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12 December 2008 [shall come into force on 1 January 2009];

1 December 2009 [shall come into force on 1 January 2010];

25 February 2010 [shall come into force on 25 March 2010];

14 October 2010 [shall come into force on 1 December 2010];

29 May 2014 [shall come into force on 25 June 2014];

26 March 2015 [shall come into force on 22 April 2015];

23 November 2016 [shall come into force on 1 January 2017];

16 March 2017 [shall come into force on 11 April 2017];

21 June 2018 [shall come into force on 1 January 2019];

8 October 2020 [shall come into force on 2 November 2020];

2 June 2022 [shall come into force on 1 July 2022].

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*1 has adopted and

the President has proclaimed the following law:

**State Civil Service Law**

**Chapter I**

**General Provisions**

**Section 1. Purpose of the Law**

The purpose of this Law is to determine the legal status of a loyal to the Republic of Latvia and its Constitution, professional and politically neutral State civil service which ensures legal, stable, efficient and transparent operation of the administration of the State.

[*26 March 2015*]

**Section 2. Application of the Law**

(1) This Law determines the mandatory requirements to be set for a candidate to a State civil service position (hereinafter – the candidate), appointment to a civil service position and dismissal from a civil service position, the duties, rights, and service career path of a civil servant, and management in the general State civil service.

(2) All the duties and rights determined by this Law as regards a State civil servant (hereinafter – the civil servant) shall apply to a candidate who is appointed to a civil servant position.

(3) Chapter I, Section 4, Paragraph two, Clause 1, Chapter IV, Section 22, Section 23, Section 37, Section 38, Paragraph three, Section 39, and Section 40 of this Law shall apply to civil servants of the specialised State civil service (Section 3, Paragraph two). Other norms of this Law shall determine legal relationship in the specialised State civil service insofar as the special laws do not provide such.

(4) The norms of the laws and regulations governing employment relationship which determine the principle of equal rights, the prohibition of differential treatment principle, prohibition to cause adverse consequences, the provisions for the representation of employees and collective agreements, working time and rest time, work remuneration, the financial liability of employees and terms shall apply to the legal relationship of the State civil service insofar as such are not provided by this Law.

[*15 May 2003; 14 April 2005; 2 November 2006; 21 June 2018; 2 June 2022*]

**Section 3. Civil Servant**

(1) The civil servant is a person who creates sectoral policy or development strategy, coordinates the activity of a sector, distributes or controls financial resources, draws up legal acts or controls compliance therewith, prepares or issues administrative acts, and prepares or takes other decisions related to the rights of individuals in a State institution of direct administration (hereinafter – the institution).

(2) The civil servant in the specialised State civil service is a person who performs the functions referred to in Paragraph one of this Section in the diplomatic and consular service, and the State Revenue Service.

(3) The Prime Minister, ministers, ministers for special assignments, deputy Prime Ministers (hereinafter – the ministers), State ministers, office employees of the aforementioned officials (assistants, advisers, press secretaries) and parliamentary secretaries are not civil servants.

(4) In the interests of the State, a professional service soldier may be appointed to the civil servant position for a specific period. A professional service soldier who holds the civil servant position is not a civil servant, but Section 11, Paragraph one, Chapters IV and V, Section 22, Clauses 2, 3 and 4, Section 23, Sections 35, 38 and 42 of this Law shall apply to him or her. The civil servant position which may be held by professional service soldiers, the procedures for the performance of work duties of the civil servant, the procedures for the imposition of disciplinary sanctions and the procedures for the disbursement of the allowances, supplements and compensatory payments specified for professional service soldiers in the Military Service Law shall be determined by the Cabinet.

(5) In the interests of the State, an official with a special service rank of an institution of the system of the Ministry of the Interior or Prison Administration may be appointed to a civil servant position in the Ministry of the Interior, the Ministry of Justice or the Ministry of Foreign Affairs (in diplomatic and consular missions in foreign countries) for a definite period, but not longer than for five years. An official with a special service rank of an institution of the system of the Ministry of the Interior or Prison Administration who holds a civil servant position shall not be civil servant, but Section 11, Paragraph one, Chapters IV and V, Section 22, Clauses 2, 3 and 4; Section 23, Sections 35, 38 and 42 of this Law shall apply to such official. The procedures for the fulfilment of the civil servant position, calculation of term of service and disciplinary sanctioning shall be determined by the Cabinet.

(6) In the interests of the State, a judge of the Constitutional Court may be appointed to a vacant civil servant position without announcing a candidate competition within a year after the end of the term of office if the person meets the requirements specified for the position.

[*20 June 2002; 31 October 2002; 15 May 2003; 14 April 2005; 14 September 2006; 1 December 2009; 26 March 2015; 23 November 2016; 16 March 2017; 21 June 2018; 8 October 2020*]

**Chapter II**

**Management of General State Civil Service**

**Section 4. Competence of Institutions**

(1) Institutions shall control the application of this Law and other laws and regulations related to the field of the State civil service in relation to the activities of civil servants subordinated to the institution, including:

1) to revoke decisions by subordinated civil servants in the field of the State civil service and to instruct them to eliminate the established violations;

2) to initiate and to investigate disciplinary matters and to impose disciplinary sanctions, and also to examine complaints of civil servants on imposed disciplinary sanctions in the cases and in accordance with the procedures laid down by law;

3) to examine complaints on candidate competition.

(2) The State Chancellery shall:

1) develop and coordinate the development policy of the State civil service;

2) coordinate the career development of civil servants;

3) harmonise the positions of civil servants;

4) ensure the selection of the heads of the institution, except for the case referred to in Section 37 of this Law.

