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

8 May 2008 [shall come into force on 3 June 2008];

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15 November 2012 [shall come into force on 1 January 2013];

6 March 2014 [shall come into force on 3 April 2014];

28 May 2015 [shall come into force on 1 November 2015];

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

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

16 May 2019 [shall come into force on 1 July 2019];

5 November 2020 [shall come into force on 1 December 2020];

4 March 2021 [shall come into force on 30 March 2021].

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:

**Law on the 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**

**Chapter I**

**General Provisions**

**Section 1. Purpose of the Law**

The purpose of this Law is to determine the legal status of professional service in institutions of the system of the Ministry of the Interior and the Prison Administration (hereinafter also – the Institution) in order to ensure legal, persistent, efficient and open operation of the Institution.

**Section2. Service at the Institution and the Concept of the System of the Ministry of the Interior**

(1) Service at the Institution shall be a type of civil service which is fulfilled by an official of the Institution who has a special service rank (hereinafter – the official).

(2) The system of the Ministry of the Interior shall include institutions that are subordinate to the Ministry of the Interior – the Internal Security Bureau, the State Police, the State Border Guard, the State Fire and Rescue Service – and also colleges that are subordinate to these institutions.

[*11 March 2010; 28 May 2015; 4 October 2018*]

**Section 3. Application of this Law**

(1) The Law prescribes the course of service of officials.

(2) The norms of the laws and regulations governing employment relationship shall not be applicable to officials, except the norms determining the time periods, including limitation period, the prohibition of differential treatment, the term, type, and calculation of payment of work remuneration, the remuneration in cases when an employee does not work due to justifiable reasons, the deductions from work remuneration and limits thereof, the civil legal liability of an employee, the period of time which gives the right to annual paid leave, granting of prenatal and maternity leave, granting of leave to the father, adopter of the child or another person, and granting of parental leave, as well as the rights pertaining to pregnant women and breastfeeding women and women during the period following childbirth up to one year.

(3) The norms of the laws and regulations governing legal relations of the State civil service shall not be applicable to officials.

(4) Restrictions on combination of offices, obtaining of income, commercial activity as well as other restrictions, prohibitions, and duties of officials shall be determined by the Law on Prevention of Conflict of Interest in Activities of Public Officials.

(5) [4 October 2018]

[*4 December 2008; 1 December 2009; 11 March 2010; 8 September 2011; 15 November 2012; 6 March 2014; 4 October 2018*]

**Section 4. Mandatory Requirements for Service**

Such person may serve:

1) who is a citizen of Latvia;

2) whose physical fitness complies with the requirements specified by the Cabinet;

3) whose health condition and psychological characteristics comply with the requirements specified by the Cabinet;

4) who has not been punished for an intentional criminal offence – irrespective of extinguishing or setting aside of the criminal record;

41) who has not been convicted for an intentional criminal offence, releasing from a punishment;

42) who has not been held criminally liable for committing an intentional criminal offence, except the case when an official has been held criminally liable but the criminal proceedings against him or her have been terminated on the grounds of exoneration;

5) who has not been put under guardianship.

[*4 December 2008; 12 March 2009; 6 March 2014*]

**Section 5. Concept of the Term of Service**

(1) The term of service is a period of time which an official has served in the system of the Ministry of the Interior and the Prison Administration. The term of service shall be taken into account upon determining the work remuneration of the official, and also upon granting the annual leave.

(2) The previously calculated length of service shall be included in the term of service of a former official of the Institution, a former soldier and a prosecutor accepted into service which entitles to a service pension in accordance with the procedures specified by the respective law.

(3) A period of time shall not be included in the term of service of an employee when he or she, in accordance with Section 14, Paragraph one, two, or three of this Law, has been suspended from the performance of the duties of office and, in accordance with the procedures laid down in the Criminal Procedure Law, has been recognised as guilty of committing a criminal offence.

[*4 December 2008; 12 June 2009; 1 December 2009*]

**Section 6. General Duties of an Official**

An official has the following general duties:

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

2) to fulfil the oath of the official in good faith;

3) to fulfil the duties of office and the orders (writs) of officials of higher rank dutifully and in good faith;

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

5) in fulfilling the duties of service in another state, to respect and comply with the laws, norms of public order and propriety of the respective state;

6) to regularly supplement his or her knowledge and to improve the professional skills and abilities necessary for the fulfilment of the duties of his or her service (position).

[*4 December 2008; 1 December 2009*]

**Chapter II**

**Acceptance into Service and Appointment to Office**

**Section 7. Requirements for Acceptance into Service**

(1) Persons from 18 to 40 years of age shall be accepted into service:

1) who comply with the mandatory requirements specified for service in Section 4 of this Law;

2) who have at least a general secondary education;

3) who have knowledge of Latvian to such extent which is necessary for the performance of professional duties and the duties of office;

31) who have an impeccable reputation;

4) who are not retired from service in the system of the Ministry of the Interior or the Prison Administration due to the application of a disciplinary punishment – retirement from service – to them.

(2) Taking into account the necessity of service, the head of the Institution may also accept into service a person who is older than 40 years of age and whose length of service in the system of the Ministry of the Interior or the Prison Administration or whose length of military service is not less than 10 years, or a person who is older than 40 years of age and who has been retired from service in accordance with Section 47, Paragraph one, Clause 6 or 8 of this Law, irrespective of the term of service.

(21) The head of the Institution may also accept into service a person to whom the restriction specified in Paragraph one, Clause 4 of this Section applies if at least five years have elapsed since the day of retirement of the person.

(3) A person who wants to enter into service has a duty:

1) to present a personal identification document;

2) to present documents certifying education and the official language certificate if education has not been acquired in the official language;

3) to submit to the Central Medical Expert-examination Commission of the Ministry of the Interior (hereinafter – the Medical Expert-examination Commission) a statement issued by a general practitioner on health history, a statement from a narcologist with data regarding harmful excessive use of alcohol, use of toxic substances, use of narcotic or psychotropic substances without medical indications, a statement from a psychiatrist with data regarding a mental illness diagnosed or behavioural disorders detected, and present an inoculation card with notes regarding vaccinations administered.

