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

17 June 1996 [shall come into force on 1 July 1996];

4 June 2002 (Constitutional Court Judgment) [shall come into force on 4 June 2002];

24 October 2002 [shall come into force on 1 January 2003];

12 June 2003 [shall come into force on 2 July 2003];

28 October 2004 [shall come into force on 26 November 2004];

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

18 December 2008 [shall come into force on 13 January 2009];

28 October 2010 [shall come into force on 1 February 2011];

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

23 May 2013 [shall come into force on 1 November 2013];

8 May 2014 [shall come into force on 1 July 2014];

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

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

9 November 2017 [shall come into force on 23 November 2017];

8 March 2018 [shall come into force on 21 March 2018];

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

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

14 November 2019 [shall come into force on 12 December 2019];

15 June 2021 [shall come into force on 1 January 2022];

6 July 2021 [shall come into force on 5 August 2021];

14 October 2021 [shall come into force on 9 November 2021];

7 September 2023 [shall come into force on 1 October 2023];

15 February 2024 [shall come into force on 23 February 2024].

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 Supreme Council of the Republic of Latvia has adopted a law:

**Notariate Law**

[*17 June 1996*]

**Division A**

**General Provisions**

[*20 December 2007*]

**Chapter I**

**General Provisions of Operation of Sworn Notaries**

[*20 December 2007*]

**1.**The oversight of notarial matters shall be entrusted, under the supervision of judicial institutions, to sworn notaries in accordance with the procedures laid down in this Law.

This Law shall govern the professional and corporate activities of sworn notaries.

[*24 October 2002*]

**2.**Sworn notaries are persons belonging to the court system, who are assigned to regional courts and perform duties laid down to them in law.

**3.**In respect of their official duties, sworn notaries shall be equivalent to State officials.

[*24 October 2002*]

**4.**Sworn notaries shall be appointed to office for life and they may hold this office until seventy years of age.

**5.**In his or her official duties a sworn notary shall be exclusively subject to law and shall perform his or her duties as an independent and neutral guarantor of civil rights and the lawful interests of natural and legal persons.

**5.1** State and local government institutions, courts, prosecutors and pre-trial investigation institutions shall guarantee the independence of sworn notaries in the performance of their duties of office.

Natural and legal persons, as well as officials are prohibited from interfering with the professional activity of sworn notaries, and to exert pressure and influence on them.

[*24 October 2002*]

**6.**[12 June 2003]

**6.1** The Cabinet, having assessed the accessibility of notarial services, the changes in the court structure, the number of inhabitants, the economic life of the relevant populated area, the jurisdiction of notarial matters and the age structure of notaries, as well as taking into account the point of view of the Council of Sworn Notaries of Latvia, shall determine the places of office of sworn notaries, establish new ones or abolish the existing places of office.

[*1 November 2018* / *Section shall come into force from 1 July 2019.* *See Paragraph 36 of Transitional Provisions*]

**7.**[12 June 2003]

**8.**Sworn notaries shall be appointed, transferred, removed from office, as well as the list thereof shall be maintained by the Minister for Justice.

The Minister for Justice may transfer a sworn notary to another court region, informing the Council of Sworn Notaries of Latvia and the relevant courts of this.

A sworn notary may terminate his or her activities of office upon his or her own request, informing the Minister for Justice of this, who shall issue an order regarding the releasing of the notary from office.

[*12 June 2003*]

**9.**The following persons may be sworn notaries:

1) citizens of the European Union Member States;

2) persons who have attained the age of twenty five years;

3) persons who meet the following educational criteria:

a) they have acquired a higher professional education of the second level in law and a lawyer’s qualifications 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;

4) persons who are fluent in the official language;

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

a) for at least two years – in an assistant to a sworn notary position,

b) for at least three years – in the office of a judge,

c) for at least five years – in a sworn advocate position, sworn bailiff position, assistant to a judge position, assistant to a sworn advocate position, chief judge of Orphan’s and Custody Court, deputy chief judge of Orphan’s and Custody Court or a member of Orphan’s and Custody Court position, the duties of which are equivalent to fulfilment of the work of a sworn notary,

d) for at least seven years – in other legal specialisation positions;

6) persons who have demonstrated their knowledge and abilities in the examination of sworn notaries.

[28 October 2004]

[*Constitutional Court judgment of 4 June 2002; 24 October 2002; 28 October 2004; 20 December 2007; 26 November 2015*]

**10.**The following persons may not be sworn notaries:

1) persons who do not meet the requirements laid down in Section 9 of this Law;

2) persons who have been declared insolvent debtors by a court;

3) persons who have been declared suspects or the accused in criminal proceedings regarding committing an intentional criminal offence;

4) persons against whom the criminal proceedings regarding committing an intentional criminal offence have been terminated for reasons other than exoneration;

5) persons who have been convicted for committing an intentional criminal offence regardless of extinguishing or setting aside the criminal record;

6) persons for whom the right to hold a position of sworn notary has been removed by a court judgment in the criminal proceedings;

7) persons who have committed an intentional criminal offence earlier, but who have been released from serving a sentence;

8) persons who have been excluded from the number of sworn advocates or their assistants, dismissed from a prosecutor's position or have been dismissed from the office of a sworn bailiff, the assistants thereof, sworn notary, the assistants thereof or office of judge on the basis of a decision in a disciplinary matter, until five years have passed from the day of entering into effect of the decision in a disciplinary matter;

9) persons who are under trusteeship;

10) persons who act as sworn advocates or their assistants and sworn bailiffs or their assistants.

[*20 December 2007*]

**11.**[12 June 2003]

**11.1** If a sworn notary place of work is vacant, the Minister for Justice shall invite practising sworn notaries to apply within two weeks for such place of work.

If several sworn notaries apply for one place of office, preference for transfer shall be for the sworn notary who has had the longest practice in office and to whom during the last two years of practice a disciplinary punishment has not been applied. If several sworn notaries comply with these criteria, the Council of Sworn Notaries of Latvia shall provide a substantiated opinion regarding the most applicable candidate.

If there is no such applicant, the Minister for Justice shall publish in the official gazette *Latvijas Vēstnesis* an invitation for persons who have completed the sworn notary examination to apply within one month for the vacant notary position.

[1 November 2018]

In selecting the most appropriate applicant for the office of a sworn notary (hereinafter – applicant), the assessment acquired in the sworn notary examination and the substantiated opinion of the Council of Sworn Notaries of Latvia shall be taken into account. If several candidates who have obtained the same assessment in the sworn notary examination apply for one place of office, preference to be approved for the office shall have an assistant to sworn notaries.

If the vacant place of office of a sworn notary cannot be filled in the way indicated, the Minister for Justice shall announce in the official gazette *Latvijas Vēstnesis* an examination of sworn notaries.

[*28 October 2004; 20 December 2017; 23 May 2013; 1 November 2018*]

**11.2** A person who wishes to become a sworn notary shall:

1) submit to the Council of Sworn Notaries of Latvia a submission and documents, which certify his or her conformity with the requirements of Section 9 of this Law and the fact that in the admission of the person into the number of sworn notaries none of the obstacles referred to in Section 10, Clauses 2 – 9 of this Law exist;

2) present to the Council of Sworn Notaries of Latvia references regarding his or her professional activity and moral characteristics.

The applicant who has obtained the status of a debtor in accordance with the Maintenance Guarantee Fund Law may not apply for a vacant place of office of a sworn notary.

[*28 October 2004; 20 December 2007; 8 March 2018*]

**11.3** If a person whose occupation is not compatible with duties of a notary has submitted a submission for the position of a sworn notary, such person shall be allowed to take an oath and he or she shall be included in the list of sworn notaries after he or she has terminated the abovementioned occupation.

[*24 October 2002; 12 June 2003*]

**11.4** [28 October 2010]

**12.**The Council of Sworn Notaries of Latvia shall submit to the Minister for Justice documents regarding the applicant and a decision by the Council of Sworn Notaries of Latvia regarding a proposal to admit him or her to the number of sworn notaries.

[*24 October 2002; 20 December 2007*]

**13.**If the order by the Minister for Justice regarding the appointment to office or transfer of a sworn notary does not provide otherwise, the sworn notary shall commence fulfilling the duties of office within one month from the day when the order regarding appointment to office or transfer was issued.

[*24 October 2002*]

**14.**A sworn notary shall be included in the list of sworn notaries and may commence fulfilling the duties of office only after he or she has insured for the risk of possible loss as a result of professional activities (Section 24–32) and has given the following oath to the Chief Justice of the Supreme Court:

“I swear to be loyal to Latvia, honestly and to the best of my conscience and belief fulfil the laws of the State, treat the courts and State authority with respect, observe the instructions and orders by supervisory institutions and their officials, honestly perform the duties of a sworn notary, protect the legal interests of persons and matters and values entrusted to me and not to disclose professional secrets, being aware that I am liable for my actions before the law.”

[*24 October 2002*]

**15.**The relevant restrictions on the combination of offices of State officials, as well as the duties determined in law shall apply to sworn notaries.

[*24 October 2002*]

**Chapter II**

**Sworn Notary Examinations and Qualification Tests**

[*20 December 2007*]

**16.**An applicant who complies with the requirements of Section 9, Clauses 1, 2, 3, 4, and 5 of this Law and to whom the limitations determined in Section 10, Clauses 2, 3, 4, 5, 6, 7, 8, and 9 of this Law do not apply, has the right to pass a sworn notary examination (hereinafter – examination).

**17.**A sworn notary shall pass the following qualification tests of a sworn notary (hereinafter – a qualification test) in conformity with the requirements of this Law:

1) a regular qualification test – at least once every five years counting from the day of appointing in the office or from the previous regular qualification test;

2) an extraordinary qualification test – if within two years of the imposition of a disciplinary punishment a repeat disciplinary punishment has been imposed on the sworn notary.

Taking into account a justified submission of a sworn notary, the Minister for Justice may take a decision to extend a period of time for passing a regular qualification test for a period of time until the next regular qualification test, but no longer than for six months.

[*8 March 2018*]

**18.**The theoretical knowledge, including in laws and regulations, necessary for the activity of a sworn notary, as well as the ability to apply such knowledge in practice in order to perform the office duties of a sworn notary, including the drawing up of deeds and record keeping of a sworn notary, shall be assessed in the examination and qualification test. Social competence and social intellect of an applicant and sworn notary shall be assessed as well in the examination and extraordinary qualification test.

**19.**The examinations, regular qualification tests, and extraordinary qualification tests shall be organised and ensured by the Council of Sworn Notaries of Latvia. An extraordinary qualification test shall be organised and a sworn notary shall take it within four months after imposition of a repeat disciplinary punishment.

A decision to organise an examination and qualification test and the day of occurrence thereof shall be taken by the Minister for Justice upon his or her own initiative or upon proposal of the Council of Sworn Notaries of Latvia.

[*26 November 2015*]

**20.**[23 May 2013]

A person shall pay for taking of the examination. The amount of the fee and procedures for payment thereof shall be determined by the Cabinet.

The procedures for the examination and qualification test and fields in which the knowledge and skills of an applicant and sworn notary are examined and the procedures for the assessment thereof shall be determined by the Cabinet.

[*23 May 2013*]

**21.**The questions of the examination and qualification test shall be approved by the Minister for Justice upon a proposal of the Council of Sworn Notaries of Latvia.

The knowledge and skills of an applicant and sworn notary shall be tested by an examination commission. The composition of the examination commission shall be approved by the Minister for Justice upon his or her initiative or upon proposal of the Council of Sworn Notaries of Latvia. The representatives of the Ministry of Justice, judges, academic personnel of institutions of higher education, and sworn notaries, as well as a personnel selection specialist, shall be included in the composition of the examination commission.

A personnel selection specialist shall assess the social competence and social intellect of an applicant and sworn notary.

[*23 May 2013; 1 November 2018*]

**22.**A decision on results of the examination or qualification test shall be taken by the examination commission.

An applicant may contest a decision of the examination commission on results of the examination or qualification test within one month after the day of passing of the examination, by submitting the relevant submission to the Minister for Justice. The applicant may appeal a decision of the Minister for Justice to the Administrative District Court within one month. A decision of the Administrative District Court may not be appealed.

An applicant who fails to pass an examination has the right to pass it repeatedly not earlier than after six months, counting from the day of taking of the examination.

An applicant has the right to apply for a position of a sworn notary not later than within three years after passing the examination.