(3) [1 December 2009]

[*14 November 2008; 1 December 2009; 29 May 2014 / Paragraph two, Clause 4 shall come into force on 1 September 2015. See Paragraph 19 of Transitional Provisions*]

**Section 5. Latvian School of Public Administration**

(1) The Latvian School of Public Administration is a state administrative institution under the supervision of the State Chancellery which implements State policy in the field of educating civil servants in order to prepare highly professional civil servants.

(2) The functions of the Latvian School of Public Administration are as follows:

1) to develop civil servant training programmes in accordance with the State Chancellery remit for the current year;

2) to co-ordinate and ensure the civil servant training process;

3) to formulate drafts of legal acts, conceptual matters, reports, programmes and other documents related to the training of civil servants.

[*15 May 2003*]

**Chapter III**

**Appointment to Civil Servant Position**

**Section 6. Civil Servant Positions**

(1) The head of the institution shall, based on the duties to be performed in the position, determine the civil servant positions at the institution by agreeing on them with the State Chancellery.

(2) Within the meaning of this Law, the State secretary of a ministry shall be considered as the head of an institution.

[*14 November 2008*]

**Section 7. Mandatory Requirements for Candidates**

(1) A person who meets the following requirements may candidate for the position of the civil servant:

1) is a citizen of the Republic of Latvia;

2) is fluent in the Latvian language;

3) has a higher education;

4) has not reached the age of retirement determined by law;

5) has not been convicted of deliberate criminal offences, or has been rehabilitated, or for whom the conviction has been set aside or extinguished;

6) has not been prohibited from taking up the civil servant position due to a sanction imposed in a disciplinary, administrative offence or criminal case;

7) whose legal capacity has not been restricted by a court;

8) is not or has not been in a permanent staff position in the State security service, intelligence or counter-intelligence service of the U.S.S.R., the Latvian SSR or a foreign country;

9) is not or has not been a participant in organisations prohibited by law or by a court ruling;

10) [21 June 2018];

11) [21 June 2018].

(11) Paragraph one, Clause 4 of this Section shall not apply to the person who is a candidate for a civil servant position that is vacant for a definite period.

(2) Persons who are candidates for a civil servant position shall be liable for the veracity of the documents submitted and the information included therein in accordance with procedures laid down by laws.

[*14 September 2006; 14 November 2008; 21 June 2018*]

**Section 8. Candidate Competitions for Vacant Civil Servant Positions**

(1) An open candidate competition for civil servant positions shall be announced by the relevant institution on the vacancy portal of the State Employment Agency.

(2) When announcing the competition, the requirements specified for a candidate for the civil service based on the relevant job description, the term for applying, the place for lodging submissions, and also whether a person who has reached the age of retirement laid down in law (Section 7, Paragraph 1.1) may be a candidate for the relevant position shall be indicated.

(3) The time period for the application by candidates shall run from the date of the announcement of the competition and this period may not be shorter than 10 days and longer than 30 days.

(4) An open candidate competition for a vacant civil servant position is not required to be announced:

1) if State civil service relations with the candidate who has been appointed to a civil servant position are terminated within a month after appointing and a candidate who has been recognised in the competition as the next candidate who meets the requirements set out in the description of a civil servant position the most is recommended to the head of the institution by the commission for assessment of candidates and civil servants for appointing to a civil servant position;

2) if another vacant civil servant position with identical job description emerges during the candidate competition and the next candidate who has obtained the highest evaluation in an open candidate competition is recommended to the head of the institution by the commission for the assessment of candidates and civil servants for appointing to a civil servant position;

3) in other cases specified in this Law, except when the head of the institution, the director of the State Chancellery, or the head of the Cross-Sectoral Coordination Centre is dismissed from a civil servant position on the basis of a mutual agreement.

[*15 May 2003; 29 May 2014; 21 June 2018; 2 June 2022*]

**Section 9. Examination of the Suitability of Candidates for Civil Servant Positions**

(1) The suitability of candidates for a vacant civil servant position shall be assessed by a commission for the assessment of candidates and civil servants which shall be established:

1) for a competition for a position of the head of the institution – by the relevant minister;

2) for competitions for other civil servant positions – by the head of the relevant institution.

(2) The conformity of a candidate to the requirements set out in the job description for a vacant civil servant position shall be evaluated by complying with the criteria for the examination of the relevant civil servant position which shall be determined:

1) for the head of the institution position – by a minister, agreeing thereupon with the State Chancellery;

2) for other civil servant positions – by the relevant institution.

(21) The procedures for planning the selection of the heads of the institution, determining the requirements and assessing the candidates shall be laid down by the Cabinet.

(3) A commission for the assessment of candidates and civil servants shall select one or more candidates who best meet the requirements set out in the job description for the vacant civil servant position and, giving reasons for their choice, shall recommend them:

1) to the Prime Minister – for appointment to the position of the director of the State Chancellery and the head of the Cross-Sectoral Coordination Centre;

2) to a minister – for appointment to the position of the head of the institution;

3) to the head of the relevant institution – for appointment to other civil servant positions.

(4) The relevant official referred to in Paragraph three of this Section shall assess a recommendation of the commission for the assessment of candidates and civil servants and take the decision to appoint a candidate to the position.

(5) The relevant institution shall publish the decision of the official referred to in Paragraph three of this Section to appoint a candidate to the position on the vacancy portal of the State Employment Agency within five days from the date of taking the decision.

(6) If candidates have received an equal assessment, preference to take up the civil servant position shall be given to the person who has been dismissed from a civil servant position:

1) due to the liquidation of the institution or civil servant position;

2) [14 November 2008].

