Republic of Latvia

Cabinet

Regulation No. 41

Adopted 21 January 2020

**Regulations Regarding the Information to be Entered in the Integrated Interior Information System for Determining the Location of a Person, Property, or Document or the Identity of a Person or for the Identification of the Body of an Unknown Person**

*Issued pursuant to*

*Section 382.1, Paragraph three of the Criminal Procedure Law, Section 130, Paragraph three of the Law on Administrative Liability, Section 8.1, Paragraph three of the Operational Activities Law, and Section 14.2, Paragraph three of the law On Police*

**I. General Provisions**

1. The Regulation prescribes:

1.1. the information to be entered in the Integrated Interior Information System (hereinafter – the System), the amount of the information, the grounds and objective for the entry of the information, and also the procedures for the entry, use, and deletion of the information for determining the location of a person, property, or document:

1.1.1. in criminal proceedings;

1.1.2. in administrative offence proceedings;

1.1.3. in operational activities proceedings;

1.1.4. in a departmental examination of the police;

1.2. the amount of the information to be entered in the System, the grounds and objective for the entry of the information, and also the procedures for determining the identity of such person who is not able to provide information on himself or herself or for the identification of the body of an unknown person by carrying out a departmental examination of the police;

1.3. the institutions to which access to the information entered in the System needs to be granted;

1.4. actions of officials when determining the location of a person, property, or document, determining the identity of such person who is not able to provide information on himself or herself, or identifying the body of an unknown person on whom the information has been entered in the System.

2. The System is a State information system the manager and holder of which is the Information Centre of the Ministry of the Interior (hereinafter – the Centre).

3. The information referred to in this Regulation shall be entered in the Register for Determining the Location of Persons, Properties, and Documents (hereinafter – the Register) which is a part of the System.

4. The Register shall be used in the online data transmission mode.

5. The Centre shall grant the user’s right of the Register on the basis of a request of the manager of the institution, and also shall ensure the cancellation of the user’s right.

**II. Grounds, Procedures, and Objectives for the Entry of Information**

6. In conformity with the procedural activity chosen by the person directing the proceedings within the scope of criminal proceedings, the procedural compulsory measure imposed or the ruling made in the criminal proceedings, the information shall be entered in the Register in order to achieve the following objectives:

6.1. to ensure execution of the compulsory measure involving deprivation of liberty;

6.2. to ensure execution of the punishment involving deprivation of liberty;

6.3. to ensure execution of the compulsory measures of medical nature;

6.4. to determine the actual place of residence of the person for the performance of procedural action;

6.5. to seize the property or document for the purpose of evidence or confiscation;

6.6. to determine actual the holder of the property or document for the performance of procedural action;

6.7. to determine the location of a missing person for the performance of procedural action;

6.8. to acquire the information on the body of an unknown person for the performance of procedural action.

7. In conformity with the measure chosen within the scope of the administrative offence proceedings for ensuring the administrative offence proceedings or the ruling made, information shall be entered in the Register in order to achieve the following objectives:

7.1. to determine the actual place of residence of a person;

7.2. to seize the property or document for the purpose of evidence or confiscation;

7.3. to determine the actual holder of the property or document.

8. In conformity with the task of the operational activities proceedings or the measure of operational activities selected by the official of the subject-matter of the operational activities, information shall be entered in the Register in order to achieve the following objectives:

8.1. to determine the actual place of residence of a person;

8.2. to find a missing person and to determine whether his or her health and life is in danger;

8.3. to deliver a person to a medical treatment institution or a place of care by force;

8.4. to obtain the information on the person, property, or document and the persons and objects related thereto without disclosing the presence of the information in the Register;

8.5 in carrying out the examination, to obtain the information on the person, property, or document and the persons and objects related thereto without disclosing the presence of the information in the Register;

8.6. to determine the actual holder of the property or document.

9. In conformity with the activity selected within the scope of a departmental examination of the police, information shall be entered in the Register in order to achieve the following objectives:

9.1. to determine the actual place of residence of a person;

9.2. to find a missing person and to determine whether his or her health and life is in danger;

9.3. to deliver a person to a medical treatment institution or a place of care by force;

9.4. to determine the actual holder of the property or document;

9.5. to obtain the information on a person who is not able to provide information on himself or herself (hereinafter – the non-identified person) for determining his or her identity;

9.6. to obtain the information for the identification of the body of an unknown person.

10. The institution the official of which has decided to enter information in the Register shall enter the information in the Register.