**23.**A decision of the examination commission on the results of the qualification test shall be submitted to the Minister for Justice for approval. The Minister for Justice shall approve the decision of the examination commission within seven days following the day of taking thereof. A decision of the examination commission shall enter into effect on the day when the Minister for Justice has approved it. Upon determination of violations in the procedures of a qualification test, the Minister for Justice shall not approve a decision of the examination commission, but shall immediately take a decision to organise a new qualification test and on the day of taking thereof which may not be later than within a month.

A sworn notary, who fails to pass a regular qualification test, shall take a repeat regular qualification test not later than within six months from the day of approval of the results of the regular qualification test, but, if the Minister for Justice does not take a decision to organise a regular qualification test during this period of time – when the next regular qualification test is organised.

**23.1** If a sworn notary has improved his or her vocational or academic qualification, acquired the necessary number of credit points respectively for the activities related to improvement of the vocational qualification of a sworn notary since passing of the examination or previous regular qualification test and a justified opinion of the Council of Sworn Notaries of Latvia has been received thereon, the Ministry for Justice may fully or partially release a sworn notary from passing a regular qualification test.

Appeal of a decision of the Minister for Justice on non-release or partial release of a sworn notary from taking a regular qualification test shall not suspend the fulfilment of such decision until entering into effect of a final ruling.

The Cabinet shall determine the activities for improvement of the vocational qualification of a sworn notary in respect of which credit points are granted, the criteria and procedures for granting the credit points, as well as the number of credit points necessary for the full or partial release from taking a regular qualification test and the procedures according to which the full or partial release from taking the regular qualification test takes place.

**Chapter III**

**Risk Insurance for the Activities of Sworn Notaries**

**24.**The possible risk of loss as a result of the professional activity of a sworn notary shall be compulsorily insured.

The policy-holder shall be a sworn notary who shall enter into an individual professional activity risk (civil liability) insurance contract and the Council of Sworn Notaries of Latvia who shall enter into an insurance contract in respect of professional activity risk insurance of all sworn notaries (group insurance contract).

[*24 October 2002*]

**25.**The insurance of possible risk of loss as a result of the professional activity of a sworn notary shall secure claims, which may arise in connection with his or her professional activity and the activity of his or her assistant while replacing the sworn notary.

[*24 October 2002; 28 October 2004*]

**26.**A sworn notary shall enter into an insurance contract before he or she has commenced the fulfilment of his or her duties.

**27.**The insurance contract shall be maintained in effect for the whole period of official duties of a sworn notary.

[*24 October 2002*]

**27.1** A sworn notary has a duty to notify immediately the Council of Sworn Notaries of Latvia of entering into an insurance contract, as well as all of all the amendments to the insurance contract entered into, the occurrence of an insured event, suspension or termination of the operation of the contract.

[*20 December 2007*]

**28.**The Council of Sworn Notaries of Latvia shall supervise that the insurance contract is in effect continuously, as well as monitor that the insurance payments are duly made. A sworn notary has a duty to submit to the Council of Sworn Notaries of Latvia a copy of the payment order within seven days after the time period within which the insurance premium payment is to be made.

If the operation of the insurance contract has been suspended or the contract fails to comply with the mandatory contract provisions set out in this Law or approved by the Cabinet, or the contract is terminated, a sworn notary shall be suspended or dismissed from office.

[*20 December 2007*]

**29.**The risk of the notary himself or herself may not be provided for in the insurance contract.

The insurance contract shall specify a period of three years for submission of a notification regarding the occurrence of an insurable event.

The Cabinet shall determine the minimum amount of insurance for an individual and group insurance contract, as well as mandatory provisions to be included in the insurance contract.

[*24 October 2002; 28 October 2004*]

**30.**If a sworn notary during the performance of the duties of office due to his or her activity or failure to act has caused losses to somebody, irrespective of the disciplinary or criminal liability of the sworn notary, the insurance institution shall cover such losses from the insurance compensation of the sworn notary on the basis of the insurance contract.

Action regarding losses, which have occurred in relation to the official duties of the sworn notary, shall be brought to the city (district) court according to the address of the place of practice of the sworn notary.

[*24 October 2002; 30 October 2014*]

**31.**[20 December 2007]

**32.**[20 December 2007]

**Division B**

**Duties of Office of Sworn Notaries**

[*20 December 2007*]

**Chapter IV**

**General Provisions for Performance of Duties of Office of Sworn Notaries**

[*20 December 2007*]

**33.**Upon commencing activity a sworn notary shall announce the address of the practice and the day of commencing the practice in the official gazette *Latvijas Vēstnesis* and a local newspaper and notify the relevant courts, the Minister for Justice and the Council of Sworn Notaries of Latvia thereof. Such an announcement shall be published and notifications given also in the case of a change of address, as well as upon terminating his or her activities.

[*24 October 2002; 12 June 2003; 23 May 2013*]

**34.**A sworn notary shall send a sample of his or her signature and seal imprint, and also a sample of the signature of his or her assistant to the Council of Sworn Notaries of Latvia, all chief judges, and the Minister for Justice.

[*14 October 2021*]

**35.**The office hours of a sworn notary shall be eight hours per day at least five days a week. A sworn notary shall ensure access to his or her place of practice for the whole period of the office hours.

A sworn notary shall receive clients in person at his or her place of practice during at least five hours per working day.

By agreement with a client a sworn notary may also perform the duties of office outside the office hours.

[*20 December 2007*]

**36.**A sworn notary may have only one place of practice. There shall be a national flag and a copy of the great State coat of arms on the premises of the place of practice.

During working time (Section 35) a sworn notary shall make deeds and certifications in the premises of his or her practice. For persons who cannot appear before the sworn notary he or she may make deeds and certifications at the location of such persons and also outside working time.

[*24 October 2002*]

**37.**The Minister for Justice may permit or also instruct a sworn notary to arrive for the performance of his or her duties in the populated areas in the vicinity where there are no sworn notaries on specific days of week or month.

[*28 October 2010; 14 October 2021*]

**38.**A sworn notary shall perform his or her duties of office only in the operational district of that regional court to which he or she is assigned.

The effect of a notarial deed or notarial certification shall not cease only because the notarial deed or notarial certification has been made outside the operational district of the regional court of the sworn notary.

[*24 October 2002; 15 June 2021*]

**39.**A sworn notary, while performing his or her duties of office within the boundaries of his or her operational district, shall provide notarial assistance to all persons approaching him or her, even if their place of residence or property, to which a deed or certification refers, is located outside such district.

A sworn notary shall not refuse to perform the duties of office, except for the cases laid down in law.

In respect of a refusal to perform the duties of office, a sworn notary shall, within three days, submit the refusal in writing, in which the basis thereof and appeal procedures shall be indicated.

[*24 October 2002; 28 October 2004*]

**40.**A sworn notary shall refuse to make deeds and certifications if he or she is asked to take part in activities, which obviously serve illegal and immoral purposes.

[*24 October 2002*]

**41.**A sworn notary is prohibited from making deeds or certifications in his or her own matters, the matters of his or her spouse, also a former spouse, his or her and his or her spouse’s kin in a direct line to all degrees, collateral line – to the fourth degree and affines – to the third degree, as well as persons under the guardianship or trusteeship of the sworn notary or his or her spouse or adopters or adoptees of the sworn notary or his or her spouse. A sworn notary is prohibited from making deeds and certifications also in cases when he or she directly or indirectly has personal or material interest.

[*28 October 2010*]

**42.**Expressions of intent which have been stated in deeds made or certified by a sworn notary and which are for his or her benefit or the benefit of the persons referred to in Section 41 of this Law shall not be in force.

[*24 October 2002; 28 October 2004; 20 December 2007*]

**43.**Upon commencement of the performance of the duties of office, a sworn notary shall receive a sworn notary office certificate and insignia of office. Samples of the sworn notary office certificate and insignia, procedures for the issuance and cancellation thereof shall be determined by the Cabinet.

While performing duties of office a sworn notary shall carry the insignia of office.

[*24 October 2002; 20 December 2007*]

**44.**A sworn notary shall use a seal with the supplemented lesser State coat of arms and a text, which includes the occupational designation, given name and surname of the sworn notary, name of the regional court and the place of office.

A sworn notary may have only one seal with the State coat of arms.

[*24 October 2002*]

**Chapter V**

**Books of Sworn Notaries**

[*20 December 2007*]

**45.**A sworn notary shall keep:

1) registers for the recording of all deeds and certifications made by him or her, and also of consultations on issues related to notarial activities, if they are not followed by a notarial deed or certification, and of draft transactions;

2) a notarial deed book for notarial deeds made in paper form and a notarial deed book for notarial deeds made in electronic form;

3) a bailment book;

4) a promissory note protest deed book.

The register provided for in Paragraph one, Clause 1 of this Section, the bailment book provided for in Paragraph one, Clause 3 of this Section, and also the electronic notarial deed book is kept electronically.

A sworn notary shall use the registers determined in Section 45.1 of this Law.

[*8 March 2018; 14 November 2021*]

**45.1** The Cabinet shall determine the procedures by which the Council of Sworn Notaries of Latvia shall keep the Register of Authorisations Certified by Sworn Notaries, the Revoked Authorisation Register in Latvia, and the Future Authorisation Register.

The Cabinet shall determine the fee, exemptions from it, and reductions of the fee for receipt of information, and also the procedures by which information from the Register of Authorisations Certified by Sworn Notaries, the Revoked Authorisation Register of Latvia, and the Future Authorisation Register shall be received.

[*17 January 2013; 8 March 2018 /* *Amendments to Section which provide for the establishment of the Register of Authorisations Certified by Sworn Notaries shall come into force on 1 July 2018.* *See Paragraph 30 of Transitional Provisions*]

**46.**Pages or sheets of registers and books of sworn notaries shall be numbered in the current number sequence.

**47.**[8 March 2018]

**48.**A register sheet shall be divided into ten columns in which the following shall be entered:

1) the sequence number by starting a new numeration every year;

2) the month and day when the notarial activity was performed;

3) the title of the consultation, draft transaction, deed or certification;

4) the sum of money of the transaction referred to in the draft transaction or deed or referred to in the consultation if such has been determined or such may be determined;

5) the amount of State fee paid;

6) the amount of remuneration for the official duties of the sworn notary;

7) the person for whom a notarial activity has been performed, a consultation has been provided, a draft transaction has been prepared – the given name, surname, personal identity number (or the identification code assigned in a foreign country), if there is none – the year, day, month, place of birth and the nationality of a natural person; the name, registration number, and representative of a legal person;

8) the beneficial owner of the legal person – in conformity with the information laid down in the Law on the Prevention of Money Laundering and Terrorism and Proliferation Financing;

9) a politically exposed person – the given name, surname, personal identity number (or the identification code assigned in a foreign country), if there is none – the year, day, month, place of birth and the nationality of a natural person;

10) a notation by the sworn notary as to whom and when the documents have been issued or sent or the consultation has been provided.

[*14 October 2021*]

**49.**[24 October 2002]

**50.**[20 December 2007]

**51.**[20 December 2007]

**52.**A notarial deed book shall consist of:

1) original copies of notarial deeds (Section 82) with all annexes;

2) certified true copies of the documents referred to in Section 128 of this Law.

[*24 October 2002*]

**53.**A sworn notary shall bind with a string a notarial deed book prepared in paper form and deliver it to the Council of Sworn Notaries of Latvia. A deed book may consist of several volumes.

The Council of Sworn Notaries of Latvia shall verify the conformity of the notarial deed book with the form specified and the numeration of pages, and fix the ends of strings with a paper sticker on the last page, make a closing inscription on which the conformity of the notarial deed book with the form specified, number of pages, and closing date shall be indicated. The closing inscription shall also state the number of deeds and of the documents referred to in Section 128 of this Law.

If, upon verifying the conformity of the notarial deed book, deficiencies are determined, it shall be returned to the sworn notary for elimination of deficiencies.

[*8 March 2018*]

**54.**The bailment book shall consist of seven columns in which the following is entered:

1) the sequence number;

2) year, month and day when the object for bailment was received;

3) the bailor – the given name, surname, personal identity number (or the identification code assigned in a foreign country), if there is none – the year, day, month, place of birth and the nationality of a natural person; the name, registration number, and representative of a legal person;

4) designation of the object deposited for bailment;

5) the sum in numbers if money is deposited for bailment;

6) the person to whom the object for bailment is to be issued;

7) a notation by the sworn notary as to whom and when the object for bailment has been issued – the given name, surname, personal identity number (or the identification code assigned in a foreign country), if there is none – the year, day, month, place of birth and the nationality of a natural person; the name, registration number, and representative of a legal person.