(7) A candidate has the right to become acquainted with the recommendations of the commission for the assessment of candidates and civil servants and the decisions of the official referred to in Paragraph three of this Section. The candidate has the right to contest the decision of the relevant official to a higher institution or to appeal before a court in accordance with the procedures laid down in the Administrative Procedure Law if there is no higher institution or this institution is the Cabinet or Prime Minister.

[*15 May 2003; 14 September 2006; 14 November 2008; 29 May 2014; 21 June 2018; 2 June 2022*]

**Section 10. Repeated Candidate Competitions**

A repeated candidate competition shall be announced if:

1) no candidate has applied for the competition;

2) according to the decision of the commission for the assessment of candidates and civil servants, no candidate has professional training corresponding to the requirements specified in the job description for the civil servant position;

3) no candidate of the candidates recommended by the commission for the assessment of candidates and civil servants is found to be suitable for the relevant position by the relevant official referred to in Section 9, Paragraph three of this Law.

**Section 11. Appointing a Candidate or Civil Servant to a Position**

(1) The head of the institution shall, by an order, appoint a candidate or civil servant to a position for an indefinite term. A candidate or civil servant may be appointed to a civil servant position for a definite term, indicating the civil service circumstances for this determination.

(2) In appointing a candidate or civil servant to a position, information on his or her rights, working time, the conditions of and procedures for the determination and disbursement of remuneration laid down in the institution, the collective agreement entered into, if any, the conditions of and procedures for the termination of civil service relations, and also information on the making of mandatory State social insurance contributions shall be provided. The institution has an obligation to inform the candidate or civil servant of changes in the provided information.

(3) The minister shall appoint a candidate or civil servant to a position of the head of the institution for a term of five years. The director of the State Chancellery and the head of the Cross-Sectoral Coordination Centre shall be appointed for five years by the Prime Minister. The same person may be the head of the institution, the director of the State Chancellery, or the head of the Cross-Sectoral Coordination Centre for not more than two successive terms. If, after the expiry of the second term, six months or less remain for the head of the institution, the director of the State Chancellery, or the head of the Cross-Sectoral Coordination Centre until reaching the age of retirement determined in the State, he or she may hold the position of the head until reaching such age. Six months prior to the end of the term, the minister or the Prime Minister respectively shall take the decision to extend the term, to transfer to another position in the interests of the State in conformity with that laid down in Section 37 of this Law, or to dismiss from the position due to end of the term, informing the person in relation to whom the decision has been taken.

(4) The relevant official referred to in Paragraph three of this Section shall appoint a candidate or civil servant to the position of a State secretary of a ministry, the head of the Secretariat of the Minister for Special Assignments, the head of the Secretariat of a Deputy Prime Minister, the director of the State Chancellery, the head of the Cross-Sectoral Coordination Centre and the head of the institution under supervision thereof after approval by the Cabinet. A candidate or civil servant for whom a term of probation has been determined shall be appointed to the abovementioned position but approval of his or her appointment to the position shall be decided by the Cabinet.

(5) In appointing a candidate or civil servant to a position, the head of the institution or the relevant official referred to in Paragraph three of this Section may determine a term of probation which may not exceed six months.

[*2 June 2022*]

**Section 12. Examination of Documents**

(1) The institution has the right to examine whether the restrictions referred to in this Law apply to a candidate appointed to a civil service position in accordance with the competition procedures or to a civil servant.

(2) If the institution discovers that any of the restrictions referred to in this Law applies to the relevant candidate, it shall dismiss the candidate from the civil servant position due to the non-conformity with the mandatory requirements for a civil servant.

[*14 November 2008; 21 June 2018*]

**Section 13. Pledge of Civil Servant**

(1) Upon commencing the performance of the work duties of the civil servant, a candidate who is appointed to the civil servant position for the first time shall give and sign the following pledge:

“I pledge to be honest and fair, loyal to the independent and democratic Republic of Latvia, to perform the work duties in accordance with the Constitution of the Republic of Latvia, international agreements, the laws and the decisions of the Government and to serve the general interests of the public in order to ensure that the activities of State administration are lawful, efficient and transparent.”

(2) The pledge shall be accepted by the head of an institution. The pledge of the head of an institution shall be accepted by a minister. The pledge of the director of the State Chancellery and the head of the Cross-Sectoral Coordination Centre shall be accepted by the Prime Minister.

[*29 May 2014*]

**Section 14. Granting the Status of Civil Servant**

(1) The suitability for work in the civil service of a candidate appointed to a civil servant position for the first time shall be assessed in accordance with the procedures laid down in this Law not later than one week before the end of his or her term of probation.

(2) If the assessment is positive, the head of the institution shall grant the status of civil servant to the candidate. If the assessment is negative and the term of probation has not been passed, the head of the institution shall dismiss the candidate from the civil servant position.

(3) [2 June 2022]

[*14 November 2008; 29 May 2014; 2 June 2022*]

**Chapter IV**

**General Duties of Civil Servants**

**Section 15. Basic Duties of Civil Servant**

(1) The civil servant shall have the following basic duties:

1) to comply with the Constitution, the norms of international law binding on Latvia, and laws and other legal acts;

2) to be loyal to the Republic of Latvia and its Constitution irrespective of his or her political convictions and to maintain political neutrality. In conformity with the principle of political neutrality a civil servant of the State civil service while fulfilling his or her duties shall be guided by professional criteria only and shall not depend on the political influence;

3) to conscientiously, showing personal initiative and acting in the public interest, perform the work duties, the lawful orders of supervisors, to be liable for his or her actions in accordance with the procedures prescribed by legal acts and to comply with the principles of conduct for the civil servant prescribed by the Cabinet.