[*11 March 2010; 8 September 2011; 6 March 2014; 4 October 2018*]

**Section 8. Conformity Assessment of a Candidate**

(1) The conformity of a candidate with the requirements of Section 7, Paragraph one of this Law and the requirements specified for the respective office shall be assessed by an assessment commission established by the head of the Institution or his or her authorised official.

(2) An assessment commission established by the Minister for the Interior or the Minister for Justice accordingly (hereinafter – the respective minister) shall assess the conformity of a candidate with the office of the head of the Institution. The conformity of a candidate with the office of the head of a college of the system of the Ministry of the Interior (hereinafter – the college) shall be assessed by an assessment commission established by the head of such institution to which the college is subordinate.

(3) The Institution shall perform an examination of the physical fitness of a candidate and submit to the assessment commission an opinion regarding the compliance of the physical fitness of the candidate with the service.

(4) The Medical Expert-examination Commission shall assess the conformity of a candidate with the requirements of Section 4, Clause 3 of this Law and submit to the assessment commission an opinion regarding the compliance of his or her health condition and psychological characteristics with the service. For the assessment of health condition and performance of the examination specified in Section 16, Paragraph four of this Law, the Medical Expert-examination Commission is entitled to request that a person to be examined undergo additional examinations, as well as to request and receive information regarding health condition of the person to be examined from other medical treatment institutions.

(5) The Cabinet shall determine the procedures for the performance of the examination of health condition and psychological characteristics of candidates.

**Section 9. Acceptance into Service and Appointment to Office**

(1) The head of the Institution or his or her authorised official shall take a decision regarding acceptance into service and appointment to office of a candidate after acquainting himself or herself with the recommendation of the assessment commission.

(2) The relevant minister shall appoint to office the heads of the Internal Security Bureau, the State Police, the State Border Guard, the State Fire and Rescue Service, and the Prison Administration for five years after the respective candidate has been approved by the Cabinet. Three months prior to expiry of the time period, upon recommendation of the respective minister, the Cabinet shall take a decision to extend the time period for five years or a decision to dismiss the head of the Institution from the office. The respective minister shall inform the head of the respective Institution regarding the Cabinet decision and extend the time period for five years or remove the head of the Institution from the office according to the decision taken.

(3) The head of a college shall be appointed to office by the head of the Institution to which the college is subordinate.

(4) An official may be appointed to office of the head of the State Police, the State Border Guard, and the State Fire and Rescue Service only from among senior or higher officers who have academic or second level vocational higher education and whose length of service in the system of the Ministry of the Interior is not less than 10 years. A candidate for the office of the head of the State Fire and Rescue Service shall be required to have corresponding education in the field of fire safety. A person who has academic or second level vocational higher education may be appointed to the position of the head of the Prison Administration.

[*8 September 2011; 28 May 2015; 4 October 2018*]

**Section 10. Term of Probation when Accepting into Service and Appointing to Office**

(1) Upon accepting into service and appointing to office, a term of probation shall be determined for an official in order to ascertain whether the official complies for the fulfilment of duties entrusted thereto.

(2) The term of probation shall not exceed six months. The abovementioned term shall not include a period of temporary incapacity for work.

(3) During a term of probation an official who has accepted an official into service and appointed to office may release the official from office and retire him or her from service, not specifying the reason and notifying about it in writing at least three working days in advance.

**Section 11. Oath of an Official**

(1) Upon entering into service (except for service in the State Border Guard or the State Border Guard College), the official shall take the following oath:

“I, (the given name, surname), upon entering into service, swear to be honest and fair, loyal to the Republic of Latvia, to fulfil the duties of office in accordance with the Constitution of the Republic of Latvia, international agreements, laws and other legal acts and to serve the general interests of the society.”

(11) Upon entering the service of the State Border Guard or the State Border Guard College, the official shall take the border guard oath specified in the State Border Guard Law.

(2) The oath of an official shall be accepted by the respective minister, the head of the Institution or his or her authorised official.

[*5 November 2020*]

**Chapter III**

**Transfer to Another Position, Being in Service without Holding Definite Office and Suspension from the Fulfilment of the Duties of Office**

**Section 12. Transfer of an Official to Another Position**

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

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

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

3) of his or her own free will;

4) due to non-conformity with the office;

41) due to the failure of an official to be re-elected to a position of academic staff;

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

6) due to the graduation from an educational institution in the system of the Ministry of the Interior;

7) due to expiry of the term for which the official was transferred to another position in the interests of the service;

8) due to disappearance of the interests of the service which formed the basis for the transfer of the official to another position;

9) upon applying a disciplinary punishment – demotion;

10) [6 March 2014].

(11) An official may be transferred to an educational institution in the system of the Ministry of the Interior for acquisition of education.

(12) The head of the Institution may, in the interests of the State and service, appoint an official to a position of an employee or State civil servant for a definite period of time, but not longer than for five years, coordinating this with the respective sectoral minister. During this period of time the norms of the laws and regulations governing employment relationship shall be applicable to the official, taking into account the previous position, and monthly wage shall be determined in accordance with the Law on Remuneration of Officials and Employees of State and Local Government Authorities.

(2) In the case referred to in Paragraph one, Clauses 2 and 5 as well as Paragraphs 1.1 and 1.2 of this Section, an official may be transferred to another position only with his or her consent.

(3) A decision regarding the transfer of an official to another position at the same Institution shall be taken by the head of the Institution or his or her authorised official, to another Institution of the system of the Ministry of the Interior – by the Minister for the Interior. In transferring an official to another position from the system of the Ministry of the Interior to the Prison Administration or from the Prison Administration to the system of the Ministry of the Interior, a decision regarding the transfer shall be taken by the minister to whom the institution to which the official is transferred is subordinate.

(4) In transferring an official from a college or to a college, a decision regarding the transfer of the official shall be taken by the head of such institution to which the college is subordinate.