[*14 October 2021*]

**55.**[8 March 2018]

**56.**The promissory note protest deed book shall consist of the duplicates of protest deeds in paper form for which State fee need not be paid.

The promissory note protest deed book shall be bound separately for each year, numbered by pages, bound with a string and certified by the signature and seal of the sworn notary.

[*23 May 2013*]

**57.**The Revoked Authorisation Register provided for in Section 45.1 of this Law shall indicate the surname and given name, personal identity number (if none – the year, day, month, and place of birth) of the authorised person and the authorising person, information regarding the revoked authorisation, the sworn notary who published the announcement, the official gazette where the announcement regarding revocation of the authorisation was published, stating the title of the gazette, year, day, month, and issue number of the publishing.

The Future Authorisation Register provided for in Section 45.1 of this Law shall indicate the surname and given name, personal identity number (if none – the year, day, month, and place of birth) of the authorised person and the authorising person, information regarding a future authorisation, the rights of the authorised person to commence operation and its suspension, indicating the supporting documents thereof, as well as information regarding the revoked future authorisation, the sworn notary who published the announcement, the official gazette where the announcement regarding revocation of the future authorisation was published, stating the title of the gazette, the year, day, month, and issue number of the publishing.

The Register of Authorisations Certified by Sworn Notaries provided for in Section 45.1 of this Law shall indicate the surname and given name, personal identity number (if none – the year, day, month and place of birth) of the authorised person and the authorising person, the information regarding the certified authorisation, and the sworn notary who has certified the authorisation.

[*23 May 2013; 8 March 2018 /* *Paragraph three shall come into force on 1 July 2018.* *See Paragraph 30 of Transitional Provisions*]

**58.**A sworn notary shall keep deeds, books, seals, files and valuables in a safe place and take care of the storage thereof in an undamaged condition.

**59.**A sworn notary shall close deed books and promissory note protest deed books for each year separately. Thereafter they shall not be used.

The closing inscription shall specify the number of entries, as well as the number of deeds and documents.

[*8 March 2018*]

**60.**After closing the books referred to in Section 59 of this Law a sworn notary shall prepare them for safekeeping in his or her archive together with the requests laid down in Sections 132 and 134.

[*20 December 2007*]

**60.1** The Council of Sworn Notaries of Latvia shall, once a year, submit to the Minister for Justice the information regarding the register of practicing sworn notaries, the compliance of the books of notarial deeds and bailment books with the laid-down requirements.

[*28 October 2010*]

**61.**If a sworn notary has been transferred, suspended, removed or dismissed from office, the Minister for Justice shall, when taking a decision to transfer, suspend, remove, or dismiss from office, concurrently give an order to another sworn notary to take over the books, files, deeds and stored valuables referred to in Section 62 of this Law and shall, not later than on the next working day following the issue of such an order, inform the Council of Sworn Notaries of Latvia and the chief judge of the relevant regional court thereof.

If a sworn notary has deceased, the Minister for Justice shall, as soon as possible, but not later than within two weeks following the receipt of such information, give an order to another sworn notary to take over the books, files, deeds and stored valuables referred to in Section 62 of this Law and shall, not later than on the next working day following the issue of such an order, inform the Council of Sworn Notaries of Latvia and the chief judge of the relevant regional court thereof.

The Minister for Justice shall, upon proposal of the Council of Sworn Notaries of Latvia or upon his or her own initiative, give an order to the newly appointed sworn notary or a sworn notary practising in the nearest populated area to take over the books, files, deeds and stored valuables referred to in Section 62 of this Law.

[*28 October 2010*]

**61.1** A sworn notary appointed in accordance with the procedures laid down in Section 61 of this Law shall, within the time period determined in the order, take over from a sworn notary, who is transferred, suspended, removed or dismissed from office, the books, files, deeds and stored valuables referred to in Section 62 of this Law at the presence of the representatives of the Council of Sworn Notaries of Latvia and the relevant regional court.

In the cases when a sworn notary cannot transfer the books, files, deeds and stored valuables referred to in Section 62 of this Law, the appointed sworn notary shall take over them at the presence of the representatives of the Council of Sworn Notaries of Latvia, the relevant regional court and the Ministry of Justice.

[*28 October 2010*]

**62.**When taking over notarial books and files, they shall be closed, fixing the ends of strings on the last page thereof with a paper sticker and specifying on the closing inscription in what state the books or files were found, what was the number of pages covered by writing and what was the state of the strings and seals, as well as the date. The closing inscription shall be signed by a sworn notary, who takes over the abovementioned books, files, deeds and stored valuables, and by the sworn notary who transfers them. In cases when a sworn notary cannot transfer the books, files, deeds and stored valuables, the closing inscription shall be signed by the sworn notary who takes over them and a representative of the Council of Sworn Notaries of Latvia.

[8 March 2018]

[*28 October 2010; 8 March 2018*]

**63.**[28 October 2010]

If a sworn notary has died, has been transferred for an indefinite period of time to another place of office within the operational territory of another regional court or dismissed from office, his or her seals shall be notched with a file and handed over to the Minister for Justice. If a sworn notary has been removed or transferred for a definite period of time to another place of office within the operational territory of another regional court, his or her seal shall be handed over to the Minister for Justice without being notched with a file.

If a suspended sworn notary remains in office or if a sworn notary who has been transferred for a definite period of time to another place of office within the operational territory of another regional court, resumes the performance of his or her duties at the place of office where he or she was initially appointed, the matters taken over from the sworn notary shall be returned to him or her.

[*28 October 2004; 28 October 2010; 23 May 2013*]

**64.**The regulation regarding the form of sworn notary registers and books and procedures for keeping thereof and regarding the keeping of an Inheritance Register and conducting of inheritance matters shall be issued by the Cabinet.

[*20 December 2007*]

**64.1** A sworn notary shall transfer the documents to be stored permanently to the National Archives of Latvia for permanent storage in accordance with the procedures laid down in the Archives Law and in the relevant cases.

The transfer of archives of sworn notaries shall be organised by the Council of Sworn Notaries of Latvia.

[*28 October 2010*]

**Division C**

**General Provisions for Official Duties of Sworn Notaries**

[*20 December 2007*]

[*20 December 2007*]

**65.**A sworn notary has jurisdiction to:

1) make notarial deeds;

2) make certifications;

3) accept money, securities and documents for bailment;

31) accept subject matter of an obligation for bailment;

4) conduct inheritance matters;

5) draw up property division drafts in cases provided for by law;

51) conduct divorce matters;

52) legalise public documents issued in Latvia with a certificate (apostille);

53) perform activities related to the corroboration of rights and security of rights in the Land Register, if the corroboration is justified by a notarial deed drawn up by a sworn notary;

6) perform other activities provided for by laws.

[24 October 2002]

[*24 October 2002; 28 October 2010; 1 November 2018; 1 November 2018* / *Clause 5.2 shall come into force on 1 July 2019.* *See Paragraph 33 of Transitional Provisions*]

**66.**A sworn notary is permitted:

1) to ensure the corroboration of rights and security of rights in Land Registers, as well as entering of rights, securities of rights or data in the National Real Estate Cadastre and registers managed by the Enterprise Register;

2) to ensure permits, certificates, and other documents required for the conclusion of notarial deeds and also for corroboration of rights and security of rights in the Land Registers to be obtained from State, local government and private institutions, as well as from officials and private individuals;

3) to draw up draft deeds, draft contracts and drafts of other documents related to the activity of a sworn notary, as well as make copies and translations;

4) to provide any other legal assistance;

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

In performing the activities referred to in Paragraph one, Clauses 1 and 2 of this Section, the sworn notary shall act on the basis of law, without submitting a power of attorney.

[*24 October 2002; 28 October 2010; 26 November 2015; 1 November 2018*]

**67.**A sworn notary shall calculate and collect State fees for performance of notary activities, as well as account for the sums collected in accordance with the relevant laws, making a notation in the deed or certification regarding the payment of fees or release therefrom.

The amount and procedures by which the State fee for performance of notary activities is to be paid, as well as exemptions from payment of the State fee, shall be determined by the Cabinet.

[*20 December 2007; 18 December 2008*]

**67.1** The state authorities shall provide the information necessary for the fulfilment of official duties to the sworn notary free of charge.

[*9 November 2017 /* *Section shall come into force from 1 January 2022.* *See Paragraph 26 of Transitional Provisions*]

**68.**Except for the cases laid down in law, deeds and certifications shall be written in the official language, sums of money shall be indicated in Latvian currency, but measures and weights – in conformity with the metric system.

**69.**When making a notarial deed in which a person participates who is not fluent in Latvian and speaks a language in which the sworn notary is not fluent, the person shall invite an interpreter. An interpreter shall also be invited in case if a participant of a notarial deed is a person who communicates only in sign language. The invited interpreter shall sign with his or her signature that he or she has been warned of criminal liability in respect of a knowingly false translation.

[*24 October 2002; 8 March 2018*]

**70.**In deeds and books, if signatures have been made in a foreign language, the surname of the signatory shall be written in the official language as it is pronounced; and if the sworn notary is not fluent in this language, the invited interpreter whose signature shall be certified by the sworn notary shall do it.

**71.**Certification inscription may also be done in a foreign language for documents drawn up in the foreign language, if the sworn notary is fluent in the language.

[*28 October 2010*]

**72.**Persons who are unable or cannot sign shall entrust another person to do it on their behalf and this person and the sworn notary with their signatures shall certify such. In such case the witnesses determined in Section 1494 of the Civil Law shall be required.

**73.**All deeds and certifications shall contain the following:

1) year, day and month and, if necessary, also a more detailed time indication and the address where the deeds and certifications were made;

2) given name and surname of the sworn notary;

3) the register number;

4) the signature of the sworn notary;

5) the amount of State fee and all other amounts collected for the performed deed or certification.

A sworn notary must put his or her seal on all deeds and certifications or, if the relevant document is signed with a secure electronic signature, a time stamp must be added.

[*24 October 2002; 28 October 2004; 23 May 2013*]

**74.**Deeds or certifications written on several sheets shall be numbered and bound with a string, the ends of the string shall be fixed on the last page and the binding with a string shall be certified by the signature and seal of the sworn notary.

Separate pages may be glued together, putting the seal on the juncture.

**75.**When designating persons in deeds and certifications their given name, surname, personal identity number (or an identification number assigned in a foreign country), and place of residence shall be indicated, but in deeds and certifications according to which the sworn notary must verify the identity of the persons – also the year, day, and month of birth, as well as the place of birth of these persons.

In a deed or certification according to which the sworn notary must verify the identity of a person the declared place of residence shall be recorded. If information regarding the person or his or her declared place of residence is not included in the Population Register or if such certification is made according to which the sworn notary need not verify the identity of the person, the declared place of residence shall be recorded on the basis of an oral declaration by the person.

If it is impossible to ascertain the year, day, month of birth and place of birth in accordance with the procedures laid down in Section 76, the sworn notary must indicate it in the deed or certification.

In drawing up the deeds and certifications in accordance with which a sworn notary shall verify the identity of persons, a sworn notary shall, on the day of making the deed or certification, verify a person’s data in the Population Register and Invalid Document Register and make a note thereon in the deed or certification. When performing data verification of a person in the Population Register and the Invalid Document Register in the case of signature certification provided for in the law On National Referendum and Legislative Initiation and when performing verification of the identity of witnesses in the cases specified in Section 94 of this Law, a notary is exempted from payment for the receipt of information, and in such case consideration for data verification shall not be requested from the person.

[*24 October 2002; 28 October 2004; 20 December 2007; 18 December 2008; 23 May 2013; 8 March 2018* / *Amendments to Paragraph four shall come into force on 1 January 2019.* *See Paragraph 32 of Transitional Provisions*]

**76.**If the sworn notary does not know the person for whom the deed or certifications is to be made or who must be identified for another purpose, he or she shall ascertain the identity of such person according to the passport or identity card. If the abovementioned person cannot present such documents, the sworn notary shall ascertain his or her identity according to other reliable documents, if necessary supplementing the information lacking from the testimonies of two witnesses. The manner how the identity of a person was ascertained shall be indicated in the deed or certification.

Witnesses who certify the identity of an unknown person to the sworn notary shall sign with their signature regarding criminal liability in respect of knowingly false testimony.