11. The information on the entry of information in the Register shall be kept in a file in which the materials of such proceedings are compiled within the scope of which it has been decided to enter the information in the Register, indicating the objective for the entry of the information and the official who has decided to enter the information in the Register.

**III. Amount of the Information to be Entered**

12. In order to achieve the objective referred to in Sub-paragraphs 6.1, 6.2, 6.3, 6.4, 6.7, 7.1, 8.1, 8.2, 8.3, 8.4, 8.5, 9.1, 9.2, and 9.3 of this Regulation, the following information shall be entered in the register on a person:

12.1. the given name (-s);

12.2. the surname;

12.3. the personal identification number (if known);

12.4. the date of birth;

12.5. the place of birth (if known);

12.6. sex (if known);

12.7. the nationality (if known);

12.8. special physical features which may help to identify the person (if known);

12.9. the pictures of the person and his or her special features (which may help in identification) (if available);

12.10. special indications on the possible dangerousness of the person (if known).

13. In order to achieve the objective referred to in Sub-paragraphs 6.5, 6.6, 7.2, 7.3, 8.4, 8.5, 8.6, and 9.4 of this Regulation, the following information shall be entered in the Register on the property:

13.1. the type of the property;

13.2. the make and model (if known);

13.3. the identification number (if known);

13.4. the State registration number (if known);

13.5. the country of registration (if known);

13.6. the country of manufacture (if known);

13.7. the colour (if known);

13.8. the production (release) year (date) (if known);

13.9. the given name(-s), surname, and date of birth of the owner or holder of the property (if known);

13.10. the description of the property (by entering special features which may help to identify the property);

13.11. the picture of the property (if available);

13.12. the indication on the cultural and historical significance of the property – a cultural monument, a museum object, an art or antique object (if known);

13.13. the indication on the material value of the property;

13.14. the relation of the property with the relevant process.

14. In order to achieve the objective referred to in Sub-paragraphs 6.5, 6.6, 7.2, 7.3, 8.4, 8.5, 8.6, and 9.4 of this Regulation, the following information shall be entered in the Register on the document:

14.1. the type of the document;

14.2. the number;

14.3. the date of issue (if known);

14.4. the issuing country (if known);

14.5. the issuing institution (if known);

14.6. the given name(-s), surname, and date of birth of the person to whom the document has been issued;

14.7. the type and identification number of the property (if known) in respect of which the document has been issued;

14.8. the indication on the cultural and historical significance of the document – a cultural monument, a museum object, an art or antique object (if known);

14.9. the relation of the document with the relevant process.

15. In order to achieve the objective referred to in Sub-paragraphs 6.8, 9.5, and 9.6 of this Regulation, the following information on the non-identified person or the body of an unknown person shall be entered in the Register:

15.1.the date and place of finding (establishment) of the non-identified person or the body of an unknown person;

15.2. the sex of the non-identified person or the body of an unknown person;

15.3. the approximate age of the non-identified person or the body of an unknown person (if possible to detect);

15.4. the description of the appearance and special features of the non-identified person or the body of an unknown person (which may help in the identification);

15.5. the description of the clothing of and belongings found with the non-identified person or the body of an unknown person (which may help in the identification);

15.6. the images of the non-identified person or the body of an unknown person and of his or her special features, clothing, and belongings found (which may help in the identification).

16. The following information shall be indicated in the Register in addition to the information referred to in Paragraphs 12, 13, 14, and 15 of this Regulation:

16.1. the criminal case, the administrative offence case, the case of operational activities proceedings, the case of the departmental examination of the police (number) within the scope of which the objective referred to in Paragraphs 6, 7, 8, and 9 of this Regulation must be submitted;

16.2. the official (the given name(-s), surname, position, and contact details) who has decided to enter the information in the Register;

16.3. the objective for the entry of the information in accordance with Paragraphs 6, 7, 8, and 9 of this Regulation;

16.4. the desired actions when determining the location of the person, property, or document or in obtaining the information on the non-identified person or the body of an unknown person the information on whom has been entered in the Register in accordance with the requirements of the laws ad regulation governing the achievement of the particular objective;

16.5. the date by which the information shall be retained in the current part of the Register (if the time is known when the necessity or grounds for the achievement of the relevant objective will disappear).

17. In order to carry out the identification, the image of fingerprints of a person may be entered in the Register in addition to the information referred to in Paragraphs 12 and 15 of this Regulation.

