The *Saeima*1 has adopted and

the President has proclaimed the following law:

**Law on the Assistance to be Provided to the European Anti-Fraud Office**

**Section 1. Terms Used in the Law**

The terms used in Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council of 11 September 2013 concerning investigations conducted by the European Anti-Fraud Office (OLAF) and repealing Regulation (EC) No 1073/1999 of the European Parliament and of the Council and Council Regulation (Euratom) No 1074/1999 (hereinafter – Regulation No 883/2013) are used in the Law.

**Section 2. Purpose of the Law**

The purpose of the Law is to ensure effective assistance to the European Anti-Fraud Office (hereinafter – the Office) in administrative investigations conducted thereby in accordance with Regulation No 883/2013 and Council Regulation (Euratom, EC) No 2185/96 of 11 November 1996 concerning on-the-spot checks and inspections carried out by the Commission in order to protect the European Communities’ financial interests against fraud and other irregularities (hereinafter – Regulation No 2185/96).

**Section 3. Competent Authority in Assisting to the Office**

The Ministry of Finance shall provide assistance to the Office in the capacity of the competent authority within the meaning of Regulation No 883/2013 (hereinafter – the competent authority).

**Section 4. Rights and Obligations of the Competent Authority**

(1) Upon request of the Office, the competent authority shall provide assistance thereto in administrative investigations in the Republic of Latvia, including the following:

1) participate and provide assistance in on-the-spot checks carried out by the Office;

2) participate and provide assistance in the meetings of the Office with State and local government authorities, including law enforcement institutions;

3) request information or documents at the disposal of private persons, State or local government authorities within the scope of the administrative investigation case;

4) request and receive information included in the account register in accordance with the Account Register Law within the scope of the administrative investigation case;

5) request non-disclosable information at the disposal of a credit institution in accordance with the Credit Institution Law on the basis of a decision of a judge within the scope of the administrative investigation case.

(2) During participation and assisting in on-the-spot checks carried out by the Office in the Republic of Latvia, the competent authority, if necessary, is entitled to invite the State Police or municipal police.

(3) If during administrative investigations a private person does not fulfil the obligation laid down in Regulation No 883/2013 or Regulation No 2185/96, the competent authority may take a decision on imposing a legal obligation on the private person:

1) to ensure access to premises or movable property in the ownership, possession or use of the private person;

2) to provide information or documents or to ensure access to them, irrespective of the type of storage of such information or documents;

3) to take other certain actions or to refrain from taking such actions in order to ensure the fulfilment of the obligation imposed on the private person.

(4) The decision to impose a legal obligation may be appealed in accordance with the procedures laid down in the Administrative Procedure Law. The appeal of the decision shall not suspend the operation thereof.

**Section 5. Authorisation to Request Non-disclosable Information**

(1) The decision to grant authorisation to request non-disclosable information at the disposal of a credit institution in accordance with the Credit Institution Law shall be taken by the judge of the district (city) court in conformity with the address of the competent authority.

(2) The judge shall, within five working days from the day of submitting the submission by the competent authority, examine the submission which provides grounds for the necessity to request non-disclosable information and which is accompanied by the request for information of the Office and take a decision on authorisation to request non-disclosable information or refusal thereof.

(3) A true copy of the decision of the judge shall be sent to the competent authority within two working days after taking the decision.

(4) The decision of the judge shall not be subject to appeal.

**Section 6. Requesting and Receipt of Non-disclosable Information at the Disposal of a Credit Institution**

(1) The competent authority shall request non-disclosable information at the disposal of a credit institution in writing from the credit institution by indicating specific information in the request and the scope thereof, and also the grounds for requesting such information – a reference to the relevant decision of the judge, the administrative investigation case of the Office and the law.

(2) A credit institution shall, not later than within 14 days, provide the requested non-disclosable information at the disposal of the credit institution electronically to the competent authority.

The Law has been adopted by the *Saeima* on 21 January 2021.

Presiden E. Levits

Rīga, 2 February 2021