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

Republic of Latvia

Cabinet

Regulation No. 402

Adopted 4 July 2017

**Regulations Regarding the Public Administration E-services**

*Issued pursuant to*

*Section 99, Paragraph two of the State Administration Structure Law*

**I. General Provisions**

1. This Regulation prescribes the procedures by which public administration services (hereinafter – the service) are digitised and the availability of e-services is ensured.

2. The following terms are used in the Regulation:

2.1. e-service – a type of service provision which ensures that one or several services, or individual stages thereof (requesting or receipt of the service result) are performed in electronic form, including through the use of websites, mobile applications, text messages or e-mail;

2.2. digitisation of the service – a process as a result of which an e-service is created;

2.3. e-service provider – a service owner or its authorised legal entity which ensures the environment for hosting and operation of an e-service;

2.4. e-service recipient – a client of the State administration (hereinafter – the client) who receives the service in electronic form.

**II. Basic Rules for the Digitisation of Services**

3. A service owner, if it is possible and useful, shall provide services also in the form of e-services, if at least one of the following criteria is met:

3.1. within a year the number of requested service cases exceeds 5000 or 10 % of the number of cases of all services provided by the service owner;

3.2. availability of the service is improved;

3.3. reception of the service becomes more convenient;

3.4. the administrative burden is reduced;

3.5. the service provision process is optimised;

3.6. the costs and time for the provision of services decreases;

3.7. provision of the relevant service also in the form of an e-service is required due to the equality considerations of specific client groups.

4. When digitising the service, the service owner shall take into account the cost-effectiveness.

5. The digitisation of services shall take into account the needs of clients by applying user-oriented approach and the principle of iterative development in accordance with the Latvian national standard LVS EN ISO 9241-210:2016, Ergonomics of human-system interaction – Part 210: Human-centred design for interactive systems.

6. When conducting the analysis, design and development of the service during the digitisation or improvement of the service, the owner shall perform at least the following activities by recording them in the manner selected by the service owner:

6.1. determine measurable indicators for the service to be digitised and their supervisory process;

6.2. carry out analysis of the target audience of the e-service, identify client groups and their needs including:

6.2.1. analysis of the service provision process and the possibilities for its improvement or modification from the point of view of the e-service recipient, taking into account all stages of the service, related services, and other data at the disposal of other public administration institutions;

6.2.2. involvement of the current and potential e-service recipients during the analysis of the service provision process and design of the e-service by collecting information regarding the objectives, needs, behaviour, and wishes of the client, including surveying the most important service provision scenarios both in electronic and other channels, if necessary;

6.2.3. testing of the potential solution prototypes to the extent necessary for the objectives to be achieved with the potential e-service recipients;

6.3. link the digitised stages of the service with the stages of the service which are not digitised;

6.4. regularly analyse the satisfaction of users, survey the needs and feedback of users, and continuously improve the e-service.

7. The service owner shall ensure measuring, recording, and analysis of the performance indicators of the e-service. In addition to the indicators specified in the laws and regulations regarding the procedures for recording, providing, and quality control of public administration services, the following indicators shall be measured for each e-service:

7.1. completion rate of the e-service – the ratio between the number of completion and initiation cases;

7.2. digital take-up – the ratio between the number of service cases applied for in the electronic channel and the number of service cases applied for in all channels;

7.3. satisfaction of the e-service recipient – voluntary assessment of the e-service recipient in five-point system for each provided e-service case, if possible, which may be supplemented with a written feedback from the e-service recipient.

8. The service owner shall publish the results of the performance of the indicators referred to in Paragraph 7 of this Regulation by 1 April of the year following the reporting year on the Platform for Provision and Management of Services.

