Corruption Prevention and Combating Bureau, while public officials

employed in State security authorities shall provide the referred to information to the director of the Constitution Protection Bureau.  
*[28 April 2011]*

## **Section 22. Behavioural (Ethical) Rules of Public Officials**

- (1) Public officials shall act in conformity with the behavioural (ethical) codes approved in the relevant profession, field or sector.
- (2) A public official shall refuse the performance of the duties of office or the combining the office of the public official in all cases where due to ethical reasons the impartiality and neutrality of his or her actions might be doubted.

## **Chapter IV Declarations of Public Officials**

### **Section 23. Procedures for Submission of Declarations**

- (1) A public official has a duty to submit the following declarations of a public official within the time period determined and in accordance with the procedures determined:
  - 1) a declaration to be submitted upon assuming the office;
  - 2) a declaration for the current year;
  - 3) a declaration to be submitted upon ending the duties of office;
  - 4) a declaration to be submitted after the performance of duties of office has been terminated.
- (2) Public officials, with the exception of the public officials referred to in Paragraphs three and four of this Section, shall submit declarations to the State Revenue Service in electronic form, by using the electronic declaration system of the State Revenue Service.
- (3) Public officials working in the State security authorities, with the exception of the Director of the Constitution Protection Bureau, shall submit declarations to the Director of the Constitution Protection Bureau.
- (4) The head of the Prevention and Combating of Corruption Bureau shall submit his or her declaration to the Prime Minister or his or her authorised person.  
*[8 May 2003; 15 December 2005; 12 November 2009]*

### **Section 24. Information to be Indicated in a Declaration**

- (1) In the declaration a public official shall specify the following:
  - 1) his or her given name, surname, personal identity number and place of residence, as well as the given name, surname and relationship of his or her spouse, parents, brothers, sisters and children;
  - 2) his or her office as a public official;
  - 3) information on other offices that the public official holds in addition to the office as a public official, as well as on the work-performance contracts or authorisations which he or she performs or in which he or she performs specified obligations;
  - 4) information on the immovable property in his or her ownership, possession, usage (also on the properties rented from other persons), also on such immovable property as in his or her possession in connection with guardianship or trusteeship;
  - 5) information on the fact that the public official is an individual merchant, on commercial companies the shareholder, stockholder or partner of which he or she is, as well as on the capital shares and stocks owned by the public official;
  - 5<sup>1</sup>) information on the following financial instruments belonging to him or her:
    - a) debt securities (for example, bonds);

- b) securities with the attaching right to acquire or alienate transferable securities or which provide for the settlement of accounts using money;
  - c) investments certificates of investment funds and other transferable securities certifying participation in investment funds or joint investment companies considered as equivalent thereto;
  - d) money market instruments;
- 6) information on means of transport to be registered and owned by the public official, as well as on such means of transport which are under his or her possession, usage or which have been acquired by him or her on the bases of a leasing contract;
- 7) information on cash or non-cash savings if their amount exceeds twenty minimum monthly wages;
- 8) information on all kinds of income obtained during the reporting period;
- 9) information on transactions performed by him or her if their amount exceeds twenty minimum monthly wages, by specifying the amount of such transactions and the parties to the transactions;
- 9<sup>1</sup>) information on the fact that he or she is the beneficial owner within the meaning of the Law On the Prevention of Money Laundering and Terrorism Financing:
- a) from an object belonging to or transferred into possession of another person or a part thereof;
  - b) from capital shares, stocks and other financial instruments referred to in Paragraph one, Clause 5.<sup>1</sup> of this Section, belonging to another person or being managed by another person;
- 10) information on his or her debts the amount of which exceeds twenty minimum monthly wages, by specifying the amount of such debt and the debtor or creditor respectively;
- 11) information on loans given (amount thereof) if the total amount of such loans exceeds twenty minimum monthly wages;
- 12) information on whether he or she has accumulated resources in private pension funds or life insurance (with the accumulation of funds);
- 13) information on whether he or she has accumulated resources in private pension funds or life insurance (with the accumulation of funds):
- a) information on an object not referred to in Clause 4, 5, 6, 7 or 12 of this Paragraph or an aggregate of objects, the value of which in his or her opinion exceeds 20 minimum monthly wages;
  - b) information the purpose of which is to explain the interests related to the information declared or to indicate other circumstances which may cause his or her financial or other personal interest in the carrying out of an activity that is a part of official duties.
- (2) The information determined in Paragraph one of this Section shall be determined in the declaration both with respect to Latvia and foreign states.
- (2<sup>1</sup>) The State Revenue Service shall ensure in the Electronic Declaration System that a declaration submitter has access to the information present in the State information systems that is necessary for filling in of the particular declaration. A public official shall verify and, if necessary, update and supplement such information. The Cabinet shall specify the State information systems in which the information is available and the amount of such information available when filling in the declaration in the Electronic Declaration System.
- (3) The Cabinet shall determine the reporting period for which the declaration shall be submitted, as well as the procedures for completion, submission, registration and keeping thereof.
- (4) A declaration submitter shall confirm with the signature the completeness and veracity of the information provided in the declaration and shall indicate the date of submitting the declaration.

