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

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10 December 2009 [shall come into force on 13 January 2010];

4 October 2018 [shall come into force on 1 January 2019].

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:

**On State Security Institutions**

**Chapter One**

**General Provisions**

**Section 1. The Purpose and Scope of the Law**

(1) The purpose of the Law is to establish an aggregate of loyal, professional, and neutral State security institutions for the Republic of Latvia in order to safeguard the independence of the State, its constitutional order and territorial integrity against external and internal threats.

(2) The Law prescribes the system of State security institutions, the tasks and division of competence of the entities thereof, unified conditions for service in State security institutions, the duties, rights, and responsibilities of the personnel of State security institutions, and also the procedures for the financing, supervision, and control of State security institutions.

[*4 October 2018*]

**Section 2. State Security Institutions**

State security institutions are the State institutions specified in this Law which, within the scope of their competence, carry out intelligence, counterintelligence activities and are the subjects of investigatory operations.

[*27 June 2002; 7 April 2004*]

**Section 3. Intelligence and Counterintelligence**

(1) [27 June 2002]

(2) Intelligence is the activities of specially authorised State institutions the purpose of which is obtaining information regarding intentions and activities (actions) of foreign governments, their institutions, organisations or individual persons, which are or may be directed against the Republic of Latvia and vitally important State interests thereof.

(3) Counterintelligence is the activities of specially authorised State institutions the purpose of which is ensuring the protection of the State constitutional structure, national independence, national economic, scientific, technical and military potential, official secrets and vitally important State interests and security against spying, diversions, sabotage, terrorist acts and other types of threats, and also taking special measures to prevent or terminate such threats or to eliminate the consequences caused thereby.

(4) Intelligence and counterintelligence activities shall be conducted according to the competence specified for each State security institution in law and on the basis of the decision of an official of a State security institution.

(5) The content of intelligence and counterintelligence activities shall be determined by the by-law of intelligence and counterintelligence activities of the respective State security institution which, after coordination with the Council of State Security Institutions, shall be approved by the head of the respective State security institution.

(6) Intelligence and counterintelligence activities shall be conducted both by means of the specific intelligence and counterintelligence activities of the respective State security institution according to the by-law of intelligence and counterintelligence activities and by taking the measures of investigatory operations specified in the Investigatory Operations Law. If such measure of investigatory operations is to be taken in the intelligence and counter-intelligence process which requires the acceptance of a judge, such acceptance shall be given by the President of the Supreme Court or by a judge of the Supreme Court specifically authorised thereby.

(7) The results of the measures of investigatory operations taken within the scope of intelligence and counterintelligence activities may be used as procedural evidence only upon consent of the head of the respective State security institution and in accordance with the procedures laid down in law.

[*27 June 2002; 7 April 2004; 4 October 2018*]

**Section 4. Legal Basis of Activities of State Security Institutions**

The legal basis of activities of State security institutions shall be the Constitution of the Republic of Latvia, the National Security Law, this Law, the Investigatory Operations Law, other laws and regulatory enactments, and also international treaties governing the protection of national security and State economic sovereignty, and the tasks, obligations, and rights of the subjects ensuring the public safety and order.

[*27 June 2002*]

**Section 5. Basic Principles of Activities of State Security Institutions**

(1) The activities of State security institutions shall be organised and carried out on a lawful basis, in conformity with the general human rights, in cooperation with the citizens and other inhabitants and relying upon their assistance.

(2) Activities of State security institutions shall be aimed solely at guaranteeing the security of the Republic of Latvia and they may not threaten the security of other countries.

(3) In carrying out intelligence, counterintelligence, or other activities related to guaranteeing national security, it is prohibited to cause physical or moral harm to persons, to endanger the life and health of people, or to threaten to apply or use physical means of coercion.

(4) The type, scale, and intensity of activities of State security institutions must be commensurate to the type and level of dangerousness of threat to national security.

(5) Activities of State security institutions shall not be restricted depending on the citizenship, gender, nationality, age, place of residence, education, social, service and property status and office of persons, their political and religious views, affiliation with parties or other public organisations.

(6) Officials of State security institutions are prohibited from directly or indirectly acting in the interests of political parties, organisations, movements or persons, from involving in activities of institutions implementing State authority and administration, institutions of the Office of the Prosecutor and court, and also the activities of public, political, religious organisations and merchants in order to influence or persuade them, except for the cases when it is necessary in order to prevent or discover criminal offences or threats to national security.

(7) No one, except for officials who are specifically authorised for such purpose by law, is entitled to interfere with activities of State security institutions and their officials, unless such activities are unlawful. The officials and employees of such institutions shall be responsible for their activities in accordance with the procedures laid down in law.

(8) The principle of separation of authority (competences) laid down in law shall be observed in activities of State security institutions. The status of officials and employees of such institutions shall be used solely for the performance of their lawful obligations. Their activities may only be directed at achieving the purposes or performance of the tasks specified in this Law.

[*27 June 2002; 7 April 2004; 2 June 2005; 4 October 2018*]

**Section 6. Protection of the Rights and Freedoms of a Person**

If a person believes that State security institutions through their actions have infringed on the lawful rights and freedoms of a person, such person is entitled to submit a complaint to the public prosecutor who, after completing an examination, shall provide an opinion with respect to the conformity of activities of the official of the State security institution with the law, or to bring an action to a court.

**Chapter Two**

**COMPETENCE OF INSTITUTIONS IMPLEMENTING STATE AUTHORITY AND ADMINISTRATION IN THE MANAGEMENT OF STATE SECURITY INSTITUTIONS**

**Section 7. Competence of the *Saeima***

[27 June 2002]

**Section 8. Competence of the National Security Council**

[27 June 2002]

**Section 9. Competence of the Cabinet**

[27 June 2002]

**Chapter Three**

**ORGANISATION OF STATE SECURITY INSTITUTIONS**

**Section 10. Main Tasks of State Security Institutions**

(1) The main tasks of State security institutions shall be as follows:

1) collection, accumulation, analysis of political, economic, social, military, scientific, technical, and other information related to the threats to national security and ecology and the use thereof in accordance with the procedures laid down in law;

2) ensuring the protection of official secrets and other interests of vital importance to the State;

3) forecasting the threats to national security, drawing up of proposals, recommendations, and programmes on the issues of national security;

4) preventing or neutralisation of threats to national security;

5) timely and complete informing of the institutions implementing State authority and administration of any threats to national security;

6) provision of an opinion on the possibility to issue a licence for exportation, importation, and transit of strategic materials or weapons. Adverse opinion of the State security institution may form the grounds for non-issuance of the licence or cancellation of the licence;

7) submission of information and materials obtained on criminal offences detected in the field of national security to the Office of the Prosecutor or to an investigative institution the competence of which includes carrying out of pre-trial investigation on the particular criminal offence;

8) carrying out of investigation within the scope of competence determined thereto;

9) cooperation and participation in maintaining world piece;

10) exchanging of information classified within the scope of the competence determined thereto with foreign institutions, international organisations and institutions thereof.

