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

30 October 2003 [shall come into force on 1 January 2004];

2 September 2004 [shall come into force on 7 October 2004];

22 December 2005[shall come into force on 17 January 2006];

20 December 2007 [shall come into force on 23 January 2008];

27 January 2011 [shall come into force on 1 March 2011];

14 April 2011 [shall come into force on 1 June 2011];

17 January 2013 [shall come into force on 1 July 2013];

12 September 2013[shall come into force on 1 January 2014];

30 October 2014 [shall come into force on 1 January 2015];

26 November 2015 [shall come into force on 29 December 2015];

4 February 2016 [shall come into force on 29 February 2016];

12 April 2018 [shall come into force on 27 April 2018];

7 March 2019 [shall come into force on 4 April 2019];

14 October 2021 [shall come into force on 9 November 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 Bailiffs**

**Division I**

**General Provisions**

**Section 1.** This Law regulates the professional and corporate activity of sworn bailiffs.

**Section 2.** Sworn bailiffs shall enforce rulings of the court and other institutions, as well as other activities prescribed by law.

**Section 3.** Sworn bailiffs shall be independent in performing their official activities and subject only to law.

**Section 4.** Sworn bailiffs are persons belonging to the court system assigned to regional courts and perform the duties prescribed by laws thereto.

**Section 5.** In respect of the official activities sworn bailiffs shall be comparable to State officials.

**Section 6.** Sworn bailiffs shall be appointed to the office for life and they may hold this office up to the age of sixty-five years; the Minister for Justice may extend this time period to seventy years of age upon a recommendation of the Council of Latvian Sworn Bailiffs.

**Section 7.** The Cabinet shall determine the number of sworn bailiffs and locations of offices thereof, districts and borders thereof by a special list.

[*22 December 2005*]

**Section 8.** The Minister for Justice shall appoint sworn bailiffs and maintain the lists of sworn bailiffs.

**Section 9.** (1) Orders of the Minister for Justice regarding the dismissal, removal, and suspension of sworn bailiffs shall be announced in the official gazette *Latvijas Vēstnesis*.

(2) The Council of Latvian Sworn Bailiffs shall publish the information regarding appointment or transfer of a sworn bailiff on the website of the Council of Latvian Sworn Bailiffs within three days after issue of the order regarding appointment or transfer of a sworn bailiff.

(3) The Ministry of Justice shall send the information regarding appointment, dismissal, removal and suspension of sworn bailiffs to the Treasury.

[*27 January 2011; 14 April 2011; 14 October 2021*]

**Section 10.** (1) State and local government authorities, the courts, prosecutors and investigation institutions shall guarantee the independence of sworn bailiffs in performing the official duties.

(2) Natural persons and legal persons, as well as officials are prohibited from interfering with the professional activities of sworn bailiffs, influence and apply pressure thereto.

[*22 December 2005*]

**Section 11.** A sworn bailiff shall use a seal with the supplemented lesser State Coat of Arms and text which includes the name of the office, given name and surname of the sworn bailiff, the name of the regional court and the office position.

**Section 12.** (1) Sworn bailiffs may be persons who:

1) are citizens of the Republic of Latvia;

2) have knowledge of the official language at the highest level;

3) have reached the age of twenty-five years;

4) meet the following educational criteria:

a) a second level highest professional education in law and the qualification of a lawyer has been acquired on the basis of the acquisition of an accredited study programme at an institution of higher education;

b) they have acquired a master’s degree in law;

5) have acquired work experience working in one of the following positions:

a) in the office of a judge, in the office of a sworn advocate, in the office of a sworn notary, in the office of a prosecutor, in the office of a sworn bailiff;

b) at least two years – in the office of assistant to a sworn bailiff;

c) at least five years – in another office of legal speciality after acquiring the qualification of a lawyer;

6) have passed a sworn bailiff examination.

(2) [22 December 2005]

[*2 September 2004; 22 December 2005; 27 January 2011; 26 November 2015*]

**Section 13.** Sworn bailiffs may not be persons who:

1) do not meet the requirements laid down in Section 12 of this Law;

2) have been declared insolvent debtors by a court;

3) have been convicted for the commission of an intentional criminal offence irrespective of whether the persons have been released from serving the sentence due to limitation period, clemency or amnesty;

4) have criminal proceedings against them regarding commitment of an intentional criminal offence terminated for reasons other than exoneration;

5) have been dismissed from office by a court judgement in a criminal matter;

6) based on the decision in a disciplinary matter have been dismissed from the office of a sworn bailiff or his or her assistant, excluded from the number of sworn advocates or their assistants or dismissed from the office of a sworn notary or his or her assistant, dismissed from the office of a judge, dismissed from the office of a prosecutor, while five years have not elapsed from the coming into force of the decision taken in the relevant disciplinary matter;

7) are under trusteeship;

8) act as a sworn advocate or his or her assistant or a sworn notary or his or her assistant;

9) are suspects or persons prosecuted in a criminal matter.

[*22 Decembe 2005; 20 December 2007*]

**Section 14.** Restrictions prescribed by law regarding the combining of offices and duties of State officials shall apply to sworn bailiffs.

**Section 15.** Sworn bailiffs have disciplinary, civil and criminal liability for their activities in accordance with the procedures prescribed by this Law.

**Division II**

**Examination**

**Section 16.** Persons who want to hold an office of a sworn bailiff shall be examined by a special examination commission appointed by the Minister for Justice by selecting representatives from the Ministry of Justice, courts, academic staff of higher education institutions and sworn bailiffs. The chairperson of the commission shall be a representative of the Ministry of Justice.

*[22 December 2005*]

**Section 17.** (1) The Council of Latvian Sworn Bailiffs shall, on the basis of a decision of the Minister for Justice, organise a sworn bailiff examination for persons who wish to hold the office of a sworn bailiff.

(2) Persons who meet the requirements of Section 12, Clauses 1–5 of this Law and have paid the examination fee into the account of the Council of Latvian Sworn Bailiffs shall be admitted to the sworn bailiff examination.

(3) A person shall take a partial sworn bailiff examination by solving one legal task in writing if he or she has been removed from the office of a sworn bailiff in accordance with Section 90 of this Law and not more than two years have passed from the day when the relevant person has been removed from the office of a sworn bailiff and not more than five years have passed since the day of passing a sworn bailiff examination or a regular qualification examination of a sworn bailiff.

[*22 December 2005; 27 January 2011*]

**Section 18.** (1) The Minister for Justice upon a proposal of the Council of Latvian Sworn Bailiffs shall determine the composition of the examination commission and examination questions.

(2) The examination commission upon an order of the Minister for Justice shall also conduct a regular qualification examination of sworn bailiffs (hereinafter – the qualification examination) (Section 32.1) and extraordinary qualification examination (Section 70).

(3) The procedures for a sworn bailiff examination, the minimum amount of knowledge and an examination fee shall be determined by the Cabinet.

[*22 December 2005; 20 December 2007*]

**Section 19.** (1) The examination commission shall examine the knowledge of a person in laws necessary for the professional activities of a sworn bailiff, preparation of statements and record-keeping of a sworn bailiff.

(2) The examination shall be held in oral and written form.

[*22 December 2005*]

**Section 20.** (1) The Minister for Justice shall take the decision to organise the sworn bailiff examination and announce the day of the examination in the official gazette *Latvijas Vēstnesis* at least one month before the examination.

(2) Application regarding permission to take the examination shall be submitted to the Minister for Justice at least 10 days before the examination.

[*2 September 2004; 22 December 2005; 14 October 2021*]

**Section 21.** Evidence regarding citizenship, knowledge of the official language, age, education, work experience and a receipt form, which attests to the payment of the examination fee shall be attached to the application. The examination fee is not re-fundable.

[*22 December 2005*]

**Section 22.** The Council of Latvian Sworn Bailiffs shall announce the place and time of the examination to persons who have applied to take the sworn bailiff examination at least five days prior to the examination.

[*2 September 2004*]

**Section 23.** (1) For persons who have passed the examination a certificate shall be issued regarding passing the examination.

(2) The term of validity of an application of the sworn bailiff examination shall be three years. In calculating this time period, the time period during which the person held an office of an assistant sworn bailiff shall be deducted.

**Section 23.1** Applicants for the office of a sworn bailiff shall be persons who have passed a sworn bailiff examination and the term of validity of the sworn bailiff examination certificate of whom has not been expired. The registration of such persons shall be performed by the Minister for Justice.

[*22 December 2005*]

**Division III**

**Admission and Inclusion to Sworn Bailiffs**

**Chapter One**

**Application of Applicants and Evaluation of Applicants**

**Section 24.** (1) If a position of the office of a sworn bailiff is vacant, the Minister for Justice shall notify the Council of Latvian Sworn Bailiffs thereof.

(2) The Council of Latvian Sworn Bailiffs may, within a time period of two weeks after the receipt of the notification referred to in Paragraph one of this Section, submit to the Minister for Justice a proposal regarding the transfer of some sworn bailiff to the vacant office position. If such proposal has not been submitted, the Minister for Justice shall send an invitation to applicants to apply for this office position.

[*22 December 2005*]

**Section 25.** (1) An applicant shall submit to the Council of Latvian Sworn Bailiffs an application and documents certifying his or her conformity to the requirements of Section 12 of this Law, as well as the fact that there are none of the obstacles referred to in Section 13, Clauses 2–9 of this Law for the inclusion of the applicant in the number of sworn bailiffs. The applicant who has obtained the status of a debtor in accordance with the Maintenance Guarantee Fund Law may not apply for a vacant office position of a sworn bailiff.

(2) The applicant shall present references of his or her professional activity to the Council of Latvian Sworn Bailiffs, as well as a valid sworn bailiff examination certificate.

(3) If an applicant whose occupation cannot be combined with the duties of a sworn bailiff has applied to the vacant office position of a sworn bailiff, he or she is permitted to take the oath only after such applicant has completed the referred to activities.

(4) If several applicants have applied for a vacant office position, an advantage to be appointed in the office shall be given to the applicant who has fulfilled duties of a sworn bailiff or who right before applying for the vacant office position has worked in the office of an assistant sworn bailiff for at least two years without interruption. If several applicants, who have an advantage to be appointed in the office, have concurrently applied for the vacant office position, the Council of Latvian Sworn Bailiffs shall assess which of them is to be directed for appointment in the office in each particular case.

[*22 December 2005; 27 January 2011; 12 April 2018*]

**Section 26.** A list of such persons who have submitted documents necessary for inclusion in the number of sworn bailiffs shall be placed in the premises of the Council of Latvian Sworn Bailiffs.

[*22 December 2005; 27 January 2011*]

**Section 27.** The Council of Latvian Sworn Bailiffs shall submit to the Minister for Justice documents regarding an applicant to the office of a sworn bailiff and an opinion of the Council of Latvian Sworn Bailiffs regarding his or her inclusion in the number of sworn bailiffs.

**Chapter Two**

**Appointment, Transfer and Substitution**

**Section 28.** A sworn bailiff shall commence the performance of the official duties within a time period of a month from the day on which an order regarding his or her appointment or transfer has been issued, if it is not otherwise specified in the order of the Minister for Justice regarding the appointment or transfer of a sworn bailiff.

**Section 29.** (1) A sworn bailiff shall be included in the list of sworn bailiffs and may commence the performance of the official duties only when he or she has insured the professional activity risk (civil liability insurance) (Sections 33 and 35) and has given the following oath to the Chief Justice of the Supreme Court:

“I swear to be loyal to the State of Latvia, to comply with the State laws in good faith and to the best of my conscience and belief, to treat the courts and official authorities with respect, to comply with the instructions and orders of supervisory authorities and officials thereof, to perform the duties of a sworn bailiff honourably, to protect the legal interests of persons, to protect the property and valuables entrusted to me and not to disclose professional secrets acknowledging that for my activities I am liable before the law.”

(2) Upon commencing the performance of official duties, a sworn bailiff shall receive a sworn bailiff office certificate and an insignia of office of a sworn bailiff approved by the Minister for Justice. Type and procedures for the use of an official identification document and an insignia of office of a sworn bailiff shall be determined by the Cabinet.

[*22 December 2005*]

**Section 30.** A sworn bailiff shall be transferred to another office position at his or her request if there is a vacant office position of a sworn bailiff.

[*22 December 2005*]

**Section 31.** In commencing a practice (professional activity), a sworn bailiff shall notify courts of the relevant court district and the Minister for Justice of the address of the location of his or her practice and shall also notify the State Revenue Service and the Council of Latvian Sworn Bailiffs of the address of the location of his or her practice and the legal form of economic activity of his or her practice. Such notice shall also be provided if the location of the practice or the legal form of economic activity of a sworn bailiff is changed. The Council of Latvian Sworn Bailiffs shall, within three days after receipt of the abovementioned information, ensure the publishing thereof on the website of the Council of Latvian Sworn Bailiffs.

[*27 January 2011; 17 January2013; 14 October 2021*]

**Section 32.** (1) If the office position of a sworn bailiff is vacant, the Minister for Justice in consultation with the Council of Latvian Sworn Bailiffs shall appoint a sworn bailiff who will perform the official duties of the absent sworn bailiff. Substitution of a sworn bailiff during his or her vacation shall be co-ordinated in accordance with the procedures stipulated by the Council of Latvian Sworn Bailiffs.

(2) If, in accordance with the procedures specified in Paragraph one of this Section, a sworn bailiff is appointed to perform official duties in a vacant district or in another district instead of the absent sworn bailiff, the sworn bailiff shall ensure a separate conduct of record-keeping and accounting of deposit amounts of such district.

(3) When terminating the performance of official duties in a vacant district or in another district instead of the absent sworn bailiff, a sworn bailiff shall transfer all files and books present in the record-keeping of the district to the sworn bailiff who has been appointed in the office in the vacant district or who has been absent, as well as shall ensure takeover of a deposit account in the jurisdiction of the district.

[*27 January 2011; 12 April 2018 / The new wording of Paragraph one shall come into force on 1 January 2019. See Paragraph 38 of Transitional Provisions*]

**Chapter Three**

**Qualification Examination of Sworn Bailiff**

[*20 December 2007 / The norms of this Chapter shall be applicable as of 1 July 2008. See the Transitional Provisions*]

**Section 32.1** (1) A sworn bailiff shall, not less than once in five years (counting from the day of appointment for the office or the day of passing the previous qualification examination), pass the qualification examination in accordance with the procedures provided for in this Law.

(2) Based on a resoned application of a sworn bailiff, the Minister for Justice may take a decision on the extension of the term for the passing of qualification examination for a time period until the next time the qualification examination is organised. The term for taking of the qualification examination may not be extended more than two times.

[*27 January 2011*]

**Section 32.2** During the qualification examination, the examination commission shall examine theoretical knowledge of a sworn bailiff (also knowledge of laws and regulations) which is necessary for the performance of the official duties of a sworn bailiff, as well as the ability to apply such knowledge.

**Section 32.3** The Minister for Justice shall take a decision on the organisation of the qualification examination and the day for the taking of examination. The Council of Latvian Sworn Bailiffs shall publish the information regarding organisation of the qualification examination and the day for the taking of examination on the website of the Council of Latvian Sworn Bailiffs at least one month before the examination.

[*27 January 2011*]

**Section 32.4** The qualification examination shall be organised not less than once a year. The Minister for Justice shall take a decision on the organisation of the qualification examination and the day for the venue thereof upon his or her own initiative or upon a proposal of the Council of Latvian Sworn Bailiffs. The qualification examination shall be organised and the course thereof shall be ensured by the Council of Latvian Sworn Bailiffs.

**Section 32.5** Taking of the qualification examination is free of charge.

**Section 32.6** (1) Procedures for the qualification examination, fields in which knowledge and skills of a sworn bailiff are examined, as well as procedures for the assessment shall be determined by the Cabinet.