18. If the information is entered in the Register for the achievement of the objective referred to in Sub-paragraphs 6.1, 6.2, and 6.3 of this Regulation and the laws and regulations allow for the achievement of the relevant objective on the basis of the decision (ruling), the image of such decision (ruling) shall be entered in the Register.

19. The information on each verification of the information carried out in the Register in accordance with the requirements of this Regulation shall be entered in the Register automatically, indicating the official who has carried out the verification (the given name(-s), surname, position, phone number), and also the date and time of the verification. The abovementioned information shall be available, when verifying the information on the relevant person, property, document, or body of an unknown person in the Register.

20. If the information for the achievement of several objectives has been entered in the Register for the needs of one criminal proceeding, administrative offence proceeding, operational activities proceeding, or departmental examination of the police, an indication on relation of the relevant information shall be entered in the Register.

**IV. Authorities to which Access to the Information Entered in the Register shall be Granted and Procedures for the Use of the Information**

21. Access to the information entered in the current and archival part of the Register and referred to in Paragraphs 12, 13, 14, 15, 16, 17, and 18 of this Regulation in accordance with the control functions of persons, properties, and documents, and also the functions of investigation, operational activities, and departmental examination of the police laid down in laws and regulations shall be granted to:

21.1. the State Police;

21.2. State security institutions;

21.3. the State Border Guard;

21.4. the municipal police;

21.5. the Military Police;

21.6. the State Revenue Service;

21.7. the Corruption Prevention and Combating Bureau;

21.8. the Prison Administration;

21.9. the Office of the Prosecutor;

21.10. courts;

21.11. the Internal Security Bureau.

22. Access to the information entered in the current part of the Register and referred to in Paragraphs 12 and 16 of this Regulation shall be granted to the State Probation Service according to the functions specified in laws and regulations.

23. Access to the information entered in the current part of the Register and referred to in Paragraphs 12, 14, 16, 17, and 18 of this Regulation according to the control functions of persons, properties, and documents specified in laws and regulations shall be granted to:

23.1. the diplomatic and consular missions of the Republic of Latvia;

23.2. the Consular Department of the Ministry of Foreign Affairs;

23.3. the Office of Citizenship and Migration Affairs.

24. Access to the information entered in the current part of the Register and referred to in Paragraphs 12, 13, 14, and 16 of this Regulation according to the control functions of persons, properties, and documents specified in laws and regulations shall be granted to sworn notaries.

25. Access to the information entered in the current part of the Register and referred to in Paragraphs 13, 14, and 16 of this Regulation according to the control functions of persons, properties, and documents specified in laws and regulations shall be granted to:

25.1. the Road Traffic Safety Directorate;

25.2. the State Technical Supervision Agency.

26. Access to the information entered in the current part of the Register and referred to in Paragraphs 13, 14, and 16 of this Regulation shall be granted to the National Cultural Heritage Board according to the control functions of persons, properties, and documents specified in laws and regulations.

27. The information on a person, property, or document shall be verified in the current part of the Register by carrying out the control functions of persons, properties, and documents specified in laws and regulations if the following is known:

27.1. the location of the person, property, or document to be verified with the Register;

27.2. the possible location of the person, property, or document to be verified with the Register;

27.3. the information which may help to determine the location of the person, property, or document to be verified.

28. The information on a non-identified person or the body of an unknown person shall be verified in the current part of the Register if the information which may help to determine the identity of a person or to identify the body of an unknown person is known.

29. In order to choose further action in criminal proceedings, administrative offence proceedings, operational activities proceedings, or departmental examination of the police, the authorities referred to in Paragraph 21 of this Regulation may verify the information on a person, property, document, non-identified person, or body of an unknown person in addition to the cases referred to in Paragraphs 27 and 28 of this Regulation in order to find out:

29.1. whether the information on the relevant person, property, document, non-identified person, or body of an unknown person has been entered in the Register in relation to the needs of other proceedings;

29.2. the officials who have verified information in the Register on a person, property, document, non-identified person or body of an unknown person on which the information has been entered in the Register for the needs of the proceedings under their responsibility.

30. The information entered in the Register shall be provided to the foreign competent authorities and also international organisations by complying with the international agreements binding on the Republic of Latvia and the legal acts of the European Union.

**V. Actions in Determining the Location of such Person, Property, or Document on which the Information has been Entered in the Register**

31. When determining the location of such person, property, or document on which the information has been entered in the Register, an official shall, according to his or her competence, take the measures in order to achieve the objective indicated in the Register.

32. If the official who is determining the location of such person, property, or document on which the information has been entered in the Register, according to his or her competence, is not entitled to take measures in order to achieve the objective indicated in the Register, he or she shall immediately inform the institution which is entitled to take the relevant measures.