If the sworn notary does not know the person for whom the deed or certification is to be made in the field of immovable property, and there are suspicions of the use of another person’s identity, in addition to that determined in Paragraph one of this Section, he or she shall verify the data of the participant of a deed or certification in the Biometric Data Processing System by comparing the finger prints of a person with the data available on this system.

[*20 December 2007; 1 November 2018* / *Paragraph three shall come into force on 1 May 2019.* *See Paragraph 34 of Transitional Provisions*]

**76.1** If the laws and regulations provide for the verification of the capacity to act, a sworn notary shall verify it, including by looking into the data of the Population Register.

[*14 October 2021*]

**77.**When making deeds and certifications for legal persons, their legal capacity, scope of activity and powers as representatives shall be verified.

**77.1** Notarial deeds, certifications and other documents may be drawn up by hand or prepared by technical means.

[*24 October 2002*]

**78.**Corrections, crossing out and additions shall be indicated at the end of the deed or certification before the signatures.

Deletions in deeds and certifications shall not be permitted, blank spaces and erroneous entries shall be crossed out. Crossing out shall be performed in such manner that the crossed-out text remains visible.

Obvious misspelling and mathematical calculation mistakes in deeds and certifications shall be corrected by a sworn notary and the correction shall be certified by his or her signature.

[*24 October 2002; 28 October 2010*]

**79.**A sworn notary and his or her employees shall not disclose the information entrusted to them, as well as provide information regarding the matters entrusted to them and deeds and certifications entered into notarial books to third persons; this provision shall also be in force after they have left office.

The sworn notary shall ensure compliance with these requirements also in the work of his or her staff.

A sworn notary shall keep secret all entrusted matters, deeds and documents.

[*24 October 2002*]

**80.**Exceptions from the provisions of Section 79 of this Law shall be allowed for:

1) a sworn notary, officials of courts, the Office of the Prosecutor, and pre-trial investigation institutions – in connection with the performance of the duties of office;

2) officials of other agencies and private individuals – with the consent of the participants of the deed or certification or with the permission of the Council of Sworn Notaries of Latvia;

3) the Council of Sworn Notaries of Latvia – in conformity with the competence laid down in Section 230 of this Law;

4) in cases provided for by this Law.

Books and files of sworn notaries, as well as separate documents may not be removed from the premises of the practice, even upon request and upon a decision of courts, investigation or other institutions.

If criminal proceedings regarding forgery have been commenced, on the basis of a decision of investigation institutions, relevant documents of a sworn notary may be withdrawn from his or her files, leaving copies certified by the sworn notary instead. After the performance of an expert-examination or adjudication of the matter at court, the withdrawn documents shall be returned to the sworn notary. If a decision of the court on the expertise of handwriting is received in a civil matter, a sworn notary or his or her authorised person shall, on the day of the expertise, deliver the necessary documents to the performer of the expertise in person. Immediately after performance of activities necessary for the expertise they shall be returned to the sworn notary or his or her authorised person and delivered back to the place of practice of the sworn notary.

The Cabinet shall determine the fee, exemptions from it, and reductions of the fee for issuing a permission, and also the procedures for issuing a permission to receive information from files of the sworn notary. In the case of international legal cooperation a foreign official or institution which has submitted a request for international legal assistance to issue information from a file of the sworn notary shall be exempted from payment for the receipt of the permission.

[*24 October 2002; 20 December 2007; 28 October 2010; 8 March 2018 /* *Amendments to Paragraph one, Clause 2 and Paragraph four shall come into force on 1 July 2018.* *See Paragraph 30 of Transitional Provisions*]

**81.**Notarial deeds (Section 82) and certifications (Section 108) made by a sworn notary, except for the documents referred to in Section 116 of this Law, shall be public documents.

[*24 October 2002*]

**Division C.1**

**Application of a Foreign Law**

[*26 November 2015*]

**81.1** In the cases specified in law a sworn notary shall apply the laws of other countries and shall ascertain the contents of the foreign law to be applied.

**81.2** If necessary, a sworn notary, in order to ascertain the contents of the foreign law to be applied, shall:

1) invite the person to provide the sworn notary with translation of the foreign law in the official language, certified in accordance with specific procedures, if a reference to the foreign law has been made by the person himself or herself;

2) ascertain the contents in international agreements that are binding to the Republic of Latvia, in accordance with the procedures laid down in the legal norms of the European Union, or use the Ministry of Justice as an intermediary for ascertaining the contents of a foreign law;

3) use other available methods for ascertaining the contents of a foreign law.

**81.3**If the contents of a foreign law are not familiar to a sworn notary and are impossible to ascertain in accordance with Section 81.2 of this Law, a sworn notary shall act in accordance with Section 22 of the Civil Law.

**Division D**

**Notarial Deeds**

[*20 December 2007*]

**82.**Deeds, which are made by a sworn notary, recording them into a deed book, shall be known as notarial deeds.

**82.1** When certifying an expression of intent a sworn notary shall make a notarial deed.

The notarial deed shall specify the expressions of intent of its participants.

Participants of a notarial deed shall be persons who in the presence of a sworn notary express their intent on their own or on other person’s behalf.

A sworn notary shall enter notarial deeds in a notarial deed book.

[*24 October 2002*]

**83.**A sworn notary shall verify the identity, capacity to act and the right of representation of the participants of the notarial deed.

A sworn notary shall verify the right of representation according to the public documents submitted to him or her or entries in the Commercial Register or other public registers.

If the right of representation arises from an entry in the Commercial Register or another public register, the sworn notary shall verify this right by comparing with the data in such a register not earlier than 15 days before making of the notarial deed or by comparing an extract of the register which not earlier than 15 days before making of the notarial deed has been certified by the institution of the relevant register. A time period of 30 days shall be applied to foreign registers. The sworn notary shall note in the deed the date of the data verification or the date when the extract was certified.

The sworn notary shall attach the documents, which prove the right of representation of the participant of the notarial deed, in the form of the original or a notarised copy in accordance with the procedures laid down in Section 74 of this Law.

[*24 October 2002; 20 December 2007*]

**84.**Deeds may be made in the presence of witnesses or without them (Section 1474 of the Civil Law).

When performing notarial activities in the cases indicated in Section 72, the presence of two witnesses shall be required; these witnesses may also certify the identity of the participants of the deed (Section 76).

[*8 May 2014; 8 March 2018*]

**85.**A sworn notary shall ascertain the identity of unknown witnesses and interpreters in accordance with the procedures laid down in Section 76.

[*24 October 2002*]

**86.**The following may not act as witnesses to a notarial deed:

1) illiterates, minors and those who are unable to correctly and completely comprehend and certify the deed due to physical or mental deficiencies;

2) those for whose benefit the deed is made or the order issued;

3) those who are in the relations with the sworn notary referred to in Section 41, his or her spouse, participants of the deed or third persons determined in the deed for whose benefit the deed is made or the order is issued;

4) employees of the sworn notary and members of staff of the sworn notary and his or her employees;

5) persons without knowledge of the official language;

6) [24 October 2002].

[24 October 2002]

[*24 October 2002; 23 May 2013; 8 March 2018*]

**87.**Participants of the deed shall submit to the sworn notary a ready draft or request the sworn notary to draw it up.

**87.1** The sworn notary shall ascertain the intent of the participants in the notarial deed and the terms of the transaction, record notifications by persons clearly and unambiguously, acquaint the participants with the possible legal consequences of the transaction so that ignorance of laws and lack of experience is not used against their best interests.

[*24 October 2002*]

**87.2** A sworn notary shall provide an explanation to the participants of the notarial deed regarding permits and approvals of the courts or institutions and regarding legitimate right of pre-emption and it shall be determined in the deed.

In certifying a legal transaction the subject of which is the right entered in or to be entered in the Land Register, a sworn notary shall verify such data in the Land Register at the time of making of a deed.

[*20 December 2007*]

**87.3** A sworn notary shall not make notarial deeds which are prohibited by law or the content of which is in obvious conflict with laws that protect the administrative order, public morals or dignity of a person.

If the sworn notary has doubts regarding the effect of separate terms of the transaction, he or she shall make it known to the participants of the notarial deed and indicate it in the notarial deed.

If the sworn notary has doubts regarding the conformity of the transaction with the law, the provisions regarding consumer rights protection or true will of the participants, he or she shall discuss such doubts with the participants to the transaction. If the participants to the transaction still insist on the making of the deed, the sworn notary shall enter in the deed both his or her explanations and the explanations of the participants in the deed provided thereto.

[*20 December 2007; 23 May 2013*]

**87.4** When certifying a future authorisation agreement a sworn notary shall inform the participants of the deed regarding the significance of such authorisation, entering into effect thereof and the procedures for commencement of the activity of an authorised person, as well as register the deed in the Future Authorisation Register provided for in Section 45.1 of this Law.

Information regarding the rights of an authorised person to represent the authorising person shall also be recorded in the Future Authorisations Register.

Information regarding the rights of an authorised person to represent the authorising person shall be recorded in the register on the basis of an opinion of the head of a medical treatment institution issued in accordance with the Medical Treatment Law or a document considered equivalent thereto, which has been issued abroad and the authenticity of which has been confirmed in accordance with the procedures laid down in the Document Legalisation Law, or a court ruling.

Any sworn notary may record the information, verifying prior to making the entry whether the future authorisation is in effect.

After the rights of an authorised person to represent the authorising person have been registered, the sworn notary shall make a respective notation on the extract from the notarial deed book (the authorisation) presented to him or her. Such notation shall also be made on the original of the notarial deed. If the notarial deed has been certified by another sworn notary, the notary who makes the notation in the register shall inform him or her electronically on the same day regarding the necessity to make such notation.

Information regarding suspending the rights of an authorised person shall be recorded in the register in accordance with a court ruling or notarised expression of intent of the authorising person.

In case of a revocation of a future authorisation a sworn notary shall act in accordance with the provisions of Chapter XV of this Law.

[*17 January 2013 /* *See Paragraph 22 of Transitional Provisions and the Law of 29 November 2012]*

**88.**The draft shall be read to the participants of the notarial deed in the presence of the sworn notary, but the attached plans and other images shall be offered to them for examination. If the participants of the notarial deed acknowledge to the sworn notary that they comprehend the content and meaning of the notarial deed and that the notarial deed corresponds to their intent, they and the sworn notary shall sign the draft.

[*24 October 2002*]

**89.**If in accordance with law witnesses are to be invited or witnesses have been invited according to the wish of the participants, the deed shall be read out and signed in the presence of the witnesses.

The witnesses and interpreters shall also sign the deed.

[*24 October 2002*]

**90.**If the participants of the notarial deed do not wish that the invited witnesses know the content of the deed and they have listened to the content thereof in the absence of the witnesses, then upon signing of the deed the participants thereof shall inform the witnesses that they have heard it.

[*24 October 2002*]

**90.1** The notarial deed shall be signed in the presence of the sworn notary.

The conditions referred to in Sections 88–90 shall be indicated in the notarial deed.

[*24 October 2002*]

**91.**The deed shall be written clearly; the sums, dates and numbers therein shall at least once be written in words, except for the dates and numbers of the legitimacy documents of the participants and witnesses of the deed, as well as the numbers of the buildings which refer to the address of the sworn notary’s place of practice or the address of the place of making the deed and the place of residence of the persons referred to.

**92.**[24 October 2002]

**93.**If the provisions of Section 78 are not met, the deed shall not have notarial force.

[*24 October 2002*]

**94.**In drawing up the deeds in which blind persons or deaf persons, and also persons with such speech impediments which prevent them from expressing their intent orally participate, the presence of a witness is necessary, unless these persons refuse it. Refusal of persons of the presence of a witness shall be indicated in a deed.

If a person who is deaf, who is unable to express his or her intent orally due to speech impediments and does not know how to or cannot read the notarial deed, is a participant of the deed, the presence of a witness is mandatory and the participants of the deed have no right to refuse it.

If the person referred to in Paragraphs one and two of this Section is not able to sign himself or herself, the provisions of Section 72 of this Law shall be applicable. In this case the functions of one witness may be performed by a witness who has been invited in accordance with the procedures provided for in Paragraph one of this Section.

[*8 March 2018*]

**95.**If a person is deaf and is not able to write but can read, he or she shall himself or herself read the deed and confirm that the deed expresses the intent of such person. It shall also be indicated in the deed.

If a deaf person is able to read the deed and is able to write, he or she shall write by hand himself or herself that he or she has read the deed and that it correctly reflects the intent of such person.