9. In the digitisation and provision of the service, where applicable, the service owner shall ensure the fulfilment of the following technical requirements:

9.1. use the shared components managed by the State Regional Development Agency;

9.2. send a notification regarding the fact of e-service provision and the result of the service to the official electronic address, if such has been created for the e-service recipient, or to the workplace of the user of the service portal www.latvija.lv, except when the result of the service has digital content which cannot be represented outside the application or website;

9.3. if different services can be applied for within the scope of a single e-service, a direct link shall be provided for each service;

9.4. ensure availability of and e-service which uses web pages also from a mobile device;

9.5. ensure accessibility to an e-service which uses web pages in accordance with the requirements of Chapter 9 of the Latvian national standard EN 301549:2017, Accessibility requirements suitable for public procurement of ICT products and services in Europe;

9.6. develop a REST application programming interface (REST API) by ensuring the possibility to use the e-service in third party software products and environments, including mobile applications;

9.7. ensure that the monthly uptime of the e-service is 98 %, monitor the performance of the e-service in real time and the number of concurrent e-service recipients, develop automated warnings that are based on monitoring and sent to the service owner and the e-service provider;

9.8. make audit notes on the provision of an e-service at least to the extent which allows restoration and analysis of each stage of provision of each e-service case;

9.9. accumulate statistics on the provision of the e-service by saving data on at least each case of e-service initiation, and the indicators referred to in Paragraph 7 of this Regulation.

10. In organising the e-service, the service owner shall apply the once only principle by not requesting data from the e-service recipient that already are at the disposal of public administration, including:

10.1. by using the data sent by the means of personal electronic identification used by the e-service recipient;

10.2. by using the data available in State information systems and service owner's information systems;

10.3. by using the data available in the workplace of the user of the service portal www.latvija.lv;

10.4. by organising the acquisition of the data necessary for the provision of the e-service from other public administration institutions, if they are available electronically as a service;

10.5. by using the services of the State Information Systems Integrator;

10.6. by ensuring automatic completion as much as possible.

11. The service owner shall ensure automatic (proactive) informing of the potential e-service recipient of the possibility to receive the service, if the service owner has at its disposal the information necessary for the provision of the service, and the potential client has agreed to receive such information.

12. The service owner shall ensure the following to the e-service recipient:

12.1. consultative support during the working hours of the service owner or e-service provider;

12.2. answers to questions or complaints submitted regarding deficiencies in the content, operation, error messages, and unavailability of the e-service (hereinafter – the request) as soon as possible, but not later than within seven working days from the time of submitting the request;

12.3. confirmation that the request has been received within one working day from the time of submitting the request.

**III. Management of E-services**

13. The service owner shall be responsible for planning, ensuring, maintaining, and developing an e-service. The service owner shall:

13.1. co-ordinate the e-service provision process;

13.2. organise the conformity of e-service provision with the minimum technical and safety requirements for the development and provision of an e-service laid down in the laws and regulations, as well as with the electronic identification requirements of natural persons;

13.3. ensure the management of changes in the e-service and organise testing (if necessary, in co-operation with the e-service provider);

13.4. draw up the rules for the use of the e-service (if necessary, in co-operation with the e-service provider);

13.5. ensure that the provision of the e-service is suspended, if, as a result of changes in the normative regulation or technical deficiencies, the e-service does not conform to laws and regulations;

13.6. inform the e-service provider and e-service recipients of interruptions in the operation of the e-service and the planned resumption of the operation three working days before the planned interruption, but in case of an unplanned interruption – at the time of occurrence;

13.7. provide the consultative support of the e-service provider;

13.8. determine the means of personal electronic identification required for the e-service in accordance with the procedures laid down in Annex to this Regulation. The respective requirement shall not be applicable to the e-services which do not require electronic identification or for which the means of electronic identification has been determined in another law or regulation;

13.9. determine whether the information or document submitted for receipt of the service in accordance with laws and regulations must be electronically signed.

[*15 September 2020*]

14. The e-service provider is entitled:

14.1. to take the decision to suspend the provision of the e-service, if technical deficiencies or circumstances as a result of which the e-service may fail or does not conform to the requirements and tasks laid down in laws and regulations have been detected, informing the service owner thereof;

14.2. to request, receive, and accumulate information which is necessary for the provision of the e-service from the service owner and e-service recipients.