33. If the official establishes the location of such person, property, or document on whom the information has been entered in the Register for the achievement of the objective indicated in Sub-paragraphs 8.4 and 8.5 of this Regulation, he or she shall, insofar it is possible without causing any doubts on the presence of the information in the Register, compile the information on the following according to his or her competence:

33.1. the place, time, and reason for the verification;

33.2. the conditions under which the person, property, or document was established;

33.3. the route and destination of the trip, and also the means of transport;

33.4. the person who is accompanying the person on whom the information has been entered in the Register;

33.5. the person who, at the time of verification, is connected with the property or document on which the information has been entered in the Register;

33.6. the objects to be transported.

34. As soon as the indicated objective has been achieved or the achievement thereof has become impossible after establishment of the location of such person, property, or document the information on which has been entered in the Register, the official who verified information in the Register shall contact the official who is responsible for the proceedings (the proceedings for the needs of which it is necessary to achieve the relevant objective) and inform of the achievement of the objective or of the reasons which hindered the achievement of the relevant objective.

35. If the information in the Register was verified on the basis of the case referred to in Sub-paragraph 27.2 or 27.3 of this Regulation, the official who carried out the verification shall contact the official who is responsible for the proceedings (the proceedings for the needs of which it is necessary to achieve the relevant objective) and coordinate the possible actions.

36. When determining the identity of a non-identified person or identifying the body of an unknown person on whom the information has been entered in the Register, the official who verified the information in the Register shall contact the official who is responsible for the proceedings (the proceedings for the needs of which it is necessary to achieve the relevant objective).

37. If any doubts arise for the official who verified the information in the Register regarding the veracity or current relevance of the information, he or she shall contact the official who is responsible for the proceedings (the proceedings for the needs of which it is necessary to achieve the relevant objective) and inform of the reasons for doubts.

**VI. Procedures for the Deletion of Information**

38. The information entered in the Register shall be deleted from the current part of the Register immediately, but not later than within 24 hours after it has been decided to delete the relevant information. The information deleted from the current part of the Register shall be entered in the archival part of the Register.

39. If the need for the maintenance of the information is not updated, the information shall be deleted automatically from the current part of the Register:

39.1. when the time limit referred to in Sub-paragraph 16.5 of this Regulation sets in;

39.2. when one year has passed from the entry of information in the Register for the achievement of the objectives referred to in Sub-paragraphs 6.1, 6.2, 6.3, 6.4, 6.7, 6.8, 7.1, 8.1, 8.2, 8.3, 8.4, 8.5, 9.1, 9.2, and 9.3 of this Regulation or updating thereof – in respect of the person;

39.3. when five years have passed from the entry of information in the Register for the achievement of the objectives referred to in Sub-paragraphs 9.5 and 9.6 of this Regulation or updating thereof;

39.4. when five years have passed from the entry of information in the Register for the achievement of the objectives referred to in Sub-paragraphs 6.5, 6.6, 7.2, 7.3, 8.4, 8.5, 8.6, and 9.4 of this Regulation or updating thereof – in respect of the property and document.

40. A month before the automatic deletion of information from the current part of the Register in accordance with the requirements referred to in Paragraph 39 of this Regulation, the Register shall automatically send a warning to the institution the official of which entered the information in the Register.

41. If the institution which has received a warning of the automatic deletion of information from the current part of the Register is not competent to decide on the necessity to maintain the information in the Register, it shall immediately inform the official who is responsible for the proceedings (the proceedings for the needs of which it is necessary to achieve the relevant objective).

42. The official who is responsible for the proceedings (the proceedings for the needs of which it is necessary to achieve the relevant objective) shall, after receipt of a warning of automatic deletion of the information from the current part of the Register, assess the need to retain the information in the current part of the Register and decide on the deletion or updating of the information.

43. The information from the archival part of the Register shall be deleted automatically after three years.

**VII. Closing Provisions**

44. Cabinet Regulation No. 429 of 7 June 2011, Regulations Regarding the Information to be Entered in the Integrated Interior Information System for Determining the Location of a Person, Property, or Document or the Identity of a Person or for the Identification of the Body of an Unknown Person (*Latvijas Vēstnesis*, 2011, No. 91; 2015, No. 69; 2018, No. 112), is repealed.

45. The Regulation shall come into force concurrently with the Law on Administrative Liability.

Prime Minister A. K. Kariņš

Minister for the Interior S. Ģirģens