*[30 September 2010; 30 January 2014 / Amendments to Paragraph one shall come into force on 1 January 2015. See Paragraph 20 of Transitional Provisions]*

## **Section 25. Time Periods for the Submission of Declarations**

(1) A person, upon assuming office, shall submit the declaration referred to in Section 23, Paragraph one, Clause 1 of this Law within one month from the day when a decision was taken on his or her the appointment, election or approval in the office of the public official or from the day the term of office of members of the *Saeima* or the councillors of local government city councils has begun in accordance with law. A person who on the basis of Section 4 of this Law has public official status determined after a decision on his or her appointment, election or approval in office has been taken, the declaration referred to in Section 23, Paragraph one, Clause 1 of this Law shall be submitted within one month from the day when he or she has been included in the list of public officials.

(2) A public official shall submit each year from 15 February until 1 April the declaration referred to in Section 23, Paragraph one, Clause 2 of this Law.

(3) If a person has held the office of a public official for more than three months, he or she, upon ending the duties of office of the public official, shall submit the declaration referred to in Section 23, Paragraph one, Clause 3 of this Law within two months after the last day of the performance of the duties of the office.

(4) The declarations of public officials referred to in Section 23, Paragraph one, Clauses 1 and 3 of this Law shall not be submitted if the public official continues to hold another office of public official or assumes a new office of public official.

(5) The President, members of the *Saeima*, Prime Minister, Deputy Prime Ministers, Ministers, Ministers for Special Assignments, and Parliamentary Secretaries, chairpersons of the local government councils and executive directors of local governments shall submit the declaration referred to in Section 23, Paragraph one, Clause 4 of this Law if they have performed the duties of the relevant office longer than three months. Such declaration shall be submitted for the 24 months following the termination of performance of the duties of office of public official. The declaration for the first 12 months shall be submitted not later than in the 15<sup>th</sup> month, for the next 12 months – not later than in the 27<sup>th</sup> month after termination of performance of the duties of office of public official.

(6) The declarations referred to in Section 23, Paragraph one of this Law may be updated by applying in writing to the institution where the declaration was submitted and by justifying the updates not later than within one month after publication of the declaration part to be published in accordance with the procedures laid down in Section 26, Paragraph six of this Law.

*[15 December 2005; 26 March 2009; 30 September 2010]*

## **Section 26. Public Access to Declarations**

(1) In order to ensure the protection of personal data, the declarations shall contain a part that is publicly accessible and a part that is not publicly accessible. The public official or the head of the authority which verifies declarations in accordance with this Law, as well as the head of the institution of a public person who has received a copy of the relevant declaration shall be responsible for ensuring public access.

(2) The part of declaration that is publicly accessible is all the information included in the declaration, except the information that is determined in Paragraph four of this Section.

(3) Within the meaning of this Law, public access is the right of employees of the mass media and other persons to become acquainted with the declarations of any public official, as well as to publish the information included therein.

(4) The part of a declaration that is not publicly accessible is the personal identity number and place of residence of the public official indicated in the declaration, information on the minor relatives (also adoptees) of the official, information on the liability and transaction partners indicated in the declaration, as well as the information indicated in Section 24, Paragraph one, Clause 13, Sub-clause “a” of this Law. If the declaration is submitted by the public official referred to in Section 4, Paragraph one, Clause 26 of this Law, in addition to that indicated in this Paragraph the part of the declaration not accessible to public is information regarding the work-performance contract and authorisation to be carried out within the scope of professional activity of a sworn advocate, and also information regarding transactions carried out within the scope of professional activity of a sworn advocate and the amount of such transactions.