(2) [18 June 2009]

[*27 June 2002; 7 April 2004; 13 October 2005; 18 June 2009; 10 December 2009*]

**Section 11. Aggregate of State Security Institutions**

(1) The aggregate of State security institutions shall consist of:

1) the Constitution Protection Bureau;

2) the Defence Intelligence and Security Service;

3) the State Security Service;

4) [6 May 1998].

(2) The State security institutions indicated in Paragraph one of this Section shall operate independently, within the scope of the mandate provided for them.

(3) The Cabinet may also involve other State administrative institutions in the implementation and ensuring of the State security measures.

[*6 May 1998; 10 June 1999; 6 December 2001; 27 June 2002; 7 April 2004; 4 October 2018*]

**Section 12. Council of State Security Institutions**

(1) The aggregate of the heads of State security institutions shall be the Council of State Security Institutions the head of which shall be nominated from among the heads of security institutions.

(2) The Council of State Security Institutions shall:

1) review the priorities of activities of State security institutions, the requirements and tasks to be set forth for such institutions;

2) coordinate the circulation of information, the procedures for analysis and use thereof in State security institutions;

3) draw up the draft budget of State security institutions;

4) aggregate the proposals and requests of State security institutions, submit and maintain them in the institutions implementing State authority and administration;

5) examine the external draft laws and regulations on the issues of the activities of State security institutions;

6) assess the effectiveness of activities of State security institutions;

7) review and coordinate the by-laws of intelligence and counterintelligence activities of State security institutions;

8) adopt the internal legal acts binding on State security institutions in matters which require a coordinated operation of State security institutions.

(3) The Prosecutor General may participate in the meetings of the Council of State Security Institutions.

[*29 March 2007; 4 October 2018*]

**Section 12.1 Head of a State Security Institution**

(1) The head of a State security institution shall manage the work of the relevant State security institution and shall be responsible for efficient performance of the tasks of the institution specified in laws and regulations.

(2) The Cabinet shall appoint the head of the State Security Service and the Defence Intelligence and Security Service for a period of five years upon recommendation from the minister of the relevant sector. Three months before the end of the term of office, upon recommendation of the respective minister, the Cabinet shall take the decision to extend the term for five years or the decision to dismiss the head of the State security institution from office.

(3) The procedures for the appointment and dismissal of the director of the Constitution Protection Bureau, and also the term of office shall be determined by the Law of the Constitution Protection Bureau and the National Security Law.

(4) A person who has corresponding experience for the office in a management position and who conforms to the mandatory requirements laid down for officials and employees of State security institutions and has received the first level personnel security clearance for access to official secrets may be the head of a State security institution.

(5) The head of a State security institution shall enter into interdepartmental agreements without agreeing thereupon with a higher institution and issue internal legal acts in conformity with the exceptions specified in this Law.

[*4 October 2018*]

**Section 13. Constitution Protection Bureau**

(1) The Constitution Protection Bureau is a State security institution under subordination of the Cabinet the activities of which are governed by a special law in addition to this Law.

(2) The course of the service of the officials of the Constitution Protection Bureau shall be governed by this Law.

[*4 October 2018*]

**Section 14. Defence Intelligence and Security Service**

(1) The Defence Intelligence and Security Service is a State security institution under subordination of the Minister for Defence which performs military counterintelligence, intelligence and other tasks specified in this Law.

(2) The Defence Intelligence and Security Service shall:

1) obtain and ensure the Ministry of Defence, the institutions subordinate thereto, other institutions implementing State authority and administration and the responsible officials thereof, and also the National Armed Forces with intelligence and counterintelligence information necessary for the operation thereof;

2) discover and, in cooperation with other State security institutions, prevent the subversive activities of foreign special services, and also organisations or individual persons within the Ministry of Defence, institutions subordinate thereto and in the National Armed Forces;

3) take measures for the protection of the official secret within the Ministry of Defence, institutions subordinate thereto and in the National Armed Forces, and control the their implementation;

4) verify the candidates wishing to obtain special permits (licences) issued by the Ministry of Defence for the performance of individual types of commercial activity subject to licencing, and provide an opinion on the issuance of special permits (licences).

(3) The Defence Intelligence and Security Service shall operate according to a by-law approved by the Cabinet.

(4) The Defence Intelligence and Security Service, within the scope of its competence, shall be the subject of investigatory operations.

(5) [2 June 2005]

(6) [27 June 2002]

(7) The Defence Intelligence and Security Service shall be the national institution of signals intelligence of the Republic of Latvia, carrying out and controlling the signals intelligence and ensuring the protection of the obtained information.

[*6 December 2001; 27 June 2002; 7 April 2004; 2 June 2005; 10 December 2009; 4 October 2018*]

**Section 15. State Security Service**

(1) The State Security Service is a State security institution under the subordination of the Minister for the Interior which performs the tasks specified in this Law and is responsible for their completion.

(2) In the field of State security, the State Security Service shall implement:

1) counterintelligence and investigatory operations measures in order to combat crimes against humanity, war crimes, genocide, organised and economic crime, terrorism, sabotage and other crimes endangering national security and authority, gang crimes, corruption, money forgery, and also non-sanctioned distribution of nuclear materials, narcotic and other (chemical, radioactive) substances of strong effect or double usage goods, firearms and weapons of another kind, explosives;

2) counterintelligence and investigatory operations measures which are necessary for the protection of the Ministry of the Interior and institutions of the system thereof;

3) protection of the official secret within the competence laid down in the law On Official Secrets;

4) coordination of activities of State and local government authorities, and also other legal persons in the field of anti-terrorism and the analysis of the State policy in this field.

(3) The State Security Service shall organise and carry out the measures of protection (safeguarding) of State officials, and also representatives of foreign and international organisations and authorities, except for the protection (safeguarding) of such officials which is provided by the Military Police in accordance with the National Armed Forces Law. The officials to be protected by the State Security Service, and also cooperation with other State authorities and the procedures for protection (safeguarding) shall be determined by the Cabinet.

(4) The State Security Service shall operate in accordance with the National Security Law, the Operational Activities Law, and also the law On Police, this Law, and a by-law approved by the Cabinet.

(5) The State Security Service shall be the subject of operational activities.

(6) [13 October 2005]

[*27 June 2002; 7 April 2004; 13 October 2005; 20 November 2008; 4 October 2018*]

**Section 16. Information Service of the National Guard Headquarters**

[6 May 1998]

**Section 17. Protection of Information**

(1) It is prohibited for officials and employees currently in the service (work) of and retired (dismissed) from State security institutions to disclose information which has become known to them, is or has been accessible in the context of the service (work) in the State security institution, without the special authorisation of the head of the institution. Such information may be disclosed only with the permission of the head of the respective State security institution.

(2) The internal legal acts and interdepartmental agreements of State security institutions shall be restricted access information unless otherwise specified in the law On Official Secrets or other laws and regulations.

(3) The officials and employees of State security institutions shall take an oath of secrecy:

“I hereby swear that without special authorisation I shall not disclose or make available to any institution or person information which has become known or available to me due to the service (work) in a State security institution.”