(2) The Council of Latvian Sworn Bailiffs shall prepare proposals for the qualification examination questions. The Minister for Justice shall, prior to the qualification examination, choose the qualification examination questions from the proposals submitted and approve them.

**Section 32.7** (1) A decision of the examination commission on the results of the qualification examination shall be submitted for approval to the Minister for Justice. The Minister for Justice shall approve the decision of the examination commission within seven days from the day of receipt of the decision. A decision of the examination commission shall come into effect when the Minister for Justice has approved it.

(2) Upon determination of violations of the procedures of the qualification examination, the Minister for Justice shall not approve a decision of the examination commission, but immediately take a decision on organisation of a new qualification examination. A repeated qualification examination shall be organised not later than within a month from the day of taking of the decision on organisation of a new qualification examination.

**Section 32.8** (1) A sworn bailiff, who does not pass the qualification examination, shall pass it repeatedly not later than within six months (counting from the day of approval of the results of the initial qualification examination), but, if the Minister for Justice does not take a decision on the organisation of the qualification examination during this time period – on the next time the qualification examination ir organised.

(2) If in repeatedly passing the qualification examination a sworn bailiff acquires a negative assessment, the Minister for Justice shall take a decision in accordance with Section 92, Paragraph one, Clause 6 of this Law.

**Section 32.9** (1) If, during the time period after passing of a sworn bailiff examination or passing of the previous qualification examination, a sworn bailiff has raised his or her professional qualification or academic qualification, has acquired the necessary number of credit points regarding the activities for raising of the professional qualification of a sworn bailiff and a justified opinion of the Council of Latvian Sworn Bailiffs has been received thereon, the Minister for Justice shall fully or partly exempt the sworn bailiff from taking of the qualification examination. A decision of the Minister for Justice may not be appealed.

(2) The conditions by which a sworn bailiff is to be exempted fully or partly from taking of the qualification examination and the procedures for exemption shall be determined by the Cabinet.

[*27 January 2011 / The Section shall come into force on 1 June 2011. See Paragraph 26 of the Transitional Provisions*]

**Division IV**

**Insurance of Professional Activity Risk of Sworn Bailiffs**

**Section 33.** (1) It is mandatory that the possible risk of loss related to the professional activities of a sworn bailiff and an assistant sworn bailiff be insured.

(2) The policyholder shall be a sworn bailiff who enters into an insurance contract of individual professional activity risk (civil liability insurance) regarding himself or herself and regarding his or her assistant, and the Council of Latvian Sworn Bailiffs which enters into an insurance contract regarding insurance of professional activity risk of all sworn bailiffs (group insurance contract).

(3) A sworn bailiff need not enter into an insurance contract of individual professional activity risk regarding himself or herself or regarding his or her assistant for a period of time while the sworn bailiff or assistant sworn bailiff is in previously planned continuing absence.

(4) A sworn bailiff shall ensure that upon resuming professional activity his or her or his or her assistant’s (if his or her assistant has been on continuing absence) insurance contract of individual professional activity risk (civil liability insurance) is in effect.

[*27 January 2011*]

**Section 34.** Insurance of professional activity risk of a sworn bailiff shall ensure claims, which may arise in relation to his or her and his or her assistant professional activity.

[*2 September 2004; 22 December 2005*]

**Section 35.** (1) A sworn bailiff shall enter into an insurance contract before he or she has commenced to fulfil his or her duties.

(2) The insurance contract must be valid during the whole period of the official activities of a sworn bailiff. A sworn bailiff has a duty to submit a copy of the individual insurance contract entered into for the next time period to the Council of Latvian Sworn Bailiffs at least 10 days prior the termination of the individual insurance contract.

[*22 December 2005*]

**Section 36.** A sworn bailiff has a duty to notify immediately the Council of Latvian Sworn Bailiffs regarding the entering into an insurance contract, as well as regarding all amendments to the insurance contract entered into, occurrence of an insurable event, suspension and termination of the contract.

[*22 December 2005*]

**Section 37.** (1) The risk of a bailiff himself or herself may not be provided for in the insurance contract.

(2) A time period of three years shall be specified in the insurance contract for the submission of a notice regarding the occurrence of the insurable event.

(3) The Cabinet, on the basis a proposal of the Minister for Justice, which has been co-ordinated with the Council of Latvian Sworn Bailiffs, shall determine the minimum amount of insurance for an individual and group contract, as well as the mandatory provisions of the insurance contract.

[*2 September 2004*]

**Section 38.** (1) The Council of Latvian Sworn Bailiffs shall monitor that the insurance contract is continuously valid, as well as supervise the making of the insurance payments in a timely manner. A sworn bailiff has a duty to submit a copy of the payment order to the Council of Latvian Sworn Bailiffs within seven days after the period of time during which the payment of an insurance premium is to be performed.

(2) If the operation of an insurance contract has been suspended or a contract fails to comply with the requirements of laws and regulations or has been terminated, a sworn bailiff shall be suspended or removed from the office.

[*22 December 2005*]

**Section 39.** (1) If a sworn bailiff or an assistant sworn bailiff in performing professional activities has caused losses to anybody due to his or her activity or failure to act, irrespective of the disciplinary or criminal liability of the sworn bailiff, such losses shall be covered by an insurance institution from the insurance compensation on the basis of the insurance contract.

(2) Claims for losses arisen in relation to the professional activities of a sworn bailiff or his or her assistant shall be brought before a city (district) court according to the place of office of the sworn bailiff.

(3) [22 December 2005]

(4) [22 December 2005]

[*22 December 2005; 27 January 2011; 30 October 2014*]

**Division V**

**Duties, Rights and Liability of Sworn Bailiffs**

**Chapter One**

**Rights of Sworn Bailiffs**

**Section 40.** (1) The requirements set forth and orders issued by a sworn bailiff while performing the official activities shall be binding on all persons in the territory of the State.

(2) If the requirements or orders of a sworn bailiff regarding the protection of an estate, the preparation of an inventory of the estate for inheritance matters or actions related to a property without heirs are not fulfilled, he or she shall draw up a statement thereof and submit to the district (city) court according to his or her office, in order to decide the matter regarding the responsibility of the person concerned and on imposing of a fine. The court shall decide the matter regarding the responsibility of the person and the amount of the fine according to the procedures laid down in the Civil Procedure Law in respect of a failure to fulfil the requirements or orders of a sworn bailiff in the enforcement proceedings of a court judgement and other rulings.

[*26 November 2015*]

**Section 41.** In performing official activities, a sworn bailiff is entitled to request substantiated information from State and local government institutions and authorities in relation to the fulfilment of official duties, as well as from all natural persons and legal persons unless otherwise restricted by special legal norms.

[*22 December 2005*]

**Section 42.** (1) When performing official activities in relation to the fulfilment of rulings of courts and other institutions, a sworn bailiff shall have the right to open and without the consent of the possessor to enter the premises belonging to the debtor, as well as premises regarding which there is information that in such premises there is property belonging to the debtor, and other storage facilities in accordance with the provisions of the Civil Procedure Law.

(2) In performing actions related to a property without heirs, a sworn bailiff shall have the right, complying with the procedures prescribed by the Cabinet, to open and without the consent of the possessor to enter the immovable property which is part of the property without heirs as well as other premises and storage facilities that are reported to hold property without heirs.

(3) In performing the protection of an estate, a sworn bailiff shall have the right, complying with the provisions of Division VI, Chapter one A of this Law, to open and without the consent of the possessor to enter the premises belonging to the deceased person, as well as other premises and storage facilities that, according to a sworn notary's invitation, hold the property belonging to the deceased person.

[*26 November 2015*]

**Section 43.** A sworn bailiff shall verify the identity of persons present at the performance of the official activities and the authorisations of representatives.

**Section 44.** In order to ensure the fulfilment of official duties, a sworn bailiff may request police assistance and the police have a duty to provide such assistance.

**Chapter Two**

**Duties of Sworn Bailiffs**

**Section 45.** (1) A sworn bailiff upon his or her own initiative, shall take all measures prescribed by law and use all means and methods provided for in law to fulfil the rulings of court and other institutions quickly and qualitatively, as well as to perform the other activities of his or her office.

(2) In fulfilling official activities a sworn bailiff shall apply the Civil Procedure Law and other laws and regulations, as well as comply with the methodology approved by the Council of Latvian Sworn Bailiffs and opinions of judicial practice.

**Section 46.** In fulfilling official duties a sworn bailiff may not perform activities that violate the honour and dignity of a person.

**Section 47.** A sworn bailiff does not have the right to refuse without justification the fulfilment of duties prescribed by law (Sections 73 and 74).

**Section 48.** In fulfilling official duties a sworn bailiff shall in accordance with the official activity to be performed explain to the parties their rights and obligations for the implementation of their procedural rights in good faith.

[*22 December 2005*]

**Section 49.** (1) It is prohibited for a sworn bailiff to perform official activities in cases where one of the parties is the sworn bailiff himself or herself, his or her spouse, including former spouse, his or her or his or her spouse’s kin in a direct line of all degrees, in a collateral line – to the fourth degree and in affinity relations – to the third degree, and also persons under guardianship or trusteeship of the sworn bailiff or his or her spouse, or adopters or adoptees of the sworn bailiff or his or her spouse, and also in cases where there are other circumstances under the influence of which the sworn bailiff cannot reasonably retain objectivity and neutrality.

[*14 October 2021*]

**Section 50.** (1) Orders expressed in statements drawn up by a sworn bailiff in favour of himself or herself or persons referred to in Section 49 of this Law are not in effect.

(2) The validity of a statement drawn up by a sworn bailiff shall not be affected by the invalidity of orders specified in Paragraph one of this Section.

**Section 51.** In performing official activities a sworn bailiff shall present an official identification document and carry an insignia of office.

**Section 52.** (1) A sworn bailiff, his or her assistant and employees may not disclose information to third persons regarding statements drawn up and official activities performed, as well as the information obtained in performing the professional activities of a sworn bailiff. This provision shall also be in force when they have left their office.

(2) Information regarding statements drawn up and official activities performed shall be provided in accordance with the procedures prescribed by law:

1) the court, the prosecutor and investigation institutions – in relation to the fulfilment of official duties;

2) other institutions or officials, as well as private persons – with the consent of all participants to the matter or with the written permission of the chief judge of a district (city) court;

3) the Ministry of Justice – for performance of functions specified for it in laws and regulations;

4) the Council of Latvian Sworn Bailiffs – for performance of functions specified for it in laws and regulations.

(3) A sworn bailiff shall provide information on the basis of a written request of a person where the necessary amount of information is specified and the necessity for information is justified.

(4) Deposit and document books of sworn bailiffs,enforcement cases, as well as separate documents (including those documents, which have been drawn up in performing the activities specified in Sections 74 and 75) shall not be delivered outside the premises, except for the case specified in Paragraph five of this Section.

(5) If criminal proceedings have been initiated, on the basis of a decision of a person directing the procedures, relevant documents of a sworn bailiff may be removed from his or her files for performance of expert-examination leaving in their place true copies certified by the sworn bailiff. After the performance of an expert-examination or adjudication of the matter in a court the removed documents shall be returned to the sworn bailiff.

(6) Upon the request of the person directing the criminal proceedings or within the framework of a disciplinary matter upon the request of an authorised representative of the Council of Latvian Sworn Bailiffs, a sworn bailiff has a duty to issue certified copies of the documents from the files present in his or her record-keeping, deposits and document books. This provision shall also apply to those documents and lists drawn up by the sworn bailiff which are stored in electronic form.

[*22 December 2005; 20 December 2007*]

**Chapter Three**

**Disciplinary Liability of Sworn Bailiffs**

[*22 December 2005*]

**Section 53.** (1) The Minister for Justice may initiate a disciplinary matter against a sworn bailiff upon a proposal of a judge or a prosecutor, as well as pursuant to a complaint of a person or on its own initiative regarding significant violation of laws and other laws and regulations, which has caused damage to the interests of the State or private individuals.

(2) At the same time with the initiation of the disciplinary matter the Minister for Justice has a right to remove a sworn bailiff from performance of official activities until deciding on a disciplinary matter.

[*20 December 2007*]

**Section 54.** (1) The Council of Latvian Sworn Bailiffs may initiate a disciplinary matter against a sworn bailiff upon a proposal of a judge or a prosecutor, as well as pursuant to a complaint of a person or on his or her own initiative regarding:

1) violation of the articles of association of the Collegium of Latvian Sworn Bailiffs;

2) violation of the norms of the professional ethics;

3) non-observance of the methodology approved by the Council of Latvian Sworn Bailiffs;

4) violation of other internal laws and regulations related with the activities of sworn bailiffs.

(2) The Council of Latvian Sworn Bailiffs has the right to explain, but upon receipt of a decision of the Commission of the Disciplinary Matters referred to in Section 65, Paragraph 4 of this Law, a duty to explain incorrectness of his or her action to the sworn bailiff regarding the violations referred to in Paragraph one of this Section.

(3) The materials of the initiated disciplinary matter shall be sent to the Minister for Justice within seven days with a request to transfer them for examination to the Commission of Disciplinary Matters.

(4) In sending the materials of a disciplinary matter to the Minister for Justice, the Council of Latvian Sworn Bailiffs has the right to request the Minister for Justice to suspend a sworn bailiff form the performance of official activities until deciding on the disciplinary matter.

[*22 December 2007*]

**Section 55.** (1) If a sworn bailiff has acquired rights of defence in the criminal proceedings regarding such criminal offence which has been committed deliberately (intentionally), the deciding of a matter regarding initiation of a disciplinary matter and holding a sworn bailiff disciplinary liable shall be adjourned until the time when the final ruling of the person directing the proceedings has come into legal effect in such criminal proceedings.

(2) From the time when the Minister for Justice, his or her authorised person or the Council of Latvian Sworn Bailiffs has received the information from the person directing the proceedings regarding the coming into effect of the conditions referred to in Paragraph one of this Law, the counting of the time period specified in Section 56, Paragraph three and Section 65 of this Law shall be suspended.

[*20 December 2007; 12 April 2018*]

**Section 56.** (1) Prior to initiating a disciplinary matter, the Minister for Justice, his or her authorised person or the Council of Latvian Sworn Bailiffs shall request an explanation in writing from a sworn bailiff.

(2) A sworn bailiff has a duty to provide an explanation in writing within 15 days from the date of receipt of a request for the explanation.

(3) The Minister for Justice or the Council of Latvian Sworn Bailiffs shall, within 30 days after receipt of an explanation in writing from a sworn bailiff or the expiration of the time period for providing a written explanation, decide a matter regarding initiation of a disciplinary matter.

[*20 December 2007*]

**Section 57.** (1) If a person has filed a complaint with a court about activities of a sworn bailiff, the matter regarding holding a sworn bailiff disciplinary liable shall be examined after entry into effect of a court ruling regarding the recognition of the relevant activity of a sworn bailiff as illegal.

(2) From the time when the Minister for Justice, his or her authorised person or the Council of Latvian Sworn Bailiffs has received the information from the court regarding the coming into effect of the conditions referred to in Paragraph one of this Law, the counting of the time period specified in Section 56, Paragraph three and Section 65 of this Law shall be suspended.

[*20 December 2007; 14 October 2021*]

**Section 58.** (1) The court shall notify the Minister for Justice and the Council of Latvian Sworn Bailiffs of the complaints submitted in relation to the activities of a sworn bailiff by sending electronically to the official electronic mail address of the Ministry for Justice and the Council of Latvian Sworn Bailiffs the true copies of valid rulings made in matters regarding such complaints. A person directing the criminal proceedings shall inform the Minister for Justice and the Council of Latvian Sworn Bailiffs regarding the cases when criminal proceedings have been commenced against a sworn bailiff and he or she has obtained procedural rights to defence, a sworn bailiff has been recognised as suspect or held criminally liable or a detention order has been applied to him or her – prohibition of certain occupation.