(5) In transferring an official to another Institution, the opinion of the head of such Institution from which and to which the official is intended to be transferred shall also be evaluated.

(6) In transferring an official to another position with a lower monthly wage, in the case referred to in Paragraph one, Clauses 1 and 2 of this Section the official shall be preserved the monthly wage specified in the previous position. An official who has been transferred to an educational institution in the system of the Ministry of the Interior for acquisition of education shall be preserved the monthly wage specified in the previous position.

(7) 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 be preserved the rights to return to the previous or similar position.

(71) An official who has been appointed to a position of an employee or State civil servant shall, in accordance with Paragraph 1.2 of this Section, be preserved the right to return to the previous or similar position.

(8) If an official has been transferred to a position in accordance with the procedures laid down in Paragraph one, Clause 1 and Paragraph 1.1 of this Section, applying Paragraph six of this Section to him or her, and the term of service or monthly wage of such official changes, the head of the Institution to which the respective official has been transferred or an authorised official thereof shall determine an amount of monthly wage of such official according to the position from which he or she was transferred.

(9) If an official has been transferred to a position in accordance with the procedures laid down in Paragraph one, Clause 2 of this Section, applying Paragraph six of this Section to him or her, and the term of service or monthly wage of such official changes, the head of the Institution to which the respective official has been transferred or an authorised official thereof shall determine an amount of monthly wage of such official according to the position to which he or she was transferred.

[*4 December 2008; 1 December 2009; 8 September 2011; 6 March 2014; 23 November 2016*]

**Section 12.1 Appointment of an Official to Another Structural Unit**

Taking into account the necessity of the service, an official may be appointed to fulfil the duties of the service to another structural unit within one regional (territorial) structural unit for a period of time up to one month by an order (writ) of the head of the Institution or an authorised official thereof, covering the travel expenses related to the appointment and ensuring accommodation. Such appointment may not be considered transfer to another position or an official trip.

[*11 March 2010*]

**Section 13. Being in Service without Holding Definite Office**

(1) An official, in accordance with the procedures specified by the respective minister, may be in service without holding a definite office while he or she is appointed to the office in an international institution which operates in the field of home and justice affairs. During this period of time the official shall not be preserved remuneration.

(2) An official, in accordance with the procedures specified by the respective minister, may be in service without holding a definite office while he or she is hired on the basis of an employment contract in an institution subordinate to the Ministry of the Interior which operates in the field of sports, and he or she fulfils duties of the office of a professional athlete. During this period of time the official shall not be preserved remuneration, except for the paid health care which is specified for officials.

[*26 December 2010; 6 March 2014*]

**Section 14. Suspension of an Official from the Fulfilment of the Duties of Office**

(1) An official against whom criminal proceedings have been initiated may be suspended from the fulfilment of the duties of office by a written order (writ). Work remuneration shall not be paid to such person for the period of suspension.

(2) An official to whom a prohibition of a specific occupation with a restriction to perform duties of a specific office temporarily, or a house arrest has been applied as a safety measure shall be suspended from the fulfilment of the duties of office by a written order (writ). Work remuneration shall not be paid to such person for the period of suspension.

(3) An official to whom detention has been applied as a safety measure shall be suspended from the fulfilment of the duties of office by a written order (writ). Work remuneration shall not be paid to such person for the period of suspension.

(4) If in the cases referred to in Paragraphs one, two, and three 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.

(5) An official may be suspended from the fulfilment of the duties of office for the time period of investigation of a disciplinary matter in accordance with the procedures specified by the Law on Disciplinary Liability of the Officials with Special Service Ranks Working in Institutions of the System of the Ministry of the Interior and the Latvian Prison Administration.

(51) An official who has failed to perform the examination of the health condition referred to in Section 16, Paragraph four of this Law for unjustifiable reasons may be suspended from the fulfilment of the duties of the office by a written order (writ) of the head of the Institution for a period of time not exceeding three months. Work remuneration shall not be paid to such person for the period of suspension. Contesting or appeal of the order (writ) regarding suspension of the official shall not suspend its enforcement. If the official has failed to perform the examination of the health condition referred to in Section 16, Paragraph four of this Law without any justifiable reason during the period of his or her suspension, the head of the Institution shall decide to retire this official from service.

(6) In the cases referred to in Paragraphs one, two and three of this Section the head of the Institution or his or her authorised official may suspend an official from the fulfilment of the duties of office, and the relevant minister – the head of the Institution. The head of a college may be suspended from the fulfilment of the duties of office by the head of such institution to which the college is subordinate.

(7) If there are suspicions that an official, in fulfilling the duties of office, is under the influence of or is intoxicated with alcohol, narcotic, psychotropic, toxic or other intoxicating substances, a higher official or another official authorised by the head of the Institution shall transport the official for the performance of a medical examination.

[*4 December 2008; 1 December 2009; 15 November 2012; 6 March 2014; 4 October 2018*]

**Chapter IV**

**Job Description of the Office, Conformity Assessment, and Official Trips**

[*1 December 2009*]

**Section 15. Job Description of the Office of an Official**

(1) The requirements (including the necessary minimal education), duties, rights, liability and subordinate relationship specified for the office shall be determined in the job description of the office of the official. The procedures for the development thereof shall be regulated by the Cabinet.

(2) The job description of the office of the official shall be approved by the head of the Institution or his or her authorised official. The job description of the office of the head of the Institution shall be approved by the respective minister. The job description of the office of the head of a college shall be approved by the head of the Institution to which the college is subordinate.

(3) The following necessary minimal education shall be indicated in the job description of the office of the official:

1) for office conforming to the special service rank of a private – secondary education;

2) for office conforming to the special service rank of a corporal, sergeant, first sergeant or warrant officer – vocational (at least 2nd vocational qualification level) education (in the Prison Administration – secondary education);

3) for office conforming to the special service rank of a lieutenant, first lieutenant or captain – first level vocational higher education;

4) for office conforming to the special service rank of a major, lieutenant colonel, colonel or general – academic or second level vocational higher education.