15. The e-service provider shall:

15.1. ensure the availability of the operational environment of the e-service for the e-service recipient;

15.2. provide consultations related to digitisation of the service to the service owner;

15.3. inform the service owner and recipient of the planned changes which may affect the provision of the e-service, three working days before the planned interruption, but in case of an unplanned interruption – at the time of occurrence;

15.4. implement consultative support to the e-service recipient in co-operation with the service owner;

15.5. ensure recording of the cases of e-service commencement and initiation;

15.6. ensure access for the service owner to the statistics of the e-service.

16. The e-service recipient has the obligation:

16.1. to become acquainted with the rules for the use of the relevant e-service;

16.2. to provide true and complete requested information during execution of the e-service;

16.3. to report to the service owner on cases, if, upon receipt of the e-service, data inaccuracy or non-conformity has been found.

17. The e-service owner, upon hosting an e-service on the service portal www.latvija.lv, shall comply with the laws and regulations regarding the procedures by which circulation of information is ensured, using the State Information Systems Integrator.

**IV. Promotion of the Use of E-service**

18. In order to promote the use of the e-service, the service owner shall develop such regulation which promotes the use of the e-service, and fulfils at least one of the following conditions:

18.1. a shorter time period for the provision of the service than in person;

18.2. a lower cost for the provision of the service than in person;

18.3. subsequent availability of the service only in electronic form, providing in-person consultations regarding the use of the e-service;

18.4. as available and comfortable type of identification for the e-service recipient as possible.

19. The service owner shall plan and ensure:

19.1. activities to reduce the number of in-person meetings;

19.2. training of the staff involved in client servicing and include the obligation to inform about its e-services;

19.3. informational and promotional activities of the public regarding their e-services and the advantages thereof;

19.4. practical support for clients regarding the use of the e-service, for example, free Internet access points, consultants;

19.5. analysis of the use of the e-service and planning of improvement activities.

20. The service owner shall ensure information materials for the service and e-service recipients, employees of the institution, and administrators of e-services.

21. The service owner shall post information regarding the e-service on the service portal www.latvija.lv, on its websites and mass media.

**V. Closing Provisions**

22. Paragraph 19 of this Regulation shall come into force on 1 January 2018.

23. The requirements of Paragraphs 7, 9, and 11 of this Regulation shall be applied from 1 July 2018 to e-services the development or improvement of which starts after 1 August 2017, and from 1 October 2022 to other e-services.

24. The service owner shall, by 1 March 2021, review the conditions for the electronic identification of the person and introduce the means of personal electric identification required for the e-service by 1 September 2021, taking into account the requirements laid down in Sub-paragraph 13.8 of this Regulation.

[*15 September 2020*]

Prime Minister Māris Kučinskis

Acting for the Minister for Environmental Protection and Regional Development – Minister for Justice Dzintars Rasnačs

**Annex**

Cabinet Regulation No. 402

4 July 2017

[*15 September 2020*]

**Procedures for Determining the Means of Personal Electronic Identification Required for the E-service**

1. When determining the means of electronic identification required for the receipt of the e-service, the service owner shall take into account the laws and regulations determining the receipt of the service in person so that the electronic identification of a person would be equivalent to the on-site verification of the identity of the person.

2. The service owner shall analyse the possible risks and assess the impact thereof on the service recipient and the service provider. The risk analysis and impact assessment thereof shall be reviewed every three years or after making changes in the e-service policy or procedure and documented in a manner selected by the service owner.

3. The risk analysis shall take into account the following factors:

3.1. the nature of the data to be processed – generally accessible information, restricted access information, a possibility to obtain data about other natural persons;

3.2. the data processing – data can be viewed, edited, supplemented, or deleted;

3.3. the jurisdiction of the data to be processed – data on the e-service recipient, family members or wards of the e-service recipient, or other natural or legal persons can be processed;

3.4. the potential harm and impact thereof – inconveniences in the receipt of the service or damage to reputation, harm to a person’s life or health, financial loss, or legal effects that may occur to the service recipient or service provider;

3.5. the risk of occurrence of the harm specified in Sub-paragraph 3.4 of this Annex;