[*8 March 2018*]

**96.**[8 March 2018]

**97.**[8 March 2018]

**98.**[8 March 2018]

**99.**[8 March 2018]

**100.**The original of a notarial deed shall be the deed, which has been recorded in the notarial deed book.

**Note.**Recording in the notarial deed book shall mean recording of the documents referred to in Section 52 of this Law in the register and placement thereof in the notarial deed book.

[*24 October 2002*]

**101.**In respect of the notarial deed recorded in the notarial deed book, the sworn notary shall issue notarised extracts of the notarial deed book and copies of notarial deeds.

[*24 October 2002*]

**102.**An extract of the notarial deed book shall have the same force as the original of the notarial deed, irrespective of whether the extract of the notarial deed is issued in electronic or paper form.

[*24 October 2002; 28 October 2010; 23 May 2013*]

**103.**In issuing extracts of the notarial deed book and copies of notarial deeds, a sworn notary shall comply with the provisions of Sections 73–75 of this Law.

Certifications shall be written on the extract or copy itself.

Extracts and copies shall coincide with the originals word for word.

Corrections, crossings out, additions and deletions in extracts and copies shall not be permitted. Corrections, crossings out and additions appropriately marked in the original (Section 78) need not be indicated repeatedly as such if in the extract or copy they are immediately inserted in the place exactly provided for them in the text.

The State fee and remuneration for work for issuing of the extract shall not be collected if it is issued in relation to correction of a mistake made by a sworn notary in a deed.

[*24 October 2002; 8 March 2018*]

**104.**A sworn notary shall issue extracts of the notarial deed book to the participant of the notarial deed or his or her representatives, heirs and successors in interest, except for the cases when a prohibition to receive an extract without a consent of other participants in the notarial deed is provided for in the notarial deed or other procedures have been determined for the receipt of extracts. Extracts of a notarial deed book may also be issued to other persons for whom the notarial deed grants the right to receive them or to the representatives, heirs and successors in interest of such persons, but to all other persons – only with the permission of the Council of Sworn Notaries of Latvia.

Certification of an extract shall state the evidence, which grants the right to receive the extract.

[*24 October 2002; 28 October 2010; 1 November 2018*]

**105.**[28 October 2010]

**106.**A sworn notary may issue copies of notarial deeds to those persons who have the right to receive extracts of the notarial deed book.

[*28 October 2010*]

**107.**A notarial deed shall bear an indication to whom, when and under what registration number extracts or copies have been issued.

Each extract of the notarial deed book shall specify its sequential number, irrespective of whether the respective deed is issued in electronic or paper form.

[*24 October 2002; 23 May 2013*]

**Division D.1**

**Notarial Deeds to be Enforced in Accordance with the Procedures Laid Down for the Enforcement of Court Judgments**

[*23 May 2013*]

**107.1** In accordance with the procedures laid down in the Civil Procedure Law for enforcement of court judgments, the following agreements made in the form of a notarial deed shall be enforced (assigned for compulsory enforcement):

1) term agreements regarding monetary payments or return of movable property or documents;

2) term lease, rental, or lending contracts which provide that the lessee, renter, or borrower has an obligation, due to expiry of the term or due to non-payment of lease or rental payment, to vacate the leased, rented, or lent property, and also an obligation to pay the lease or rental payment;

3) agreements regarding one-time or regular maintenance payments.

The notarial deed of enforcement specifying the obligation of a person to vacate the leased, rented, or lent property shall be executed in accordance with the procedures provided for in Chapter 74.1 of the Civil Procedure Law.

The agreements made in the form of a notarial deed indicated in Paragraph one of this Section shall not be subject to compulsory enforcement if it is directed against a property owned by the State or a local government, or if the obligation has been extinguished by the limitation period the expiry of which is unequivocally obvious from the document itself.

[*8 March 2018; 6 July 2021*]

**107.2** If performance of the obligation specified in a notarial deed depends on occurrence of beforehand provable conditions, the deed may be assigned for compulsory enforcement, if the occurrence of those conditions is known to the notary or provable by public documents, entries in the State information system or documents issued by a credit institution, or other reliable documents.

[*8 March 2018*]

**107.3** The notarial deed indicated in Section 107.1, Paragraph one of this Law may be assigned for enforcement, if it conforms to the following requirements:

1) the terms of the deed to be assigned for enforcement conform to the requirements laid down for the protection of consumer rights;

2) the enforceable obligation, its basic amount, interest, amount of penalty, which is determined in conformity with the provisions of law regarding determination and calculation of the amount of penalty, the term, procedures and conditions for the performance of the obligation, are clearly indicated in the deed;

3) a debtor has clearly and unequivocally agreed to the compulsory enforcement of the obligation in the deed, including to the eviction of the debtor and his or her property from the leased, rented, or lent property if the term lease, rental, or lending contract provides that the lessee, renter, or borrower has an obligation, due to expiry of the term or due to non-payment of lease or rental payment, to vacate the leased, rented, or lent property, and also an obligation to pay the lease or rental payment. An authorised person may give such consent on behalf of the debtor only if he or she has been specifically authorised for this;

31) a pledger has clearly and unequivocally agreed to the bringing of recovery proceedings against the pledged property, if a pledge right has been registered in relation to the relevant immovable property;

4) the parties of the deed have indicated their addresses to which announcements sent shall be deemed as received.

[*8 March 2018; 6 July 2021*]

**107.4** A creditor may submit to a sworn notary a notarial deed for assignment for compulsory enforcement within one year from the day when the term for performance of the relevant obligation became due. If a notarial deed is not assigned for compulsory enforcement within one year from the day when the term for performance of the relevant obligation became due, the performance of the obligation may be requested according to legal general claim procedures.

If a sworn notary issues a notarial deed of enforcement, augmentation of penalty and interest, except for the lawful interest, shall cease from the day when the notarial deed has been submitted to the sworn notary for assignment for compulsory enforcement.

[*8 March 2018 /* *Amendments to Paragraph two which provide for the possibility to collect the interest specified by law shall come into force on 1 July 2018.* *See Paragraph 30 of Transitional Provisions*]

**107.5** An application regarding assignment of an obligation for compulsory enforcement may be submitted by a creditor or his or her representative, a cessionary if a contract of cession has been concluded in the form of a notarial deed, by heirs or successors in interest to the sworn notary who made the notarial deed to be submitted for compulsory enforcement.

The sworn notary shall verify the identity of the submitter and the right of representation.

It shall be indicated in the application what obligation and on the basis of which deed is requested to be assigned for compulsory enforcement (to vacate the leased, rented, or lent property, to deliver the particular property, documents or the amount to be recovered) by indicating separately the basic amount, penalty and interest (as agreed to or those laid down in law), indicating the calculation thereof, the time period for which the penalty and interest are to be recovered, the name of a credit institution and the account number to which the payment is to be made, and also a certification that true information on facts has been provided to a sworn notary and the submitter is informed that liability for the provision of a false application is provided for in the Criminal Law. The notarial deed to be assigned for enforcement, amendments and supplementations thereof if such have been made and, if necessary, a contract of cession and a pledge contract in the form of a notarial deed, and evidence for the occurrence of conditions shall be appended to the application.

The amount of penalty to be recovered shall be indicated in conformity with the provisions of law regarding the determination and calculation of the amount of penalty.

[*8 March 2018; 6 July 2021*]

**107.6** If a sworn notary determines that an application of a creditor does not conform to the requirements of Section 107.5 of this Law, or if the terms in the notarial deed which the creditor requests to be assigned for compulsory enforcement do not conform to the requirements laid down in this Division, he or she shall refuse the making of the notarial deed of enforcement in accordance with the procedures laid down in Section 39, Paragraph three of this Law.

**107.7** A sworn notary shall make a notarial deed of enforcement as a notarial deed within three working days from the day of the receipt of the application indicated in Section 107.5 of this Law. The following shall be indicated therein:

1) the year, day and month of making of the deed;

2) what obligation and to what extent it should be fulfilled, and also an indication to the fact that at the time of issuing the notarial deed of enforcement the creditor has the right to receive the lawful interest of the amount to be collected and the non-paid principal amount of the debt from the debtor until performance of the notarial deed of enforcement;

3) the person in whose favour the notarial deed of enforcement is being made (given name, surname, personal identity number, place of residence or the name of the legal person, legal address, registration number);

4) the person against whom the recovery is directed (given name, surname, personal identity number, place of residence or the name of the legal person, legal address, registration number);

5) the expenses for making a notarial deed of enforcement to be collected from the debtor;

6) a notation regarding the time period of two months for voluntary fulfilment of the obligation and for submission of the notarial deed of enforcement to a bailiff after setting in of the abovementioned time period if the notarial deed of enforcement states an obligation of the person to vacate the leased, rented, or lent property before expiry of the time period laid down in the contract.

The notarial deed of enforcement shall be issued to the creditor and the issue thereof is not subject to appeal.

If enforcement is to be carried out in different places or the deed has been made for the benefit of several creditors or is directed towards several debtors, the sworn notary shall, upon request of the creditor, issue several notarial deeds of enforcement. If several notarial deeds of enforcement are issued, each of them shall accurately set out the place of enforcement (a court district) or such part of the obligation under which such notarial deed of execution is to be enforced, but in cases of joint collection – also the defendant against whom recovery is directed under such notarial deed of enforcement.

Sample notarial deed of enforcement shall be approved by the Cabinet.

If any of the participants withdraws (death of a natural person, a legal person ceases to exist, a claim is ceded or other circumstances) after the issuing of the notarial deed of enforcement, a sworn notary shall, upon request of a creditor, allow the substitution of this participant with his or her successor in title and amend the issued notarial deed of enforcement.

[*8 March 2018; 6 July 2021*]

**107.8** A sworn notary shall send a true copy of the notarial deed of enforcement to the debtor to the address indicated in the notarial deed of enforcement and to his or her declared place of residence. The true copy of the notarial deed of enforcement shall also be sent to the address of the debtor indicated by the creditor, if different from the aforementioned.

**107.9** If a debtor is of the opinion that the claim of the creditor regarding the enforcement of obligations is unfounded he or she may bring an action in accordance with the procedures laid down in Section 406 of the Civil Procedure Law.

**107.10** The applicable laws and regulations and jurisdiction to make an agreement in the form of a notarial deed regarding one-time or regular maintenance payments in cross-border matters shall be determined in accordance with Council Regulation (EC) No 4/2009 of 18 December 2008 on jurisdiction, applicable legal acts, recognition and enforcement of adjudications and co-operation in matters relating to maintenance obligations (hereinafter – Regulation No 4/2009).

**107.11** Upon request of the interested person a sworn notary shall issue a certificate regarding the issued notarial deed of enforcement referred to in Article 60 of Regulation (EU) of the European Parliament and of the Council No 1215/2012 of 12 December 2012 on jurisdiction and the recognition and enforcement of judgements in civil and commercial matters (hereinafter – Regulation No 1215/2012) (Annex II to Regulation No 1215/2012).

Upon request of the interested person a sworn notary shall, on the basis of Regulation No 4/2009 and Article 48(3) thereof, write out a notarial deed extract regarding the issued notarial deed of enforcement regarding the agreement on one-time or regular maintenance payments.

Upon request of the creditor a sworn notary shall, on the basis of Regulation (EC) No 805/2004 of the European Parliament and of the Council of 21 April 2004 creating a European Enforcement Order for uncontested claims (hereinafter – Regulation No 805/2005) and Article 25(1) thereof, write out a European Enforcement Order regarding the issued notarial deeds of enforcement (Annex III to Regulation No 805/2004).

A sworn notary who has made the notarial deed of enforcement may rectify errors in the European Enforcement Order or withdraw a European Enforcement Order upon request of the interested party on the basis of Article 10 of Regulation No 805/2004. Upon submitting a request for the rectification or withdrawal of a European Enforcement Order the standard form referred to in Article 10(3) of Regulation No 805/2004 shall be used (Annex VI of Regulation No 805/2004).

[*26 November 2015*]

**Division E**

**Certifications**

[*20 December 2007*]

**Chapter VI**

**General Provisions for Certifications**

[*20 December 2007*]

**108.**Sworn notaries shall certify:

1) extracts of the notarial deed book and copies of notarial deeds;

2) [24 October 2002];

3) authenticity of signatures;

4) the fact that a person is alive;

5) derivatives and translations of documents;

6) appearance or non-appearance of contracting parties to enter into legal transactions or perform other duties;

7) the contents of safes and other depositories;

8) date of document presentation;

9) the payment of State fees;

10) protests;

11) revocation of authorisations;

12) submission of notifications;

13) proceedings of meetings, actions and events;

14) giving of submissions, notifications (declarations) and testimonies;

15) other facts and documents provided for in law.