(4) The procedures for taking the oath of secrecy shall be determined by the head of the State security institution.

(5) Persons shall be liable for breaking the oath of secrecy in accordance with the procedures laid down in laws and regulations.

[*4 October 2018*]

**Chapter Four**

**SERVICE AND WORK IN STATE SECURITY INSTITUTIONS**

[*4 October 2018*]

**Section 18. General Rules of Service and Work, Prohibitions Imposed on Officials and Employees**

(1) The personnel of State security institutions are officials and employees.

(2) An official of a State security institution shall be employed in the service of State security institutions. The norms of the laws and regulations governing employment relationship shall be applicable to the service relationship of State security institutions insofar as the relevant matters are not determined by this Law and the Law on Remuneration of Officials and Employees of State and Local Government Authorities.

(3) An official of a State security institution is a representative of the State authority and the lawful requirements and orders made or issued by him or her when performing service duties shall be mandatory for all persons. Resisting an official of a State security institution, endangering the life or health thereof as well as action interfering with the performance of his or her service duties shall be punishable in accordance with the law. An official of a State security institution shall be issued with a service certificate for the certification of the authority thereof. The Cabinet shall determine the sample of the service certificate.

(4) Without the consent of the Prosecutor General, an official of a State security institution shall not be held criminally liable in the territory of Latvia, shall not be subject to detention (including administrative detention), search, conveyance by force, and also their residential or service premises, personal or service vehicles shall not be subject to search or inspection. The criminal procedural restrictions shall not apply to an official of a State security institution in cases when he or she is caught committing a criminal offence regarding which the Prosecutor General and the head of the respective State security institution shall be informed within 24 hours.

(5) An employee of a State security institution shall be a person who performs such work duties in a State security institution the performance of which does not require the rights of an official of a State security institution specified in this Law. The provisions of the laws and regulations governing employment relationship shall apply to an employee of a State security institution insofar as this Law does not provide otherwise.

(6) An official and employee of a State security institution shall be prohibited from:

1) carrying out political activities, organising strikes, demonstrations, pickets and participating therein, establishing trade unions and participating in their operation;

2) using the service status to decide matters related to the personal interests of the official or employee himself or herself, the fiancée, spouse, parents, grandparents, children, grandchildren, adopters, adoptees, brothers, sisters, half-brothers and half-sisters of the official or employee, and also the persons with whom the relevant official or employee lives together and with whom the official or employee has a joint (undivided) household.

(7) Taking into account the necessity of the service and safety considerations, the head of a State security institution may impose a prohibition on an official or employee of a State security institution to travel to a specific foreign country or to impose other restrictions.

(8) Restrictions on commercial activity, obtaining income, combination of offices and performance of work, and also other restrictions and duties in relation to an official of a State security institution shall be determined by the law On Prevention of Conflict of Interest in Activities of Public Officials.

(9) An official and employee of a State security institution shall not discredit himself or herself, the institution, and the State with his or her actions during and outside the performance of service (work) duties.

(10) The general duties of an official and employee of a State security institution are:

1) to comply with the Constitution of the Republic of Latvia, the norms of international laws binding on the Republic of Latvia, and laws and other regulatory enactments;

2) to fulfil the oath taken in good faith;

3) conscientiously, in good faith, acting in the interests of the State and the public, to perform the service (work) duties and the lawful orders (writs) of officials of higher State security institutions;

4) to comply with the specified principles of the ethics;

5) to regularly supplement knowledge and to improve the professional skills and abilities necessary for the performance of the service (work) duties.

(11) The property belonging to an official and employee of a State security institution and the management thereof shall not become an obstacle or hindrance for the performance of the service (work) duties or transfer of such official and employee to another position (in work).

[*4 October 2018*]

**Section 19. Rights of an Official of a State Security Institution**

(1) An officials of a State security institution has the right to:

1) within the scope of the competence, request and receive information, documents, and other materials from State and local government authorities, economic operators, organisations, officials, and other persons irrespective of the ban of the use thereof. Information, documents, and materials shall be issued in the requested form and free of charge;

2) within the scope of the competence, become freely acquainted with all types of State and local government information carriers, including electronically accumulated data, directories, archive materials, and other documents, and access these irrespective of the ban of the use thereof. Becoming acquainted with the information carriers and access thereto shall be ensured in the requested mode and free of charge;

3) within the scope of the competence, upon request of the head of a State security institution, become freely acquainted with existing information in the registered data bases the registration of which has been specified in laws and regulations, irrespective of the belonging thereof, to access such information and to receive it. Becoming acquainted with such information, access thereto, and receipt thereof shall be ensured in the requested scope, mode, and free of charge;

4) while performing his or her service duties and presenting the certificate of an official of the State security institution, without delay to freely access (enter) the non-residential premises and land plot territories belonging to authorities, economic operators, organisations, and private individuals, the subdivisions of the National Armed Forces, except for the premises and land plot territory which have exterritorial status;

5) if necessary, to be exceptionally provided with transport tickets in any type of public transport, but if there are no tickets, to be provided with the possibility to enter and travel by such means of transport;

6) in the interests of the service, use the communications and mass information means belonging to the State and local governments, and in exceptional cases – also belonging to private individuals, free of charge. Expenditures for the use of communications and mass information means belonging to private individuals shall be reimbursed if requested by the owner;

7) keep and carry service or personal weapons and special means, use weapons, use physical force and special means in accordance with the law On the Police;

8) within the scope of their competence, receive free of charge the necessary information, documents, and other materials on services provided to persons, including information from the holder of information and technical resources regarding contacts of the persons, using post, telegraph, telecommunications, and other data transmission networks;

9) while performing the service duties, verify the personal identification documents;

10) acquire, register, process, collect, analyse, and store the information necessary for the performance of the functions of the relevant State security institution;

11) within the scope of their competence, call any person to the State security institution in connection with the inspection of information, and also with cases and materials the examination of which is within the competence of the State security institution;

12) if signs attesting to the possibility of illegal activity have been detected in actions of a person, give a warning to the person that the commission of a violation of the law which is directed against State security or may harm it is unacceptable.

(2) In addition to the rights referred to in Paragraph one of this Section, an official of the State Security Service has the right to:

1) convey persons by force in accordance with the procedures laid down in law if they do not arrive, without justifiable reason, at the State security institution after receipt of an invitation in connection with the examination of cases and materials;

2) within the scope of the competence, request persons to cease violations of the law and other actions that interfere with the execution of the powers of officials of a State security institution, and also to use the provided compulsory means of constraint against the offenders;

3) in accordance with the procedures laid down in law, detain and hold under guard persons who are suspected or accused of committing criminal or administrative offences;

4) within the scope of the competence, temporarily restrict or suspend transport or pedestrian traffic on streets and roads, and also the entry or exit of persons in specific places or facilities, if such is required by the interests of State security, public safety, protecting the lives, health and property of persons, and also the interests of an investigation.

(3) The head of a State security institution may announce and disburse a compensation to any person for assistance in overcoming a threat to State security, and also detection of a criminal offence and the detention of persons who have committed criminal offences.

