Republic of Latvia

Cabinet

Regulation No. 321

Adopted 27 May 2021

**By-laws of the Office of Citizenship and Migration Affairs**

*Issued pursuant to*

*Section 16, Paragraph one of the State Administration Structure Law*

**I. General Provisions**

1. The Office of Citizenship and Migration Affairs (hereinafter – the Office) is an institution of direct administration under supervision of the Minister for the Interior.

2. The purpose of the operation of the Office is to ensure the management and implementation of the processes of migration, asylum, determination of legal status of persons, registration of inhabitants and documentation corresponding to the State interests.

**II. Functions, Tasks, and Competence of the Office**

3. The functions of the Office shall be the implementation of the State policy and ensuring development in the following fields:

3.1. migration and asylum;

3.2. determination of the legal status of persons;

3.3. registration and documentation of the inhabitants;

3.4. issuing personal identification documents and travel documents.

4. In order to implement the specified functions, the Office shall:

4.1. perform the tasks laid down in laws and regulations in the fields of migration, asylum, determination of legal status of persons, and registration of inhabitants, and also in the field of issuing personal identification and travel documents;

4.2. establish, maintain, and develop the information systems and electronic services necessary for the implementation of functions of the Office;

4.3. analyse the course of the processes of migration, asylum, determination of legal status of persons, registration of inhabitants, issue of personal identification and travel documents, and also carry out research in the abovementioned fields and participate therein;

4.4. on the basis of the results obtained from the research referred to in Sub-paragraph 4.3 of this Regulation, carry out measures for the development of the policy areas referred to in Paragraph 3 of this Regulation;

4.5. develop draft laws and regulations and development planning documents in the fields of migration, asylum, determination of legal status of persons, registration of inhabitants, and also in the field of issuing personal identification and travel documents and provide opinions on the draft laws and regulations and planning documents prepared by other authorities;

4.6. co-operate with State administration institutions, international and non-governmental organisations, and migration services of other countries, organise international meetings and conferences in the areas of operation of the Office and participate in the activities thereof, analyse the experience of Latvia and other countries in solving the issues related to the areas of operation of the Office;

4.7. inform the media and society of the operation of the Office;

4.8. according to the competence, define the State interests and represent them in the European Union authorities and other international institutions;

4.9. participate in preparation and fulfilment of international agreements;

4.10. perform the tasks of the central service of the Member State to the European Image Archiving System (FADO);

4.11. perform the tasks of the national contact point:

4.11.1. in the field of administrative cooperation in order to implement temporary protection;

4.11.2. in the exchange of information and documentation in respect of the holders of the European Union Blue Card and their family members;

4.12. perform the tasks of the national contact point:

4.12.1. for communication with the European Asylum Support Office on all issues related to the asylum support groups;

4.12.2. for direct communication and exchange of information between the competent authorities of the European Union Member States on granting and withdrawing the status of international protection;

4.12.3. for efficient cooperation and implementation of exchange of information between the competent authorities of the European Union Member States on the conditions of entry and residence of third-country nationals in the framework of an intra-corporate transfer;

4.12.4. for efficient cooperation and implementation of exchange of information between the competent authorities of the European Union Member States on entry and residence related to research, studies, training, voluntary service and au pairing, pupil exchange schemes or education projects;

4.12.5. in accordance with Regulation (EU) 2019/1157 of the European Parliament and of the Council of 20 June 2019 on strengthening the security of identity cards of Union citizens and of residence documents issued to Union citizens and their family members exercising their right of free movement;

4.13. perform the tasks of the national contact point of the European Migration Network;

4.14. perform the tasks of a competent authority in accordance with Regulation (EU) No 604/2013 of the European Parliament and of the Council of 26 June 2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person;

4.15. perform other tasks laid down in laws and regulations.

5. The Office has the following rights:

5.1. to establish working groups and also include experts in the composition thereof;

5.2. in the cases laid down in external legal acts, to request and receive free of charge information from the State administration institutions and private persons necessary for the fulfilment of the functions of the Office;

5.3. to submit applications for the projects of the European Union co-financed programmes and bilateral and multilateral cooperation financial programmes;

5.4. to provide paid services in the cases laid down in laws and regulations;

5.5. to conduct administrative offence proceedings in accordance with the procedures laid down in laws and regulations;

5.6. to issue administrative acts in accordance with the procedures laid down in laws and regulations.

**III. Structure of the Office and Competence of Officials**

6. The Office shall consist of the following structural units:

6.1. departments and divisions;

6.2. self-dependent central and regional divisions.

7. Structural units of the Office shall act in accordance with the By-laws, regulations of the Office, and regulations of the relevant structural unit.

8. The Office is managed by the Head. The Head of the Office shall be a State civil servant who performs the functions of the head of an institution of direct State administration laid down in the State Administration Structure Law.

9. The Head of the Office may have deputies.

**IV. Ensuring Lawfulness of Operation of the Office and Submission of Reports on the Operation of the Office**

10. Lawfulness of operation of the Office shall be ensured by the Head of the Office. The Head of the Office shall be responsible for the establishment and functioning of the system for internal control and examination of administrative decisions of the Office.

11. The administrative act issued by or the actual action of an official of the Office may be contested and appealed in accordance with the following procedures (if other procedures have not been laid down in laws and regulations):

11.1. the administrative act issued by or the actual action of an official of the structural unit of the Office may be contested by submitting a relevant submission to the Head of the Office. The decision of the Head of the Office may be appealed to a court;

11.2. the administrative act issued by or actual action of the Head of the Office (except for the administrative act referred to in Sub-paragraph 11.1 of this Regulation) may be contested to the Ministry of the Interior. The decision of the Ministry of the Interior may be appealed to a court.

12. The Office shall provide reports on the fulfilment of the functions of the Office and the use of financial resources to the Minister for the Interior not less than once a year.

**V. Closing Provision**

13. Cabinet Regulation No. 811 of 3 October 2006, By-law of the Office of Citizenship and Migration Affairs (*Latvijas Vēstnesis*, 2006, No. 160; 2008, No. 150; 2010, No. 40; 2011, No. 178), is repealed.

Prime Minister A. K. Kariņš

Minister for the Interior S. Ģirģens