(2) Withdrawal of the procedural decisions or activity of the sworn bailiff may not be the basis for the disciplinary liability of the sworn bailiff, unless this sworn bailiff has allowed intentional violation of the law or gross negligence.

[*20 December 2007; 12 April 2018*]

**Section 59.** (1) The Minister for Justice shall transfer for examination the materials of the disciplinary matter initiated by the Minister for Justice or the Council of Latvian Sworn Bailiffs to the Commission of Disciplinary Matters.

(2) The Ministry of Justice shall ensure the work of the Commission of Disciplinary Matters.

**Section 60.** (1) The composition of the Commission of Disciplinary Matters, which is approved by the Minister for Justice, shall include:

1) two representatives of the Ministry of Justice;

2) two representatives elected by the general meeting of the sworn bailiffs;

3) one judge of the Supreme Court assigned by the Chief Justice of the Supreme Court.

(2) The Chair of the Commission of Disciplinary Matters is a representative of the Ministry of Justice.

(3) The composition of the Commission of Disciplinary Matters shall be approved for three years.

(4) The representatives of the Commission of Disciplinary Matters who are elected by a general meeting of sworn bailiffs may be approved in the composition of the Commission of Disciplinary Matters for not more than two terms of office in turn.

[*27 January 2011*]

**Section 61.** (1) The quorum of the Commission of Disciplinary Matters shall be not less than one half of the members present at a meeting.

(2) Minutes shall be taken during the meetings of the Commission of Disciplinary Matters. The chairperson of the committee and the recorder of minutes shall sign the minutes. The original of the minutes shall be kept in the Ministry of Justice.

(3) The Commission of Disciplinary Matters shall take decisions by simple majority. In the event of a tied vote, the deciding vote shall be that of the Chair of the Commission. If any of the members of the Commission of Disciplinary Matters have a different opinion, it shall be mentioned in the minutes.

(4) The decision of the Commission of Disciplinary Matters shall be signed by the Chair of the Commission of Disciplinary Matters.

**Section 62.** (1) In examining a disciplinary matter, the Commission of Disciplinary Matters has the right to invite a sworn bailiff for provision of oral explanations or, if necessary, provide written explanations.

(2) If a sworn bailiff fails to provide explanations in writing within a period of time specified by the Commission of Disciplinary Matters or does not arrive to the meeting of the Commission of Disciplinary Matters without a substantiated reason, the Commission of Disciplinary Matters shall take a decision on the basis of the circumstances find out in the matter and the information at the disposal thereof.

**Section 63.** In examining the disciplinary matters, the Commission of Disciplinary Matters has the right:

1) to listen to explanations of other persons also and request opinion of experts, request information and documents from the State and local government institutions, as well as from other legal persons of private rights and officials thereof;

2) to invite a representative of the Council of Latvian Sworn Bailiffs or a representative from the district (city) court or regional court, in the territory of operation of which a sworn bailiff practise the operation of whom is evaluated;

3) to ask the Council of Latvian Sworn Bailiffs to perform the inspection of professional activity of a sworn bailiff.

**Section 64.** If during the examination of a disciplinary matter a conviction has arisen to the Commission of Disciplinary Matters that a breach for the features of which in the activities of a sworn bailiff a disciplinary matter has been initiated is not compatible with the performance of the official duties of a sworn bailiff, the Commission of Disciplinary Matters may ask the Minister for Justice to suspend a sworn bailiff from performing his or her activities of office by the examination of a matter.

**Section 65.** (1) The Commission of Disciplinary Matters shall, within two months from the day when the Minister for Justice has taken a decision on initiation of disciplinary matter or the Ministry of Justice has received a decision of the Council of Latvian Sworn Bailiffs on initiation of a disciplinary matter, take the following decision:

1) to impose on a sworn bailiff one of the disciplinary sanctions provided for in Section 66, Paragraph one of this Law;

2) to initiate to the Minister for Justice that a sworn bailiff is to be suspended from office;

3) to dismiss the disciplinary matter;

4) not to apply a disciplinary sanction and send a decision to the Council of Latvian Sworn Bailiffs in order it will explain to a sworn bailiff the incorrectness of his or her activity.

(2) If due to objective reasons it is not possible to conform to the deadline laid down in Paragraph one of this Section, the Commission of Disciplinary Matters may extend the time period for taking a decision to up to four months. The decision on extending the time period shall not be subject to appeal.

[*20 December 2007; 12 April 2018*]

**Section 66.** (1) The Commission of Disciplinary Matters has the right to impose one of the following disciplinary sanctions on a sworn bailiff:

1) issue a reproof;

2) issue a reprimand;

3) to impose a fine in the amount from EUR 150 up to EUR 5000.

(2) The Minister for Justice has the right to impose a disciplinary sanction on a sworn bailiff within two weeks from the receipt of a decision of the Commission of Disciplinary Matters – a removal from office or notify the Commission of Disciplinary Matters that the type of disciplinary sanction initiated by it is to be re-examined.

(3) The Minister for Justice may apply a disciplinary sanction referred to in Paragraph two of this Section on the basis of the decision of the Commission of Disciplinary Matters:

1) if the Commission of Disciplinary Matters, upon assessment of the character and consequences of a disciplinary violation committed, the degree of fault of a sworn bailiff in the offence, as well as the information which characterises his or her previous work in the position of the sworn bailiff, considers that a disciplinary sanction – removal from office – is to be applied in a particular case;

2) [20 December 2007];

3) if a sworn bailiff fails to fulfil a disciplinary sanction imposed by Paragraph one, Clause 3 of this Section.

(4) A sworn bailiff for whom a disciplinary sanction provided for in Paragraph one, Clause 3 of this Section has been imposed has a duty to pay a fine into the account of the Council of Latvian Sworn Bailiffs within three months from the day of taking of a decision.

(5) The Commission of Disciplinary Matters may take a decision on suspension of payment of a monetary sanction imposed until the specified period of time or division in periods of time in respect of a sworn bailiff for whom a disciplinary sanction provided for in Paragraph one, Clause 3 of this Section upon his or her substantiated request.

[*20 December 2007; 12 September 2013; 12 April 2018*]

**Section 67.** (1) A disciplinary matter shall not be initiated and a disciplinary sanction shall not be imposed if two years have elapsed after commitment of a violation.

(2) A limitation period of a disciplinary liability in the case specified in Section 57 of this Law shall be counted from the date when the relevant court decision has come into legal effect.

**Section 68.** A decision of the Commission of Disciplinary Matters or the Minister for Justice on imposition of a disciplinary sanction or termination of a disciplinary matter shall be notified to the submitter of a complaint, the Council of Latvian Sworn Bailiffs and a sworn bailiff.

**Section 69.** A sworn bailiff subject to a disciplinary sanction may appeal a decision of the Commission of Disciplinary Matters or the Minister for Justice on imposition of a disciplinary sanction to the administrative district court within 30 days from the day of notification of a decision. Submission of an application to the court shall not suspend the operation of the abovementioned decision.

[*20 December 2007; 27 January 2011*]

**Section 69.1** (1) The Council of Latvian Sworn Bailiffs shall, within three days after receipt of the relevant information from the Ministry of Justice, publish the decision taken in the disciplinary matter or the decision of the Minister for Justice on imposing a disciplinary punishment on the website of the Council of Latvian Sworn Bailiffs and cover that part of the information which discloses personal data, including sensitive personal data. The given name and surname of the person held liable shall not be covered.

(2) If the sworn bailiff has appealed the decision of the Commission of Disciplinary Matters or the Minister for Justice on imposition of a disciplinary punishment, the relevant decision, in accordance with the procedures referred to in Paragraph one of this Section, shall be published within three days after the Council of Latvian Sworn Bailiffs has received information from the Ministry of Justice that the final court ruling by which the application was declined has come into effect.

(3) The published decision shall be deleted from the website within three days after one year following the day of publication thereof.

[*12 April 2018*]

**Section 70.** (1) If within two years after the day of imposition of a disciplinary sanction a repeat disciplinary sanction regarding significant violation of the laws and regulations regulating the activities of sworn bailiffs has been imposed on a sworn bailiff, the Minister for Justice shall, within six months from the day of imposition of a repeat disciplinary sanction, issue an order regarding specification of extraordinary qualification examination for this sworn bailiff. Passing of the extraordinary qualification examination shall not liberate a sworn bailiff from an obligation to pass the qualification examination specified in Section 32.1 of this Law.

[*20 December 2007*]

**Division VI**

**Activities of Sworn Bailiffs**

**Chapter One**

**General Provisions**

**Section 71.** (1) A sworn bailiff shall perform official activities in the territory of such regional court as to which he or she is assigned.

(2) A person has the right to freely choose a sworn bailiff in compliance with the restrictions specified in this Law.

(3) A sworn bailiff shall not have the right to refuse to accept for enforcement an enforcement document, an excerpt from a notarial deed on termination of an inheritance matter or an invitation by a sworn notary regarding the protection of an estate if this is in the jurisdiction of his or her district.

(4) A sworn bailiff has the right, within one calendar year, to accept for enforcement a limited number of enforcement documents for the recovery of such claims where the creditor is not exempted from the payment of the expenses for the enforcement of a judgment in accordance with the Civil Procedure Law and where the amount to be recovered is at least EUR 10 000. The number of such enforcement documents allowed to be accepted for enforcement shall be calculated separately by the Council of Latvian Sworn Bailiffs by 15 January of each current year in respect of the districts in the operational territory of each regional court using the following formula:

(X: the number of districts) + P = Y where

X – the total number of enforcement documents submitted for enforcement in the Register of Enforcement Cases during the previous calendar year in the districts in the operational territory of the relevant regional court for the recovery of such claims where the creditor is not exempted from payment of expenses for the enforcement of a judgment in accordance with the Civil Procedure Law and where the amount to be recovered is at least EUR 10 000;

P – 10 per cent of the result obtained by dividing X by the number of districts in the operational territory of the regional court;

Y – the number of enforcement documents allowed to be accepted for enforcement within the current calendar year in one district in the operational territory of the relevant regional court for the recovery of such claims where the creditor is not exempted from the payment of expenses for the the enforcement of a judgment in accordance with the Civil Procedure Law and where the amount to be recovered is at least EUR 10 000.

(5) If the number of districts in the operational territory of the relevant regional court changes in the current year, the Council of Latvian Sworn Bailiffs shall recalculate the number of enforcement documents allowed to be accepted for enforcement by using the formula specified in Paragraph four of this Section.

(6) If the number of enforcement documents submitted for enforcement during the previous calendar year in the districts in the operational territory of the relevant regional court for the recovery of such claims where the creditor is not exempted from the payment of expenses for the enforcement of a judgment in accordance with the Civil Procedure Law and where the amount to be recovered is at least EUR 10 000 reaches in total 80 per cent of the number of enforcement documents calculated in accordance with the procedures laid down in Paragraph four of this Section, the Council of Latvian Sworn Bailiffs shall recalculate the number of enforcement documents allowed to be accepted by the districts in the operational territory of the relevant regional court for enforcement within the current calendar year by using the formula specified in Paragraph four of this Section where P is 20 per cent of the result obtained by dividing X by the number of districts in the operational territory of the regional court.

(7) Where required, the arithmetic result obtained in accordance with the procedures laid down in Paragraphs four and six of this Law may be rounded to an integer. If the arithmetic result obtained is zero, the number of enforcement documents allowed to be accepted by the districts in the operational territory of the relevant regional court for enforcement within the current calendar year shall be determined according to the number of such enforcement documents that was determined for the districts in the operational territory of the relevant regional court in the previous calendar year.

[*17 January 2013; 26 November 2015; 7 March 2019 / Paragraphs four, five, six, and seven shall come into force on 1 July 2019. See Paragraphs 44 and 45 of Transitional Provisions*]

**Section 72.** (1) A sworn bailiff shall notify the sworn bailiff according to the place of residence or location of a debtor or legal address regarding official activities which he or she has performed outside the district of his or her location of office or in relation to the debtor whose place of residence or location or legal address is in the territory of another district.

(2) The amount of money received in the course of enforcement shall be divided between creditors in compliance with the order of satisfaction of claims specified in the Civil Procedure Law taking into account all the enforcement documents submitted for enforcement.

(3) [20 December 2007]

[*22 December 2005; 20 December 2007*]

**Section 73.** (1) A sworn bailiff has a duty to perform official activities in order to fulfil the following rulings of the court, other authorities or officials:

1) regarding recovery;

2) regarding securing of a claim;

3) regarding vacating of a dwelling (eviction);

4) regarding being put in possession;

5) regarding removal of specific objects from a debtor and transferring to an enforcer of the debt, as well as the performance of other activities specified in the enforcement document;

6) regarding forced fulfilment of obligations;

7) regarding organisation of an auction for voluntary auctioning of immovable property through the court;

8) regarding confiscation of property;

9) [4 February 2016 / See Paragraph 34 of Transitional Provisions].

(2) A sworn bailiff has a duty also to perform other tasks given by the court which are related to the fulfilment of court rulings, and also other activities prescribed by laws.

(3) A sworn bailiff shall take over a property that has been recognised as a property without heirs and escheats to the State, and shall ensure its management, protection and sale, as well as the satisfaction of the submitted claims of creditors in respect of the property concerned. The Cabinet shall lay down the procedures for how a sworn bailiff shall ensure the management, protection, appraisal, alienation, satisfaction of the claims of creditors, distribution of the proceeds from sales in respect of a property without heirs, including covering the remuneration for the office and expenditures of a sworn bailiff and sworn notary, or transferring them to the State budget, as well as shall set the amount of security deposit. The Cabinet shall specify the actions of a sworn bailiff in respect of a property without heirs also for the occasions when the property without heirs is not being alienated.

(4) A sworn bailiff shall, based on an invitation of a sworn notary, perform the protection of an estate in accordance with the procedures laid down in this Law.

[*22 December 2005; 17 January 2013; 26 November 2015; 4 February 2016*]

**Section 74.** (1) Upon the request of interested persons a sworn bailiff shall perform the following official activities:

1) deliver court summons and other documents;

2) record facts;

3) perform inventory of property for the purpose of division of joint property or for inheritance matters;

4) organise public auctions;

5) as a certified mediator, shall conduct mediation in accordance with the provisions and procedures laid down in the Mediation Law.

(2) The Cabinet shall determine the procedures by which a sworn bailiff shall deliver court summons and other documents upon the request of interested persons.

(21) The Cabinet shall determine the procedures by which a sworn bailiff shall, upon request of interested persons and on the basis of an invitation of a sworn notary as well as upon request of a trustee of an estate, prepare an inventory of the estate.

(22) The Cabinet shall determine the procedures by which a sworn bailiff shall record facts upon request of interested persons.

(3) The expenditures related to the performance of the official activities referred to in Paragraph one of this Section shall include the remuneration for the office of a sworn bailiff in the amount of the rate and the expenditures necessary for the performance of the official activities. The amount of the expenditures necessary for the performance of the official activities shall be determined in accordance with laws and regulations in respect of expenditures necessary for performing enforcement activities.

(4) A sworn bailiff shall perform the service of judicial or extrajudicial documents in Latvia in accordance with Hague Convention on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters (1965) and Regulation (EC) No 1393/2007 of the European Parliament and of the Council of 13 November 2007 on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters (service of documents), and repealing Council Regulation (EC) No 1348/2000 (hereinafter – Regulation No 1393/2007 of the European Parliament and of the Council).

(5) The expenditures related to the service of judicial and extrajudicial documents in the case referred to in Paragraph four of this Section shall consist of the remuneration for the office of a sworn bailiff in the amount of the rate, the expenditures necessary for the performance of the official activities of a sworn bailiff, and the expenditures of the Council of Latvian Sworn Bailiffs which are related to the fulfilment of the function of the receiving agency for documents and may not exceed the amount of the administrative expenditures related to the fulfilment of the function. The amount of the expenditures necessary for the performance of the official activities of a sworn bailiff shall be determined in accordance with the laws and regulations regarding the expenditures necessary for performing enforcement activities.