[*24 October 2002; 1 November 2018*]

**108.1** A sworn notary shall make a certification as a notarial deed, except for the cases where the law provides that the certifications must be written on the document itself (certification inscription) or provides for another special procedure of certification.

The deed shall indicate the determinations of the notary.

The sworn notary may issue an extract from the notarial deed book in respect of such deed to the person upon whose invitation the certification was made, or his or her representative, heir, or successor in interest.

Certifications which are not made as notarial deeds and bear no signature of a person may be issued also in electronic format.

[*24 October 2002; 23 May 2013*]

**109.**Certifications shall be recorded in the register (Section 48).

[20 December 2007]

**110.**[24 October 2002]

**111.**[24 October 2002]

**112.**[24 October 2002]

**Chapter VII**

**Certification of the Authenticity of Signatures**

[20 December 2007]

**113.**When certifying the authenticity of signatures the sworn notary shall verify the identity of the signer.

**114.**The signature shall be given or acknowledged as one’s own in the presence of the sworn notary.

**115.**The certification shall be written on the document itself, indicating that the signature has been given or has been acknowledged as one’s own in the presence of the sworn notary.

[20 December 2007]

[*24 October 2002; 20 December 2007*]

**116.**Documents on which only the authenticity of signatures has been certified shall be recognised as private documents, and it shall be noted in the certification.

The authenticity of signatures shall not be certified on documents the content of which is in obvious conflict with laws, which protect administrative order, public morals or dignity of a person.

If a document is submitted by participants in the certification, a sworn notary shall become acquainted with the content of the document as far as necessary for determining the circumstances referred to in Paragraph two of this Section. The sworn notary shall not be responsible for the content of the document and it shall be so noted in the certification.

If the document has been drawn up by a sworn notary, the duties determined in Section 87.1 of this Law shall also apply to him or her.

[*20 December 2007*]

**Chapter VIII**

**Certifications that a Person is Alive**

[*20 December 2007*]

**117.**When certifying that a person is alive the sworn notary shall ascertain that the person regarding whom the certification is required is really alive. If the sworn notary does not know this person, the identity of such person shall be verified according to the procedures set out in Section 76.

**118.**The certification shall include the year, day, month, hour and minute when the sworn notary ascertained that the person was alive.

[*20 December 2007*]

**Chapter IX**

**Certification of Derivatives and Translations of Documents**

[*20 December 2007; 1 November 2018*]

**119.**When certifying derivatives (true copies, extracts and copies) and translations of documents, the sworn notary shall compare them with the submitted documents. Certifications shall indicate submitters of the documents.

The sworn notary shall not verify the legality of the document issued, but verify only their conformity with the documents presented and indicate such in the certification.

[*24 October 2002; 1 November 2018*]

**119.1** Sworn notaries are entitled to make copies from the certifications, which are kept in their archive files if it is requested by persons who have signed the relevant documents, their representatives, heirs or successors in interest.

[*24 October 2002*]

**120.**The certification shall be written on the derivative or translation of the document itself.

The certification of derivatives and translations of documents shall specify what corrections, crossings out, additions, deletions, and other peculiarities were in the document, unless they can be seen in the derivative or translation of the document.

Derivatives and translations of documents the content of which is in obvious conflict with laws which protect administrative order, public morals or dignity of persons may not be certified.

[*24 October 2002; 1 November 2018*]

**121.**If the translation is not written on the document itself, it shall be appended to the document in accordance with the procedures laid down in Section 74.

**Chapter X**

**Certifications Regarding Appearance or Non-appearance of Contracting Parties to Enter into Legal Transactions or Perform Other Duties**

[*20 December 2007*]

**122.**Certifications regarding appearance or non-appearance of contracting parties to enter into legal transactions or perform other duties shall indicate:

1) the year, day, month, hour and minute when such persons appeared or failed to appear at the place of sworn notary’s practice;

2) the given name and surname, personal identity number of such persons, but for persons who have appeared – also the place of residence and the year, day, and month of birth, as well as the place of birth;

3) explanations by the persons who have appeared.

The certifications referred to in this Section and Section 139 may be combined.

[*20 December 2007; 8 March 2018*]

**123.**The sworn notary must verify the identity of the persons who have appeared.

**Chapter XI**

**Certifications Regarding the Content of Safes and Other Depositories**

[*20 December 2007*]

**124.**When certifying the content of safes and other depositories the sworn notary shall draw up a report indicating:

1) the person who has invited the sworn notary to certify the contents of a safe or a depository;

2) the date of the certification;

3) the location of the safe or depository;

4) the contents of the safe or depository.

The persons determined in Section 125 and the sworn notary shall sign the report.

**125.**The sworn notary shall ascertain the content of the safe or depository in the presence of the person who invited him or her and a representative of the credit institution if the safe or depository is located in a credit institution.

**125.1** The report shall be drawn up as a notarial deed.

[*24 October 2002*]

**126.**The person who has invited the sworn notary shall be issued with a copy of the report.

**Chapter XII**

**Certifications Regarding the Date of Document Presentation**

[*20 December 2007*]

**127.**The date when a document was presented to a sworn notary shall be certified on the document itself, specifying the bearer thereof.

The date of presentation shall not be certified for documents the content of which is in obvious conflict with laws, which protect administrative order, public morals or dignity of persons.

The certification shall specify what corrections, crossings out, additions, deletions and other peculiarities were present in the presented document.

[*24 October 2002*]

**128.**If the bearer wishes, the sworn notary may also record the document in the notarial deed book.

[*24 October 2002*]

**129.**The inscription of the sworn notary on the document to be returned shall only certify that this document was recorded in the notarial deed book at a specific date.

[*24 October 2002*]

**Chapter XIII**

**Certifications Regarding Payment of State Fees**

[*20 December 2007*]

**130.**When certifying the payment of State fees the notary shall act according to the law on State fees.

**Chapter XIV**

**Certification of Protests**

[*20 December 2007*]

**131.**A sworn notary shall certify protests in accordance with the procedures laid down in the relevant laws.

**Chapter XV**

**Certification of Revocation of Authorisations**

[*20 December 2007*]

**132.**A sworn notary shall certify a request to revoke an authorisation in accordance with the regulations regarding certification of expressions of intent and announce the revocation of the authorisation in the official gazette *Latvijas Vēstnesis*.

The sworn notary shall verify the identity, the capacity to act of the submitter or his or her representative and the power of attorney of the representative.

[*24 October 2002; 23 May 2013*]

**133.**A sworn notary shall notify an authorised person of the revocation of an authorisation electronically to his or her official electronic address, and if none – with a registered letter to the declared place of residence.

[*8 March 2018*]

**Chapter XVI**

**Certification of Notifications**

[*20 December 2007*]

**134.**A request to notify shall be expressed in writing. Notifications the content of which is in obvious conflict with the laws protecting administrative order, public morals of dignity of persons shall not be permissible.

The sworn notary shall verify the identity of the submitter.

The certification shall be written on the request itself.

[*24 October 2002*]

**135.**A sworn notary shall deliver notifications orally or in writing; and if they are delivered in writing, the addressee shall be issued with a copy of the submitted request for which no State fee shall be paid and which copy upon instructions of the sworn notary may be delivered by his or her employee.

[*24 October 2002*]

**136.**A written notification may be delivered to the addressee in person, sent to the official electronic address if the account of the official electronic address has been activated for the person, or sent by post as a registered letter by receiving an acknowledgement by the post office on its delivery.

[*24 October 2002; 14 November 2021*]

**137.**If the addressee is not at home, the notification shall be left with the members of his or her household, administrator of the building, concierge or a neighbour who agrees to hand over the notification to the addressee.

**138.**A notification shall be considered to have been issued to the addressee even if the addressee has refused to receive it.

**138.1** If the official electronic address, legal address, or place of residence is not known for a person who asks to deliver a notification, a sworn notary shall receive it from the information system of official electronic addresses, the Commercial Register, or the Population Register accordingly.

If the place of residence of the addressee (natural person) is not indicated in the Population Register and the account of the official electronic address has also not been activated, the sworn notary shall, upon request of the person who has asked to deliver the notification, publish the notification in the official gazette *Latvijas Vēstnesis*. The sworn notary shall also act in such a way if, in sending a notification to the legal address or place of residence of the addressee, he or she receives a notification of the post office of impossibility to deliver the postal consignment to the addressee, and also in the case laid down in the Residential Tenancy Law when, upon a written request of the acquirer, it is necessary to publish a notification of change in the ownership right to residential premises.

A notification shall be considered as delivered on the next working day after publication thereof in the official gazette *Latvijas Vēstnesis*.

[*28 October 2010; 23 May 2013; 8 March 2018; 6 July 2021; 14 October 2021*]

**139.**Upon request of the submitter or the addressee the sworn notary shall issue a certificate regarding the delivery of the notification which shall specify the given name, surname and place of residence of the addressee, the content of the notification, the time when the notification was delivered and the reply of the addressee if such was given.

**Chapter XVII**

**Certifications Regarding Proceedings of a Meeting, Activity and Event**

[*20 December 2007*]

**139.1** When certifying proceedings of meetings, activities and events, the sworn notary shall write a report.

The report shall be drawn up as a notarial deed.

A sworn notary may refuse to certify proceedings of meetings, activities and events, if it is asked to be done later than five days prior the relevant meeting, activity or event.

[*28 October 2010*]

**139.2** The sworn notary shall verify the identity of persons who sign the report. The sworn notary shall not be responsible for the identity of other persons referred to in the report.

**139.3** When certifying the proceedings of meetings, the sworn notary shall specify in the report the place, date and course of the meetings, which have taken place in his or her presence, the content of decisions and other events, which may be of legal significance.

The chairperson of the meeting and the sworn notary shall sign the report.

**139.4** A sworn notary may certify proceedings of activities and events if they may cause legal consequences and have taken place in the presence of the sworn notary and two invited witnesses.

The report shall specify the place, date and course of the activities and events.

The witnesses and the person who has invited the sworn notary shall sign the report.

**Chapter XVIII**

**Certifications Regarding Giving of Submissions, Notifications (Declarations) and Testimony**

[*20 December 2007*]

**139.5** A sworn notary shall certify the giving of submissions, notifications (declarations) and testimonies in accordance with the regulations regarding certification of expressions of intent.

The sworn notary shall warn the participants of the notarial deed of the criminal liability in respect of the giving of knowingly false submissions, notifications (declarations) and testimonies to the sworn notary. It shall also be indicated in the notarial deed.

**139.6** The sworn notary shall certify the giving of submissions, notifications (declarations) if the submission of a notarised submission, notification (declaration) to State or local government institutions and officials is provided for by law.

**139.7** Certifications regarding giving of testimony may not substitute for testimonies obtained in accordance with the relevant procedures at Latvian court and pre-trial investigation institutions in criminal proceedings, civil matters and administrative proceedings in a court.

[*20 December 2007*]

**Division E.1**

**Electronic Deeds and Certifications**

[*8 March 2018 /* *Division shall come into force on 1 July 2018.* *See Paragraph 30 of Transitional Provisions*]

**139.8** A sworn notary shall certify an electronic document with a safe electronic signature by attaching a time stamp.

[*8 March 2018 /* *Section shall come into force on 1 July 2018.* *See Paragraph 30 of Transitional Provisions*]

**139.9** A sworn notary shall certify electronically the certifications specified in Section 108.1, Paragraph four of this Law, and also deeds and certifications which the participants to them shall sign electronically in presence of a sworn notary.

[*8 March 2018 /* *Section shall come into force on 1 July 2018.* *See Paragraph 30 of Transitional Provisions*]

**139.10** A sworn notary may make electronic deeds and certifications by using a video conferencing in the Notaries Information System. Making a deed or certification in the video conferencing mode is recorded. A record of the video conferencing shall be kept in the Notaries Information System for ten years from the day of making a deed or certification.

[*8 March 2018 /* *Section shall come into force on 1 July 2018.* *See Paragraph 30 of Transitional Provisions*]

**139.11** A sworn notary shall establish an electronic notarial deed book separately.

[*8 March 2018 /* *Section shall come into force on 1 July 2018.* *See Paragraph 30 of Transitional Provisions*]

**139.12** The identity of submitters of the submission in which the documents provided for in Section 102 of this Law are requested to be issued, and also of the submissions and requests which are provided for in Sections 107.5, 134, and 145.3 of this Law shall not be verified in accordance with the procedures laid down in this Law if the submission is signed with a valid safe electronic signature.