[*4 December 2008*]

**Section 16. Conformity Assessment of an Official**

(1) Activities of an official and their results shall be assessed by the direct manager of the official. If the official does not agree with the assessment given by the direct manager, activities of the official and their results shall be assessed by an assessment commission established by the head of the Institution or his or her authorised official.

(2) The assessment commission established by the respective minister shall evaluate the activities of the head of the Institution and his or her deputy and their results. The assessment commission established by the head of the institution or his or her deputy to which the college is subordinate, shall assess the activities of the head of the college or his or her deputy and their results.

(21) The procedures for assessing activities of an official and their results shall be determined by the Cabinet.

(3) The assessment of activities of an official and results thereof may be as follows:

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

2) conforms to the requirements set out;

3) partly does not conform to the requirements set out;

4) does not conform to the requirements set out.

(4) The Institution shall, not less than once a year, send an official to the Medical Expert-examination Commission, preserving his or her work remuneration, in order to examine the compliance of the health condition of the official for the service. The procedures for the performance of the examination of the official’s health condition shall be determined by the Cabinet. The official has a duty to perform the examination of the health condition according to the referral of the Institution and within the period of time determined by the Institution.

(5) The Institution shall examine, once a year, the compliance of the physical fitness of an official with the requirements of Section 4, Paragraph two of this Law. The official has a duty to perform an examination of the physical fitness according to the order (writ) of the Institution.

(6) The assessment of the activities of an official and the results thereof referred to in Paragraph three of this Section or the results of the examinations referred to in Paragraphs four and five of this Section shall be used as the grounds for taking decisions regarding:

1) the retiring of the official from service due to non-conformity to the service;

2) the retiring of the official from service due to the health condition inappropriate to the specified requirements;

3) transfer of the official to another position;

4) sending of the official for the raising of a qualification;

5) extension of the service time;

6) determination of an amount of a gratuity or other additional remuneration to be granted to the official.

[*4 December 2008; 1 December 2009; 15 November 2012; 6 March 2014; 28 May 2015; 23 November 2016*]

**Section 17. Raising of a Qualification and Covering of Study Expenditure of an Official**

[1 December 2009]

**Section 18. Official Trips of an Official**

(1) An official may be sent on an official trip for a definite period of time, covering the expenditure related to the official trip in accordance with the procedures laid down in laws and regulations. Within the meaning of this Law, an official trip is sending to fulfil the duties of the office or to supplement knowledge and raise qualification outside the Republic of Latvia and, if the performance of the duties of the office or supplementation of knowledge and raising of qualification exceed a time period of 24 hours, in the Republic of Latvia.

(2) Work remuneration shall be preserved for the official during the official trip.

[*4 December 2008; 1 December 2009; 11 March 2010; 15 November 2012*]

**Chapter V**

**Special Service Ranks**

**Section 19. Special Service Ranks of Officials**

Officials shall be granted the following special service ranks:

1) private;

2) corporal;

3) sergeant;

4) first sergeant;

5) warrant officer;

6) second lieutenant;

7) first lieutenant;

8) captain;

9) major;

10) lieutenant colonel;

11) colonel;

12) general.

**Section 19.1 Instructors and Officers**

According to the special service ranks officials shall be:

1) instructors – officials who have been granted the special service rank of a private, corporal, sergeant, first sergeant, and warrant officer;

2) junior officers – officials who have been granted the special service rank of a lieutenant, first lieutenant, and captain;

3) senior officers – officials who have been granted the special service rank of a major, lieutenant colonel, and colonel;

4) higher officers – officials who have been granted the special service rank of a general.

[*4 December 2008*]

**Section 20. General Provisions for Granting the Special Service Ranks**

(1) The special service rank of a private, corporal, sergeant, first sergeant, and warrant officer shall be granted by the official who is entitled to appoint an official to the office.

(2) The special service rank of a lieutenant, first lieutenant, captain, major, lieutenant colonel and colonel shall be granted by the respective minister.

(3) The special service rank of a general shall be granted by the Cabinet.

(4) An official may be granted the successive special service rank if the following conditions are present concurrently:

1) the official has served in the present special service rank for the period of time specified in this Law which is required for the granting of the successive special service rank (except for the special service rank of a corporal and lieutenant);

2) the official has acquired the education specified in the job description of the office;

3) a higher special service rank is provided for the position which the official occupies;

4) the assessment referred to in Section 16, Paragraph three, Clause 1 or 2 of this Law has been received;

5) the official has not been suspended from the performance of the duties of office;

6) disciplinary proceedings have not been initiated against the official.

(5) If a disciplinary punishment has been applied to an official, the successive special service rank shall be granted to such official if the conditions referred to in Paragraph four of this Section are present, and also if the execution of the disciplinary punishment and the period of time during which the official is regarded disciplinarily punished has terminated.

[*4 December 2008; 12 March 2009; 11 March 2010*]

**Section 21. Granting of the Special Service Ranks, upon Accepting into Service**

Upon accepting into service, an official shall be granted the following special service rank:

1) in appointing to office complying with the special service rank of a private, corporal, sergeant, first sergeant or warrant officer – the private;

2) in appointing to office complying with the special service rank of a lieutenant, first lieutenant, captain, major, lieutenant colonel and colonel – the lieutenant.

**Section 22. Sequence for Granting the Special Service Ranks**

(1) An official shall be granted a successive special service rank in the following sequence:

1) the corporal – if the vocational education (at least second vocational qualification level) specified in the job description of the office has been acquired;

2) the sergeant – after serving for three years in the special service rank of a corporal;

3) the first sergeant – after serving for four years in the special service rank of a sergeant;

4) the warrant officer – after serving for five years in the special service rank of a first sergeant;

5) the lieutenant – after appointment to the office referred to in Section 21, Clause 2 of this Law;

6) the first lieutenant – after serving for two years in the special service rank of a lieutenant;

7) the captain – after serving for three years in the special service rank of a first lieutenant;

8) the major – after serving for four years in the special service rank of a captain;

9) the lieutenant colonel – after serving for five years in the special service rank of a major;

10) the colonel – after serving for five years in the special service rank of a lieutenant colonel;

11) the general – after serving for five years in the special service rank of a colonel.