(6) The Cabinet shall determine the procedures by which the requests submitted by the foreign competent authority in accordance with Regulation No 1393/2007 of the European Parliament and of the Council and Hague Convention on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters (1965) for the service of judicial or extrajudicial documents are evaluated, the procedures by which, based on such a request of the foreign competent authority, judicial and extrajudicial documents in civil matters and commercial matters are issued to a person whose declared place of residence, place of residence, location, or legal address is in Latvia and whose address is known, as well as the amount of the expenditure of the Council of Latvian Sworn Bailiffs, the procedures for their coverage, and the procedures for the coverage of the expenditure related to enforcement of the request.

[*27 January 2011; 26 November 2015; 12 April 2018; 7 March 2019; 14 October 2021* / *Amendment to Paragraphs 2.1 and 2.2 shall come into force on 1 January 2022. See Paragraph 47 of Transitional Provisions*]

**Section 75.** (1) A sworn bailiff after agreement with an interested person shall be permitted:

1) to obtain documents from State, local government or private institutions, and officials and private persons that are necessary for him or her to perform professional activities;

2) to prepare a settlement in the stage of fulfilment of rulings of the court and other authorities;

3) [22 December 2005];

4) to provide legal assistance in drawing up documents and consulting in issues that are related to the enforcement of rulings of courts and other authorities.

(2) A sworn bailiff is prohibited to provide legal assistance in relation to matters in which he or she has performed the official activities referred to in Sections 73 and 74 of this Law.

[*22 December 2005; 27 January 2011*]

**Section 76.** (1) A sworn bailiff shall calculate the remuneration for official activities and expenditures related thereto, and collect the calculated amounts.

(2) A sworn bailiff shall present an account for the amounts of money which are used for expenditures related to official activities.

**Section 77.** If in performing official activities a sworn bailiff determines an action containing the attributes of a criminal offence, he or she shall send a relevant submission to the prosecutor.

Chapter One A

Protection of an Estate

[*26 November 2015*]

**Section 77.1** (1) A sworn bailiff shall perform the protection of an estate based on an invitation of a sworn notary.

(2) A sworn bailiff shall not have the right to refuse to accept for enforcement an invitation of a sworn notary if the location of the estate indicated therein is within the boundaries (district) of the office of the sworn bailiff.

(3) The person who has requested the protection of an estate, following an instruction of the sworn bailiff, shall transfer the indicated amount necessary for commencing the activities related to the protection of an estate to the business account of the sworn bailiff. During the course of the matter, following the instructions of the sworn bailiff, the person who has requested the protection of an estate shall transfer an additional amount to the business account of the sworn bailiff in order to cover the expenditures related to the protection of an estate. A failure to contribute the amount indicated by the sworn bailiff shall be a basis for terminating the protection of an estate.

(4) The person who has requested the protection of an estate, the sworn notary who has issued an invitation to perform the protection of an estate, the heirs and the trustee of an estate, if appointed, shall have the right to be notified on and familiarise themselves with the documents in the matter concerning the protection of an estate.

**Section 77.2** (1) The protection of an estate shall be commenced without any undue delay, however no later than within five days. No notifications about the commencement of the protection of an estate shall be sent.

(2) If a person of legal age refuses an entrance to the sworn bailiff who is performing the activities related to the protection of an estate to the immovable property, premises of other storage facilities that, according to the invitation of a sworn notary to perform the protection of an estate, hold an estate subject to protection, the sworn bailiff shall engage a police representative and enter the immovable property, premises or other storage facilities in his or her presence and shall perform the activities related to the protection of an estate.

(3) If a sworn bailiff has found the immovable property, premises of other storage facilities that, according to the invitation of a sworn notary to perform the protection of an estate, hold an estate subject to protection, to be locked, or no person of legal age is in there, the sworn bailiff shall leave a notification near the respective immovable property, premises or other storage facilities stating the date and the time when the activities for the protection of an estate will be performed and cautioning that if an entrance to the immovable property, premises or other storage facilities will not be enabled on the said date and time, they will be opened by force in the presence of a police representative. If immovable property, premises or other storage facilities are a property of a third person, the notification shall be mailed to the persons concerned or sent to the official electronic address if the person has an activated official electronic address account.

(4) If on the date and at the time indicated in the notification an entrance to the immovable property, premises of other storage facilities has not been enabled for the sworn bailiff, they shall be opened by force in the presence of a police representative. If, after the immovable property, premises or other storage facilities have been opened, no person of legal age is in there, after the opening of the premises by force the sworn bailiff shall arrange that they are securely locked and sealed off. A sworn bailiff shall leave a notification near the respective immovable property, premises of other storage facilities inviting to appear at the sworn bailiff's office in order to collect the keys from the premises.

(5) A sworn bailiff shall draw up a statement on the activities referred to in Paragraphs two, three and four of this Section.

[*12 April 2018 / Amendment regarding the supplementation of Paragraph three with the words “or sent to the official electronic address if the person has an activated official electronic address account” shall come into force on 1 January 2020. See Paragraph 37 of Transitional Provisions*]

**Section 77.3** (1) The persons who have been sharing the apartment with the deceased person or who are holding the estate property shall represent in writing to a sworn bailiff that they have not concealed anything from the remaining estate and they do not have any knowledge that any other persons would have concealed, taken or removed any part of estate after the death of the estate leaver. If these persons refuse to issue such representation, they shall provide written explanations on the reasons for the refusal.

(2) In case a person referred to in Paragraph one of this Section refuses to give a representation or provide explanations, a sworn bailiff shall draw up a statement thereof an submit it to the court in accordance with the procedures laid down in this Law, in order to decide the matter regarding the responsibility of the person concerned. A refusal by a person shall not suspend the activities of a sworn bailiff.

(3) In case it has been established that the information provided by the person is false, a sworn bailiff shall send a relevant submission to a public prosecutor.

(4) Any property the ownership of which has been claimed by third parties shall be sealed off or pledged, with the claim to be indicated in the statement of sealing off or pledging. If the person at the time of sealing off or pledging, or before that, submits documents to a sworn bailiff that evidence the ownership of the property, the sworn bailiff shall not include such property in the statement. A person who believes it has some right to the property subject to pledging or sealing off, or a part thereof, however, it is not able to submit to a sworn bailiff any documents evidencing the ownership of the property or the sworn bailiff does not recognize them to be sufficient for establishing the ownership of the property, may bring an action to court in accordance with general jurisdiction.

(5) If a notification has been received that there should be a will in the deceased person's belongings, a sworn bailiff shall first search for it. If the will is found, a sworn bailiff shall send it to the sworn notary who has issued an invitation to perform the protection of an estate.

**Section 77.4** (1) Sealing off shall be performed if this means for the protection of an estate has been indicated in a sworn notary's invitation, or a sworn bailiff deems it to be the most reasonable means for the protection of an estate in the specific situation, or if, due to objective reasons, it is not possible to pledge the property immediately. In this case, a sworn bailiff shall pledge the property as soon as practicable.

(2) The sealing off shall be performed by sealing off the facilities where the property is stored, packagings where the property has been packed, or, if the estate property is an immovable property, by sealing off the immovable property itself. The persons stated in Section 289 of the Notariate Law may participate in the sealing off.

(3) Immovable property, premises, storage facilities and property that persons using the respective immovable property, premises, storage facilities and items needed for their everyday use shall not be subject to sealing off, as well as such immovable property, premises, storage facilities and items that cannot be sealed off due to their nature. The property and immovable property that cannot be sealed off shall be pledged. Property under protection shall be pledged also when a sworn bailiff believes it to be a more reasonable means for the protection of an estate than sealing off.

(4) A sworn bailiff shall record all the activities related to sealing off in the statement. The statement shall be signed by a sworn bailiff and the persons who have participated in sealing off. If any of these persons does not sign the statement, the sworn bailiff shall make a note thereof in the statement.

**Section 77.5** (1) Pledging of movable property shall be its inventorising and appraisal. Pledging of immovable property shall be its inventorising and, where necessary, also appraisal. A sworn bailiff shall perform the inventorising and appraisal of the estate property according to the procedures for inventorising and appraisal of movable and immovable property prescribed by the Civil Procedure Law insofar as it has not been laid down otherwise in this Law.

(2) A sworn bailiff shall draw up a statement on the pledging activities. The statement shall be signed by a sworn bailiff and the persons who have participated in the pledging of property. If any of these persons does not sign the statement, the sworn bailiff shall make a note thereof in the statement.

**Section 77.6** (1) The sealed off or pledged property shall be transferred to the trustee of the estate. The protection of an estate shall be terminated with the transfer of the sealed off or pledged property to the trustee of the estate.

(2) In case no trustee of the estate has been appointed before the day when the property is sealed off or pledged, a sworn bailiff shall appoint a storer of movable property or a manager of real estate property for the protection of the sealed off or pledged property.

(3) The storer of movable property shall represent in writing that he or she will not alienate or put a lien on the pledged property, nor will use it for any other designation or purpose, and that he or she can be held criminally liable for embezzlement, alienation, concealing or substitution of the property. The immovable property manager appointed by a sworn bailiff shall preserve the inventorised real estate property in the same condition as it was at the moment of inventorising, and together with the same movable property. The immovable property manager's liability shall be equal to that laid down in this Law for the storer of movable property.

(4) A sworn bailiff shall remove the pledged valuables and securities and transfer them to the trustee of an estate; in case none has been appointed and a sworn bailiff is not able to ensure their preservation, they shall be transferred for safekeeping to a credit institution.

(5) A sworn bailiff shall remove cash and pay into his or her deposit account, or, if a trustee of the estate has been appointed, to the account indicated by the trustee.

(6) Perishable property shall be sold without delay in accordance with the procedures for disposing of movable property laid down in the Civil Procedure Law, and the cash proceeds, after all expenditures have been deducted, shall be transferred to a sworn bailiff's deposit account. A sworn bailiff shall notify the sworn notary who has issued an invitation to perform the protection of an estate about the money transferred to the deposit account that has been raised from the sale of property.

**Section 77.7** A sworn bailiff shall pledge the estate cash assets in a credit institution by instructing to transfer the respective cash assets (including deposits) to a deposit account of the sworn bailiff.

**Section 77.8** A sworn bailiff, after having fulfilled a sworn notary's invitation, shall draw up a statement indicating all actions performed in the matter and their outcome. A sworn bailiff shall send the statement to the sworn notary who has issued an invitation to perform the protection of an estate.

**Section 77.9** (1) If there was no trustee of the estate appointed at the time when the activities for the protection of the estate were performed, the sealed off or pledged property or the pledged cash assets shall be transferred to the trustee of the estate after his or her appointment.

(2) A sworn bailiff shall remove the seals in the presence of the trustee of the estate. The sworn bailiff shall draw up a statement in respect of all activities related to the removal of seals. The statement shall be signed by the persons present who have been invited by the sworn bailiff. If a person refuses to sign the statement, the sworn bailiff shall make a note thereof in the statement. The sworn bailiff shall submit the statement to the sworn notary who has issued an invitation to perform the protection of an estate.

(3) If the property has been transferred for storage, a sworn bailiff shall instruct the storer to transfer the property to the trustee of the estate.

(4) The sworn bailiff shall transfer the pledged estate cash assets as well as the cash assets raised by selling perishable property to the bank account indicated by the trustee.

(5) The sworn bailiff shall remove the protection of an estate after the expenditures related to the protection of an estate have been covered.

**Section 77.10** (1) The expenditures related to the protection of an estate shall include the remuneration for the office of sworn bailiff in the amount of the rate and the expenditures necessary for the performance of the activities related to the protection of an estate. The necessary expenditures shall be:

1) expenditures related to drawing up of notifications and other documents and their delivery and issuing;

2) expenditures for storage and transportation of the property;

3) travel expenses to reach the location of the protection of an estate;

4) payment to the expert;

5) other expenses necessary for the performance of the activities related to the protection of an estate.

(2) The amount of the expenditures necessary for the protection of an estate shall be determined in accordance with laws and regulations in respect of expenditures necessary for the performance of enforcement activities.

**Section 77.11** The activities of a sworn bailiff while performing the protection of an estate or a refusal to perform the said activities may be appealed by stakeholders in the court in accordance with the procedures laid down in the Civil Procedure Law for appealing a sworn bailiff's activities towards the enforcement of a judgement.

**Chapter Two**

**State Fee, Work Remuneration of Sworn Bailiffs and Expenditures Related to Official Activities**

**Section 78.** For the submission of an enforcement document for enforcement, the submitter shall pay a State fee into the State basic budget.

**Section 79.** For each official activity (Sections 73 and 74) performed by a sworn bailiff, as well as for legal assistance (Section 75) he or she is entitled to take reimbursement irrespective of the State fee. The amount of reimbursement for the official activities of a sworn bailiff shall be determined in conformity with the rate. Agreement regarding an amount of reimbursement for official activities different from the rate is prohibited. Remuneration for the office of a sworn bailiff shall be subject to the value added tax in the amount specified by the Value Added Tax Law.

[*27 January 2011; 26 November 2015*]

**Section 80.** (1) On the basis of a proposal of the Minister for Justice, which is co-ordinated with the Council of Latvian Sworn Bailiffs, the Cabinet shall determine the rates for the official activities of sworn bailiffs.

(2) The amount of the rate for the official activities of sworn bailiffs shall be determined according to the amount of work and in proportion to the amount of the debt to be recovered, and also taking into account the responsibility, independence requirements laid down in laws and regulations for an office position of a sworn bailiff and restrictions arising from the office.

[*2 September 2004; 12 April 2018*]

**Section 81.** The State fee, reimbursement for the office of a sworn bailiff and expenditures related to the official activities of a sworn bailiff shall be paid by the submitter of the enforcement document or another interested person.

**Section 82.** A complaint regarding an account compiled by a sworn bailiff regarding reimbursement for office and expenditures related to official activities shall be adjudicated by the district (city) court in accordance with civil procedural procedures.

**Division VII**

**Supervision of Activities of Sworn Bailiffs**

**Section 83.** (1) Direct supervision of sworn bailiffs shall be in the jurisdiction of such regional court in the territory of operation of which their office is located.

(2) The district (city) court shall perform supervision of the official activities of sworn bailiffs in accordance with civil procedural procedures.

**Section 84.** (1) A judge assigned by the chief judge of the regional court may examine the activities of sworn bailiffs. The judge shall inform the Council of Latvian Sworn Bailiffs regarding the results of the examination performed.

(2) The chief judge of the regional court may invite sworn bailiffs appointed by the Council of Latvian Sworn Bailiffs and employees of the Council of Latvian Sworn Bailiffs to participate in the examination.

[*27 January 2011*]

**Section 84.1** The Council of Latvian Sworn Bailiffs shall, at least once a year, ensure examination of books and enforcement cases of each sworn bailiff.

[*27 January 2011 / The Section shall come into force on 1 January 2012. See Paragraph 27 of the Transitional Provisions*]

**Section 85.** Rectification of irregularities discovered in the activity of a sworn bailiff shall be ensured by the Council of Latvian Sworn Bailiffs who shall give instructions and recommendations to the sworn bailiff and, if necessary, assess an issue regarding initiation of a disciplinary matter or notify the relevant authorities in order for the sworn bailiff to be held criminally liable.

[*27 January 2011*]

**Division VIII**

**Leave of Sworn Bailiffs**

**Section 86.** (1) A sworn bailiff has the right to an annual leave of four weeks.

(2) In case of a work disability a longer leave may be granted to a sworn bailiff, but not more than seven months a year, but for taking care of a child – up to 18 months.