(5) Only such public officials and authorities which examine the declarations in accordance with this Law, as well as in cases determined in the Law – prosecutors and investigative institutions or State security authorities may become acquainted with the information in the part of the declaration that is not publicly accessible.

(5<sup>1</sup>) The head of an institution of a public person has the right to request from a public official information, which is to be indicated in the part of a declaration that is not publicly accessible, if in particular case it is necessary in order to avoid the relevant public official from being in a situation of a conflict of interest.

(6) The data to be published indicated in the declarations of the President, members of the *Saeima*, Prime Minister, Deputy Prime Ministers, Ministers, Ministers for Special Assignments, Parliamentary Secretaries and councillors of city councils shall be published electronically not later than within one month, but the data to be published indicated in the declarations of other public officials not later than within three months after submission thereof to the State Revenue Service.

*[8 May 2003; 15 December 2005; 26 March 2009; 28 April 2011; 30 January 2014; 30 October 2014; 10 September 2015 / The second sentence of Paragraph four shall come into force on 1 January 2016. See Paragraph 22.<sup>1</sup> of Transitional Provisions]*

## **Chapter V Examination of Violations and Verification of Facts**

### **Section 27. Verification Procedures**

(1) Violations of this Law committed by public officials, as well as the facts that it is mandatory to be verified shall be examined and verified in accordance with the procedures laid down in this Law and other laws and regulations.

(2) This Law and other laws and regulations shall determine the rights and duties of public officials and authorities regarding the fulfilment and control of the requirements of this Law.

(3) The State Revenue Service, Constitution Protection Bureau, the Prime Minister or his or her authorised person in conformity with the procedures for the submission of declarations provided for in Section 23, Paragraphs two, three and four of this Law shall verify the declarations of public officials taking into account the competence provided for in Section 28 of this Law. The Prevention and Combating of Corruption Bureau shall verify all of the public official declarations referred to in Section 4, Paragraph one of this Law in conformity with the competence provided for in Section 28 of this Law. If necessary the Prevention and Combating of Corruption Bureau shall verify the declarations of the public officials referred to in Section 4, Paragraphs two, 2.<sup>2</sup>, 2.<sup>3</sup> and three of this Law.

*[8 May 2003; 12 November 2009]*

### **Section 28. Verification of Declarations and Facts**



(1) The State Revenue Service, Constitution Protection Bureau, the Prime Minister or his or her authorised person in conformity with the jurisdiction of the submission of declarations provided for in Section 23, Paragraphs two, three and four of this Law have a duty in cases provided for in this Law to verify whether the declaration:

- 1) has been submitted and completed in accordance with the determined procedures;
- 2) has been submitted within the specified time period.

(1<sup>1</sup>) [8 May 2003]

(2) The Constitution Protection Bureau, the Prime Minister or his or her authorised person in conformity with the jurisdiction of the submission of declarations provided for in Section 23, Paragraphs two, three and four of this Law, as well as the Prevention and Combating of Corruption Bureau in the cases provided for Section 23, Paragraph two of this Law have a duty to verify whether the declarations contain information that is indicative of violation of the restrictions laid down in this Law.

(3) The State Revenue Service and the Constitution Protection Bureau have a duty to verify whether:

1) the head of an institution of a public person has submitted the lists of public officials within the specified time period and in accordance with the procedures stipulated by the Cabinet;

2) the lists of public officials submitted by the head of an institution of a public person have been completed correctly and are complete.

(4) If necessary, in the course of the verification of a declaration the Prevention and Combating of Corruption Bureau, the Constitution Protection Bureau, State Revenue Service or the Prime Minister has the right to request and receive information and documents from the relevant public official, institutions of a public person, merchants, public or political organisations and associations thereof, religious organisations or other institutions, as well as from the persons that are indicated or in accordance with the provisions of this Law should have been indicated in the relevant declaration.

(5) If in the course of the verification of a declaration facts are discovered that indicate that the public official has utilised property, including financial resources, exceeding the sources of income determined in the declaration of such public official and permitted in accordance with this Law, as well as in cases where information has been received on the possibility of such facts, the Prevention and Combating of Corruption Bureau, the Constitution Protection Bureau or the Prime Minister has a duty to perform verification of the relevant facts or information. Within the limits of verification the Prevention and Combating of Corruption Bureau, the Constitution Protection Bureau or the Prime Minister has the right, if necessary, to request and receive explanations in writing and documents from any person, as well as to verify the legality of acquisition of the property of the official by involving the State Revenue Service.