(4) The information obtained in accordance with the procedures laid down in Paragraph one of this Section shall be used only within the framework of intelligence, counterintelligence (including by conducting a personal check for access to official secrets), operational, and criminal proceedings.

(5) The procedures for keeping and carrying service and personal weapons and special means to be used in a State security institution shall be determined by the head of the State security institution.

[*4 October 2018*]

**Section 20. Requirements Specified for a Person for Service (Work) in a State Security Institution**

(1) A person who meets the following mandatory requirements may be an official or employee of a State security institution:

1) is a Latvian citizen;

2) is at least 18 years of age;

3) is fluent in Latvian and at least one foreign language;

4) has obtained higher education;

5) conforms to the requirements laid down in the law On Official Secrets in order to receive a special permit for access to official secrets;

6) the state of health and psychological qualities, and also physical preparedness are appropriate for the performance of service (work) duties;

7) has not been sentenced for an intentional criminal offence or for the disclosure of official secrets out of negligence – regardless of the clearing or extinguishing of criminal record;

8) has not been convicted of an intentional criminal offence or of disclosure of official secrets out of negligence, releasing from the sentence, or the criminal proceedings initiated against the person have been terminated on the basis of exoneration;

9) has not been sentenced with the deprivation of the right to hold a specific office in official service by a court judgment or a prosecutor’s penal order in a criminal case;

10) has not been retired (dismissed) from the service of the State security institutions, military or other official service in the last five years upon application of a disciplinary sanction – retirement from service or dismissal from office;

11) is not or has not been a permanent or freelance employee of the security service (intelligence or counterintelligence service) of the U.S.S.R., Latvian S.S.R. or other foreign state, or an agent, resident, or keeper of a safe house (any covert organisation of any form thereof);

12) after 13 January 1991 has not worked in the C.P.S.U. (L.C.P.), the Working People’s International Front of the Latvian S.S.R., the United Council of Labour Collectives, the Organisation of War and Labour Veterans or the All-Latvia Salvation of Society Committee;

13) is not and has not been a member of an organisation prohibited by law or court ruling.

(2) A person may be recruited into service (work) in a State security institution if he or she conforms to the requirements referred to in Paragraph one of this Section, and also:

1) up to the reaching of the service pension age specified in the Law on Service Pensions of Officials of State Security Institutions may serve for not less than five years;

2) has not been held criminally liable for an intentional criminal offence or for the disclosure of official secrets out of negligence.

(3) A person who has not acquired higher education or is not fluent in any foreign language may be recruited into service (work) in a State security institution and employed if such education or the knowledge of a foreign language is not necessary for the performance of the relevant office (work) and the person has acquired at least secondary education.

(4) If a person has the specific skills or experience necessary for the service, the head of the State security institution may also recruit into service a person who has reached the service pension age specified in the Law on Service Pensions of Officials of State Security Institutions or who will reach this age earlier than within five years but this does not interfere with the performance of service duties.

(5) The requirements for the state of health, education, professional and physical preparedness, knowledge of the official language and a foreign language, and also the necessary psychological qualities for the performance of service (work) duties shall be determined by the head of the State security institution.

(6) A person who applies for service (work) in a State security institution has an obligation:

1) to present a personal identification document, documents certifying education, an official language proficiency certificate, if education has not been obtained in the official language, and a document certifying the skills of a foreign language;

2) in conformity with the requirements stipulated by the head of the State security institution, to submit an opinion on the state of health, and also a statement of a narcologist that excessive use of alcohol, use of toxic substances, use of narcotic or psychotropic substances without medical indications has not been determined in relation to the person and a statement of a psychiatrist that the person has not been diagnosed with psychiatric diseases or behavioural disorders have not been determined;

3) in conformity with the requirements stipulated by the head of the State security institution, to undergo professional, physical, and psychological fitness tests;

4) not to disclose information which has become known thereto or is available at the State security institution due to the application to the service (work).

(7) The head of a State security institution shall determine the procedures for the selection, assessment, and also the recruitment and appointment of such persons into service (into work) who apply for service (work) in the State security institution. The decision to recruit a candidate into service (work) and to appoint into office shall be taken by the head of the State security institution and this decision shall not be appealed.

[*4 October 2018*]

**Section 21. Probationary Period after Recruitment into Service (Work) and Appointment into Office**

(1) Upon recruitment into service (work) and appointment to office, a probationary period shall be determined for an official and employee in order to ascertain whether the official or employee is suitable for the performance of duties entrusted thereto.

(2) The probationary period shall be determined for a period of up to six months. If necessary, the head of the State security institution may extend the probationary period for the official. The total probationary period for an official shall not exceed nine months. A period of temporary incapacity for work shall not be included in the probationary period.

(3) During the probationary period, the head of a State security institution may dismiss an official or employee from office (work) and retire from service without indicating the reason and notifying thereof in writing at least three working days in advance.

[*4 October 2018*]

**Section 22. Oath of an Official of a State Security Institution**

(1) Upon commencing the performance of the service duties in a State security institution, an official shall take an oath of an official of a State security institution:

“I swear to be loyal to the Republic of Latvia, to its Constitution and to serve the people of Latvia, I undertake, not sparing my strength, health and life, to protect the State of Latvia, its independence and constitutional order, to conscientiously perform the service duties entrusted to me and to comply unquestioningly with the discipline of the service, acknowledging my responsibility before the law.”

(2) The procedures for taking the oath shall be determined by the head of a State security institution.

[*4 October 2018*]

**Section 23. Liability of Officials and Employees of State Security Institutions**

(1) An official and employee of a State security institution shall be held disciplinary, administratively or criminally liable for illegal or unethical conduct, and also for the violation of the requirements of the service (work) specified in an order (writ) of the head of the State security institution and, in conformity with the restrictions and procedures provided for in this Law and other laws and regulations, shall be materially responsible for the losses (damages) caused.

(2) If a competent State authority or an official thereof has established that an official or employee of a State security institution has committed an administrative offence, the head of the respective State security institution shall be informed thereof within 24 hours. The head of the State security institution shall, within five working days, provide an opinion whether there are circumstances which exclude the liability of the exposed official or employee.

(3) The head of a State security institution or an official authorised thereby shall hold the official or employee of the State security institution disciplinary liable for illegal or unethical conduct which is related to the performance of service (work) duties and takes the form of failure to comply with the procedures and requirements laid down in legal acts.

(4) An official or employee of a State security institution may also be held to disciplinary liability for action which is not related to the performance of service (work) duties, but which discredit the institution and undermine confidence in the public administration. Such action or inaction of an official or employee shall also be recognised as an offence which is directly aimed at committing an offence, however, the offence has not been committed in full for reasons independent of the will of the official or employee.

(5) Such action is not recognised as an offence which has been committed in a situation of justified professional risk upon performance of service (work) assignment, however, without violating the required limit of defence or extreme necessity.