**Section 87.** (1) A leave for a sworn bailiff shall be granted by the Council of Latvian Sworn Bailiffs.

(2) Upon granting leave to a sworn bailiff his or her substitution shall be ensured. Upon substituting a sworn bailiff during his or her leave, the substitute shall provide for the performance of official duties and economic activity of the sworn notary in the district of an absent sworn bailiff. The Council of Latvian Sworn Bailiffs shall inform the Ministry of Justice of the absence of a sworn bailiff and substitute of the sworn bailiff within three days from the day of receipt of the relevant request of the Ministry of Justice.

[*12 April 2018; 7 March 2019*]

**Section 88.** (1) In particularly urgent cases, a sworn bailiff may use an emergency leave which shall not be longer than three days without requesting co-ordination from the Council of Latvian Sworn Bailiffs in advance. In such case a sworn bailiff shall notify, as soon as possible, why and how long he or she has not fulfilled his or her duties.

(2) In such cases the official duties of a sworn bailiff may be fulfilled by an assistant sworn bailiff.

[*22 December 2005; 12 April 2018 / Amendment to Paragraph one regarding replacement of the words “permission from the Minister for Justice” with the words “co-ordination of the Council of Latvian Sworn Bailiffs” shall come into force on 1 January 2019. See Paragraph 38 of Transitional Provisions*]

**Section 89.** Liability of an assistant sworn bailiff, while substituting a sworn bailiff during his or her absence, as well as for the fulfilment of the activities referred to in Section 111.3, Paragraph two of this Law and liability of a sworn bailiff for the activity of his or her assistant shall be determined in accordance with Sections 111.4 and 111.6 of this Law.

[*27 January 2011*]

**Division IX**

**Removal, Dismissal and Suspension of Sworn Bailiffs**

**Section 90.** The Minister for Justice shall remove a sworn bailiff from the office upon his or her request or without such request if within a time period of the last 12 months the sworn bailiff has not fulfilled his or her official duties for more than seven months in succession due to a work disability.

**Section 91.** A sworn bailiff may be dismissed from the office by the order of the Minister for Justice or by a judgment of the court.

**Section 92.** (1) The Minister for Justice shall dismiss from office a sworn bailiff:

1) who, within the time period specified in this Law, has not entered into an insurance contract (Section 35);

2) who has not commenced to fulfil the official duties within the specified time period (Section 28) after appointment to office or transfer to another office position;

3) to whom the obstacles for the performance of their official duties laid down in Section 13, Clauses 1–8 of this Law have arisen;

4) to whom the dismissal has been applied as a disciplinary sanction;

5) who has not passed the extraordinary qualification examination;

6) who has not passed the qualification examination or has received a negative assessment in passing the qualification examination repeatedly.

(2) Appeal of the decision of the Minister for Justice on removal of a sworn bailiff shall not suspend the implementation of such decision.

[*22 December 2005; 20 December 2007*]

**Section 93.** (1) The Minister for Justice may suspend a sworn bailiff from the performance of official activities if:

1) the sworn bailiff is a suspect or accused in a criminal matter and his or her non-depriving of an office may be harmful to substantiated interests of the State or third persons;

2) he or she has initiated a disciplinary matter against the sworn bailiff and non-depriving of a sworn bailiff may be harmful to substantiated interests of the State or third persons;

3) the operation of an insurance contract has been suspended or the sworn bailiff has not submitted to the Council of Latvian Sworn Bailiffs a copy of the payment order which attests the performance of individual insurance premium payment within a time period specified in this Law;

4) it is determined that the mandatory conditions specified in laws and regulations have not been included in the insurance contract.

(2) The Minister for Justice shall suspend a sworn bailiff from the performance of official activities, if a prohibition of certain occupation has been applied for the sworn bailiff in accordance with the procedures specified by the Law.

(3) Appeal of a decision of the Minister for Justice on depriving of a sworn bailiff shall not suspend the implementation of such decision.

[*22 December 2005*]

**Section 93.1** (1) A sworn bailiff suspended from the office in the cases referred to in Section 93, Paragraph one, Clause 1 and Paragraph two of this Law may combine the office of a sworn bailiff with another position (job), unless the combination results in a conflict of interests, is in contradiction with the professional ethical standards of a sworn bailiff, impairs the prestige of a sworn bailiff's profession, is a constraint to perform the duties arising from the office of a sworn bailiff, and provided that a written permission has been received from the Minister for Justice.

(2) A sworn bailiff, prior to combining the office of a sworn bailiff with another position (job), shall submit to the Minister for Justice a written application requesting a permission to combine the office of a sworn bailiff with another position (job), indicating the following in the request:

1) the motivation for combining the office of a sworn bailiff with another position (job);

2) information about the position (job) the sworn bailiff wishes to combine with the office of a sworn bailiff, including the job responsibilities;

3) a representation that the criteria laid down in Paragraph one of this Section are being satisfied;

4) a representation that the information provided to the public authority is true and that the sworn bailiff is aware of criminal liability for providing false information.

(3) The Minister for Justice, prior to granting the permission, shall request an opinion of the Council of Latvian Sworn Bailiffs in respect of the circumstances known to the Council of Latvian Sworn Bailiffs and that would suggest a failure to satisfy the criteria referred to in Paragraph one of this Section in case the suspended sworn bailiff combines the office of a sworn bailiff with the position (job) indicated in the request.

(4) The Minister for Justice, after having received an opinion of the Council of Latvian Sworn Bailiffs and having considered the information therein and any other information at his or her disposal, shall evaluate the compliance of the position (job) indicated in the sworn bailiff's request with the criteria laid down in Paragraph one of this Section, and shall take a decision to grant the permission to combine the office of a sworn bailiff with the position (job) indicated in the request, or to deny it.

(5) A denial to grant a permission shall not be an obstacle to submit a repeated request, provided the criteria laid down in Paragraph one of this Section have been satisfied.

(6) If after the decision by the Minister for Justice to grant a permission to a sworn bailiff to combine the office of a sworn bailiff with another position (job) has come into force the Minister for Justice becomes aware that any of the legal and factual circumstances which used to be the grounds for taking the said decision have changed, and such changed circumstances are unacceptable for further combining of the positions, the Minister for Justice shall take a decision to cancel the permission to combine the positions. If it is necessary for taking a decision, the Minister for Justice may request an opinion of the Council of Latvian Sworn Bailiffs as to whether the detected circumstances would constitute any risks to the satisfaction of the criteria for the eligibility to combine positions laid down in the Law.

(7) The Minister for Justice shall notify a sworn bailiff on the decisions referred to in Paragraphs four and six of this Section by sending the respective decision to his or her declared place of residence, and shall notify the Council of Latvian Sworn Bailiffs thereof.

[*26 November 2015*]

**Section 94.** (1) Upon leaving the office of sworn bailiff, the sworn bailiff shall prepare a list of the files and books in the record-keeping. This list shall be verified and signed by a representative of the Council of Latvian Sworn Bailiffs indicating the date. If necessary, the representative assigned by the Council of Latvian Sworn Bailiffs shall prepare the list of the files and books in the record-keeping.

(2) Upon leaving the office of a sworn bailiff, the referred to files and books shall be transferred to the sworn bailiff specified in the order of the Minister for Justice.

(3) The sworn bailiff referred to in Paragraph two of this Section after takeover of the files of a sworn bailiff who has left his or her office shall continue to fulfil the necessary enforcement activities. Statements and other documents drawn up by the preceding bailiff shall be binding to him or her. A sworn bailiff shall not be liable for losses that have been caused or may be caused in the future as a result of the activities of the bailiff who has resigned from the office.

[*22 December 2005; 27 January 2011*]

**Division X**

**Candidates for an Assistant Sworn Bailiff and Assistant Sworn Bailiffs**

[*27 January 2011*]

**Chapter One**

**Candidates for an Assistant Sworn Bailiff**

[*27 January 2011*]

**Section 95.** A candidate for an assistant sworn bailiff may be a person who:

1) has reached twenty-one years of age;

2) conforms to the requirements referred to in Section 12, Clauses 1 and 2 of this Law;

3) after the acquisition of an accredited study programme has obtained a second level higher vocational education in law or in law study programme of Master’s degree and a qualification of lawyer or he or she is acquiring law in such programme.

**Section 96.** The persons referred to in Section 13, Clauses 2, 3, 4, 5, 6, 7, 8 and 9 of this Law may not be a candidate for an assistant sworn bailiff.

**Section 97.** (1) The Council of Latvian Sworn Bailiffs shall approve a candidate for an assistant sworn bailiff in the office on the basis of a proposal of the sworn bailiff who or whose sworn bailiff’s office employs the particular person.

(2) After approval in the office of a candidate for an assistant sworn bailiff, the candidate for assistant shall prepare for the performance of the official duties of a sworn bailiff by working under the management of a sworn bailiff and fulfilling individual tasks under supervision of a sworn bailiff.

(3) It is mandatory for a candidate for an assistant sworn bailiff to participate in qualification raising measures organised by the Council of Latvian Sworn Bailiffs.

(4) A candidate for an assistant sworn bailiff who has worked in the office of a candidate for an assistant sworn bailiff for at least one year may take an assistant sworn bailiff examination. The abovementioned time period shall also include a time period when a candidate for an assistant sworn bailiff has worked in the office of a candidate for an assistant under the management of another sworn bailiff if not more than two months have elapsed from the day when the employment legal relations with one sworn bailiff have been terminated until the day the person has been appointed as a candidate for an assistant sworn bailiff for the sworn bailiff with whom it has been employed on the day of the assistant sworn bailiff examination.

[*12 April 2018; 14 October 2021*]

**Section 97.1** The person shall lose the status of a candidate for an assistant sworn bailiff in terminating the employment relationship with the sworn bailiff or the sworn bailiff’s office upon proposal of whom he or she has been approved for the office of a candidate for an assistant sworn bailiff, or in setting in of any of the cases provided for in Section 13, Clauses 2, 3, 4, 5, 6, 7, 8, and 9 of this Law.

[*12 April 2018; 14 October 2021*]

**Chapter Two**

**Candidates to the Office of Sworn Bailiffs**

[*22 December 2005*]

**Chapter Three**

**Assistant Sworn Bailiff Examination and Assistant Sworn Bailiffs**

[*27 January 2011*]

**Section 111.1** (1) The Council of Latvian Sworn Bailiffs shall, at least once a year, organise examination for candidates for an assistant sworn bailiff who wish to acquire the rights of an assistant sworn bailiff if an application has been received from candidates for an assistant sworn bailiff regarding permission to take the examination.

(2) The knowledge of a candidate for an assistant sworn bailiff shall be examined by an examination commission established by the Council of Latvian Sworn Bailiffs with the participation of a person authorised by the Minister for Justice.

(3) The procedures for organisation of the assistant sworn bailiff examination and the amount of the necessary knowledge shall be determined by the Cabinet. The Minister for Justice shall approve the examination questions on the basis of a proposal by the Council of Latvian Sworn Bailiffs.

**Section 111.2** (1) The Minister for Justice shall approve candidates for an assistant sworn bailiff, who have passed the examination provided for in Section 111.1 of this Law and received a positive assessment of the Council of Latvian Sworn Bailiffs, in office of an assistant sworn bailiff.

(2) After approval in the office an assistant sworn bailiff shall receive an assistant sworn bailiff office certificate and shall give an oath that he or she shall fairly and conscientiously fulfil his or her official duties. The Cabinet shall determine the type and procedures for the use of the assistant sworn bailiff office certificate.

**Section 111.3** (1) A sworn bailiff may have several assistants. An assistant sworn bailiff shall work under the management and supervision of a sworn bailiff.

(2) An assistant sworn bailiff may substitute the sworn bailiff during his or her leave and illness. During the rest of the time with an authorisation issued by the sworn bailiff for each particular matter the assistant sworn bailiff has the right:

1) to perform official activities in order to ensure the enforcement of rulings of a court and other institutions, except taking of a decision on terminating enforcement proceedings, as well as holding an auction of movable and immovable property of a debtor;

2) to serve court summons and other documents;

3) to perform inventory of property for the purpose of division of joint property or for inheritance matters.

**Section 111.4** (1) An assistant sworn bailiff, while substituting a sworn bailiff during his or her absence, as well as while fulfilling the official activities specified in Section 111.3, Paragraph two of this Law, has the rights, obligations and liability specified by this Law for sworn bailiffs.

(2) A sworn bailiff shall be jointly subjected to civil liability for losses caused by his or her assistant while substituting the sworn bailiff during his or her absence, as well as while fulfilling the activities referred to in Section 111.3, Paragraph two of this Law.

**Section 111.5** It is mandatory for an assistant sworn bailiff to participate in qualification raising measures organised by the Council of Latvian Sworn Bailiffs, as well to fulfil all other duties imposed by the Council of Latvian Sworn Bailiffs.

**Section 111.6** (1) A reproof, reprimand, prohibition to fulfil the activities referred to in Section 111.3, Paragraph two of this Law for a period of time of up to three years or dismissal from the office may be applied as a disciplinary sanction to an assistant sworn bailiff in accordance with the procedures specified in Division V, Chapter three of this Law.

(2) In examining a disciplinary matter that has been initiated against an assistant sworn bailiff, in accordance with the procedures specified in Division V, Chapter Three of this Law, the disciplinary liability of the relevant sworn bailiff for undue supervision and management of his or her assistant shall be assessed concurrently.

**Section 111.7** (1) An assistant sworn bailiff may be suspended from the fulfilment of his or her official duties in accordance with the provisions of Section 93 of this Law.

(2) The Minister for Justice shall remove an assistant sworn bailiff from his or her office, if the assistant sworn bailiff:

1) requests to remove him or her from the fulfilment of his or her official duties by his or her own free will;

2) has terminated the employment relationship with the sworn bailiff or sworn bailiff’s office.

(3) The Minister for Justice shall dismiss an assistant sworn bailiff from the office if:

1) one of the cases provided for in Section 13, Clauses 2, 3, 4, 5, 6, 7, 8 and 9 of this Law has set in;

2) dismissal from the office is applied as a disciplinary sanction.

(4) A sworn bailiff who or whose sworn bailiff’s office terminates the employment relationship with an assistant sworn bailiff has an obligation to, within three days from the day of terminating the employment relationship, notify the Minister for Justice and the Council of Latvian Sworn Bailiffs of this fact in writing.

(5) Appeal of a decision of the Minister for Justice on suspension or dismissal of an assistant sworn bailiff shall not suspend the enforcement of such decision.

(6) An assistant sworn bailiff removed or dismissed from the office shall, within three days from the day of receipt of the decision of the Minister for Justice, hand over the assistant sworn bailiff office certificate to the Council of Latvian Sworn Bailiffs.

[*14 October 2021*]

**Section 111.8** A person who has been removed from the office of an assistant sworn bailiff shall, in accordance with Section 111.7, Paragraph two of this Law, in resuming the fulfilment of the official duties of an assistant sworn bailiff, receive a certificate of an assistant sworn bailiff office without taking repeated assistant sworn bailiff examination, if not more than one year has passed from the day of removal.

**Division XI**

**Corporate Activities of Sworn Bailiffs**

**Chapter One**

**Collegium of Latvian Sworn Bailiffs**

**Section 112.** The Collegium of Latvian Sworn Bailiffs is an independent professional corporation of sworn bailiffs which unites all sworn bailiffs practising in Latvia. Only the Collegium of Latvian Sworn Bailiffs has the rights and duties prescribed by this Law.

**Section 113.** The Collegium of Latvian Sworn Bailiffs shall ensure the prestige of profession thereof, facilitate professional development, improvement of creative abilities and the acquisition of experience of sworn bailiffs in order to fulfil the tasks prescribed by this Law and other laws and regulations.

**Section 114.** The Collegium of Latvian Sworn Bailiffs is an association of persons which acts on the basis of its own articles of association as a self-regulatory autonomous public legal entity.