A sworn notary shall accept also an electronically signed inheritance submission without verifying the identity of the submitter in accordance with the procedures laid down in this Law if the will to accept or refuse the inheritance is not expressed in the submission.

[*8 March 2018 /* *Section shall come into force on 1 July 2018.* *See Paragraph 30 of Transitional Provisions*]

**139.13** [14 October 2021]

**139.14** A sworn notary shall refuse to make an electronic deed and certification in the cases specified in this Law, as well as if due to technical reasons he or she has no possibility to comply with the requirements of this Law, or it is not possible to ensure a qualitative record of video conferencing.

The refusal referred to in Paragraph one of this Section shall not be an obstacle for a person to request that a sworn notary makes an electronic deed and certification if the obstacles which have been the basis for such refusal have ceased.

[*8 March 2018 /* *Section shall come into force on 1 July 2018.* *See Paragraph 30 of Transitional Provisions*]

**Division F**

**Bailment of Money, Securities and Documents**

[*20 December 2007*]

**140.**A sworn notary shall verify the identity of the bailor and make an entry in the bailment book for each object received for bailment.

**141.**If a closed envelope is deposited for bailment, its outer appearance shall be described. The envelope shall be sealed with the seal of the sworn notary and the bailor and the sworn notary shall sign thereon.

**142.**A submission of a bailor for transfer of a bailment to a sworn notary shall be notarised. Certification of the submission is not necessary if the basis of the transfer of the bailment is a notarised transaction. The sworn notary shall issue the bailor with a receipt for receiving the object for bailment. If the object for bailment is money, the receipt thereof shall be certified with a document regarding the transfer of money into the account of the sworn notary.

In respect of acceptance of a will for safekeeping (Section 439, Paragraph 4 of the Civil Law) a notarial deed shall be made.

[*8 March 2018*]

**143.**The money received for bailment shall be transferred into holding of a credit institution which is entitled to provide financial services in the Republic of Latvia.

[*20 December 2007; 8 March 2018*]

**144.**The State shall not be liable for the activities of a sworn notary related to money and securities entrusted to him or her.

**145.**The sworn notary shall issue the object for bailment to the bailor or the indicated third person.

[*1 November 2018*]

**Division F.1**

**Acceptance of Subject Matter of an Obligation for Bailment**

[*28 October 2010*]

**145.1** If in the cases determined in Section 1837 of the Civil Law a debtor cannot fulfil the commitment, he or she has the right to submit a subject matter of an obligation for bailment according to the place of fulfilment of commitment to a sworn notary practicing in the relevant regional court.

**145.2** The following subject matters of an obligation may be submitted to the sworn notary for bailment:

1) money;

2) securities;

3) documents;

4) valuables.

Other subjects may be submitted to the sworn notary only in such case, if due to the properties of such subjects it is possible to store them by the sworn notary.

**145.3** A subject matter of an obligation shall be submitted to the sworn notary for bailment in his or her presence attaching it to a submission in which the following shall be indicated:

1) the given name, surname, personal identity number (if there is none – the year, day, month and place of birth) and the place of residence of the debtor;

2) the given name, surname, personal identity number, and place of residence or a firm name, registration number, and location (legal address) of the creditor to whom the subject matter of the obligation is to be transferred or of his or her successor in title, if the successor in title is known to the debtor, or that the address is not known to the debtor;

3) the designation of the obligation for the fulfilment of which the subject matter of an obligation is submitted;

4) the reason due to which it has been impossible to fulfil the obligation;

5) a detailed description of the subject matter of an obligation to be submitted;

6) a request to issue the subject matter of an obligation submitted for bailment upon request of the creditor;

7) the fact that money has been paid in the account of the sworn notary in a credit institution, if non-cash is submitted for bailment.

If non-cash is submitted for bailment, a payment order regarding payment of money in the account of the sworn notary in a credit institution shall be attached to the submission referred to in Paragraph one of this Section.

[*8 March 2018*]

**145.4** A sworn notary shall, upon receipt of a debtor’s submission, without verifying the correctness thereof, act in accordance with that indicated in Section 140-143 of this Law, except for the case when non-cash funds are submitted for bailment and issue a quittance to the debtor regarding receipt of the subject matter of an obligation.

If non-cash funds are submitted for bailment, a sworn notary shall, upon receipt of the debtor’s submission, without verifying the correctness thereof, act in accordance with that indicated in Sections 140 and 142 of this Law, ascertains that payment of the money in the bank account of the sworn notary in a credit institution has been performed and issue a quittance to the debtor regarding receipt of the subject matter of an obligation.

A sworn notary shall, after receipt of a subject matter of an obligation for bailment, invite the specified creditor to submit to the sworn notary a submission regarding handing out of the subject matter of an obligation not later than within one month after receipt of the invitation. The creditor’s signature on the referred to submission shall be certified by the sworn notary or other person determined in Section 1474 of the Civil Law.

If the referred to obligation has several creditors, the invitation shall be sent to other creditors to submit to the sworn notary a submission in which the opinion regarding transfer of the subject matter of an obligation to the relevant creditor is expressed, not later than within one month after receipt of the invitation. The signature on the referred to submission shall be certified by the sworn notary or other person determined in Section 1474 of the Civil Law.

An invitation shall be made by a notification in accordance with the procedures laid down in Sections 136–138 of this Law, but, if the place of residence or location (legal address) of the creditor or of his or her successor in title is not known – by an announcement in the official gazette *Latvijas Vēstnesis*.

An obligation according to which the subject matter of an obligation has been submitted to the sworn notary for bailment shall be determined in the notification or announcement.

[*23 May 2013*]

**145.5** If there is dispute between creditors regarding the fact to whom a subject matter of an obligation is due, a sworn notary shall inform creditors that such dispute shall be settled in accordance with the claim procedures. Following the receipt of a court ruling, which has come into legal force, the subject matter of an obligation shall be issued to the creditor determined in the court ruling, but, if non-cash has been submitted for bailment, it shall be transferred to the account in a credit institution determined by the creditor.

If other creditors have failed to submit a submission to a sworn notary regarding the transfer of the subject matter of an obligation to the relevant creditor within the time period determined in the notification, it shall be considered that they have agreed to the fact that the subject matter of an obligation is to be handed over to the relevant creditor.

Upon receipt of a creditor’s submission regarding the issue of the subject matter of an obligation, if there is no dispute regarding belonging of the subject matter of an obligation between creditors or there is one creditor, the sworn notary shall determine the day when the matter regarding the issue of the subject matter of an obligation will be examined, and in accordance with the procedures laid down in Sections 136–138 of this Law shall notify the debtor and creditor thereof. Concurrently the creditor shall be notified regarding the necessity to submit a deed (if any has been made), which is the base for the obligation, until the day of examination of the matter regarding the issue of the subject matter of an obligation.

**145.6** If a creditor refuses to receive a subject matter of an obligation and a dispute regarding the rights arises, a sworn notary shall issue the subject matter of an obligation back to the debtor or, if non-cash is submitted for bailment, shall transfer it to the account in the credit institution determined in the payment order of the debtor, concurrently explaining the rights to the debtor to settle the dispute in accordance with the claim procedures. A sworn notary shall notify the creditor of the rights to settle the dispute in accordance with the claim procedures in accordance with the procedures laid down in Sections 136–138 of this Law.

The State fee for submission of a subject matter of an obligation for bailment, the rate of remuneration of a sworn notary and other actual expenses shall be covered by the debtor.

[*1 November 2018*]

**145.7** While a creditor has not submitted a submission regarding the issue of a subject matter of an obligation, the debtor may receive back the subject matter of an obligation.

The money paid to a sworn notary in order to cancel a debt or claims which have been secured with a notation in the Land Register, if such notation has already been cancelled, may be received back by the debtor only upon the creditor’s consent which is to be submitted to the sworn notary in the form of a submission, or on the basis of a court ruling, which has come into legal force and which recognises the instalment as invalid. The creditor’s signature on the referred to submission shall be certified by the sworn notary or other person determined in Section 1474 of the Civil Law.

If the debtor receives back the subject matter of an obligation in accordance with the procedures laid down in this Section, the sworn notary shall issue it to the debtor or, if non-cash is submitted for bailment, shall transfer it to the account in a credit institution determined in the payment order of the debtor and notify a creditor.

The State fee for submission of a subject matter of an obligation for bailment, the rate of remuneration of a sworn notary and other actual expenses shall be covered by the debtor.

[*1 November 2018*]

**145.8** A submission regarding the issue of a subject matter of an obligation shall be examined on the day determined by a sworn notary at his or her premises of the place of practice.

A sworn notary shall, having determined that the creditor agrees to receive the subject matter of an obligation, make a notarial deed regarding the issue of the subject matter of an obligation and issue the subject matter of the obligation to the creditor or, if non-cash is submitted for bailment, shall transfer it to the account in the credit institution determined by the creditor.

The following shall be indicated in a notarial deed:

1) the given name, surname, personal identity number (if there is none – the year, day month and place of birth) of the debtor and the place of residence;

2) the given name, surname, personal identity number, and place of residence or a firm name, registration number and location (legal address) of the creditor to whom the subject matter of the obligation is to be transferred or of his or her successor in title;

3) the given name, surname, personal identity number, and place of residence or a firm name, registration number and location (legal address) of other creditors, if any;

4) the designation of the obligation for the fulfilment of which the subject matter of an obligation is submitted;

5) the reason due to which it has been impossible to fulfil the obligation;

6) a detailed description of the subject matter of an obligation;

7) the information regarding fulfilment of the requirements of Sections 145.4 and 145.5 of this Law;

8) a notation regarding complete or partial fulfilment of the obligation;

9) the fact that the money has been transmitted to the account in a credit institution determined by the creditor, if non-cash has been submitted for bailment.

The State fee for submission of a subject matter of an obligation for bailment, the rate of remuneration of a sworn notary and other actual expenses shall be covered by the debtor.

[*8 March 2018; 1 November 2018*]

**145.9** Prior to deciding a matter regarding the issue of a subject matter of an obligation to a creditor, a sworn notary shall request a deed (if any has been made) from the creditor which is the basis of the obligation to be cancelled by the subject matter of an obligation.

If the obligation is cancelled partially by the subject matter of an obligation issued to the creditor, a sworn notary shall return the submitted deed to the creditor and make a notation thereon in the notarial deed. If the obligation is cancelled completely by the subject matter of an obligation issued to the creditor, a sworn notary shall transfer the submitted deed to the debtor.

**Division G**

**Assistants to Sworn Notaries**

[*20 December 2007 / Chapter 5 has been renamed as Division G*]

**146.**A sworn notary may have assistants.

Assistants to sworn notaries who have acted in this position for at least two years, after passing the sworn notary examination shall have priority to be approved as sworn notaries.

[*24 October 2002*]

**147.**The following persons may be assistants to sworn notaries:

1) persons who are citizens of the Republic of Latvia;

2) persons who have reached the age of twenty-one years;

3) they have acquired higher professional education of the second level in law and lawyer’s qualifications on the basis of the acquisition of an accredited study programme at an institution of higher education;

4) persons who are fluent in the official language;

5) persons who have worked with a sworn notary for at least two years;

6) persons who have passed the examination of an assistant to a sworn notary.

[*24 October 2002; 28 October 2004; 20 December 2007; 8 March 2018* / *Clause 6 shall come into force on 1 September 2018.* *See Paragraph 31 of Transitional Provisions*]

**148.**The persons indicated in Section 10, Clauses 2–10 of this Law may not be assistants to sworn notaries.

[*24 October 2002; 20 December 2007*]

**148.1** The knowledge of a candidate for the position of an assistant to a sworn notary shall be examined by an examination commission established by the Council of Sworn Notaries of Latvia with the participation of the person authorised by the Minister for Justice.

[*8 March 2018 /* *Section shall come into force from 1 September 2018.* *See Paragraph 31 of Transitional Provisions*]

**148.2** The examination of an assistant to a sworn notary shall be organised by the Council of Sworn Notaries of Latvia. Theoretical knowledge and practical work skills of a candidate shall be examined in the examination.

The procedures for the organisation of the examination of an assistant to a sworn notary 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 Sworn Notaries of Latvia.

[*8 March 2018 /* *Section shall come into force from 1 September 2018.* *See Paragraph 31 of Transitional Provisions*]

**148.3**The candidates who comply with the requirements of Section 147, Clauses 1, 2, 3, 4, and 5 of this Law and whose social competence and social intellect have been evaluated by the personnel selection specialist appointed by the Council of Sworn Notaries of Latvia are admitted to the examination of an assistant to a sworn notary.