(6) If in the course of the verification of a declaration violations are discovered, the examination of which is not in the competence of the authority or public officials performing the verification, or if facts are discovered the evaluation of which is not in the competence of the authority or public officials performing the verification, or if information is received on the existence of such facts, the relevant authority or public official shall inform, in accordance with the procedures laid down in this Law and other laws and regulations, the authority or public official whose competence includes further examination or verification of the facts.

[8 May 2003; 30 October 2014]

## **Section 29. Duties of Public Officials Regarding Verification of Declarations, Facts and Violations**

(1) A public official has a duty to provide and justify the information requested by an authority or a public official authorised by law.

(2) A public official has a duty to justify the fact that his or her expenses have been covered and financial status has improved from legal sources of income to the authority or public official authorised by law.

(3) If a public official does not provide the information required by the authority or the public official authorised by law regarding the sources of acquisition of property, including financial resources, or cannot justify the acquisition of income or financial benefit from a legal source, it shall be presumed that the public official has acquired the property prohibited by this Law, including financial resources, and he or she is hiding this fact from the State.

*[8 May 2003]*

### **Section 30. Liability of Public Officials and Other Persons**

(1) A person shall be held liable for violations of this Law as laid down in laws. A public official has a duty to compensate for the caused losses in accordance with the provisions of this Section.

(2) Income and financial benefits obtained by violating the restrictions laid down in this Law or a proportional augmentation thereof shall accrue to the State, by presuming that by violating the restrictions determined by the State and illegally obtaining income or financial benefits, the public official has caused such harm to the State administrative order as is to be evaluated in financial terms and is proportional to the value of augmentation of income, financial benefits and property that are obtained in a prohibited way.

(2<sup>1</sup>) Paragraph two of this Law shall not be applied in cases if the combination of offices is permitted, upon receipt of written permission from the officials (authorities), but the permission has not been requested by the public official and such combination of offices has not created a conflict of interest. In other cases, the public official shall be fully or partially released from such repayment of income or financial benefits, which have been acquired by violation of the restriction laid down in this Law if the duty to repay income and financial benefits is not proportionate to the harm caused as a result of the administrative violation to the procedures of State administration.

(3) If a public official does not compensate voluntarily the losses caused to the State, the State authority or the public official authorised by law has a duty to perform the necessary actions in order to claim compensation for the losses caused in accordance with the procedures laid down in law.

(4) Compensation for losses shall be requested in accordance with the Administrative Procedure Law, by issuing an administrative act regarding the compensation for losses caused and by performing activities provided for in laws and regulations for execution of the administrative act. The execution shall be ensured through the bailiff.

(5) The recovery of losses from the public official shall take place regardless of whether the public official is subject to administrative or criminal liability for violating the provisions of this Law.

*[7 June 2007; 13 November 2008; 27 May 2010; 28 April 2011 / See Paragraph 17 of Transitional Provisions]*

### **Section 31. Informing of the Society Regarding a Violation**

(1) The Corruption Prevention and Combating Bureau and the State Revenue Service, in compliance with the competence laid down in this Law and other laws and regulations, has a duty to inform the society regarding violations of this Law detected in the activities of a public official, placing the information on the website of the relevant authority.

(2) The Constitutional Court shall inform the society regarding violations of this Law committed by the judges of the Constitutional Court, the Judicial Disciplinary Committee or

the Disciplinary Court – regarding the violations committed by judges and the General Prosecutor’s Office – regarding the violations committed by public prosecutors.

(3) The Prime Minister shall inform the society regarding violations of this Law committed by the head of the Corruption Prevention and Combating Bureau.

(4) The authorities referred to in Paragraphs one, two and three of this Law shall insert the following information on the website thereof:

1) the given name, surname and position held by a public official;

2) the legal norm of this Law which has been violated;

3) the essence of the violation and time of commitment thereof;

4) the decision (adjudication) taken;

5) the date of entering into effect of a decision (adjudication) and of execution thereof.

(5) The authorities referred to in Paragraphs one, two and three of this Section shall insert the information on the website thereof after the decision of the relevant authority has entered into effect and has not been contested or appealed within the time period determined in the Law, or the relevant adjudication of a court has entered into effect. Such information shall be on the website of the relevant authority for not more than a year from the day when the relevant decision (adjudication) has been executed.