**Section 115.** State authorities have a duty to hear the Collegium of Latvian Sworn Bailiffs, similarly to other judicial institutions regarding issues on the improvement of laws and regulations and drafts thereof, taking into account that the Collegium of Latvian Sworn Bailiffs is an organisation which expresses legally the opinion of sworn bailiffs.

**Section 116.** The bodies of the Collegium of Latvian Sworn Bailiffs are the general meeting of sworn bailiffs, the Council of Latvian Sworn Bailiffs and an audit commission.

**Section 117.** Funds of the Collegium of Latvian Sworn Bailiffs shall be formed by funds, which are paid from income for the official activities and legal assistance provided by sworn bailiffs, and also from other income.

[*12 April 2018*]

**Chapter Two**

**General Meeting of Sworn Bailiffs**

**Section 118.** (1) The Council of Latvian Sworn Bailiffs shall convene a general meeting of sworn bailiffs. The Minister for Justice has the right to express to the Council of Latvian Sworn Bailiffs a proposal regarding the necessity to convene a general meeting of sworn bailiffs.

(2) There are annual general meetings of sworn bailiffs and extraordinary general meetings of sworn bailiffs. An extraordinary general meeting shall be convened if necessary, the convening thereof may be requested by at least one tenth of all sworn bailiffs.

[*22 December 2005*]

**Section 119.** Only the general meeting of sworn bailiffs shall:

1) [22 December 2005];

2) elect the chair, deputy chair of the Council of Latvian Sworn Bailiffs, members of the Council and the audit commission, as well as two members of the Commission of Disciplinary Matters for a time period of three years;

3) approve a report of the activities of the Council of Latvian Sworn Bailiffs;

4) approve a report on the implementation of the current budget and the budget of the previous year of the Council of Latvian Sworn Bailiffs;

5) adopt articles of association of the Council of Latvian Sworn Bailiffs, by-laws of the audit commission, code of ethics;

6) determine the procedures and the amount in which sworn bailiffs and assistant sworn bailiffs shall make payments for the maintenance of the Collegium of Latvian Sworn Bailiffs from the income for the performance of official activities and the provision of legal assistance by sworn bailiffs;

7) approve the advertising regulations of sworn bailiffs.

[*22 December 2005*]

**Section 120.** The general meeting of sworn bailiffs shall have a quorum if at least a half of all sworn bailiffs have attended thereto.

**Section 121.** (1) If the general meeting of sworn bailiffs does not have a quorum and therefore elections of the Council of Latvian Sworn Bailiffs have not taken place, the Council shall convene a new general meeting not later than within a time period of a month at which meeting has a quorum if not less than a third of all sworn bailiffs have attended thereto.

(2) If less than one third of all sworn bailiffs attend the repeat general meeting, a statement shall be drawn up thereof, repeat elections shall not be organised and the Council shall retain the powers thereof up to the next annual general meeting.

**Section 122.** [14 October 2021]

**Section 123.** Elections of the Council of Latvian Sworn Bailiffs at the general meeting of sworn bailiffs shall be organised after the report on activities of the Council of Latvian Sworn Bailiffs and the report on implementation of the budget of the previous year have been discussed at the general meeting.

[*20 December 2007*]

**Section 124.** (1) The general meeting shall elect the Council of Latvian Sworn Bailiffs, the chairperson thereof, the deputy chairperson, members of the commission of disciplinary matters, and the audit commission from among sworn bailiffs by secret ballot by a simple majority vote of those present.

(2) The general meeting shall decide upon other issues by open vote by a simple majority vote of those present.

(3) If, due to objective reasons, it is not possible to convene the general meeting at which it is intended to elect the Council of Latvian Sworn Bailiffs, the chairperson thereof, the deputy chairperson, members of the commission of disciplinary matters, and the audit commission, those elected to such offices shall continue performing the functions provided for in this Law and the articles of association of the Collegium of Latvian Sworn Bailiffs until the moment when the general meeting re-elects them or elects other sworn bailiffs to such offices. If it is not possible to convene the general meeting, other matters to be decided at the general meeting but not related to elections may be decided by sworn bailiffs, organising voting in writing or remotely by a simple majority vote of all sworn bailiffs.

[*14 October 2021*]

**Section 125.** The newly elected Council of Latvian Sworn Bailiffs shall commence to fulfil its duties not later than two weeks after the day of election.

**Chapter Three**

**Council of Latvian Sworn Bailiffs and Audit Commission**

**Section 126.** (1) The Council of Latvian Sworn Bailiffs is the representative and supervisory authority of Latvian sworn bailiffs, as well as the administrative and executive body of the Collegium of Latvian Sworn Bailiffs.

(2) The Council of Latvian Sworn Bailiffs shall consist of seven members.

[*22 December 2005*]

**Section 127.** The Council of Latvian Sworn Bailiffs shall:

1) protect the honour and dignity of the office of a sworn bailiff;

2) manage the organisational matters of the Collegium of Latvian Sworn Bailiffs;

3) represent the Collegium of Latvian Sworn Bailiffs and express the point of view of sworn bailiffs in relations with State and local government authorities, other institutions and officials, and provide opinions on legislative and sworn bailiff practice issues;

4) decide on a recommendation for the appointment to office of a sworn bailiff or an assistant sworn bailiff, as well as on a recommendation to the Minister for Justice to remove, dismiss or suspend from the office of a sworn bailiff or an assistant sworn bailiff;

5) [22 December 2005];

6) determine procedures for the utilisation of funds received for the examination;

7) supervise the activity of sworn bailiffs and assistant sworn bailiffs, examine complaints and applications received regarding them within the scope of their competence, initiate disciplinary matters in cases specified in this Law;

8) monitor the training of assistant sworn bailiffs;

9) ensure the organisation of matters in the record-keeping of such sworn bailiffs and assistant sworn bailiffs who have died, are missing, become ill or due to other reasons cannot organise their professional activity matters;

10) upon the request of the chief judge of the regional court or the Minister for Justice, upon its own initiative or request of the Commission of Disciplinary Matters assign sworn bailiffs or employees of the Council of Latvian Sworn Bailiffs for the examination of the professional activities of a sworn bailiff;

11) examine and take decisions on other issues relating to the activities of sworn bailiffs, as well as approve the methodology of sworn bailiff activities and other internal laws and regulations related to the activity of sworn bailiffs;

12) upon receipt of the decision referred to in Section 65, Clause 4 of this Law, explain to a sworn bailiff incorrectness of his or her activity;

13) ensure co-ordination of leaves of sworn bailiffs;

14) fulfil the function of the receiving agency for documents by organising service of documents in Latvia in accordance with Hague Convention on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters (1965) and Regulation No 1393/2007.of the European Parliament and of the Council;

15) ensure the preparation of statistical reports on the enforcement of rulings and the duration of enforcement of enforcement documents:

a) in civil cases;

b) in criminal cases in the part on financial recoveries;

c) in administrative offence cases in the part on financial recoveries;

16) in the cases and in accordance with the procedures laid down in this Law, verify the conformity of offices of sworn bailiffs with the requirements of this Law and issue consent for the establishment of such offices and for the making of changes in the entries and documents of the Commercial Register.

[*22 December 2005; 20 December 2007; 12 April 2018; 7 March 2019; 14 October 2021*]

**Section 127.1** If, upon fulfilling the function specified in Section 127, Clause 14 of this Law, the Council of Latvian Sworn Bailiffs establishes that the address indicated in the request of the foreign competent authority for the service of judicial or extrajudicial documents where the service of documents should be performed is incomplete or inaccurate, it has the right to check the information regarding the address of the declared place of residence of the addressee of the documents to be serviced – natural person – in the Population Register. If the addressee of the documents to be serviced is a legal person, the Council of Latvian Sworn Bailiffs shall check the current legal address of the particular legal person entered in the Commercial Register of the Enterprise Register.

[*12 April 2018 / Section shall come into force from 1 January 2019. See Paragraph 40 of Transitional Provisions*]

**Section 128.** Meetings of the Council of Latvian Sworn Bailiffs shall have a quorum if not less than a half of all members of the Council participate therein, including the chairperson of the Council or his or her deputy.

**Section 129.** (1) The authority of the Council of Latvian Sworn Bailiffs shall cease upon the meeting of the newly elected Council of Latvian Sworn Bailiffs (Section 125).

(2) The authorisation of a member of the Council of Latvian Sworn Bailiffs shall cease upon his or her dismissal or resignation from the office of a sworn bailiff or the performance of the duties of a member of the Council.

[*22 December 2005*]

**Section 130.** The Council of Latvian Sworn Bailiffs has a seal with the supplemented lesser State Coat of Arms and the name of the Council of Latvian Sworn Bailiffs. The Council of Latvian Sworn Bailiffs is located in Riga.

**Section 131.** Members of the Council of Latvian Sworn Bailiffs have the right to receive an official travel allowance from the budget of the Council and reimbursement for other expenses that have arisen in fulfilment of the duties of a member of the Council.

**Section 132.** (1) The financial activities of the Council of Latvian Sworn Bailiffs shall be controlled by the audit commission.

(2) Activities of the audit commission shall be regulated by the by-laws of the commission which by-laws shall be approved by the general meeting of sworn bailiffs.

**Division XII**

**Financial Activities of Sworn Bailiffs**

**Section 133.** Sworn bailiffs practice a liberal profession.

**Section 134.** (1) The professional activities (practice) of sworn bailiffs shall constitute intellectual work for which a sworn bailiff has the right to receive remuneration, however, the purpose thereof shall not be profit-making.

(2) The practice of sworn bailiffs shall be organised only in accordance with the procedures prescribed by this Law.

[*14 October 2021*]

**Section 135.** (1) Sworn bailiffs shall commence their practice only after their inclusion in the list of sworn bailiffs.

(2) The Minister for Justice shall notify the State Revenue Service thereof.

(3) [22 December 2005]

[*22 December 2005; 17 January 2013*]

**Section 136.** Only Latvian sworn bailiffs are entitled to offer to perform official activities of a sworn bailiff and advertise thereof in the territory of Latvia.

**Section 137.** (1) Sworn bailiffs shall practice only individually. Co-operation with other sworn bailiffs shall be permitted only in technical and economic matters.

(2) Sworn bailiffs shall be financially independent in their professional activities.

(3) A sworn bailiff may maintain accounts of his or her revenues and expenditures as a natural person performing economic activity or establish a sworn bailiff’s office. Regardless of the selected legal form of economic activity of the practice, a sworn bailiff shall practice in his or her own name in the professional activity and shall be personally responsible for the office and other professional activities performed.

(4) A sworn bailiff’s office shall be established as a limited liability company with one member and shall be registered with the Commercial Register in accordance with the procedures laid down in the Commercial Law. The provisions of the Commercial Law shall be applied to such companies insofar as it has not been provided for otherwise in this Law.

(5) Only a sworn bailiff may be the founder and the sole member of a sworn bailiff’s office. A sworn bailiff may only be a member of one sworn bailiff’s office at the same time. A sworn bailiff who is a member of the relevant sworn bailiff’s office shall hold an office of the member of the executive board of the sworn bailiff’s office, and a remuneration shall be determined for him or her. Only a sworn bailiff who is a member of a sworn bailiff’s office may be a member of the executive board of the relevant sworn bailiff’s office. A supervisory board shall not be established for a sworn bailiff’s office.

(6) A sworn bailiff as a member of the executive board shall be an employee within the meaning of the law On State Social Insurance.

(7) If a sworn bailiff’s office is established, it shall be the successor in liabilities and rights of economic activities of a sworn bailiff as a self-employed person.

[*14 October 2021*]

**Section 137.1**(1) An application for the registration of a sworn bailiff’s office with the Commercial Register and for the making of changes in the entries and documents of the Commercial Register shall be accompanied by a consent of the Council of Sworn Bailiffs of Latvia.

(2) In order to obtain a consent for the establishment of a sworn bailiff’s office, a sworn bailiff shall submit to the Council of Latvian Sworn Bailiffs a submission and the documents of incorporation specified in the Commercial Law.

(3) In order to make changes in the entries of the Commercial Register and the documents submitted thereto, a sworn bailiff shall submit to the Council of Latvian Sworn Bailiffs the documents confirming the relevant changes. The sworn bailiff shall submit to the Council of Latvian Sworn Bailiffs the documents necessary for obtaining a consent within 10 days from the day when the last document necessary for registration or making of changes in the entries or documents of the Commercial Register (other than the consent of the Council of Latvian Sworn Bailiffs) was signed.

(4) The Council of Latvian Sworn Bailiffs shall examine the documents referred to in Paragraphs two and three of this Section within a month and decide to give or to refuse to give a consent.

(5) The Council of Latvian Sworn Bailiffs shall refuse to give a consent in the following cases:

1) the legal form of a sworn bailiff’s office does not conform to the requirements of this Law;

2) the articles of association or the decision of establishment of a sworn bailiff’s office does not conform to the requirements of this Law;

3) the founder or member of the executive board of a sworn bailiff’s office does not conform to the requirements of this Law or is concurrently a founder, member, or member of the executive board of another sworn bailiff’s office.

[*14 October 2021*]

**Section 137.2** The time period specified in the Commercial Law for the submission of an application shall be counted from the day when a consent of the Council of Latvian Council of Sworn Bailiffs has been provided.

[*14 October 2021*]

**Section 137.3** The name of a sworn bailiff’s office shall consist of the given name and surname of its founder and the words “sworn bailiff’s office”.

[*14 October 2021*]

**Section 137.4** (1) If a sworn bailiff is dismissed or removed from the office of a sworn bailiff, he or she shall take the decision to terminate the activity of the sworn bailiff’s office and to appoint a liquidator and, within five days after taking of the decision, shall send it to the Commercial Register Office for entering into the Commercial Register. The application addressed to the Commercial Register Office shall be accompanied by a written consent of the liquidator to act as a liquidator. The liquidator shall indicate in the written consent the name and registration number of such sworn bailiff’s office for which he or she agrees to become a liquidator, and also the place where creditors’ claims are to be submitted. The sworn bailiff shall, without delay, inform the Council of Latvian Sworn Bailiffs of the liquidation of the sworn bailiff’s office and appointment of the liquidator.

(2) If the sworn bailiff who has been dismissed or removed from the office fails to notify the Council of Latvian Sworn Bailiffs of performance of the activities specified in Paragraph one of this Section within 10 days from the day when the decision of the Minister for Justice to dismiss or remove him or her from the office has entered into effect or in the case of death of the sworn bailiff, the Council of Latvian Sworn Bailiffs shall take the decision to terminate the activity of the company and to appoint a liquidator and, within five days after taking of the decision, send it to the Commercial Register Office for entering into the Commercial Register. A written consent of the liquidator to be a liquidator shall be appended to the application to the Commercial Register Office. The liquidator shall indicate in the written consent the name and registration number of such sworn bailiff’s office for which he or she agrees to become a liquidator, and also the place where creditors’ claims are to be submitted. The Council of Latvian Sworn Bailiffs shall determine the remuneration of the liquidator to be disbursed from the property of the sworn bailiff’s office to be liquidated.

(3) In the cases referred to in Paragraphs one and two of this Section, the files and books of a sworn bailiff shall be transferred to the sworn bailiff specified in the order of the Minister for Justice in accordance with Section 94 of this Law.

[*14 October 2021*]

**Section 137.5** (1) It is prohibited to pledge or otherwise encumber the shares of the equity capital of a sworn bailiff’s office with property rights. Recovery may not be directed against the shares of the equity capital of the sworn bailiff’s office, and they do not form part of the entirety of property of an estate in the case of death of the sworn bailiff.

(2) Heirs shall obtain the right to receive only the amount that would be due to the deceased sworn bailiff (testator) at the moment of final settlement if the company were to be terminated at the moment of the opening of a succession.

[*14 October 2021*]

**Section 138.** Sworn bailiffs shall practice directly and personally except for the cases referred to in Section 1113, Paragraph two of this Law.