3.6. the type and security of the means of electronic identification;

3.7. the access to the electronic service for which access in Latvia is provided by the qualified means of electronic identification is ensured by such foreign means of electronic identification notified to the European Commission and published in the Official Journal of the European Union which correspond to an assurance level ‘substantial’ or ‘high’ within the meaning of Regulation (EU) No 910/2014 of the European Parliament and of the Council of 23 July 2014 on electronic identification and trust services for electronic transactions in the internal market and repealing Directive 1999/93/EC (hereinafter – Regulation No 910/2014);

3.8. the access to the electronic service for which access in Latvia is only provided by the qualified means of increased security electronic identification is ensured by such foreign means of electronic identification notified to the European Commission and published in the Official Journal of the European Union which correspond to an assurance level ‘high’ within the meaning of Regulation No 910/2014.

4. Based on the risk analysis, the service owner shall determine the most appropriate means of personal electronic identification for the receipt of the e-service:

4.1. all available means of personal electronic identification can be used if at least one of the following conditions is established in respect of the e-service:

4.1.1. generally accessible information is processed;

4.1.2. erroneous authentication (a person incorrectly recognised during the authentication process) can cause such losses or damage to the e-service recipient or service owner which does not exceed one minimum monthly wage specified in the Republic of Latvia;

4.1.3. erroneous authentication can cause short-term inconveniences (up to eight hours) for the receipt of the service;

4.2. such qualified means of electronic identification or qualified means of increased security electronic identification and other means of electronic identification referred to in Section 3, Paragraph three, Clauses 2 and 3 of the Law on Electronic Identification of Natural Persons are used, including means of strong authentication issued, maintained, or accepted by payment service providers which conform to the requirements of Commission Delegated Regulation (EU) 2018/389 of 27 November 2017 supplementing Directive (EU) 2015/2366 of the European Parliament and of the Council with regard to regulatory technical standards for strong customer authentication and common and secure open standards of communication if at least one of the following conditions is established in respect of the e-service:

4.2.1. restricted access information is processed the disclosure of which can adversely affect the rights or freedoms, or interests protected by law of the person;

4.2.2. data only on the e-service recipient can be viewed, edited, supplemented, or deleted;

4.2.3. erroneous authentication can cause losses or damage to the e-service recipient or service owner in the amount of one to ten minimum monthly wages specified in the Republic of Latvia;

4.2.4. erroneous authentication can cause serious short-term (up to four hours) or limited long-term (up to 24 hours) inconveniences for the receipt of the service and also damage the reputation of the e-service recipient or service owner;

4.3. qualified means of electronic identification or qualified means of increased security electronic identification are used if at least one of the following conditions is established in respect of the e-service:

4.3.1. restricted access information is processed the disclosure of which can significantly adversely affect the rights or freedoms, or interests protected by law of the person and also can change ownership rights or property rights;

4.3.2. data on the e-service recipient, family members or wards of the e-service recipient, or other natural or legal persons can be viewed, edited, supplemented, or deleted;

4.3.3. erroneous authentication can cause such losses or damage to the e-service recipient or service owner which exceeds ten minimum monthly wages specified in the Republic of Latvia;

4.3.4. erroneous authentication can pose security risks, affect the health or life of the person;

4.3.5. erroneous authentication can cause serious long-term inconveniences for the receipt of the service, serious damage to the reputation of any party, it affects many people;

4.4. qualified means of increased security electronic identification are used for the receipt of such e-services which affect the national security or allow access to the personal data of special categories, including access to the personal data on criminal record and offences, and also authentication in critical information technology infrastructure systems.

5. For the purpose of receiving the e-service which conforms to the characteristics specified in Sub-paragraph 4.3 of this Annex, the service owner may determine the means of electronic identification referred to in Sub-paragraph 4.2 of this Annex, justifying (for example, with the risk analysis) and documenting it in the manner selected by the service owner.

Prime Minister A. K. Kariņš

Deputy Prime Minister, Minister for Defence A. Pabriks