Text consolidated by Valsts valodas centrs (State Language Centre) with amending regulations of:

16 May 2017 [shall come into force from 20 May 2017].

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. 458

Adopted 12 July 2016

**Regulations Regarding Personal Document of Asylum Seekers and Procedures for the Issuance Thereof**

*Issued pursuant to*

*Section 8, Paragraph two of the Asylum Law*

1. This Regulation prescribes the form of a personal document of the asylum seeker (hereinafter – the document) and the procedures for the issuance thereof.

2. The document shall be issued by the State Border Guard.

3. The State Border Guard shall issue the document within three days after receipt of an application regarding granting of refugee or alternative status (hereinafter – the application). The document shall be valid as from the day it has been issued until the day the administrative proceedings concerning the application of an asylum seeker have ended.

4. The document shall be issued to the asylum seeker irrespective of his or her age.

5. The document shall not be issued if the asylum seeker has been detained or the application has been submitted at a border crossing point or in the border crossing transit zone and if there are grounds for assuming that any of the conditions stipulated in Section 30, Paragraph one of the Asylum Law exists.

6. The size of the document shall be 10.5 x 7.5 cm and it shall be produced in accordance with the specified specimen (Annex 1). After production the document shall be laminated. The document shall contain:

6.1. the name of the issuing authority, the document number, the date and place of issue;

6.2. data regarding the asylum seeker:

6.2.1. the given name (names) (the original form transliterated in Latin alphabet);

6.2.2. the surname (the original form transliterated in Latin alphabet);

6.2.3. the date and place of birth;

6.2.4. the nationality and type thereof;

6.2.5. if the asylum seeker is under the age of 18 years – the given name and surname, date of birth and personal identity number, if any, of his or her parents, a guardian appointed by the Orphan’s and Custody Court or the head of a child care institution (hereinafter – the representative of a minor). If a child is under the age of one year, his or her eye colour and height shall be indicated;

6.3. a photograph of the asylum seeker (the person shall be without headgear on the image and his or her face shall be uncovered);

6.4. a reference “The right to work without a work permit” if the asylum seeker, within six months after submission of the application regarding granting of refugee or alternative status, has not received a decision by the Office of Citizenship and Migration Affairs to grant or to refuse to grant refugee or alternative status and it has not occurred due to reasons attributable to the asylum seeker;

6.5. a reference “Residence or movement restrictions” regarding the prohibition of residence or movement in a particular territory of a State.

*[16 May 2017]*

7. An official of the State Border Guard shall, prior to the issue of the document, inform the asylum seeker in the language which he or she understands or is reasonably supposed to understand that in the Republic of Latvia he or she is subject to liability for the provision of intentional false information.

8. By issuing the document an official of the State Border Guard shall explain to the asylum seeker in the language which he or she understands or is reasonably supposed to understand that in case the document has been stolen, lost or damaged the asylum seeker shall have an obligation, within one working day, inform in writing:

8.1. the State Border Guard;

8.2. an employee of an accommodation centre for asylum seekers if the asylum seeker resides in an accommodation centre.

9. An asylum seeker shall sign regarding the receipt of the document in the registration journal of personal documents of asylum seekers (Annex 2).

10. The document shall be issued repeatedly, if:

10.1. the document has been damaged or lost;

10.2. notes not provided for by regulatory enactments have been made therein;

10.3. the given name (names) or surname of the asylum seeker has changed;

10.4. the outer appearance of the asylum seeker has changed significantly;

10.5. other data entered in the document have changed;

10.6. inaccuracies have been determined in the document;

10.7. it is necessary to include the reference referred to in Sub-paragraph 6.4 or 6.5 of this Regulation.

11. In order to receive the document repeatedly, an asylum seeker shall submit an application to the State Border Guard with a request to issue new document, and also the document to be replaced, if any.

12. The official of the State Border Guard shall ascertain the identity of the recipient of the document prior to the repeated issuance of the document.

13. The State Border Guard shall issue the document repeatedly within three working days after receipt of the documents referred to in Paragraph 11 of this Regulation.

Prime Minister Māris Kučinskis

Minister for the Interior Rihards Kozlovskis

**Annex 1**

Cabinet Regulation No. 458

12 July 2016

*[16 May 2017]*

**Specimen of the Personal Document of an Asylum Seeker**

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **PERSONAL DOCUMENT OF AN ASYLUM SEEKER**   |  |  |  |  |  | | --- | --- | --- | --- | --- | |  |  |  |  |  | |  | (given name (names)) | Photograph |  | |  |  |  | |  | (surname) |  | |  |  |  | |  | (the date and place of birth) |  | |  |  |  | |  | (nationality and type thereof) |  | |  |  |  | |  | (given name, surname, date of birth, and the personal identity number, if any, of the representative of a minor) |  | |  |  |  | |  | (if a child is under the age of one year, his or her eye colour and  height) |  |  | | Place of issue  Date of the issuance  Name of the issuing authority | | Document No. | |  | |

|  |
| --- |
| The right to work without a work permit\*  Residence or movement restrictions\*\* |

Notes.

1. \* The reference “The right to work without a work permit” shall be included in the personal document of an asylum seeker if the asylum seeker, within six months after submission of the application regarding granting of refugee or alternative status, has not received a decision by the Office of Citizenship and Migration Affairs to grant or to refuse to grant refugee or alternative status and it has not occurred due to reasons attributable to the asylum seeker.

2. \*\* The reference “Residence or movement restrictions” shall be filled in if the asylum seeker is subject to a restriction or prohibition of residence or movement in a particular territory of a State.

Minister for the Interior Rihards Kozlovskis

**Annex 2**

Cabinet Regulation No. 458

12 July 2016

**Registration Journal of Personal Documents of Asylum Seekers**

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| No. | Given name (names), surname, date and place of birth of the asylum seeker | Nationality of the asylum seeker and type thereof | Personal document number of the asylum seeker | Date of issue of the document of the asylum seeker | Signature of the responsible official | Signature of the asylum seeker (by which the asylum seeker confirms that he or she has acquainted herself or himself with the information referred to in Paragraphs 7 and 8 of this Regulation) | Notes |
|  |  |  |  |  |  |  |  |
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Minister for the Interior Rihards Kozlovskis