[*22 December 2005; 27 January 2011*]

**Section 139.** A sworn bailiff or a sworn bailiff’s office may hire technical, financial, or advisory staff on the basis of an employment contract or work performance contract for whose activities he or she is responsible and who are prohibited from performing activities of the sworn bailiff’s office and from providing legal assistance (Sections 73, 74, and 75 of this Law). All laws and regulations governing employment relationship and State social insurance shall be binding upon a sworn bailiff and a sworn bailiff’s office as an employer.

[*14 October 2021*]

**Section 140.** (1) Sworn bailiffs who have registered as self-employed persons shall maintain accounts of their revenues and expenditures as natural persons performing economic activity.

(2) Revenues from the practice of sworn bailiffs shall include:

1) payments for the performance of official activities and provision of legal assistance (reimbursement);

2) payments for covering the expenditures related to the enforcement of rulings of the court and other authorities and other professional activities of a sworn bailiff;

3) revenues related to the provision of economic activity or specified in this Law.

(3) Expenditures of a sworn bailiff shall include:

1) expenditures related to the fulfilment of rulings of the court and other authorities and other professional activities of sworn bailiff;

2) expenditures related to the maintenance of the location of practice, work reimbursement, official travel expenditures and other similar expenditures;

3) expenditures related to the provision of economic activity or specified in this Law.

[*14 October 2021*]

**Section 140.1** (1) A sworn bailiff’s office shall maintain accounting records in accordance with the procedures laid down in laws and regulations and provided for a limited liability company.

(2) Revenues of a sworn bailiff’s office shall include the following:

1) payments for the performance of official activities of a sworn bailiff and provision of legal assistance;

2) payments for covering the expenditures related to the enforcement of rulings of the court and other authorities and other professional activities of a sworn bailiff;

3) revenues related to the provision of economic activity or specified in this Law.

(3) Expenditures of a sworn bailiff’s office shall include the following:

1) expenditures related to the enforcement of rulings of the court and other authorities and other professional activities of a sworn bailiff;

2) expenditures related to the maintenance of the sworn bailiff’s office and other similar expenditures;

3) expenditures related to the provision of economic activity or specified in this Law.

(4) Dividends shall be disbursed in accordance with the procedures laid down in the Commercial Law.

[*14 October 2021*]

**Section 141.** Sworn bailiffs shall pay taxes according to the selected legal form of economic activity in accordance with the procedures laid down in the law.

[*14 October 2021*]

**Section 141.1** (1) Persons shall make payments that are related to the enforcement of rulings of the court and other authorities by a transfer to a deposit account of the sworn bailiff with the Treasury.

(2) Persons shall make payments that are related to other official and professional activities of a sworn bailiff by a transfer to an account for economic activity of the sworn bailiff or sworn bailiff’s office.

[*26 November 2015; 14 October 2021*]

**Section 142.** [14 October 2021]

**Section 143.** [14 October 2021]

**Division XIII**

**Procedures for Accounting and Payment of Deposit Amounts**

**Section 144.** (1) A sworn bailiff shall open a deposit account in the Treasury in his or her name, in which funds recovered from debtors and other amounts that are due to the interested persons (deposit amounts) are kept. The receipt and disbursement of deposit amounts shall be allowed only into a deposit account of the sworn bailiff in the Treasury.

(2) The sworn bailiff shall notify the number of his or her deposit account to the Council of Latvian Sworn Bailiffs. The Council of Latvian Sworn Bailiffs shall publish the information regarding the deposit account of the sworn bailiff on the website of the Council of Latvian Sworn Bailiffs.

(3) If the funds recovered from debtors and other amounts that are due to the interested persons are received in a foreign currency in the deposit account, they shall be converted in euros in accordance with the foreign currency exchange rate used in accounting on the day on which the funds are received in the deposit account. If disbursement of funds from the deposit account is to be performed in a foreign currency, the amount to be disbursed shall be converted into the foreign currency in accordance with the foreign currency exchange rate used in accounting on the day on which the funds are to be disbursed.

[*14 April 2011; 12 September 2013*]

**Section 145.** (1) Recovery proceedings may not be applied to funds in a deposit account of a sworn bailiff (Section 144, Paragraph one) for covering of the debts of the sworn bailiff and such funds shall not be included in the entirety of property of an estate in the case of the death of the sworn bailiff.

(2) If a sworn bailiff is removed or dismissed from the office, as well as in the case of death of the sworn bailiff, the sworn bailiff who is assigned by the order of the Minister for Justice to fulfil official duties in a vacant district shall open a new deposit account in the Treasury in his or her name. The Treasury shall close the deposit account of the sworn bailiff removed, dismissed from the office or deceased and transfer the surplus of the deposit account to the new deposit account in the Treasury. If the sworn bailiff has been suspended from fulfilment of the official duties, the sworn bailiff specified by the order of the Minister for Justice shall handle the deposit amounts present in the deposit account.

[*27 January 2011; 14 April 2011; 12 April 2018 / The new wording of the third sentence of Paragraph two shall come into force on 1 January 2019. See Paragraph 38 of Transitional Provisions*]

**Section 146.**(1) A sworn bailiff shall electronically maintain a separate accounting book of deposit amounts for each year.

(2) A sworn bailiff shall, until 1 February of the following year, submit to the Council of Latvian Sworn Bailiffs for approval electronically signed information on the accounting of deposit amounts accumulated electronically within a current year.

(3) The surplus of the funds in the deposit account shall match with the surplus of the funds in the accounting book of deposit amounts. Entries in the accounting book of deposit amounts shall be divided by months. Information on each payment carried out in the deposit account (payment and disbursement) shall be reflected separately.

(4) Deposit amounts remaining in the surplus on 31 December of the previous year in the deposit account of a sworn bailiff shall be indicated as the surplus at the beginning of the accounting book of deposit amounts of the following year, retaining the attachment of each deposit amount received in the last year to the respective enforcement case, if a payment is attached to an enforcement case.

[*12 April 2018*]

**Section 147.** Procedures for the completion of an accounting book of deposit amounts shall be the following:

1) a number in sequence shall be assigned to each entry;

2) the date on which the amount has been transferred to the account of a sworn bailiff shall be specified;

3) the number of the enforcement case shall be specified. If an amount for several enforcement cases has been paid concurrently, the numbers of all enforcement cases shall be specified;

4) the name and number of the payment document shall be indicated;

5) a debtor shall be specified (given name, surname of a natural person, name of a legal person), and also a payer if he or she is not the debtor, as well as a notation shall be made if the referred to amount has been paid for sold property;

6) the enforcer of the debt (given name, surname of a natural person, name of a legal person), as well as given name, surname or name of the recipient if he or she is not the enforcer of the debt, and information on the authorisation shall be specified;

7) the amount of money paid shall be specified;

8) the name and number of the disbursement document and disbursement date shall be indicated;

9) the amount to be paid out shall be specified (if there are several recipients, the amount shall be relevantly divided making entries one under the other in conformity with the given name, surname or name of the recipient);

10) the end of the year surplus shall be specified.

**Section 148.**

[22 December 2005]

**Section 149.** A sworn bailiff shall be liable for the timely and correct making of entries in the accounting book of deposit amounts, completion and keeping of the relevant documents, as well as for the compliance of the entries with the statement of deposit account.

[*22 December 2005; 14 April 2011*]

**Section 150.** It is prohibited to make blocking out and unjustified amendments in the accounting book of deposit amounts.

**Section 151.**

[22 December 2005]

**Section 152.** (1) Money shall be disbursed to a creditor and other persons in the cases specified in the laws and regulations governing activities of sworn bailiffs from the deposit account of a sworn bailiff by transfer to the payment account opened on behalf of this person, while the security for auction or payment received by mistake shall be transferred to the account from which it has been received. A sworn bailiff shall not by bound by any powers of attorney issued to other persons to receive the funds in the deposit account of the sworn bailiff without an adequate justification, and also by any indications to transfer funds to the accounts opened on behalf of other persons.

(2) [12 April 2018]

(3) The funds recovered from a debtor and to be transferred to a judgment creditor shall be transferred to a judgment creditor within ten days from the day when they were paid in the deposit account of a sworn bailiff, if there are no objective reasons because of which the transfer of funds is to be deferred.

(4) A person who has bidden movable property or immovable property at an auction organised by a sworn bailiff shall keep such movable or immovable property after the auction not having taken place or acquire it in accordance with other procedures laid down in the laws and regulations governing activities of sworn bailiffs and pay the amount due from this person to the deposit account of the sworn bailiff by single transfer from the account opened on behalf of such person. Failure to comply with the payment procedures laid down in this Section shall be recognised as failure to pay the full amount within the meaning of Section 611, Paragraph four of the Civil Procedure Law.

[*27 January 2011; 14 April 2011; 12 April 2018; 14 October 2021*]

**Section 152.1** The Ministry of Justice and the Council of Latvian Sworn Bailiffs have the right to receive data regarding the payments registered in the deposit accounts of sworn bailiffs for the performance of the functions specified in laws and regulations.

[*14 April 2011*]

**Division XIV**

**Work Organisation Regulations and Record-keeping**

**Section 153.** A sworn bailiff shall forward a sample of his or her signature and a seal impression, as well as the signature of his or her assistant to all chief judges of district (city) courts in the operational territory of the relevant regional court, the chief judge of the regional court, and also to the Minister for Justice and the Council of Latvian Sworn Bailiffs.

[*7 March 2019 / Amendments to the Section that provide for the deletion of the obligation of sworn bailiffs to forward a sample of his or her signature and a seal impression, as well as the signature of his or her assistant to chairpersons of the Land Registry offices and heads of public registers shall come into force on 1 June 2019. See Paragraph 42 of Transitional Provisions*]

**Section 154.** (1) A sworn bailiff shall determine his or her office hours.

(2) A sworn bailiff has an obligation to provide for the reception of visitors for at least eight hours a week regarding issues on fulfilment of particular rulings of the court and other authorities, and the acceptance of documents

(3) The Minister for Justice after co-ordination with the Council of Latvian Sworn Bailiffs may permit or impose as a duty to a sworn bailiff to visit towns or villages in the near vicinity on specific days of a week or month for the fulfilment of official duties in order to provide an opportunity to all persons to meet with a sworn bailiff.

**Section 155.** (1) Statements and documents shall be drawn up in the official language, amounts of money shall be indicated in euros, but measures and weights – in conformity with the metric system.

(11) If the sum to be recovered is indicated in a foreign currency in the enforcement document, a sworn bailiff shall calculate the amount of the sum to be recovered in euros in accordance with the foreign currency exchange rate used in accounting on the day on which the enforcement document is registered.

(2) All statements shall include the following prerequisites:

1) date, month and year of the drawing up of the statement, but if necessary – also a more detailed designation of time;

2) name of the office, location of office and practice, given name and surname of a sworn bailiff;

3) address of the location for drawing up the statement;

4) statement registration number;

5) signature of the sworn bailiff.

(3) A sworn bailiff shall stamp the State coat of arms seal on the statements to be issued.

(4) Pages of statements written on several sheets shall be numbered and each page shall be certified with the signature of the sworn bailiff. If parties, witnesses or officials participate in the drawing up of a statement, they shall also sign the statement.

(5) If natural persons have been referred to in the statements, the given name, surname and place of residence thereof shall be indicated, but if necessary, also a personal identity number shall be specified. If it is not possible to ascertain the personal identity number or the place of residence, a sworn bailiff shall indicate this in the statement.

(6) In drawing up statements in relation to legal persons, a sworn bailiff shall verify the legal capacity to act, capacity to act thereof and the authorisation of the representative.

(7) Amendments, deletions and additions shall be noted at the end of the statement preceding the signatures.

[*27 January 2011; 12 September 2013; 12 April 2018*]

**Section 155.1** The Council of Latvian Sworn Bailiffs shall determine the nomenclature of files and time periods for keeping thereof, and also the procedures for record-keeping and statistical recording of sworn bailiffs.

[*7 March 2019*]

**Section 156.** [7 March 2019]

**Section 156.1** (1) In fulfilling official duties, sworn bailiffs shall use the Register of Enforcement Cases.

(2) The State of Latvia shall be the owner of the Register of Enforcement Cases and software thereof.

(3) The Court Administration shall be the manager and holder of the Register of Enforcement Cases.

(4) The Cabinet shall determine the procedures for the establishment, maintenance and use of the Register of Enforcement Cases, as well as the minimum amount of the information to be included therein.

(5) The information included in the Register of Enforcement Cases shall be restricted access information.

[*27 January 2011; 17 January 2013*]

**Section 157.** An enforcement document submitted for enforcement shall be the original. If a derivative of the decision has been submitted for enforcement, it shall be certified with the signature (full name) and seal of the court, the judge or such authority which has issued the enforcement document.

[*12 April 2018*]

**Section 158.**(1) All enforcement documents subject to enforcement shall be registered in the Register of Enforcement Cases.

(2) After registration of an enforcement document received in paper form a note regarding the sequential number of the enforcement case shall be made on the enforcement document. The enforcement document received in paper form shall be scanned and the electronic version of the document shall be appended as annex to the registration card of the received document.

(3) After registration of the electronically signed enforcement document it shall be appended as annex to the registration card of the received document.

[*12 April 2018 / The new wording of Section shall come into force on 1 January 2019. See Paragraph 39 of Transitional Provisions*]

**Section 159.** It is permitted to transfer or send to another sworn bailiff the enforcement documents sent in error in the following cases:

1) in cases where the State is an enforcer of the debt;

2) in criminal matters on confiscation of property and other property levies;

3) in cases on fulfilment of such rulings of foreign courts which have been recognised in Latvia in accordance with the norms of the Civil Procedures Law if the enforcer of the debt is located outside Latvia.

[*12 April 2018*]

**Section 160.** (1) The Register of Enforcement Cases must contain all information regarding the actions performed by a sworn bailiff and the documents included in the files.

(11) Documents and annexes thereof that have been prepared in the Register of Enforcement Cases and sent by a sworn bailiff from his or her official electronic address to the addressee to his or her official electronic address shall also have legal effect if the document does not contain the detail “signature”.

(2) An enforced enforcement document shall remain in the enforcement case, notifying the court, institution or official who has issued the enforcement documents regarding the enforcement.

(3) A sworn bailiff shall, upon the request of a judgment creditor, debtor and the persons specified in Section 52, Paragraph two of this Law, as well as if it is necessary for the fulfilment of official activities, prepare true copies, extracts or copies of the documents present in his or her record-keeping and certify the accuracy thereof.

[*27 January 2011; 12 April 2018; 14 October 2021*]

**Section 160.1** (1) A sworn bailiff shall ensure the issuing of the information in the record-keeping and familiarising with the documents in the enforcement proceedings to a creditor, debtor, and, in the cases laid down in the Civil Procedure Law, also to other persons. Based on a written application of a person, a sworn bailiff may issue a copy of a document in his or her record-keeping or an informative statement.

(2) The persons referred to in Paragraph one of this Section have the right to familiarise themselves with an enforcement case, make extracts from it and make copies in the presence of a sworn bailiff, his or her assistant or an employee of a sworn bailiff. The person who familiarises himself or herself with an enforcement case shall provide a written confirmation that no activities which would be in contradiction with the framework laid down in laws and regulations in the field of personal data protection will be performed with the information obtained on enforcement case and the content of its documents.

(3) Prior to familiarising with the enforcement case, the person shall present a personal identification document and, if such person is not a participant to the enforcement case, shall additionally present a document certifying representation or a document that confirms the right of the person to familiarise himself or herself with the enforcement case.

[*7 March 2019*]

**Section 161.** Enforcement documents in paper form shall be sent as registered mail.

[*12 April 2018*]

**Section 162.** The Council of Latvian Sworn Bailiffs after co-ordination with the Latvian National Archives shall prescribe the procedures for the storage and destruction of the documents of sworn bailiffs.