(2) During and outside of the performance of work duties, the civil servant may not through his or her actions discredit himself or herself, the institution and the State.

[*25 February 2010; 26 March 2015*]

**Section 16. Duty to be Responsible for the Lawfulness of One’s Actions or Failure to Act**

(1) While performing the work duties, the civil servant shall be responsible for the lawfulness of his or her actions or failure to act. If the civil servant is in doubt as to the lawfulness of a task, his or her duty shall be to refuse to perform such task, notifying in writing the official who has assigned the task thereof.

(2) The civil servant has the right to contest the order or task received by submitting a complaint to the next higher official who respectively revokes the order or task, maintains it effective or issues a new order or task. The head of the institution, the director of the State Chancellery, and the head of the Cross-Sectoral Coordination Centre have the right to address the Ombudsman with a request to evaluate the conformity of the order or task with the principle of good administration. The opinion of the Ombudsman shall be examined by the Cabinet.

[*14 November 2008; 2 June 2022*]

**Section 17. Restrictions on Entrepreneurial Activity, Obtaining Income, Combination of Positions and Performance of Work, and Other Restrictions**

Restrictions on entrepreneurial activity, obtaining income, combination of positions and performance of work, as well as other restrictions relating to such and the duties of civil servants shall be determined by the law On Prevention of Conflict of Interest in Activities of Public Officials.

[*15 May 2003*]

**Section 18. Expressing the Official Opinion of the Institution**

The civil servant may only express the official opinion of the institution with the authorisation of the head of the institution.

**Section 19. Obligation to Improve Qualifications**

The civil servant has the obligation to regularly supplement his or her knowledge and to improve the professional skills and abilities necessary for the performance of work duties.

**Chapter V**

**Work Duties of Civil Servants**

**Section 20. Determination of the Work Duties of Civil Servants**

(1) Work duties of the civil servant shall be determined in a job description. The procedures for the formulation of job descriptions for civil servant positions shall be prescribed by the Cabinet.

(2) When the civil servant commences performance of the work duties or changing the scope of work duties entrusted to him or her, the relevant work duties of the civil servant shall be determined in the job description for the civil servant position – by the head of an institution, in the job description for the head of an institution – by a minister, but in the job description of the director of the State Chancellery and the head of the Cross-Sectoral Coordination Centre – by the Prime Minister.

(3) The civil servant shall sign a job description, certifying that he or she has acquainted himself or herself with it.

[*29 May 2014*]

**Section 21. Replacement of an Absent Civil Servant or Performance of the Work Duties of a Vacant Civil Servant Position**

The head of the institution may temporarily assign performance of the work duties of an absent civil servant or the duties of a vacant civil servant position to other civil servants, in addition to the direct duties of their position.

**Chapter VI**

**Rights of Civil Servants**

**Section 22. General Rights of Civil Servants**

The civil servant has the following general rights:

1) to a permanent civil service unless otherwise provided by this Law;

2) to perform the State administration functions within the scope of competency determined for the position;

3) in the cases provided for by legal acts, to request and receive from any natural or legal person the information necessary for the performance of work duties;

4) to the provision of appropriate conditions for the performance of work duties;

5) to apply for vacant civil servant positions;

6) to take part in training programmes to acquire the knowledge and skills necessary for the performance of work duties.

[*14 April 2005*]

**Section 23. Compensation**

The civil servant shall receive remuneration that is determined in conformity with the Law on Remuneration of Officials and Employees of State and Local Government Authorities.

[*1 December 2009*]

**Section 24. Allowances in Case of Injury of Civil Servant and in Case of Death of Civil Servant or His or Her Family Member**

[1 December 2009]

**Section 25. Allowance in the Case of Birth of a Child**

[1 December 2009]

**Section 26. Compensation to Cover Travel Expenses**

[1 December 2009]

**Section 27. Allowance in Connection with Dismissal from Position**

[1 December 2009]

**Section 28. Supplement for the Performance of Additional Duties**

[1 December 2009]

**Section 29. Supplement for the Performance of Work Duties under Circumstances of Increased Work Intensity**

[14 November 2008]

**Section 30. Improving Qualifications and Covering Training Costs**

[1 December 2009]

**Section 31. Annual Leave**

[1 December 2009]

**Section 32. Study Leave**

[1 December 2009]

**Section 33. Leave without Pay**

[1 December 2009]

**Section 34. Rights to Hold an Equivalent Civil Servant Position**

(1) If it is provided for in law, the institution shall ensure for the civil servant who is dismissed from a civil servant position due to his or her election to office in a State or local government institution, to hold an equivalent civil servant position after the end of the term of office.

(2) If the State civil service relations with a civil servant are terminated pursuant to Section 41, Clause 1, Sub-clause “n” of this Law, within one year after the termination of employment relationship in the relevant organisation or a Member State institution of such organisation, the institution has the right to ensure the previous or equivalent position without announcing an open candidate competition if there is a vacant position and the person meets the specified requirements. In addition to the abovementioned, the inclusion of the civil servant at the disposal of the Ministry of Foreign Affairs or under supervision of the Ministry of Foreign Affairs shall be determined by the Diplomatic and Consular Service Law.

[*24 May 2007; 14 November 2008; 25 February 2010; 14 October 2010*]

**Chapter VII**

**Course of State Civil Service**

**Section 35. Activities of Civil Servants and Assessment of their Results**

(1) The activities of the civil servant and the results thereof shall be assessed each year by the direct manager or an assessment commission established by the head of the institution.