(6) The referred to in Paragraph one of this Section shall not apply to violations committed by officials of the State security institutions and other public officials to whom the restrictions of disclosure of information provided for in the Law On Official Secret apply.

[14 June 2012; 20 December 2012]

### **Transitional Provisions**

1. With the coming into force of this Law, the Prevention of Corruption Law is repealed (*Saeimas un Ministru Kabineta Ziņotājs*, 1995, No. 22; 1996, No. 3, 15; 1998, No. 23; 1999, No. 8).

2. The State Revenue Service shall perform the functions laid down for the Prevention and Combating of Corruption Bureau in this Law until the day when in accordance with the procedures and time periods determined in laws the functions shall be transferred to the Prevention and Combating of Corruption Bureau.

2.<sup>1</sup> The State Revenue Service shall continue and finish verification of such information indicated in the declarations information that is indicative of violation of the restrictions laid down in this Law if the referred to verifications were commenced by the State Revenue Service up to 1 February 2003, when the Prevention and Combating of Corruption Bureau commenced the fulfilment of its functions in full measure.

[8 May 2003]

3. The public officials, who on the day of coming into force of this Law concurrently hold an office (perform a work-performance contract or authorisation) the combining of which with the office of the public official is not permitted in accordance with the provisions of this Law, have a duty to fulfil the provisions of Section 8, Paragraph one of this Law within one month.

4. The terms “merchant”, “individual merchant”, “commercial company” and “capital company” in this Law shall mean also an undertaking and company, and the term “commercial activities” – also entrepreneurial activities within the meaning of the Law On Entrepreneurial Activities.

5. Until the day of coming into force of the Law On State and Local Government Capital Shares and Capital Companies the term “representative of the holder of the State or local

government capital shares” shall mean an authorised person in State or local government incorporated companies.

6. The Cabinet shall issue by 1 August 2002 the regulations provided for in this Law. Until the day of coming into force of these Regulations the following Cabinet Regulations issued pursuant to the Prevention of Corruption Law shall be applied insofar as they are not in conflict with this Law:

1) Cabinet Regulation No. 260 of 16 July 1996, Procedures for Utilisation and Purchase of Gifts Permitted to be Accepted by Public Officials During the Performance of Duties of Office;

2) Cabinet Regulation No. 80 of 2 March 1999, Procedures for Completion Of Declarations of Public Officials to be Submitted Upon Assuming Office;

3) Cabinet Regulation No. 138 of 6 April 1999, Procedures for Completion and Submission of Declarations of Public Officials and Their Relatives and Submission of Lists of Public Officials and Offices of Public Officials;

4) Cabinet Regulation No. 142 of 13 April 1999, Regulations On Officials of the State Police, Security Police, State Border Guard and State Fire-fighting and Rescue Service to whom the Restrictions for Combining of Office and Work Performance Apply;

5) Cabinet Regulation No. 161 of 4 May 1999, Regulations On Officials of National Armed Forces Active Military (other ranks) Service to whom the Restrictions for Combining of Office and Work Performance Apply;

6) Cabinet Regulation No. 231 of 29 June 1999, Regulations On Officials of State Civil Service to whom the Restrictions for Combining of Office and Work Performance Apply;

7) Cabinet Regulation No. 242 of 29 June 1999, Procedures by which Public Officials Shall Utilise State Property.

7. Until the day of coming into force of binding regulations of local government councils (rural territory (or *pagasts*) or municipality councils) referred to in Section 18, Paragraph one of this Law, but not longer than six months from the day of the coming into force of this Law, the laws and regulations of local government councils (rural territory (or *pagasts*) or municipality councils) issued in accordance with the Prevention of Corruption Law on actions with regard to local government property, including financial resources, shall apply.

[8 May 2003]

8. The provisions of this Law in respect to sworn bailiffs shall come into force concurrently with the coming into force of the Law On Sworn Bailiffs, but with respect to soldiers of professional service and military employees – concurrently with the coming into force of the Law On Military Service.

9. Former authorised State representatives may take up the office of member (chairperson) of the council in the same incorporated company in which he or she previously fulfilled the duties of authorised State representative if the holder of capital shares has appointed him or her to such office and the criteria characterising interest conflict situations included in Section 1, Clause 5 of this Law are not violated.