(2) The successive special service rank prior to the period of time specified in Paragraph one of this Section may be granted as an award.

(3) The Cabinet shall approve the special service ranks appropriate to positions.

[*4 December 2008*]

**Section 23. Equalisation and Renewal of the Special Service Ranks**

(1) For officials accepted into service to whom the special service ranks of police, border guard, fire and rescue service, justice or soldier have been previously granted, such ranks shall be equalised in accordance with the procedures specified by the Cabinet.

(2) A former official of the Institution accepted into service shall be reinstated to the service rank which had been granted thereto prior to retiring from service and the period of time served in the preceding service rank which gives the right to the granting of the successive special service rank.

(3) An official to whom a disciplinary punishment – demotion in the service rank by one rank – has been applied shall be reinstated to the previous special service rank after expiry of the execution of the disciplinary punishment.

[*4 December 2008*]

**Chapter VI**

**Awards**

**Section 24. Awards to be Granted to Officials**

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

1) gratitude;

2) a valuable prize;

3) supplementary leave of up to 10 calendar days;

4) a certificate of honour, a certificate of gratitude or a lapel badge (insignia) of the Ministry of the Interior or the Institution;

5) the successive special service rank – prior to the term;

6) a personal firearm or non-firearm weapon.

(2) If, at the moment when a decision has been taken to award an official, such official is regarded as disciplinarily punished and at least six months have passed, but if a disciplinary punishment – note – has been applied thereto, at least one month has passed from the day of application of the disciplinary punishment or from the day when execution of the disciplinary punishment has ended, the official shall be recognised as disciplinarily unpunished prior to the specified term instead of the award.

(3) The supplementary leave specified in Paragraph one, Clause 3 of this Section shall be granted by disbursing average earnings of the official.

[*4 December 2008; 1 December 2009; 15 November 2012; 6 March 2014*]

**Section 25. Procedures for the Granting of an Award**

(1) An award shall be granted by the respective minister, the head of the Institution, or his or her authorised official by issuing a written order (writ).

(2) The award referred to in Section 24, Paragraph one, Clause 3 of this Law 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 conditions of service allow it.

(3) The award referred to in Section 24, Paragraph one, Clause 5 of this Law shall be granted if an official has a corresponding education and he or she has served in the respective special service rank at least half of the time specified for the granting of the successive special service rank.

(4) The award referred to in Section 24, Paragraph one, Clause 6 of this Law shall be granted by the respective minister.

(5) An official shall be notified regarding the granted award in person, where possible – in public and at a ceremony.

[*4 December 2008*]

**Chapter VII**

**Organisation of Time for the Fulfilment of the Duties of the Service**

[*4 December 2008*]

**Section 26. General Provisions for Organisation of Time for the Fulfilment of the Duties of the Service**

(1) Within the meaning of this Law, the time for the fulfilment of the duties of the service is a period of time during which an official fulfils his or her duties of the service or is at the disposal of the Institution at the place of the fulfilment of the duties of the service specified by the Institution.

(2) The time for the fulfilment of the duties of the service of officials shall be organised by the head of the Institution.

(3) The beginning and end of the time for the fulfilment of the duties of the service shall be determined in the regulations for the fulfilment of the duties of the service or by an order (writ) of the head of the Institution or an authorised official thereof.

(4) Taking into account the nature of the duties of the service, the head of the Institution or an authorised official thereof shall determine a definite type of organisation of the time for the fulfilment of the duties of the service in the relevant structural unit or for individual officials.

[*23 November 2016*]

**Section 27. Regular Time for the Fulfilment of the Duties of the Service**

(1) Regular time for the fulfilment of the duties of the service of an official shall be eight hours during a period of 24 hours, seven hours on days before public holidays but 40 hours per week.

(2) Weekly rest days shall be Saturday and Sunday. Officials shall not be employed in the fulfilment of the duties of the service on the public holidays specified in the law.

**Section 28. Aggregated Time for the Fulfilment of the Duties of the Service**

(1) If it is not possible to observe regular length of time for the fulfilment of the duties of the service, the head of the Institution or an authorised official thereof shall determine aggregated time for the fulfilment of the duties of the service.

(2) The aggregated time for the fulfilment of the duties of the service shall not exceed the number of hours of the regular time for the fulfilment of the duties of the service during an accounting period of four months.

(3) Week’s days of rest during a period of seven days shall not be shorter than 36 consecutive hours.

**Section 29. Fulfilment of the Duties of the Service Outside the Specified Time for the Fulfilment of the Duties of the Service**

(1) Taking into account the necessity of the service, an official may, by an order (writ) of the head of Institution or an authorised official thereof, be involved in the fulfilment of the duties of the service outside the specified time for the fulfilment of the duties of the service, during week’s days of rest and on the public holidays specified in the law, as well as during week’s time of rest without exceeding 144 hours during a period of four months.

(2) If the aggregated time for the fulfilment of the duties of the service has been specified for an official, an accounting period of the time referred to in Paragraph one of this Section shall be four calendar months.

(3) [1 December 2009]

(4) [1 December 2009]

[*12 March 2009; 1 December 2009*]

**Section 30. Breaks During the Fulfilment of the Duties of the Service**

(1) Within the meaning of this Law, a break is a short period of time from the beginning till the end of the fulfilment of the duties of the service during which an official does not fulfil his or her duties of the service and which may be used at his or her discretion. The length of a break shall not be shorter than 30 minutes, and it shall not be included in the time for the fulfilment of the duties of the service.

(2) An official has the right to the following:

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

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

3) three breaks if continuous time for the fulfilment of the duties of the service is longer than 18 hours.

(3) Breaks shall be granted to officials by the head of the Institution or an authorised official thereof.

(4) If, taking into account the necessity of the service or the nature of the duties of the service, it is not possible to grant breaks, the head of the Institution or an authorised official thereof need not grant the breaks. In such case the official shall be provided with a possibility to eat during fulfilment of the duties of the service.