(2) The commission which shall be established by the relevant member of the Cabinet in accordance with the procedures stipulated by the Cabinet shall assess the activities of the head of the institution and their results not less often than once every two years. The head of the institution shall be evaluated at the end of the term of probation, if such has been determined, in regular evaluation and before taking the decision specified in Section 11, Paragraph three of this Law.

(3) The assessment procedures shall be prescribed by the Cabinet.

(4) Results of an assessment shall be used as a basis to decide on granting the status of civil servant, non-suitability of the civil servant to a position held, transfer to another position, and conferring of civil service qualification grades.

[*14 April 2005; 29 May 2014; 2 June 2022*]

**Section 36. Classification of Civil Servant Positions and Civil Servant Qualification Grades**

[1 December 2009]

**Section 37. Transfer to Another Position in the Interests of the State**

(1) In order to ensure good administration, especially the efficient fulfilment of the tasks of the civil service and the public trust of the civil service, as well as to promote an increase in the qualifications of a civil servant, a civil servant may, without the announcement of open candidate competition and justifying the admissibility and usefulness of the transfer, be transferred to any other civil servant position for a definite or an indefinite term, in the same or another institution. The basis of the transfer may also be a justified request by the civil servant.

(11) The civil servant who is performing his or her work duties at the Ministry of Defence or at an institution subordinate thereto, in the interests of the State and for a period which does not exceed five years, may be transferred to the National Armed Forces to hold the position of a professional service soldier by assigning to him or her the performance of certain work duties of a soldier that are not related to the status of a professional service soldier. The positions of professional service soldiers which can be held by civil servants, the procedures for the fulfilment of the duties of a professional service soldier, the procedures for determining the remuneration and disbursement thereof and officials entitled to impose a disciplinary sanction shall be laid down by the Cabinet.

(2) The civil servant shall be transferred to another position in the same institution by a decision of the head of such institution or a minister, to another institution subordinated to the minister – by a decision of a minister, and to another institution subordinated to another minister – by a decision of such minister to the subordination institution whereof the civil servant is transferred. If the institution is reorganised by a decision of the Cabinet, then the civil servants shall be transferred to another position in another institution with the decision of the head of the institution which takes over obligations, or by a decision of the relevant minister.

(21) The decision on transferring the civil servant to the position of a State secretary of a ministry, the head of the Secretariat of the Minister for Special Assignments, the head of the Secretariat of a Deputy Prime Minister, the director of the State Chancellery, the head of the Cross-Sectoral Coordination Centre, and the head of the institution under supervision thereof, or on transferring the abovementioned official to another position shall be taken by the official referred to in Section 11, Paragraph three of this Law on the basis of a Cabinet decision.

(3) When transferring the civil servant, his or her point of view shall be evaluated. When transferring the civil servant to another institution, also the point of view of the institution from which and to which the civil servant may be transferred shall be evaluated.

(4) When transferring the civil servant to another civil servant position in which a lower monthly wage than the previous is determined, the monthly wage of the previous position, the permanent supplements determined in laws and regulations which are related to service, and social guarantees, and also the service ranks specified in the specialised civil service, except when the civil servant is transferred if the institution or the civil servant position is being liquidated, the number of civil servants is reduced, a decision on the non-suitability of the civil servant to the position held is taken, and also upon request of the civil servant, shall be retained for the civil servant for a year. The institution shall, after a year, review the monthly wage of the transferred civil servant in accordance with the laws and regulations and the work remuneration system determined in the institution. The civil servant who is transferred to the position of a professional service soldier is entitled to receive only such social guarantees that may be granted to civil servants.

(5) When transferring the civil servant to another position for an specific period, his or her right to return to the previous position or an equivalent position shall be retained.

(6) [1 December 2009]

(7) Civil servants who have children up to three years of age, and pregnant women are not permitted to be transferred to another populated place without their consent.

(8) There is a right to apply a disciplinary sanction for a disciplinary violation, which was committed in previous civil servant positions to a civil servant who is transferred to another position.

[*15 May 2003; 14 April 2005; 14 September 2006; 14 November 2008; 1 December 2009; 16 March 2017; 21 June 2018; 2 June 2022*]

**Section 37.1 Appointment for Service in an International Organisation in the Interests of the State**

The civil servant may, upon his or her consent,be appointed for service for a definite period of time in the interests of the State in an international organisation where the Republic of Latvia is a Member State or with which the Republic of Latvia collaborates, or in a Member State institution of such organisation abroad. In such case the right to hold the previous or equivalent position shall be provided to a civil servant after his or her return. A State institution which appointed the civil servant is entitled to withdraw him or her.

[*14 October 2010; 16 March 2017*]

**Section 38. Official Travel**

(1) Civil servants may be sent on official travel for the performance of work duties outside their permanent service locations; they shall be compensated for expenses related thereto in accordance with the procedures prescribed by the Cabinet.

(2) Civil servants who have children under one year of age, pregnant women, and women who are breastfeeding a child may not be sent on official travel without their consent.

(3) The assignment of the civil servant or a professional service soldier who is appointed to a civil servant position to work in institutions referred to in Section 37.1 of this Law shall not be deemed to be official travel within the meaning of this Section.

[*14 April 2005; 14 October 2010; 2 June 2022*]

**Section 39. Suspension from the Performance of Work Duties**

(1) The head of the institution may suspend the civil servant from the performance of work duties, suspending the disbursement of the work remuneration for the period subsequent to the date of suspension if criminal prosecution has been initiated against the civil servant.

(2) The head of the institution shall suspend the civil servant from the performance of work duties if detention has been imposed as a security measure on the civil servant or if it is requested by an accordingly authorised State authority in the cases specified in the law, and the disbursement of the work remuneration shall be suspended for the period subsequent to the date of suspension.