(6) One of the following disciplinary sanctions may be imposed on an official and employee of a State security institution for an offence, assessing the circumstances of the committing of the offence, the nature thereof and the harm caused, the mitigating and aggravating circumstances of the form of guilt and liability, and also the circumstances related to the nature of the service (work):

1) a reproof;

2) a warning;

3) a reduction of the monthly salary in the amount of up to 20 per cent for a time period of up to one year;

4) demotion;

5) retirement from service or dismissal from office (work).

(7) If an official or employee has committed an offence but such offence is minor or has not caused adverse consequences, a senior official may give a warning to such official or employee without initiating a disciplinary matter or by taking the decision to terminate a disciplinary matter. A warning shall not be a disciplinary sanction.

(8) The head of a State security institution or an official authorised thereby shall, not later than one month from the date of the discovery of the offence, initiate a disciplinary matter, taking the decision to initiate a disciplinary matter. The decision to initiate a disciplinary matter shall not be an administrative act and may not be appealed. A disciplinary matter shall not be initiated, but the proposed disciplinary matter shall be terminated if service (work) relationship has been terminated with the official or employee or more than two years have elapsed from the day of committing the offence.

(9) If criminal prosecution of an official or employee has been initiated for the same offence for which there are grounds for initiating a disciplinary matter and therefore a disciplinary matter has not been initiated, it may be initiated within one month from the day on which the State security institution received the ruling in effect regarding termination of criminal proceedings or a part thereof against such person.

(10) A decision in a disciplinary matter shall be taken within one month from the date of the initiation of a disciplinary matter. If, due to objective reasons, this time period cannot be complied with, the period of the disciplinary matter may be extended to three months by a reasoned decision of the head of the State security institution or the authorised official thereof. The time period for the examination of the disciplinary matter shall not include the period during which the official or employee has had temporary incapacity for work or has been on leave or on a work trip.

(11) The operation of a disciplinary sanction –reproof – shall commence from the day when the reproof is given and shall expire three months after this day. The operation of a disciplinary sanction –warning – shall commence from the day when the warning is issued and shall expire one year after this day. The operation of a disciplinary sanction – reduction of the monthly salary – shall commence from the day when the enforcement of the decision taken on the imposing of the disciplinary sanction is commenced and shall expire one year after the date on which execution of the disciplinary sanction has been completed. The operation of a disciplinary sanction –demotion – shall commence from the day when the sanctioned person is demoted and shall expire one year after this day. The operation of a disciplinary sanction shall be the period during which the fact that an official or employee has been disciplinary sanctioned may be used in the legal relations therewith. During the operation of the disciplinary sanction, the official shall not be promoted in office.

(12) The procedures for initiating and examining a disciplinary matter, and imposing a disciplinary sanction shall be determined by the head of a State security institution.

(13) The holding of an official or employee of a State security institution criminally liable shall not exempt him or her from potential civil, administrative, and criminal liability.

(14) If the decision to impose a disciplinary sanction has been taken by a State security institution, it may be contested by submitting a relevant submission to the head of the State security institution.

(15) The decision of the head of a State security institution to impose a disciplinary sanction may be appealed to a court in accordance with the procedures laid down in the Administrative Procedure Law. Appealing of the decision shall not suspend the operation thereof.

(16) If the decision to apply a disciplinary sanction has been taken on the basis of the information obtained as a result of intelligence or counterintelligence activities of a State security institution or if the committing of the offence is related to an intelligence or counterintelligence activity, the relevant decision may be appealed to the Administrative Regional Court within a month from the date of its entering into effect. Appealing of the decision shall not suspend the operation thereof.

(17) The Regional Administrative Court shall examine a matter initiated on the basis of an application for the decision referred to in Paragraph sixteen of this Section as a court of first instance. The case shall be examined in the composition of three judges. The judgment of the Regional Administrative Court may be appealed by lodging a cassation complaint.

(18) If a court is required to verify information containing official secrets to objectively establish the circumstances of the case, such information shall be consulted and evaluated only by the court. The court shall indicate in the ruling that this information has been evaluated.

[*4 October 2018*]

**Chapter Five**

**STRUCTURE OF STATE SECURITY INSTITUTIONS, THE FINANCING, GENERAL MANAGEMENT, AND CONTROL OF THEIR ACTIVITIES**

**Section 24. Approval of the Structure and Staff-Roll of State Security Institutions, Financing of Activities of such Institutions**

(1) Upon initiative of the head of a State security institution, the numerical composition of the staff, the structure and staff-roll of the State security institution shall be approved by the responsible minister. The head of the State security institution shall be liable for those matters of staff selection and appointment the resolution of which is not under the supervision of the responsible minister in accordance with the procedures and in the amount laid down in the State Administration Structure Law.

(2) Officials and employees of a State security institution shall receive remuneration determined according to the Law on Remuneration of Officials and Employees of State and Local Government Authorities.

(3) Activities of State security institutions shall be financed from the funds from the State budget.

(4) The procedures for the use of funds and internal control shall be determined by the head of the State security institution.

(5) Data on the numerical composition of the staff and internal structure of State security institutions, staff-rolls, finances and technical equipment thereof shall be an official secret.

[*27 June 2002; 7 April 2004; 2 June 2005; 1 December 2009*]

**Section 25. Control and Monitoring of Activities of State Security Institutions**

(1) The *Saeima* and the National Security Committee thereof shall carry out parliamentary control over activities of State security institutions.

(2) The Cabinet shall, within the scope of its competence, shall control activities of State security institutions.

(3) The National Security Committee of the *Saeima* is entitled to hear the reports and statements of the heads of State security institutions, and also to get acquainted with the official documents and information of such institutions, except for the documents on covert sources of information.

(4) The responsible minister shall carry out monitoring over the State security institution under his or her subordination in all fields, except for the processes of investigatory operations, intelligence and counterintelligence of State security institutions and the official secret protection system.

[*27 June 2002; 4 July 2004; 2 June 2005*]

**Section 26. Supervision of Activities of State Security Institutions**

(1) The Prosecutor General and public prosecutors specifically authorised by him or her shall supervise the processes of investigatory operations, intelligence and counterintelligence of State security institutions and the official secret protection system. When carrying out supervision, they are entitled to become acquainted with the documents, materials, and information at the disposal of State security institutions. Identity of information sources shall be disclosed only in such cases when they are directly involved in committing of a criminal offence, moreover, only to the Prosecutor General, but to prosecutors specifically authorised by him or her – only upon consent of the head of the State security institution; it is prohibited to disclose the identity of information sources under supervision procedures.

(2) For persons who implement control, monitoring, or supervision over the activities of the State security institution, the duties for the protection of information shall be the same as for officials and employees of such institutions.

(3) Inspections of State security institutions and the scope of such inspections must be coordinated with the National Security Committee of the *Saeima* and the results of such inspections must be notified thereto.

(4) State security institutions shall be subject to court control in the cases and in accordance with the procedures laid down in law.

(5) Internal legal acts of State security institutions related to the processes of investigatory operations, intelligence and counterintelligence and the official secret protection system shall enter into effect after the approval thereof by the Prosecutor General.

(6) The internal legal acts referred to in Paragraph five of this Section need not be coordinated with the Ministry of Justice.