[*23 November 2016*]

**Section 31. Accounting of the Time for the Fulfilment of the Duties of the Service**

(1) Accounting of the time for the fulfilment of the duties of the service shall be organised by the head of the Institution.

(2) Accounting of the time for the fulfilment of the duties of the service of officials shall be taken by filling in tables for accounting of the time for the fulfilment of the duties of the service.

(3) The time for the fulfilment of the duties of the service of each official, including the time referred to in Section 29 of this Law, and fulfilment of the duties of the service at night shall be accounted in hours in the tables for accounting of the time for the fulfilment of the duties of the service.

(4) The time during which an official fulfils the duties of the service during a period of time from 22.00 till 6.00 for more than two hours shall be accounted as the fulfilment of the duties of the service at night.

**Chapter VIII**

**Work Remuneration and Leave**

[*4 December 2008; 1 December 2009*]

**Section 32. Remuneration of an Official**

An official shall receive remuneration which is determined in accordance with the Law on Remuneration of Officials and Employees of State and Local Government Authorities.

[*1 December 2009*]

**Section 33. Annual Paid Leave**

(1) [1 December 2009]

(2) [1 December 2009]

(3) [12 March 2009]

(4) [1 December 2009]

(5) [1 December 2009]

(6) Annual paid leave shall be granted to an official pursuant to the schedule of leaves approved by the head of the Institution or his or her authorised official. The schedule of leaves shall be drawn up in such a way as to ensure the continuous fulfilment of functions of the Institution.

(7) The head of the Institution or his or her authorised official shall grant annual paid leave to an official, the head of the institution to which a college is subordinate shall grant it to the head of the college. The respective minister shall grant annual paid leave to the head of the Institution.

(8) [1 December 2009]

(9) In exceptional cases, with a written consent of an official, a part of the annual paid leave may be transferred to the subsequent year. Where possible, the transferred part of the leave shall be added to the leave of the subsequent year. A part of the leave may be transferred for one year only.

(10) Annual paid leave shall be transferred or extended in case of temporary incapacity for work.

(11) [1 December 2009]

[*4 December 2008; 12 March 2009; 1 December 2009*]

**Section 34. Supplementary Leave**

[1 December 2009]

**Section 35. Study Leave**

[1 December 2009]

**Section 36. Leave without Retention of Service Remuneration and Compensation for Food Rations**

[1 December 2009]

**Chapter IX**

**Social Guarantees**

**Section 37. Allowances to be Granted to an Official**

[1 December 2009]

**Section 38. Allowance in Case of Death of an Official**

[1 December 2009]

**Section 39. Compensations to be Granted to an Official**

[1 December 2009]

**Section 40. Compensation of Losses Caused to an Official**

[1 December 2009]

**Section 41. Pension of an Official**

An official has the right to a service pension in accordance with the procedures and in the amount specified by law.

**Section 42. Health Care of an Official**

[1 December 2009]

**Section 43. Allowances and Compensations to be Granted to Officials who Fulfil the Duties of Service Thereof in Foreign States**

[1 December 2009]

**Section 43.1 Other Social Guarantees**

An official who in the interests of the service (except for transfer to or from an educational institution due to acquisition of education) is transferred to another administrative territory and changes his or her place of residence has the right to exceptionally arrange for his or her child to have a place in a pre-school educational institution.

[*8 May 2008*]

**Chapter X**

**Uniform and a Service Identification Document**

**Section 44. Uniform of an Official**

(1) An official, in fulfilling the duties of service, shall wear a uniform which is issued thereto for the funds from the State budget.

(2) The Cabinet shall determine the description of the official’s uniform and identifying insignia.

(3) The head of the Institution shall determine the offices of officials in which the duties of service are fulfilled without permanently wearing a uniform, the norms for issuing and the procedures for wearing an official’s uniform and identifying insignia, and also the types of special clothing, personal protective equipment, means and inventory, and norms of issuance thereof.

(4) An official who is retired from service (except for the cases referred to in Section 47, Paragraph one, Clauses 3, 6, 9, 10 and Paragraph two, Clause 1 of this Law) shall reimburse the remaining value of the issued uniform in accordance with the procedures and in the amount specified by the Cabinet.

[*4 December 2008; 1 December 2009; 16 May 2019*]

**Section 44.1 Right of a Retired Official to Wear Dress (Parade) Uniform**

(1) A retired official – an officer (except for a retired official who has been retired from service in the cases referred to in Section 47, Paragraph one, Clauses 2, 4, 5, and 7 and Paragraph two, Clause 3 of this Law) has the right to wear a dress (parade) uniform in events of public holidays and days of commemoration and celebration, an event of the Institution or a structural unit thereof, as well as any other event in the Republic of Latvia or abroad which is supported by the Institution and where officials of the relevant Institution participate.

(2) A retired official who has the right to wear a dress (parade) uniform in the cases referred to in Paragraph one of this Section has the right to purchase at his or her own expense and wear the dress (parade) uniform specified in laws and regulations in accordance with the special service rank of the retired official.

(3) In wearing a dress (parade) uniform a retired official shall observe the general norms of propriety and principles of ethics as well as refrain from any activities which discredit the Institution.

(4) If a retired official fails to observe the general norms of propriety or principles of ethics or discredits the Institution through his or her activities when wearing a dress (parade) uniform, the respective minister or the head of the Institution may revoke the right to wear the dress (parade) uniform for him or her.

[*8 September 2011*]

**Section 45. Certification of the Authority of an Official**

An official shall be issued a service identification document for certification of the authority thereof. The official may also be issued a special badge for certification of the authority thereof. The Cabinet shall determine the samples of the service identification document and special badge, the procedures for the issuance and returning thereof.

**Chapter XI**

**Expiration of Service Identification Documents**

**Section 46. Service Period of an Official**

(1) An official may serve until reaching the age of 50.