(3) If a public prosecutor, by drawing up a penal order, or a court finds the civil servant referred to in Paragraph one or two of this Section guilty of committing a criminal offence, the work remuneration for the period of suspension shall not be disbursed and he or she shall be regarded as dismissed from and after the day of suspension. If the dismissed civil servant is acquitted or criminal proceedings against him or her are terminated with a rehabilitating decision, the work remuneration for the period of suspension shall be disbursed to the dismissed civil servant. The work remuneration not disbursed in the case referred to in Paragraph one of this Section shall be disbursed by the institution, calculating the amount of payment in accordance with the procedures laid down in the Law on Compensation for Damage Caused in Criminal Proceedings and Administrative Offence Proceedings. The work remuneration not received in the case referred to in Paragraph two of this Section shall be disbursed in accordance with the procedures laid down in the Law on Compensation for Damage Caused in Criminal Proceedings and Administrative Offence Proceedings.

(4) The head of the institutions has the right to temporarily, however for not longer than a month, suspend the civil servant from the performance of wok duties, suspending the disbursement of the work remuneration for the period subsequent to the date of suspension if, while performing the work duties, the civil servant is under the influence of alcohol, narcotic, or toxic intoxication, and also in other cases when non-suspension of the civil servant from the performance of work duties may harm the safety and health himself or herself or third parties or the public interests. If the suspension of the civil servant has been unjustified, the work remuneration for the period of suspension shall be disbursed to the civil servant.

(5) The head of the relevant institution, a minister, or the Prime Minister may temporarily, however for not longer than until commencement of the enforcement of a disciplinary penalty, suspend a civil servant from the performance of work duties, retaining the monthly wage, social guarantees, the permanent supplements laid down in laws and regulations related to the service, and also the service ranks laid down in the specialised civil service.

(6) The head of the institution may be suspended by a minister, but the director of the State Chancellery and the head of the Cross-Sectoral Coordination Centre – by the Prime Minister.

[*2 June 2022*]

**Section 40. Disciplinary Liability**

Civil servant disciplinary liability shall be determined by the Law on Disciplinary Liability of State Civil Servants. In addition to that specified in the referred to law, the Prime Minister is entitled to propose, take over and examine any disciplinary matter and him or herself apply a disciplinary sanction using the rights, which are provided for the higher institution of the institution in which the civil servant fulfils the State civil service.

[*14 September 2006 / See Transitional Provisions*]

**Section 41. Termination of State Civil Service Relations**

(1) The State civil service relations shall be terminated:

1) if the civil servant is dismissed from his or her civil servant position by a decision of the head of the institution, but the head of the institution by a decision of a minister, and the director of the State Chancellery and the head of the Cross-Sectoral Coordination Centre by a decision of the Prime Minister:

a) of his or her own free will;

b) in connection with the expiry of his or her term;

c) in connection with their failure to pass probation;

d) in relation to non-conformity with the position held;

e) in relation to non-conformity to the mandatory requirements for a civil servant;

f) reaching the age of retirement determined by the State, except for the case referred to in Paragraph two of this Section;

g) in connection with liquidation of the institution, or civil service staff reduction;

h) in connection with the fact that due to temporary incapacity for work he or she has failed to perform work duties more than four successive months or for more than six months in the period of one year, if incapacity for work has repeated with interruptions by excluding from this period pregnancy and maternity leaves and also the period of incapacity if incapacity for work has been caused by a pregnancy, an accident at work or an occupational disease;

i) where dismissal from the civil service position is applied as a disciplinary sanction;

j) in connection with election to office in a State or local government institution;

k) [24 May 2007];

l) in connection with a court judgment or a prosecutor’s penal order in a criminal case;

m) in connection with the fact that work duties cannot be performed due to the state of health and this is certified by a conclusion of a doctor;

n) on a voluntary basis due to the performance of work duties in an international organisation where the Republic of Latvia is a Member State or with which the Republic of Latvia collaborates, or in a Member State institution of such organisation;

2) in connection with the death of the civil servant;

3) on the basis of mutual agreement certified by written consent.

(2) If the civil servant has reached the age of retirement determined by the State, the head of the institution or a minister is entitled to take a substantiated decision to maintain the civil servant in the position for a definite period of time, but not longer than for two years. The relevant period of time may be extended.

(3) In terminating State civil service relations upon proposal of the institution, the civil servant shall be warned in writing within the following periods of time:

1) without delay, if State civil service relations are terminated on the basis of that laid down in Paragraph one, Clause 1, Sub-clause “e”, “l”, or “m” of this Section;

2) three working days in advance, if State civil service relations are terminated on the basis of that laid down in Paragraph one, Clause 1, Sub-clause “c”, “d”, “h”, or “i” of this Section;

3) two weeks in advance, except for the case referred to in Section 11, Paragraph three of this Law, if State civil service relations are terminated on the basis of that laid down in Paragraph one, Clause 1, Sub-clause “b” of this Section;

4) one month in advance, if State civil service relations are terminated on the basis of that laid down in Paragraph one, Clause 1, Sub-clause “f” or “g” of this Section.

(4) During probationary period State civil service relations shall be, upon request of a civil servant, terminated within three working days. In other cases, State civil service relations shall be terminated, upon proposal of the civil servant, not later than a month after receipt of the submission of the civil servant.

(5) In the case referred to in Paragraph one, Clause 2 of this Section, State civil service relations shall end at the time of death of the civil servant.