[8 May 2003]

10. The public officials referred to in Section 4, Paragraph one, Clauses 23 and 24, as well as Section 4, Paragraphs 2.<sup>1</sup> and 2.<sup>2</sup> of this Law who on the basis of Section 4, Paragraph one, two or three of this Law have been included in the list of public officials up to 1 January 2006, shall submit the declaration referred to in Section 23, Paragraph one, Clause 2 of this Law by 1 April 2006.

*[15 December 2005]*

11. Section 4, Clause 25 of this Law, as well as amendments to Section 7, Paragraph six of this Law, which provides for restriction on the combining of offices for officials with special service ranks of the Ministry of the Interior system institutions and the Prisons Administration, shall come into force concurrently with the Law On the Service Career of Officials with Special Service Ranks of the Ministry of the Interior System Institutions and the Prisons Administration.

*[14 September 2006]*

12. A public official shall ensure conformity to the requirements of Section 7, Paragraph twelve until 1 July 2009.

*[26 March 2009]*

13. Amendments regarding the new wording of Section 4, Paragraph one, Clause 14 of this Law, the supplementation of Section 7, Paragraph five in relation to restrictions on the combination of the statuses and offices of a public official for the head of a rural territory (or *pagasts*) or town administration, Section 10, Paragraph 1.<sup>1</sup> of this Law and the respective amendment to Paragraph two of this Section, as well as the amendments regarding the restatement of Paragraphs four and five of this Section and supplementing of the abovementioned Section with Paragraph 4.<sup>1</sup> in relation to the restrictions of the commercial activity for certain officials of local governments and administrative territorial reform, shall come into force on 1 July 2009.

*[26 March 2009]*

14. The amendment to this Law regarding replacing the word “council (rural territory (or *pagasts*) council)” (in the relevant number and case) for the entire Law with the word “council” (in the relevant number and case) shall come into force on 1 July 2009.

*[26 March 2009]*

15. The amendments to Section 10 of this Law referred to in Clause 13 of the Transitional Provisions of this Law shall not be applied to cases, when:

1) orders for procurement for State authority needs or financial resources were granted to an official referred to in Section 10, Paragraph 1.<sup>1</sup> of this Law or his or her relative as an individual merchant or such commercial company, in which the referred to persons are shareholders, stockholders or members, until 1 July 2009 (Section 10, Paragraph 1.<sup>1</sup> of this Law);

2) orders for procurement for local government needs, financial resources, local government guaranteed credits or privatisation fund resources for a deputy of the executive director of a local government as an individual merchant or for such commercial company, in which the relevant deputy of the executive director of a local government is shareholder, stockholder or member, were granted until 1 July 2009 (amendment to Section 10 of this Law regarding the restatement of Paragraph four);

3) orders for procurement for local government authority needs or financial resources for the head of the local government authority or his or her deputy as an individual merchant or for such commercial company, in which the head of the local government authority or his or her deputy is a shareholder, stockholder or member were granted until 1 July 2009 (Section 10, Paragraph 4.<sup>1</sup> of this Law).

*[26 March 2009]*

16. The amendments to Section 10, Paragraphs two and five of this Law regarding restrictions to commercial activity referred to in Clause 13 of the Transitional Provisions of this Law, shall only apply to the following:

1) chairpersons of municipality councils, their deputies, executive directors of municipality councils, deputies of executive directors of local governments who have ceased to fulfil their duties of office on 1 July 2009 or after that date;

2) heads of State authorities, their deputies and their relatives, if the head of the State authority or his or her deputy has ceased to fulfil his or her duties of office on 1 July 2009 or after that date.

*[26 March 2009]*

17. The new wording of the second sentence of Section 30, Paragraph one, and Section 30, Paragraph four of this Law regarding compensation for losses in accordance with the procedures laid down in the Administrative Procedure Law shall not apply to the cases when violations of this Law have been determined or recovery of losses has been commenced prior to the day of coming into force of the relevant norms.

*[28 April 2011]*

18. Until adoption of the Regulation referred to in Section 13.<sup>1</sup>, Paragraph five of this Law, but not later than until 1 December 2012 the Cabinet Regulation No. 888 of 28 October 2008, *Procedures by Which the Gifts Accepted While Fulfilling the Duties of Office and Which Are the Property of the State or Local Government Authority Shall Be Registered, Evaluated, Utilised and Redeemed*, shall be applied, insofar as it is not in contradiction with this Law.