(2) Taking into account the necessity of the service, physical and professional abilities of an official as well as his or her health condition, the head of the Institution may extend the service period of the official not longer than until reaching the age of 60, but the service period of the head of academic staff of an educational institution in the system of the Ministry of the Interior – not longer than until reaching the age of 70. The service period of the head of the Institution may be extended by the respective minister. The service period of the head of a college may be extended by the head of the Institution to which the college is subordinate.

[*17 July 2008; 4 December 2008*]

**Section 47. Retirement of an Official from Service**

(1) An official shall be retired from service:

1) of his or her own free will;

2) due to the failure to pass probation;

3) due to the health condition inappropriate to the specified requirements;

4) due to the non-conformity to the service;

5) due to the non-conformity to the office if the official does not agree to a transfer to another office or there is no other office which may be offered to the official in the relevant Institution and to the requirements of which the official conforms;

51) if the official has not been re-elected to a position of academic staff, does not agree to a transfer to another office, or there is no other office which may be offered to the official in the relevant Institution and to the requirements of which the official conforms;

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

7) upon applying a disciplinary punishment – retirement from service;

8) due to appointment, approval or election to another office if the combination of offices is not permitted;

9) in reaching the age specified in Section 46 of this Law;

10) due to the death of the official.

(2) An official may be retired from service:

1) when he or she has reached a length of service which gives the rights to a service pension in accordance with the procedures specified by the law;

2) due to the fact that he or she, due to continuous work disability, has not fulfilled the duties of office for more than four consecutive months or for more than six months per year with interruptions and health disorders are not obtained in an accident while fulfilling the duties of service;

3) due to expulsion from the number of students (learners) in an educational institution in the system of the Ministry of the Interior (by coordinating this with the head of the Institution from which the official was transferred to an educational institution in the system of the Ministry of the Interior);

4) if he or she has failed to perform the examination of the health condition referred to in Section 16, Paragraph four of this Law without any justifiable reason during the period of suspension referred to in Section 14, Paragraph 5.1 of this Law.

(3) An official who wants to retire from service of his or her own free will shall warn the official who is entitled to appoint the official to office at least 30 days in advance in writing. Upon coming to an agreement of the abovementioned officials, the official may be retired from service prior to termination of the notice period.

(4) The official who is entitled to appoint an official to office has the rights to retire the official from service.

(5) It is not allowed to retire from service an official during the period of his or her temporary incapacity for work (except for the case referred to in Paragraph one, Clauses 1 and 7 and Paragraph two, Clause 2 of this Section, and also the case when the official is retired from service due to liquidation of the Institution, and the case when an official is retired from service due to non-compliance of the official with the mandatory requirements specified in Section 4, Clauses 4, 4.1 and 4.2 of this Law), and also during the period of time when the official is on leave or fails to fulfil the duties for other justifiable reasons.

(51) It is allowed to retire from service an official due to liquidation of the position of the official or reduction of the number of officials in the following cases:

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

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

(6) If an official is retired from service due to the liquidation of the Institution or the position of the official or due to the reduction of the number of officials, the official shall be warned about it 30 days in advance.

(7) An official who is retired from service shall be disbursed a money compensation for the annual leave not used and for supplementary leave which is granted as an award, and also a remuneration for the fulfilment of the duties of the service outside the specified time of the fulfilment of the duties of the service, if the official has not been granted the time of rest the length of which conforms to the fulfilment of the duties of the service outside the specified time for the fulfilment of the duties of the service.

(71) If in accordance with Paragraph one, Clauses 3, 6, 9, and 10 and Paragraph two of this Section an official is retired from service who has used the annual leave or part thereof in the year of retirement, the disbursed average earnings from the work remuneration of the official shall not be deducted.

8) [4 December 2008]

(9) Appeal of a decision to retire an official from service shall not suspend its execution.

[*4 December 2008; 1 December 2009; 11 March 2010; 8 September 2011; 6 March 2014; 4 March 2021*]

**Section 48. Disbursement of Outstanding Claims of an Official**

(1) Upon retiring an official from service, work remuneration and costs related to the retirement from service shall be calculated on the day of retirement and transferred to the account of the official in a credit institution within three working days.

(2) If, in retiring an official from service, a dispute regarding the amount of money pertaining to the official has arisen, the Institution, in accordance with the procedures specified in Paragraph one of this Section, has the duty to disburse the amount of money which is not disputed.

[*4 December 2008; 1 December 2009; 15 November 2012*]

**Section 49. Statement Regarding Service**

(1) The Institution has the duty, upon request of the retired official or request of a State or local government institution for the performance of functions thereof, to issue a written statement regarding the length of service of the retired official, fulfilled duties of office, deducted taxes and making of mandatory payments of State social insurance.

(2) The statement shall include the requested information which the Institution may justify by documents present in the record-keeping or archives thereof.

**Section 50. Transfer of Matters**

An official who is being retired from service or transferred to another position shall hand over the service identification certificate, documents related to the fulfilment of office, files, material values to an official assigned by the head of the Institution or an authorised official thereof, signing the deed of delivery and acceptance, and shall settle the accounts with the Institution.

[*4 December 2008*]

**Transitional Provisions**

1. Persons who have been granted the special service rank and who hold office in the Ministry of the Interior shall continue service in the status of the official specified in this Law until retirement from service.

2. The condition provided for in Section 4, Clause 1 of this Law regarding the citizenship of Latvia shall not be the grounds for releasing from office and retirement from service of such officials who had entered into service until 31 December 2002 and hold office in the State Fire and Rescue Service.

3. A person who is hired by the Institution in the status of a trainee shall continue work in accordance with the employment contract entered into. If the person is accepted into service after the end of the term of the traineeship, a probation period shall not be determined to him or her.

4. For officials who hold office in the State Border Guard, the length of service calculated until 1 October 2006 shall be included in the term of service which gives the right to a service pension in accordance with the procedures specified by the law.

[*12 June 2009*]

5. For officials who hold office in the system of the Ministry of the Interior or the Prison Administration, the term of service calculated until 1 October 2006 shall be included in the term of service.

6. [12 June 2009]

7. [12 June 2009]

8. Until 1 July 2016 the position of an official may also be occupied by a person who does not have higher education complying with the requirements of office.