[*27 June 2002; 2 June 2005; 4 October 2018*]

**Chapter Six**

**Career Course of Service in a State Security Institution**

[*4 October 2018*]

**Section 27. Job Description of the Office of an Official**

(1) The requirements, duties, rights, liability, and subordination shall be determined in the job description of the official.

(2) The education necessary for the performance of the duties of office shall be determined by the head of the State security institution.

(3) The job description of an official shall be approved by the head of the relevant State security institution.

[*4 October 2018*]

**Section 28. Conformity Assessment of an Official**

(1) The conformity assessment of an official shall include the assessment of the activities of the official and the results thereof, the state of health, psychological qualities, and also a test of the physical preparedness for the performance of the duties of office.

(2) The activities of an official of a State security institution and the results thereof shall be evaluated not less than once every two years. The evaluation of activities of an official and the results thereof may be as follows:

1) conforms to the requirements specified for the office, may be promoted for appointment to a higher office;

2) conforms to the requirements specified for the office;

3) partly conforms to the requirements specified for the office;

4) does not conform to the requirements specified for the office.

(3) An official has an obligation to undergo an examination of the state of health under a referral of the State security institution and within the period determined by the State security institution.

(4) The State security institution shall, if necessary, examine the psychological qualities of the official, and also the conformity of the physical preparedness for the performance of service duties.

(5) The result of the evaluation may be used in order to take the following decision as regards the official:

1) awarding;

2) awarding of bonuses;

3) transfer to another position;

4) sending for the raising of qualification;

5) retiring from service due to non-conformity to the service.

(6) The procedures for the conformity assessment of an official shall be determined by the head of the State security institution.

[*4 October 2018*]

**Section 29. Transfer of an Official to Another Position in a State Security Institution and Appointment to Another Unit**

(1) An official may be transferred to a position of an absent official or a vacant position, taking into account the requirements laid down for the respective position:

1) in the interests of the service for a definite period of time in order to ensure efficient performance of the duties of office;

2) in the interests of the service for an indefinite period of time in order to ensure efficient performance of the duties of office;

3) of his or her own free will;

4) in relation to the non-conformity of the official with the previous position;

5) in abolishing the office or a structural unit or reorganising it;

6) due to expiry of the period of time for which the official was transferred to another position in the interests of the service;

7) due to disappearance of the circumstances which formed the basis for the transfer of the official to another position;

8) upon applying a disciplinary sanction – demotion.

(2) In the cases referred to in Paragraph one, Clauses 2 and 5 of this Section an official may be transferred to another position only with the consent thereof.

(3) An official shall be transferred to another position in the same State security institution by an order (writ) of the head of such institution but in another State security institution – by a decision of the Council of State Security Institutions.

(4) When transferring an official to another position with a lower monthly salary, in the cases referred to in Paragraph one, Clauses 1 and 2 of this Section the official shall retain the monthly salary specified in the previous position.

(5) In the case referred to in Paragraph one, Clause 1 of this Section, an official shall be transferred for a period of time that is not longer than three years and he or she shall have the rights retained to return to the previous or similar position.

(6) Taking into account the necessity of the service, an official may be assigned to perform service duties in another unit for a definite period of time by an order (writ) of the head of the State security institution. Such appointment may not be considered transfer to another position or an official travel.

[*4 October 2018*]

**Section 30. Appointment of an Official to Another State Administration Institution, International Organisation, or Institution of a Member State of Such International Organisation**

(1) In the interests of State security, an official may be temporarily appointed to another State administration institution, appointing him or her in an office in the relevant State administration institution and maintaining the status of an official of a State security institution for him or her. The head of the State security institution is entitled to transfer the official to another State administration institution. The official shall be appointed to office by the head of the relevant State security institution. If such appointment has taken place upon request of the State administration institution, the remuneration of the official shall be ensured by that institution.

(2) An official may be temporarily appointed to an international organisation the Member State of which is the Republic of Latvia or with which the Republic of Latvia cooperates or to an institution of a Member State of such international organisation, maintaining the status of an official of the State security institution for him or her.

(3) In the case referred to in Paragraphs one and two of this Section, the relevant State security institution shall disburse only the part of the remuneration to the official and shall retain only those social guarantees which are not covered by another State administration authority, international organisation, or authority of the Member State thereof.

(4) The appointment to another State administration authority or international organisation in the cases referred to in Paragraphs one and two of this Section shall not be regarded as a transfer to another position or official travel. The time when the official performs the duties of office provided for in this Section shall be included in the length of service of the official.

[*4 October 2018*]

**Section 31. Official Travel**

(1) Officials may be sent on an official travel outside the place of permanent service for the performance of official service duties or for supplementing knowledge and raising qualifications, reimbursing the expenditures related thereto in accordance with the procedures laid down in laws and regulations.

(2) Work remuneration shall be retained for the official during the official travel.

[*4 October 2018*]

**Section 32. Suspension of an Official from the Performance of the Duties of Office**

(1) The head of a State security institution shall suspend an official from the performance of the duties of office if a prohibition from specific employment has been imposed on the official as a preventive measure with a temporary limitation on the performance of the duties of a specific office, house arrest or arrest.

(2) The head of a State security institution may suspend an official from the performance of the duties of office in the following cases:

1) criminal proceedings have been initiated against the official;

2) the official, while performing his or her work or being in the workplace, is under the influence of alcohol, narcotic, psychotropic, or toxic substances;

3) the official has refused a medical examination for the detection of the influence of alcohol, narcotic, psychotropic, or toxic substances;

4) for the period while a service inspection or an investigation of the service regarding the alleged offence of the official is performed;

5) in other cases where non-suspension of the official from the performance of the duties thereof may prejudice the rights or legal interests thereof or of third parties or the legitimate interests of the State security institution.

(3) In the cases referred to in Paragraphs one and two of this Section (except for Paragraph two, Clause 4), the head of the State security institution shall suspend an official from the performance of the duties of office, discontinuing the payment of the work remuneration for the time when the official has been suspended. In the case referred to in Paragraph two, Clause 4 of this Section the work remuneration and social guarantees shall be retained for the official.

(4) If in the cases referred to in Paragraph one or Paragraph two, Clause 1 of this Section the court justifies the official suspended or criminal proceedings against such official are terminated on the grounds of exoneration, the suspended official shall be disbursed the work remuneration for the period of suspension. If the suspension of the official from the performance of the duties of office in the cases referred to in Paragraph two, Clauses 2, 3, and 5 of this Section has been unjustified, the State security institution has an obligation to disburse the average earnings for the entire period of forced delay in the work, and also to reimburse the losses resulting from the suspension.

(5) The period when an official has been suspended from the performance of the duties of office, except for the cases referred to in Paragraph four of this Section, shall not be included in the length of service thereof.

[*4 October 2018*]

**Section 33. Uniforms of Officials of the State Security Service**

The head of the State Security Service may specify the positions the duties of which shall be performed while wearing a uniform on a permanent basis, and also determine the description of the uniform of officials and distinguishing marks, the issuing norms, and the procedures for wearing the uniform.