(6) State civil service relations may be terminated on the basis of the mutual agreement provided for in Paragraph one, Clause 3 of this Section which has been entered into by and between a minister and the head of the institution or by and between the Prime Minister and the director of the State Chancellery and the head of the Cross-Sectoral Coordination Centre not earlier than six months after commencement of cooperation.

(7) The decision to dismiss the head of the institution from office shall be taken by a minister, but in regard to the director of the State Chancellery and the head of the Cross-Sectoral Coordination Centre – by the Prime Minister. The decision to dismiss a State secretary, the head of the Secretariat of the Minister for Special Assignments, the head of the Secretariat of a Deputy Prime Minister, the director of the State Chancellery, the head of the Cross-Sectoral Coordination Centre, and the head of a subordinate institution shall be taken by the relevant official on the basis of a Cabinet decision, except for the case if civil service relations are terminated on the basis of Paragraph one, Clause 1, Sub-clause “a” or Clause 3 of this Section.

[*14 September 2006; 24 May 2007; 25 February 2010; 14 October 2010; 29 May 2014; 21 June 2018; 2 June 2022*]

**Section 42. Transfer of Matters**

The civil servant with whom State civil service relations have been terminated or who is transferred to another position shall hand over all the official documents, materials and property related to his or her position to a person designated by the head of the institution, drawing up a deed of receipt and transfer, and settle accounts with the institution.

**Section 43. Statement on the State Civil Service**

(1) Upon written request of the civil servant or a person with whom the State civil service relations have been terminated or upon request of a State or local government institution for the fulfilment of the functions thereof, the institution has an obligation to issue a written statement on the duration of the State civil service of the civil servant, the work duties performed, deducted taxes, making the State social insurance mandatory contributions and basis for the termination of the State civil service relations.

(2) The statement shall include the requested information that can be justified by the institution with documents present in the record-keeping or archives thereof.

[*21 June 2018*]

**Transitional Provisions**

1. With the coming into force of this Law, the Law On the State Civil Service is repealed (*Latvijas Republikas Saeimas un Ministru Kabineta Ziņotājs*, 1994, No. 10; 1995, No. 12; 1996, No. 9, 14, 22); 1997, No. 9, 22; 2000, No. 5).

2. [14 November 2008]

2.1 Up to 1 January 2007, the director of a State agency shall determine the civil service positions in the State agency according the procedures specified by law. The director of the State agency shall, not later than by 1 January 2007, notify in writing an employee who in the State agency holds a position which is specified as a civil servant position regarding a change in the status of the position and shall warn him or her of the termination of employment relationship and the commencement of State civil service relations. If the employee after receipt of the notification does not agree to hold a civil servant position and the State agency cannot offer him or her another position, which is not a civil servant position, or he or she does not consent to take up another offered position, the director of the State agency shall terminate employment legal relations with the employee from 1 February 2007. An employee who after receipt of the notification agrees to take up the civil servant position and who conforms to the mandatory requirements specified in Section 7 of this Law shall, from 1 February 2007, be appointed to the civil servant position and not later than by 1 March 2007 civil servant status shall be granted to him or her. In relation to an employee of the agency who agrees to take up the civil servant position and who does not have a higher education, the requirement referred to in Section 7, Paragraph one, Clause 3 of this Law regarding a higher education shall be applied from 1 November 2013. If the civil servant referred to in this Paragraph has not commenced studies in a higher education institution, he or she shall, by 1 October 2008, commence such studies and shall submit to the director of the agency a statement issued by the higher education institution on the commencement of such studies. The civil servant referred to in this Paragraph who is studying in a higher education institution shall, each year by 15 October, submit to the director of the agency a statement issued by the higher education institution on the successful continuation of studies. The civil servant who, in the period specified in this Paragraph, has not commenced studies in a higher education institution or does not continue studies (has not submitted a statement on the successful continuation of studies) shall be dismissed from the civil servant position in the State agency due to non-conformity with the mandatory requirements for a civil servant. If six or less years remain for the civil servant referred to in this Paragraph until reaching the age specified for the granting an old-age pension, he or she may hold a civil servant position also without the acquisition of a higher education.

[*14 September 2006*]

3. Heads of institutions shall notify, in writing, civil servants and civil servant candidates holding civil service positions which after coming into force of this Law are not to be regarded as civil servant positions, of the change in status of the positions. If the persons referred to agree, the head of the institution shall enter into an employment contract with them. The social benefits prescribed by Sections 24, 25, 30, 31 and 32 of this Law shall apply to such persons one year after entering into the employment contract. The head of the institution shall terminate civil service relations with a civil servant or a civil servant candidate who within a one-month period of receipt of the notification does not agree to enter into an employment contract, paying to him or her the allowance referred to in Section 27 of this Law.

4. [14 November 2008]

5. Section 7, Clause 3 of this Law shall also apply to civil servants and civil servant candidates who, as of the date of coming into force of this Law, in accordance with this Law hold a civil service position in the State administrative institutions referred to in Section 3, Paragraph one of this Law. The Cabinet shall determine the procedures and time periods for the application of Section 7, Clause 3 with respect to the aforementioned persons.

6. The term prescribed in Section 11, Paragraph two, with respect to civil servants and civil servant candidates who on the day of coming into force of this Law hold the position of head of a State administrative institution referred to in Section 3, Paragraph one of this Law, shall be calculated from the day of the coming into force of this Law.

7. Until 1 January 2010, a civil service position in the State Forestry Service may be held by a person who has a professional secondary education in conformity with the requirements of the position.

[*29 March 2001*]

8. Section 36, Paragraph one of this Law shall be in force until 31 December 2005.

[*14 April 2005*]

9. Amendments to Section 23, Paragraph one and Section 36, Paragraph two of this Law shall come into force on 1 January 2006.