9. Until the transfer of the Fire Safety and Civil Protection College and the State Border Guard College in subordination to the State Fire and Rescue Service and the State Border Guard accordingly, the Minister for the Interior shall perform the functions in respect to the colleges specified in Section 8, Paragraph two, Section 9, Paragraph three, Section 12, Paragraph four, Section 14, Paragraph six, Section 15, Paragraph two, Section 16, Paragraph two, Section 33, Paragraph seven and Section 46, Paragraph two of this Law.

10. Until the issuance of new Cabinet Regulations, but not later than until 31 December 2006, Cabinet Regulation No. 567 of 14 October 2003, Regulations Regarding Work Remuneration of Employees with Special Service Ranks of Institutions of the System of the Ministry of the Interior, shall be applicable.

10.1 The remuneration determined according to this Law (service 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; 12 March 2009*]

10.2 In 2009 and 2010, an official may also be granted a leave without retention of work remuneration and compensation for food rations for a period of time up to 30 calendar days upon initiative of the head of the Institution.

[*12 June 2009; 1 December 2009*]

11. An official who in the interests of service has been transferred to the office in another administrative territory (except for the transfer to or from an educational institution) for an indefinite period of time and who has been granted a compensation for the rental of a new living quarter and public utility services in accordance with the procedures laid down in this Law shall continue to receive the abovementioned compensation until 1 January 2011.

[*4 December 2008*]

12. Until the date of the coming into force of new Cabinet Regulations, but no longer than until 1 September 2009, the following Cabinet Regulations shall be applicable:

1) Cabinet Regulation No. 803 of 26 September 2006, Regulations Regarding Procedures for and Amount of the Payment of Overtime Work for Officials with Special Service Rank of Institutions in the System of the Ministry of the Interior and the Prison Administration;

2) Cabinet Regulation No. 878 of 24 October 2006, Procedures by which the Study Related Costs for an Official of the Institutions of the Ministry of the Interior System and Prison Administration with a Special Service Rank shall be Covered, and the Procedures for Repayment of these Costs;

3) Cabinet Regulation No. 900 of 31 October 2006, Regulations Regarding Benefits and Compensations for Officials with Special Service Ranks of Institutions in the System of the Ministry of the Interior and the Prison Administration, insofar as they are not in contradiction with this Law;

4) Cabinet Regulation No. 904 of 31 October 2006, Regulations Regarding the System of Work Remuneration for Officials with Special Service Ranks of Institutions of the System of the Ministry of the Interior and the Prison Administration and the Highest Special Service Ranks Corresponding to Offices.

[*4 December 2008*]

13. An official who, without discontinuing the performance of the duties of service, successfully studies at a State accredited institution of higher education for a fee in order to acquire the knowledge required for the performance of the duties of the service (position) or the education specified in the job description of the office and who has been granted a compensation covering half of the annual tuition fee until 1 July 2009 shall continue to receive the abovementioned compensation until graduation from this educational institution. An official who is being retired from service (except for the cases referred to in Section 47, Paragraph one, Clauses 3, 6, 9, and 10 and Paragraph two, Clause 1 of this Law) and who, after receipt of compensation for the tuition fee, has served in the system of the Ministry of the Interior or the Prison Administration for less than five years shall reimburse the abovementioned compensation in accordance with the procedures for the compensation for tuition fee specified in the agreement.

[*12 March 2009*]

14. If an official is retired from service who has not used a leave of 40 calendar days which was determined in Section 33, Paragraph three of this Law until making of the respective amendments, the number of days of the leave not used shall be calculated in proportion to the length of the leave specified in the Law in the relevant period of time.

[*12 March 2009*]

15. Until 1 July 2016, officials may also hold an office in the Information Centre of the Ministry of the Interior.

[*11 March 2010*]

16. For the head of the Security Police, the State Police, the State Border Guard, the State Fire and Rescue Service, and the Prison Administration who has been appointed to the office by the day when the amendments to this Law come into force which state that heads of the abovementioned Institutions are appointed to the office for five years, the duration of the term of five years of the appointment to the office referred to in Section 9, Paragraph two of this Law shall be counted from the day the respective amendments come into force.

[*8 September 2011*]

17. If the court justifies the official referred to in Section 14, Paragraph three of this Law or criminal proceedings against such official is terminated on the grounds of exoneration, the official shall be disbursed the compensation for food rations not paid for the period of suspension until 31 December 2012.

[*15 November 2012*]

18. Until 31 December 2019, the Internal Security Bureau may, if necessary, also accept into service a person who is older than 40 years of age and who has work experience of at least two years in the position the duties of which include performance of operational activities measures, investigation of criminal offences, or management and supervision of such activities (hereinafter – experience in investigation of criminal offences or performance of operational activities measures). Without exceeding the higher special service rank conforming to the relevant office, the official who has been accepted into service shall be granted the following special service rank:

1) the first lieutenant – if a person has at least a two-year experience in investigation of criminal offences or performance of operational activities measures;

2) the captain – if a person has at least a five-year experience in investigation of criminal offences or performance of operational activities measures;

3) the major– if a person has at least a nine-year experience in investigation of criminal offences or performance of operational activities measures;

4) the lieutenant colonel – if a person has at least a fourteen-year experience in investigation of criminal offences or performance of operational activities measures.

[*28 May 2015*]

19. A former official of the Institution accepted into service of the Internal Security Bureau shall, in accordance with Section 23, Paragraph two of this Law, be reinstated to the previous special service rank if it is higher than the special service rank specified in Paragraph 18 of these Transitional Provisions.

[*28 May 2015*]

20. The previous experience in investigation of criminal offences or performance of operational activities measures shall be included in the term of service of the persons who have been accepted into service of the Internal Security Bureau in accordance with Paragraph 18 of these Transitional Provisions.

[*28 May 2015*]

The Law shall come into force on 1 October 2006.

The Law has been adopted by the *Saeima* on 15 June 2006.

Acting for the President, Chairperson of the *Saeima* I. Ūdre

Rīga, 30 June 2006