[*4 October 2018*]

**Section 34. Awards to be Granted to Officials**

(1) An official may be granted the following awards for exemplary performance of service duties or good results of the performance of service duties:

1) gratitude;

2) a valuable prize;

3) supplementary leave of up to 10 days;

4) the award of the head of the State security institution;

5) a personal weapon.

(2) The award referred to in Paragraph one, Clause 3 of this Section shall be granted by adding it to the annual paid leave or upon the wish of the official at another time during the current or subsequent calendar year when the conditions of service allow it.

(3) The awards referred to in Paragraph one of this Section shall be awarded to the official of the State security institution by the head of the respective State security institution. The award referred to in Paragraph one, Clause 5 of this Section shall be awarded to the head of the State security institution by the responsible minister.

(4) The award shall be awarded according to the procedures stipulated by the head of the State security institution. An official shall be notified of the granted award in person, where possible – in ceremonious circumstances.

[*4 October 2018*]

**Section 35. Organisation of Time for the Performance of Service Duties**

(1) The organisation and accounting of the time period for the performance of service duties of officials shall be determined by the head of the State security institution, taking into account the nature of the service duties and conforming to the conditions referred to in this Section.

(2) Regular time for the performance of service duties of an official shall be eight hours within a period of 24 hours, seven hours on days before public holidays but 40 hours per week. Within the scope of the type of organisation of normal performance of service duties, the weekly rest days shall be Saturday and Sunday. An official shall also not be employed in the performance of service duties on the public holidays specified in law.

(3) If the normal duration of the time period for the performance of service duties cannot be complied with, the head of a State security institution shall determine the aggregated time for the performance of service duties which shall not exceed the normal number of hours for the performance of service duties during the four-month accounting period. Week’s days of rest during a period of seven days shall not be shorter than 36 consecutive hours.

(4) Taking into account the necessity of the service, an official may, by an order (writ) of the head of a State security institution, be involved in the performance of service duties outside the time specified for the performance of service duties, during weekly rest days and on the public holidays specified in law, and also during a week of rest without exceeding 144 hours during a period of four months. If the aggregated time for the performance of service duties has been specified for an official, the accounting period shall be four calendar months.

(5) Any period from 22.00 until 6.00 during the official performs service duties for more than two hours shall be accounted as the performance of service duties at night.

(6) During the performance of service duties, an official shall be granted a break which shall not be less than 30 minutes and which he or she may use at his or her own discretion. The break shall not be counted in the period of performance of service duties. An official has the right to the following:

1) one break if the period of continuous performance of service duties is longer than six hours but does not exceed 12 hours;

2) two breaks if the period of continuous performance of service duties is longer than 12 hours but does not exceed 18 hours;

3) three breaks if the period of continuous performance of service duties is longer than 18 hours.

(7) Taking into account the necessity of the service, the head of a State security institution may specify a prohibition to leave the place where the service duties are performed during a break. If during an official has been prohibited from leaving the place where the service duties are performed during a break and the official may not use this period at his or her own discretion, such a break shall be included in his or her working time.

[*4 October 2018*]

**Section 36. Leave of an Official**

(1) An official shall be granted annual paid leave according to the procedures stipulated by the head of a State security institution according to the timetable of annual leave. The timetable of annual leave shall be drawn up in such a way as to ensure the continuous performance of the functions of the State security institution. The respective minister shall grant annual paid leave to the head of the State security institution.

(2) If it is necessary for the continuous performance of the functions of the State security institution, part of the annual paid leave of an official may be transferred to the following year. Where possible, the transferred part of the leave shall be added to the leave of the subsequent year.

[*4 October 2018*]

**Section 37. Retirement of an Official from Service**

(1) The head of a State security institution shall have the right to retire an official from service.

(2) An official shall be retired from service:

1) of his or her own free will;

2) due to the expiry of the time period;

3) if he or she has not passed the probationary period;

4) if the state of health does not conform to the specified requirements;

5) upon determining the non-conformity thereof with the requirements specified for service in the State security institution;

6) upon establishing the his or her unsuitability for the office, if the official does not agree to a transfer to another office or if there is no other office which may be offered to the official in the respective State security institution and to whose requirements the official conforms;

7) due to the liquidation of the position of the official or the reduction of the number of officials;

8) upon imposing a disciplinary sanction – retirement from service.

(3) An official may be retired from service, if the official:

1) in accordance with the conformity assessment thereof, does not conform to the requirements specified for the office;

2) has reached the age of service and length of service specified in the Law on Service Pensions of Officials of State Security Institutions which gives the right to a service pension for officials of State security institutions;

3) due to the fact that he or she, due to continuous incapacity for work, has not performed the duties of office for more than four consecutive months or for more than six months in a year with interruptions and the health disorders have not been obtained in an accident while performing the service duties;

4) has been under the influence of alcohol, narcotic, psychotropic, or toxic substances and has not undergone or has refused to undergo the examination for detecting the influence of such substances without a justifiable reason.

(4) An official who wants to retire from service of his or her own free will shall warn the head of the State security institution at least 30 days in advance in writing. If the abovementioned officials come to such agreement, the official may be retired from service prior to the expiry of the notice period.

(5) An official may not be retired from service during the temporary incapacity for work thereof (except for the cases referred to in Paragraph two, Clauses 1, 4, 5, and 8 and Paragraph three, Clauses 2, 3, and 4 of this Section) or during the time period when the official is on leave or does not perform the service duties due to other justifiable reasons.

(6) Due to the liquidation of the position of an official or the reduction of the number of officials, an official may be retired from service if in the relevant State security institution:

1) there is no other office which may be offered to the official and to the requirements of which the official conforms;

2) there is another office which may be offered to the official and to the requirements of which the official conforms, but the official does not agree to accept the office offered.

(7) If an official is retired from service in the case referred to in Paragraph six of this Section, he or she shall be notified in writing 30 days in advance.

(8) The decision of the head of a State security institution on the retiring of an official may be appealed to a court in accordance with the procedures laid down in the Administrative Procedure Law. Appealing of the decision shall not suspend the enforcement thereof.

(9) If the decision on the retiring of an official from service has been taken on the basis of the information obtained as a result of the intelligence or counterintelligence activities of the State security institution or if the taking thereof is otherwise related to intelligence or counterintelligence activities, the relevant decision may be appealed to the Regional Administrative Court within one month from the day of its entry into effect. Appealing of the decision shall not suspend the enforcement thereof.

(10) The Regional Administrative Court shall examine a matter initiated on the basis of an application for the decision referred to in Paragraph nine of this Section as a court of first instance. The case shall be examined in the composition of three judges. The judgment of the Regional Administrative Court may be appealed by lodging a cassation complaint.

(11) If a court is required to verify information containing official secrets to objectively establish the circumstances of the case, such information shall be consulted and evaluated only by the court. The court shall indicate in the ruling that this information has been evaluated.

(12) In order to receive a special permit for access to official secrets, an official who is retired from service due to non-compliance with the requirements laid down in the law On Official Secrets may not appeal the decision on the retiring thereof from service if, after appealing or contesting the decision on the refusal, revocation, or reduction of a category, a special permit has not been issued to such official.