*[14 June 2012]*

19. The restriction on accepting donations and taking decisions laid down in Section 14, Paragraphs two, three and four of this Law shall not apply to the cases when the Secretariat of the Latvian Presidency of the Council of the European Union takes a decision in relation to a donor who has given a donation to the Secretariat of the Latvian Presidency of the Council of the European Union for the purpose of supporting the preparation of Latvia for presidency in the Council of the European Union in 2015 or to ensure its course.

*[30 January 2014]*

20. Amendments to Section 24, Paragraph one and Section 26, Paragraph four of this Law shall come into force from 1 January 2015.

*[30 January 2014]*

21. If the Secretariat of the Latvian Presidency of the Council of the European Union has received financial resources, goods or services from a private individual for the purpose of preparation of Latvia for presidency in the Council of the European Union in 2015 or to ensure its course, then the possibility for the donor to take measures for the promotion of its identification, for example, placement of a trademark, logotype or other information, to the extent and according to the procedures provided for in the donation contract shall not be deemed remuneration within the meaning of Section 14, Paragraph one of this Law.

*[13 February 2014]*

22. Amendment to this Law, by which Paragraph one of Section 4 is supplemented with Clause 26, shall come into force from 1 January 2016.

*[30 October 2014; 21 May 2015 / The Law "Amendments to the Law On Prevention of Conflict of Interest in Activities of Public Officials" of 30 October 2014, by which Transitional Provisions are supplemented with Paragraph 22, insofar as it does not ensure guarantees of professional activity for administrators of insolvency proceedings who are also*

*concurrently advocates, for preservation of the selected occupation, has been recognised as not corresponding to the first sentence of Section 106 of the Constitution of the Republic of Latvia by the Judgment of the Constitutional Court of 21 December 2015, which entered into effect on 23 December 2015.]*

22.<sup>1</sup> Amendments to this Law regarding supplementation of Section 10, Paragraph seven and Section 13.<sup>2</sup>, Paragraph one of this Law with the words “or has administered insolvency proceedings” after the words “functions”, supplementation of Section 13.<sup>2</sup>, Paragraph two with the words “or to administer insolvency proceedings” after the words “functions”, supplementation of Section 20, Paragraph two with the second sentence and supplementation of Paragraph 5.<sup>1</sup> with a new second sentence, supplementation of Section 21, Paragraph two with the second sentence and supplementation of Section 26, Paragraph four with the second sentence shall come into force on 1 January 2016.

*[10 September 2015]*

22.<sup>2</sup> For the public officials referred to in Section 4, Paragraph one, Clause 26 of this Law who are concurrently also advocates, the deadline for submitting a declaration of a public official, which is submitted upon assuming the office, (Section 25, Paragraph one) shall be counted from 1 September 2016.

*[4 February 2016]*

23. The persons referred to in Section 7, Paragraph 5.<sup>3</sup> of this Law who at the time of coming into force of amendments regarding supplementation of Section 7 with Paragraph 5.<sup>3</sup> hold another office in the respective capital company, may continue to hold the relevant office, if not later than by 1 April 2015 they meet the requirements referred to in Section 7, Paragraph 5.<sup>3</sup>, Clause 4 of this Law.

*[30 October 2014]*

24. Amendments to Section 10 of this Law, which provide for restrictions on commercial activity to members of the council of the National Electronic Mass Media Council and their relatives, do not apply to cases when the public procurement, partnership procurement, procurement of public services providers, concession or financial resources from the public electronic mass medium or electronic mass medium, which implements a public order, have been received by 1 April 2015.

*[30 October 2014]*

25. Amendment to Section 7, Paragraph four of this Law regarding supplementation thereof with the words “to the Chief of the Internal Security Office and his or her deputy” shall come into force on 1 November 2015.

*[21 May 2015]*

26. Amendments to this Law regarding supplementation of Section 4, Paragraph one with Clause 27 and supplementation of Section 7, Paragraph three with the words “the chairperson and members of the Council for Appeal of Industrial Property” after the words “the head of the Office for Prevention of Laundering of Proceeds Derived from Criminal Activity and his or her deputy” shall come into force on 1 January 2016.

*[10 September 2015]*

This Law comes into force on 10 May 2002.

This Law has been adopted by the *Saeima* on 25 April 2002.

President

V. Vīķe-Freiberga

Riga, 9 May 2002