[*14 April 2005*]

9.1 The new wording of Section 40 of this Law shall come into force simultaneously with the Law on Disciplinary Liability of State Civil Servants.

[*14 September 2006*]

10. Until 31 December 2005, a civil servant shall receive a monthly wage in conformity with Cabinet Regulation No. 959 of 23 November 2004, Regulations Regarding Civil Service and Direct Administration Institution Employee Work Remuneration, Qualification Grades and Civil Service Allowances.

[*14 April 2005*]

11. Until 31 December 2005 a specialised civil service civil servant in the State Revenue Service shall receive a monthly wage in conformity with Cabinet Regulation No. 220 of 28 May 2002, Regulations regarding the Work Remuneration System for Civil Servants and Employees of the State Revenue Service.

[*14 April 2005*]

12. Specialised civil service civil servants who hold a position in the State Police, Security Police, Ministry of the Interior Communications Centre, Ministry of the Interior Information Centre, State Border Guard, State Fire-Fighting and Rescue Service and the Prison Administration from 1 October 2006 shall be deemed to be officials with special service ranks in Ministry of the Interior institutions or in the Prison Administration, and from 1 October 2006 State civil service relations shall be terminated. Until 31 December 2006, the abovementioned officials shall preserve the rights referred to in Section 22, Clause 1 of this Law and in relation to them Section 37 of this Law may be applied.

[*14 September 2006*]

13. In terminating State civil service relations in accordance with Paragraph 12 of the Transitional Provision of this Law, Section 27 of this Law shall not be applied.

[*14 September 2006*]

14. The State Civil Service Administration shall, by 15 February 2008, complete or transfer all matters in the record-keeping thereof to institutions in conformity with the competence laid down in Section 4 of this Law. Pending matters or matters which are not within the scope of competence of any of the institutions referred to in Section 4 of this Law shall be examined by the State Chancellery and a decision in relevant matters shall be taken by the director of the State Chancellery, whereas in matters related to civil servants who hold an office in the State Chancellery – by the Prime Minister. Disciplinary matters the examination of which have not been completed by the State Civil Service Administration shall be examined and the decision in such matters shall be taken by the Prime Minister or they shall be transferred for examination and taking the decision to another higher State administrative institution.

[*14 November 2008*]

15. The State Civil Service Administration shall transfer the unified record system of the personnel and persons who have terminated their civil service relations and who have the status of a civil servant to the Ministry of Finance by 15 December 2008.

[*14 November 2008*]

16. The Cabinet shall issue the regulations referred to in Section 4, Paragraph three of this Law by 1 July 2009.

[*14 November 2008*]

17. In 2009, the remuneration (monthly wage, bonuses, etc.) laid down in accordance with this Law shall be determined in conformity with the law On Remuneration of Officials and Employees of State and Local Government Authorities in 2009.

[*12 December 2008*]

18. Until the day of coming into force of a new Cabinet Regulation, but not longer than by 30 June 2010, Cabinet Regulation No. 599 of 4 September 2007, Procedures by which an Official with Special Service Rank of the Ministry of the Interior System Institutions and the Prisons Administration Fulfils the Duties of a Civil Servant of the State Civil Service in the Ministry of the Interior and the Ministry of Justice, shall be applicable insofar as it is not in conflict with this Law.

[*1 December 2009*]

19. Section 4, Paragraph two, Clause 4, and Section 9, Paragraph 2.1 of this Law shall come into force on 1 September 2015.

[*29 May 2014*]

20. Amendments to Section 37 of this Law in relation to the transfer of a civil servant to the National Armed Forces to the position of a professional service soldier shall come into force on 1 July 2017.

[*16 March 2017*]

21. In respect of civil servants in respect of whom an order regarding the maintenance of a civil servant in the position for an indefinite period of time has been issued in accordance with Section 41, Clause 1, Sub-clause “f” of this Law, the period of two years laid down in Section 41, Paragraph two of this Law shall be counted from 1 January 2019.

[*21 June 2018*]

22. The head of the institution who continues the performance of work duties after 30 June 2022 may be re-appointed to the position for another term.

[*2 June 2022*]

23. Civil servants who, until 30 June 2022, were transferred to another civil servant position in which the monthly wage is lower than the previous one has been determined shall continue to receive the monthly wage of the previous position, the permanent supplements determined in laws and regulations which are related to service, and social guarantees, and also shall retain the service rank laid down in the specialised civil service.

[*2 June 2022*]

**Informative Reference to European Union Directives**

[*2 November 2006; 2 June 2022*]

This Law contains legal norms arising from:

1) Council Directive 75/117/EEC of 10 February 1975 on the approximation of the laws of the Member States relating to the application of the principle of equal pay for men and women;

2) Council Directive 76/207/EEC of 9 February 1976 on the implementation of the principle of equal treatment for men and women as regards access to employment, vocational training and promotion, and working conditions;

3) Council Directive 97/80/EC of 15 December 1997 on the burden of proof in cases of discrimination based on sex;

4) Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin;

5) Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation;

6) Directive 2002/73/EC of the European Parliament and of the Council of 23 September 2002 amending Council Directive 76/207/EEC on the implementation of the principle of equal treatment for men and women as regards access to employment, vocational training and promotion, and working conditions;

7) Directive (EU) 2019/1152 of the European Parliament and of the Council of 20 June 2019 on transparent and predictable working conditions in the European Union.

This Law shall come into force on 1 January 2001.

This Law has been adopted by the *Saeima* on 7 September 2000.

President V. Vīķe-Freiberga

Rīga, 22 September 2000