(13) An official who is retired from service shall be disbursed a money compensation for the annual leave and supplementary leave not used in the year of retirement and the preceding year, and also the remuneration for the performance of service duties above the time specified for the performance of service duties, if the official has not been granted the time of rest the length of which conforms to the performance of service duties above the time specified for the performance of service duties.

(14) If, in accordance with Paragraph two, Clauses 4 and 7 and Paragraph three, Clauses 1, 2, and 3 of this Section such official is retired from service who has used the annual leave or a part thereof in the year of retirement, the disbursed average earnings from the work remuneration of the official shall not be deducted.

[*4 October 2018*]

**Section 38. Transfer of Cases**

An official of a State security institution who is being retired from service or transferred to another position shall hand over the service certificate, documents related to the performance of the duties of office, materials, material values to an official assigned by the head of the State security institution, signing a deed of delivery and acceptance, and shall settle the accounts with the respective State security institution.

[*4 October 2018*]

**Section 39. Pensions to Officials of State Security Institutions**

An official of a State security institution has the right to a service pension in accordance with the procedures and in the amount laid down in the Law on Service Pensions of Officials of State Security Institutions.

[*4 October 2018*]

**Transitional Provisions**

1. With the coming into force of this Law, the following decisions of the Supreme Council and the Presidium of the Supreme Council of the Republic of Latvia shall be repealed:

1) Decision of the Supreme Council of the Republic of Latvia “On the Establishment of the Safety Guard Service of the Supreme Council of the Republic of Latvia” (*Latvijas Republikas Augstākās Padomes un Valdības Ziņotājs*, 1991, No. 35/36);

2) Decision of the Supreme Council of the Republic of Latvia “On Amendments to the Decision of the Supreme Council of the Republic of Latvia “On Establishment of the Safety Guard Service of the Supreme Council of the Republic of Latvia”” (*Latvijas Republikas Augstākās Padomes un Valdības Ziņotājs*, 1991, No. 35/36).

2. Within two months after coming into force of this Law the Cabinet shall take over the Security Service of the Republic of Latvia under its subordination, in the meantime drawing up the new by-laws of the Security Service.

3. As of the moment when the Cabinet has taken the Security Service of the Republic of Latvia under its subordination and approved the by-laws of this Service, the following shall be repealed:

1) decision of the Presidium of the Supreme Council of the Republic of Latvia On Approval of the By-laws of the Security Service of the Republic of Latvia (*Latvijas Republikas Augstākās Padomes un Valdības Ziņotājs*, 1992, No. 44/45);

2) decision of the Presidium of the Supreme Council of the Republic of Latvia On Approval of the Staff-Roll of the Security Service of the Republic of Latvia;

3) decision of the Presidium of the Supreme Council of the Republic of Latvia On Amendments to 4 June 1992 Decision of the Presidium of the Supreme Council of the Republic of Latvia “On Approval of the By-Laws of the Security Service of the Republic of Latvia”(*Latvijas Republikas Augstākās Padomes un Valdības Ziņotājs*, 1993, No. 3/4);

4) decision of the Presidium of the Supreme Council of the Republic of Latvia On Regulation for Acquisition, Registration, Storage and Issuance of the Firearms, Ammunition, High Explosive Substances for the Safety Guard Service of the Supreme Council of the Republic of Latvia (*Latvijas Republikas Augstākās Padomes un Valdības Ziņotājs*, 1991, No. 49/50);

5) decision of the Supreme Council of the Republic of Latvia On Renaming of the Safety Guard Service of the Supreme Council of the Republic of Latvia (*Latvijas Republikas Augstākās Padomes un Valdības Ziņotājs*, 1992, No. 6/7).

4. The remuneration determined according to this Law (work remuneration, benefits, etc.) in 2009 shall be determined in accordance with the law On Remuneration of Officials and Employees of State and Local Government Authorities in 2009.

[*12 December 2008*]

5. The State security institution shall notify in writing the officials in the service of the State security institution with whom an employment contract has been entered into of the termination of the employment relationship and the continuation of the service relationship in accordance with the conditions of Chapter Six of this Law. If the official does not agree to continue the service in the State security institution after receiving the notification, the head of the State security institution shall terminate the employment relationship with the official on 1 February 2019. If the official agrees to continue service in the State security institution by establishing a service relationship, the conditions included in Section 20, Paragraph two, Clauses 1 and 2 of this Law shall not apply to the recruitment of the official in the service in the State security institution.

[*4 October 2018*]

6. As of 1 January 2019, the service relationship of the institutions of the system of the Ministry of the Interior shall expire for officials of State security institutions with a special service rank and the service relationship of State security institutions shall continue. These officials need not repay the residual value of the uniform issued. Until 31 March 2019, Section 12 of the Law on the Career Course of Service of Officials with Special Service Ranks Working in Institutions of the System of the Ministry of the Interior and the Prisons Administration may be applied to the abovementioned officials. In such case, the service of the relevant official in the service of the institutions of the system of the Ministry of the Interior and the Prisons Administration shall not be interrupted.

[*4 October 2018*]

7. The oath of the official provided for in the law On State Security Institutions shall also be taken by the officials of State security institutions who have commenced service in the State security institution until 1 January 2019.

[*4 October 2018*]

8. In respect of an official who holds the office of head of the Defence Intelligence and Security Service on 1 January 2019, the term of office specified in Section 12.1, Paragraph two of this Law is counted from 1 January 2019.

[*4 October 2018*]

9. An official or employee who has not acquired higher education until 1 January 2019 and in respect of whom the exception provided for in Section 20, Paragraph three of this Law is not applicable may continue to hold the position of an official or perform the work until 1 January 2024 without the education corresponding to the requirements laid down in this Law.

[*4 October 2018*]

10. For a retired official of the Security Police who in accordance with Section 44.1 of the Law on the Career Course of Service of Officials with Special Service Ranks Working in Institutions of the System of the Ministry of the Interior and the Prison Administration has the right to wear a dress (parade) uniform the head of the State Security Service may determine a prohibition for wearing such uniform if the official, while wearing the uniform, does not follow the general norms of propriety and principles of ethics, discredits the State Security Service with his or her activities or if the wearing of the uniform is incompatible with the interests of service.

[*4 October 2018*]

11. In disciplinary proceedings which have been initiated against officials of the Security Police until 31 December 2018 and in which investigation has not been completed, the decision on the application of the disciplinary sanction or the termination of the disciplinary matter shall be taken, and also the decision taken shall be enforced by applying the conditions laid down in the Law on the Career Course of Service of Officials with Special Service Ranks Working in Institutions of the System of the Ministry of the Interior and the Prisons Administration which was in force until 31 December 2018.

[*4 October 2018*]

12. The name “Security Police” of the State security institution used in laws and regulations shall henceforth be known under the name of the State security institution “State Security Service” until the gradual clarification of the wording of these laws and regulations.

[*4 October 2018*]

The Law shall come into force on the day of its proclamation.

The Law has been adopted by the *Saeima* on 5 May 1994.

President G. Ulmanis

Rīga, 19 May 1994