[*17 January 2013*]

**Section 163.** Documents in enforcement case and other documents at the disposal of a sworn bailiff shall be kept by him or her in accordance with the Archives Law, laws and regulations regulating record-keeping and instructions of the Council of Latvian Sworn Bailiffs.

[*22 December 2005; 17 January 2013*]

**Transitional Provisions**

1. Activities of bailiffs of the Bailiffs Department of the Ministry of Justice and statements drawn up thereof shall be in effect if they have been drawn up by 1 January 2003, but activities of substitutes of sworn bailiffs appointed by the order of the Minister for Justice and statements drawn up thereof – by the removal of a bailiff from the office if they comply with the law in force at the moment of the performance of the enforcement actions and the drawing up of the statements.

2. The Ministry of Justice shall:

1) discontinue to hire bailiffs and employees of offices of other bailiffs on 1 November 2002;

2) organise the acceptance of enforcement cases in the record-keeping of bailiffs and funds in the deposit account of a bailiff’s office from the responsible persons and its transfer to sworn bailiffs in conformity with the determined division of districts;

3) organise training regarding the application of this Law, the Civil Procedure Law and other laws and regulations, and organisation of sworn bailiff practice for employees of the Bailiffs Department of the Ministry of Justice and bailiffs who have applied to the announced positions of office of sworn bailiffs in November and December 2002.

3. The Minister for Justice shall:

1) determine the number of sworn bailiffs, locations of offices thereof, districts and borders thereof, as well as announce it in the gazette Latvijas Vēstnesis by 1 November 2002;

2) appoint employees of the Bailiffs Department of the Ministry of Justice and bailiffs who have applied to the announced positions of office and have been attested, as sworn bailiffs by 1 January 2003;

3) convene the general meeting of sworn bailiffs by 1 February 2003.

4. Attestation of employees and bailiffs of the Bailiffs Department of the Ministry of Justice prior the appointment to the office of a sworn bailiff shall be performed by the attestation commission established by the Minister for Justice by assessing the conformity thereof to the requirements of Sections 12 and 13 of this Law, as well as evaluating references of the previous work thereof and training results. It is also permitted to attest employees and bailiffs of the Bailiffs Department if the relevant persons have reached twenty-one years of age or the persons do not have a higher professional or academic education, but he or she studies successfully in the law programme of a university type institution of higher education.

5. Until the commencement of the activity of the Council of Latvian Sworn Bailiffs the functions prescribed by the law thereof shall be performed by the Ministry of Justice.

6. [22 December 2005]

7. [27 January 2011]

8. Up to 1 April 2003 the Minister for Justice in co-ordination with the Council of Latvian Sworn Bailiffs shall determine the procedures by which State movable property in the use of the Bailiffs Department of the Ministry of Justice and offices of bailiffs on the day of the coming into force of the Law shall be transferred without remuneration to the property of the Council of Latvian Sworn Bailiffs. The Council of Latvian Sworn Bailiffs shall transfer such property to sworn bailiffs for the commencement of practice.

9. In order to ensure the continuous work of sworn bailiffs and service to the public, up to 31 December 2004 sworn bailiffs have the right to lease the premises of the bailiff’s offices of the Ministry of Justice on basis of the existing conditions, utilising the existing means of communications.

10. Upon taking over the files of a bailiff of the Bailiffs Department of the Ministry of Justice, a sworn bailiff shall continue to perform the necessary enforcement actions. Statements and other documents drawn up by the preceding bailiff shall be binding to him or her. A sworn bailiff shall not be liable for losses that have been caused or may be caused in the future as the result of activity of the former bailiff of the Bailiffs Department of the Ministry of Justice.

11. The provisions of Section 33 of this Law regarding a group insurance contract shall be applied as from 1 January 2004.

12. Section 12, Clause 4, Sub-clause “b” of this Law shall come into force on 1 January 2012 and shall be applicable to persons who are appointed to office after 1 January 2012.

13. Persons who study in an accredited study programme in order to acquire the second level higher professional education in law and the lawyer qualification or who have been appointed to the office of a sworn bailiff not having the second level higher professional education in law and the lawyer qualification shall acquire the relevant education not later than by 1 September 2010.

[*2 September 2004*]

14. [2 September 2004]

15. Up to the day of the coming into force of Cabinet regulations, not later than by 31 December 2004, the Ministry of Justice instruction of 10 January 2003, Rates of Remuneration for the Office of Sworn Bailiff, the Ministry of Justice instruction of 10 January 2003, Minimum Insurance Amount for a Sworn Bailiff Individual Insurance Contract and the Mandatory Provisions of an Insurance Contract, and the Ministry of Justice instruction of 4 February 2004, Minimum Insurance Amount for a Sworn Bailiff Group Insurance Contract and the Mandatory Provisions of an Insurance Contract.

[*2 September 2004*]

16. The Minister for Justice shall, by 31 July 2006, take a decision on organising of the examination of sworn bailiffs for substitutes of sworn bailiffs who comply with the following criteria:

1) until 1 January 2005 he or she successfully acquires law science in the State accredited programme of an institution of higher education;

2) until 1 January 2005 not more than one disciplinary sanction has been applied to him or her.

[*22 December 2005*]

17. The Minister for Justice shall appoint those substitutes of sworn bailiffs who pass the examination referred to in Clause 16 of these Transitional Provisions in the office of a sworn bailiff. Those substitutes of sworn bailiffs who fail to comply with the referred to criteria, do not apply for the examination or fail to pass it, shall be removed from the position of the substitute of a sworn bailiff and may candidate for the position of a sworn bailiff in accordance with the general procedures.

[*22 December 2005*]

18. The examination referred to in Clause 16 of these Provisions shall be performed pursuant to the provisions regarding examination of the Law on Bailiffs.

[*22 December 2005*]

19. Section 73, Paragraph one, Clause 9 of this Law, which determines the duty of a bailiff to execute rulings regarding forced implementation of sanctions specified by the international organisations, shall come into force on 1 January 2007.

[*22 December 2005*]

20. The Cabinet shall issue the Regulation referred to in Section 32.6, Paragraph one of this Law until 1 July 2008.

[*20 December 2007*]

21. The norms of Division III of this Law and other norms of this Law regulating the regular occurrence of the qualification examinations and extraordinary examinations of sworn bailiffs shall be applicable from 1 July 2008.

[*20 December 2007*]

22. All sworn bailiffs who have given an oath until 1 January 2004 shall pass the regular qualification examination. Sworn bailiffs, who have given an oath after 1 January 2004, shall pass the regular qualification examination not later than within a period of time specified in Section 32.1, Paragraph one of this Law.

[*20 December 2007*]

23. Sworn bailiffs who are included in the composition of the examination commission and for whom a time period for passing the qualification examination has come into effect pursuant to Section 22 of these Transitional Provisions, shall take the qualification examination in the next year.

[*20 December 2007*]

24. Section 17, Paragraph three of this Law shall be applicable also to those sworn bailiffs who have been dismissed from the office of a sworn bailiff on the basis of Paragraph 13 of these Transitional Provisions.

[*27 January 2011*]

25. For persons who have commenced the fulfilment of official duties of an assistant sworn bailiff before 28 February 2011 and who have not passed an assistant sworn bailiff examination, the time period worked in the office shall be counted into the time period referred to in Section 97, Paragraph four of this Law.

[*27 January 2011*]

26. Section 32.9 of this Law shall come into force on 1 June 2011.

[*27 January 2011*]

27. Sections 84.1 and 156.1 of this Law shall come into force on 1 January 2012.

[*27 January 2011*]

28. Until the day of coming into force of the Cabinet Regulations provided for in this Law, but not later than until 31 May 2011, Cabinet Regulation No. 42 of 9 January 2007, Regulations Regarding the Procedures for Assistant Sworn Bailiff Examination and the Amount of the Necessary Knowledge, shall be applicable insofar as it is not in contradiction with this Law.

[*27 January 2011*]

29. Until the day of coming into force of the Cabinet Regulation (Section 111.2, Paragraph two of this Law) assistant sworn bailiffs, who have passed the examination provided for in Section 111.1 of this Law, shall receive a certificate of an assistant sworn bailiff office approved by the Minister for Justice in accordance with the procedures specified until 28 February 2011 and the certificates received shall be valid until 31 May 2011.

[*27 January 2011*]

30. A sworn bailiff shall ensure the opening of a deposit account in the Treasury and transferring of the funds recovered from a debtor and other amounts that are due to the interested persons present in a deposit account of a sworn bailiff in a credit institution to the deposit account of the sworn bailiff in the Treasury until 1 July 2011.

[*14 April 2011*]

31. In documents, which a sworn bailiff issues after opening of a deposit account in the Treasury, only the deposit account of the sworn bailiff in the Treasury shall be indicated as the settlement prerequisites of the sworn bailiff for transferring of the funds to be recovered from debtors and other amounts that are due to the interested persons to the sworn bailiff. Information regarding the settlement prerequisites of the sworn bailiff in a credit institution included in documents which the sworn bailiff has issued until the opening of the deposit account in the Treasury shall be binding for the addressee of the document until 30 June 2012, unless the bailiff has notified regarding change in the settlement prerequisites.

[*14 April 2011*]

32. Deposit amounts that have been received in a deposit account in a credit institution after opening of a deposit account of a sworn bailiff in the Treasury shall be transferred to the deposit account of the sworn bailiff in the Treasury within seven days from the day when they were received in the deposit account of the sworn bailiff in the credit institution. The sworn bailiff shall close the deposit account in the credit institution until 30 June 2012.

[*14 April 2011*]

33. After opening of a deposit account in the Treasury a sworn bailiff shall arrange an accounting book of the amounts present in the Treasury in compliance with Section 146, Paragraph one of this Law and close the accounting book of deposit amounts in the credit institution. The sworn bailiff shall enter the amounts that remain in surplus in the deposit account in the credit institution as surplus in the deposit account in the accounting book of amounts present in the Treasury.

[*14 April 2011*]

34. The amendment concerning the deletion of Section 73, Paragraph one, Clause 9 of this Law, shall come into force simultaneously with the Law on International Sanctions and National Sanctions of the Republic of Latvia.

[*4 February 2016*]

35. The restriction determined in Section 71, Paragraph one of this Law for a sworn bailiff in part regarding the maintenance of the location of practice in the territory of such regional court as to which he or she is assigned from the day when the territory of operation of Ogre District Court is included into the territory of operation of Zemgale Regional Court until 31 December 2018 shall not be applicable to a sworn bailiff who until inclusion of the territory of operation of Ogre District Court into the territory of operation of Zemgale Regional Court has performed official duties in District No. 35 of the Riga District Court, District No. 36 of the Riga District Court, or District No. 37 of the Riga District Court and has been transferred for the performance of his or her official duties to District No. 35 of the Zemgale District Court, District No. 36 of the Zemgale District Court, or District No. 37 of the Zemgale District Court respectively.

[*12 April 2018*]

36. The provisions of Section 71, Paragraph one of this Law regarding the restriction for a sworn bailiff to perform official activities in the territory of such regional court as to which he or she is assigned shall not be applicable to the official activities (Sections 73 and 74 of this Law) which:

1) a sworn bailiff transferred for the performance of his or her official duties to District No. 35 of the Zemgale District Court, District No. 36 of the Zemgale District Court, or District No. 37 of the Zemgale District Court in relation to inclusion of the territory of operation of Ogre District Court into the territory of operation of Zemgale Regional Court performs in the territory of operation of Riga District Court in cases commenced until the day of transfer;

2) a sworn bailiff of Riga District Court, after inclusion of the territory of operation of Ogre District Court into the territory of operation of Zemgale Regional Court, shall perform in the territory in the jurisdiction of District No. 35 of the Zemgale District Court, District No. 36 of the Zemgale District Court, or District No. 37 of the Zemgale District Court.

[*12 April 2018*]

37. Amendment to Section 77.2, Paragraph three of this Law that provides for sending a notification regarding the date and the time when the activities for the protection of an estate will be performed to the official electronic address of a person if the person has an activated official electronic address account shall come into force on 1 January 2020.

[*12 April 2018*]

38. Amendments to Section 32, Paragraph one, Section 87, Section 88, Paragraph one providing that the co-ordination of leaves of the sworn bailiffs shall be transferred to the Council of Latvian Sworn Bailiffs, supplementation of Section 127 with Clause 13, and amendments to Section 145, Paragraph two of this Law regarding the actions with the deposit amounts present in the deposit account shall come into force on 1 January 2019.

[*12 April 2018*]

39. Amendments to Section 158 and Section 160, Paragraph one of this Law that provides for the registration of all enforcement documents subject to enforcement in the Register of Enforcement Cases and accumulation of all information regarding the actions taken by the sworn bailiff and documents included in the files shall come into force on 1 January 2019.

[*12 April 2018*]

40. Amendments to Section 74 of this Law regarding its supplementation with Paragraphs four, five, and six, amendments to Section 127 regarding its supplementation with Clause 14, and Section 127.1 regarding the duty of a sworn bailiff to perform service of judicial or extrajudicial documents in Latvia in accordance with Hague Convention of 15 November 1965 on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters and Regulation (EC) No 1393/2007 of the European Parliament and of the Council of 13 November 2007 on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters (service of documents), and repealing Council Regulation (EC) No 1348/2000, and the duty of the Council of Latvian Sworn Bailiffs to fulfil the function of the receiving agency for documents shall come into force on 1 January 2019.

[*12 April 2018*]

41. The Cabinet shall, by 1 November 2018, review the amounts of the rate for the official activities of sworn bailiffs complying with the requirements laid down in Section 80, Paragraph two of this Law.

[*12 April 2018*]

42. Amendments to Section 153 of this Law that provide for the deletion of the obligation of sworn bailiffs to forward a sample of his or her signature and a seal impression, as well as the signature of his or her assistant to chairpersons of the Land Registry offices and heads of public registers shall come into force on 1 June 2019.

[*7 March 2019*]

43. Section 74, Paragraph 2.1 of this Law regarding the delegation to the Cabinet to determine the procedures by which a sworn bailiff shall, on the basis of an invitation of a sworn notary, prepare an inventory of the estate upon the request of interested persons shall come into force on 1 July 2019.

[*7 March 2019*]

44. Section 71, Paragraphs four, five, six, and seven of this Law that stipulate the right to accept for enforcement a limited number of enforcement documents for the recovery of such claims where the creditor is not exempted from payment of expenses for the enforcement of a judgment in accordance with the Civil Procedure Law and where the amount to be recovered is at least EUR 10 000 shall come into force on 1 July 2019.

[*7 March 2019*]

45. The number of enforcement documents specified in Section 71, Paragraph four of this Law allowed to be accepted for enforcement in the second half of 2019 shall be calculated, by 30 June 2019, by the Council of Latvian Sworn Bailiffs in accordance with the procedures specified in Section 71, Paragraph four of this Law in respect of the districts in the operational territory of each regional court. The data of the Register of Enforcement Cases on the number of enforcement documents submitted for enforcement in the operational territory of the relevant regional court from 1 July 2018 to 31 December 2018 shall be used for calculation.

[*7 March 2019*]

46. Until approval of the nomenclature of files and time periods for keeping thereof, and also the procedures for record-keeping and statistical recording specified in Section 155.1 of this Law, but not longer than until 1 November 2019, Cabinet Regulation No. 202 of 14 March 2006, Regulations Regarding the Record-keeping of Sworn Bailiffs, shall be applicable.

[*7 March 2019*]

47. Amendments to Section 74 of this Law regarding the supplementation of its Paragraph 2.1 with a condition for the preparation of an inventory of an estate upon request of a trustee of an estate, and regarding the supplementation of Section with Paragraph 2.2 shall come into force on 1 January 2022.

[*14 October 2021*]

This Law shall come into force on 1 January 2003.

This Law was adopted by the *Saeima* on 24 October 2002.

President V. Vīķe-Freiberga

Rīga, 13 November 2002