[*8 March 2018 /* *Section shall come into force from 1 September 2018.* *See Paragraph 31 of Transitional Provisions*]

**149.**On the basis of a proposal by a sworn notary and a positive reference by the Council of Sworn Notaries of Latvia an assistant to a sworn notary shall be confirmed in office by the Minister for Justice.

[*24 October 2002*]

**150.**The assistant to a sworn notary shall give an oath to the Minister for Justice to perform his or her duties honestly and conscientiously.

**151.**An assistant to a sworn notary may substitute for the sworn notary during leave, illness, official travel and other justified absence, as well as in the cases provided for in Sections 37 and 174 of this Law and in the cases when a notarial activity outside the sworn notary’s place of practice must be performed. Substitution for the sworn notary during his or her leave, illness, official travel, and other justified absence shall be co-ordinated in accordance with the procedures specified by the Council of Sworn Notaries of Latvia.

[*24 October 2002;20 December 2007; 8 March 2018 /* *The new wording of the second sentence shall come into force on 1 January 2019.* *See Paragraph 32 of Transitional Provisions*]

**152.**When substituting for a sworn notary the assistant to the sworn notary shall have the same disciplinary, criminal and civil liability for his or her official duties as provided for sworn notaries; the sworn notary shall also be subsidiarily civilly liable for the official duties of his or her assistant.

[*20 December 2007*]

**153.**The Minister for Justice may deprive the assistant of the right to substitute for the sworn notary for a period up to one year if the assistant in his or her activities is negligent or does not fulfil his or her duties.

**154.**The Minister for Justice may remove an assistant to a sworn notary from office if he or she subsequent to the invitation determined in Section 11.1 of this Law has repeatedly failed to apply to a vacant position of a sworn notary without justifiable reason.

The Minister for Justice may remove an assistant to a sworn notary from office:

1) upon his or her request;

2) whom the court has declared to be an insolvent debtor;

3) against whom the criminal proceedings regarding commitment of an intentional criminal offence have been terminated for reasons other than exoneration;

4) who has been convicted for commitment of an intentional criminal offence regardless of extinguishing or setting aside the criminal record;

5) who has committed an intentional criminal offence earlier, but who has been released from serving the sentence;

6) who is under the trusteeship;

7) if an assistant to a sworn notary terminates employment legal relationship with the sworn notary or a sworn notary bureau upon proposal of whom he or she has been approved for the bureau.

A sworn notary, who terminates employment legal relationship with an assistant to the sworn notary, has a duty not later than one week before termination of employment legal relationship to notify the Minister for Justice thereof in writing. If employment legal relationship with an assistant to the sworn notary is terminated immediately, the sworn notary shall notify the Minister for Justice thereof in writing on the day of termination of the employment legal relationship.

[*28 October 2004; 20 December 2007; 14 October 2021*]

[28 October 2004; 20 December 2007]

**Division H**

**Remuneration of Sworn Notaries**

[*20 December 2007 / Chapter 7 has been renamed as Division H*]

**163.**Sworn notaries have the right to receive remuneration irrespective of the State fees for each official duty (Sections 65 and 66).

[*20 December 2007*]

**164.**Postal, telephone, travel, announcement expenses and other actual expenses shall be compensated to sworn notaries separately – in addition to the remuneration provided for by the rate.

**165.**The rate of remuneration of sworn notaries and the procedures for determination thereof shall be determined by the Cabinet.

The rate shall be determined taking into account the value of the deed or certification (amount of transaction) and the liability of the sworn notary associated with the deed or certification, the social balance in society and the time necessary for the drawing up of the deed or certification. In determining the rate in the case of signature certification provided for in the law On National Referendum and Legislative Initiation, the amount thereof may not limit the right of signing on the merits.

[*28 October 2004; 20 December 2007; 18 December 2008*]

**166.**The Council of Sworn Notaries of Latvia shall determine which natural and legal persons may be exempted from the remuneration provided for in Section 163 or to whom such remuneration is to be reduced and in what amount.

[*8 March 2018*]

**167.**A sworn notary shall be prohibited from sharing the remuneration for work in his or her position with third persons.

**168.**A sworn notary may also request remuneration in advance.

If a sworn notary has money in bailment and if he or she has not received remuneration for safekeeping thereof, he or she may deduct remuneration from the money bailed for the whole previous period.

**169.**Those who have assigned work to a sworn notary shall be jointly liable for the remuneration irrespective of the terms for division of the remuneration to be paid to the sworn notary provided for in the transaction.

**170.**If a deed or a certification made by a sworn notary has not become effective for reasons independent of the sworn notary, he or she shall nevertheless have the right to a full remuneration.

**171.**Upon request of the payers the sworn notary shall return the remuneration received for such deeds and certifications, which due to the fault of the sworn notary have not become effective.

**172.**All disputes in respect of the remuneration for work in the position of a sworn notary shall be settled by a court.

A dispute shall be settled after receiving an opinion from the Council of Sworn Notaries of Latvia.

**Division I**

**Leave for Sworn Notaries**

[*20 December 2007 / Chapter 8 has been renamed as Division I*]

**173.**A sworn notary has the right to four weeks’ annual leave.

In case of illness or in other important cases a sworn notary may be granted a longer leave, however, not more than seven months per year, but parental leave – up to 18 months.

[*28 October 2004*]

**174.**A leave for a sworn notary shall be granted by the Council of Sworn Notaries of Latvia. A sworn notary shall submit information on granting an annual leave to the Council of Sworn Notaries of Latvia not later than one week before the beginning of the leave. An annual leave may be granted to a sworn notary by parts in the current year.

In cases of incapacity for work the information shall be submitted to the Council of Sworn Notaries of Latvia within three days from the beginning of the incapacity for work if the incapacity for work is intended for more than three days. The information on incapacity for work may be submitted by a sworn notary or his or her assistant.

In particularly urgent cases a sworn notary may use an exceptional leave which is not longer than three days without requesting co-ordination of the Council of Sworn Notaries of Latvia in advance, however, in such case the sworn notary shall, as soon as possible, notify why and for how long he or she has not been performing his or her duties. In such cases, if a sworn notary has an assistant to the sworn notary, the duties of the sworn notary shall be performed by the assistant to the sworn notary.

The Council of Sworn Notaries of Latvia shall inform the Ministry of Justice of the absence of a sworn notary and substitute of the sworn notary within three days from the day of receipt of the relevant request of the Ministry of Justice.

[*8 March 2018; 1 November 2018* / *The new wording of Section shall come into force on 1 January 2019.* *See Paragraph 32 of Transitional Provisions*]

**175.**A leave to a sworn notary may only be granted in the case if the sworn notary has a substitute who shall perform the duties of the sworn notary during his or her leave.

**176.**If an assistant to a sworn notary, due to significant reasons, may not substitute for a sworn notary or if a sworn notary does not have an assistant, the Council of Sworn Notaries of Latvia shall instruct another sworn notary or an assistant to another sworn notary to substitute for such sworn notary.

If a sworn notary is substituted for by another sworn notary or by an assistant to another sworn notary for more than four months, upon an order by the Minister for Justice or by an official determined by him or her, the books, files, deeds and stored valuables of the substituted notary shall, in accordance with the procedures laid down in Section 61.1 and 62 of this Law, temporary while the sworn notary does not fulfil his or her duties, be transferred to the sworn notary who is substituting for the sworn notary or an assistant of whom is substituting for the sworn notary. The seal of the sworn notary whose books, files, deeds and stored valuables are to be taken over shall be handed over to the Minister for Justice without being notched with a file.

If a sworn notary or an assistant to the sworn notary substitutes for a practising sworn notary in another place, he or she has a duty to fulfil the sworn notary duties on the weekdays determined in co-ordination with the Council of Sworn Notaries of Latvia at the place of practise of the notary to be substituted.

[*24 October 2002; 28 October 2004; 28 October 2010; 8 March 2018 /* *Amendments to the Section shall come into force on 1 January 2019.* *See Paragraph 32 of Transitional Provisions*]

**177.**In the submission regarding granting of leave a sworn notary shall indicate the person who shall fulfil his or her duties during leave. If another sworn notary or assistant to another sworn notary assumes these duties, the submission shall be accompanied by his or her signature confirming that he or she agrees to fulfil the duties of the sworn notary who is taking leave.

**178.**The liability of a sworn notary substitute in respect of fulfilment of the duties of office when substituting for a sworn notary, as well as the liability of the sworn notary for the activity of the substitute shall be determined in accordance with Section 152.

**Division J**

**Liability of Sworn Notaries**

[*20 December 2007 / Chapter 9 has been renamed as Division J*]

**179.**Sworn notaries shall have disciplinary, civil and criminal liability in respect of their official duties in accordance with the procedures laid down in law.

[*24 October 2002*]

**180.** For violation of laws and other laws and regulations, of the articles of association of the Chamber of Sworn Notaries of Latvia, decisions and instructions regulating the activity of sworn notaries, the provisions regarding remuneration for work and the professional ethics norms of sworn notaries, or if a sworn notary in his or her activity is negligent or fails to fulfil his or her duties, or allows reprehensible conduct which discredits the position and dignity of a sworn notary or which is incompatible with his or her remaining in the office or the former place of office, irrespective of the fact whether the violation has been committed during performance of the duties of office or is not related to the performance of such duties, the Council of Sworn Notaries of Latvia or the Minister for Justice may initiate a disciplinary matter pursuant to a proposal from a court or prosecutor, or pursuant to complaints from persons or on its own initiative.

[*24 October 2002; 23 May 2013*]

**181.**The Disciplinary Matters Committee for examination of disciplinary matters of sworn notaries and provision of opinions shall be elected for three years by the general meeting of sworn notaries. The number of members of the Disciplinary Matters Committee shall be determined by the general meeting of sworn notaries.

The committee shall elect the chairperson of the committee and his or her deputy who shall replace the chairperson during his or her absence.

The committee is entitled to take a decision if more than a half of the composition of the committee participates in its meeting.

The committee shall take decisions by a simple majority. If any of the members of the committee has separate thoughts, they shall be attached to the opinion of the committee in writing.

Minutes shall be taken of committee meetings. The chairperson of the committee and the recorder of minutes shall sign the minutes.

The committee shall submit to the Minister for Justice its opinion and the opinion of the Council of Sworn Notaries of Latvia. The opinion shall be signed by all members of the committee who participated in the voting for the decision of the committee.

The opinion shall specify whether the offence is to be recognised as a disciplinary violation.

When determining a disciplinary violation the opinion shall also indicate what sanction shall be applied and whether testing of sworn notary’s qualifications shall be determined.

Having become acquainted with the opinion of the committee, the Minister for Justice shall take a decision to impose a disciplinary punishment and, if insufficient qualification of the sworn notary has been determined, also regarding the testing of the sworn notary’s qualifications or send materials to the Council of Sworn Notaries of Latvia for the performance of the relevant measures, or to terminate the disciplinary matter.

[*24 October 2002; 28 October 2004; 14 October 2021*]

**182.**Upon initiation of a disciplinary matter the Minister for Justice has the right to suspend the sworn notary from the fulfilment of duties until adjudication of the matter.

**183.**The Council of Sworn Notaries of Latvia has the right to explain to sworn notaries the wrongfulness of their action, as well as to impose the following penalties for the violations provided for in Section 180, failure to fulfil the obligations undertaken or duties imposed and conduct which is incompatible with the activity of a sworn notary:

1) issue a reproof;

2) issue a reprimand;

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

For activities as a result of which the requirements of the laws and regulations in the field of prevention of money laundering and terrorism financing are violated, the Council of Sworn Notaries of Latvia shall, in accordance with the procedures laid down in this Law, apply the sanctions determined in the Law on the Prevention of Money Laundering and Terrorism Financing.

A sworn notary to whom the disciplinary punishment provided for in Paragraph one, Clause 3 of this Section has been imposed has a duty to pay the fine into the account of the Council of Sworn Notaries of Latvia within three months from the day of taking of the decision, except for the cases specified in the Law on the Prevention of Money Laundering and Terrorism Financing when the fine is transferred into the State budget.

The Council of Sworn Notaries of Latvia may, upon a substantiated request of a sworn notary to whom the disciplinary punishment provided for in Paragraph one, Clause 3 of this Section has been imposed, take a decision to suspend payment of the monetary sanction imposed until the specified period of time or division in periods of time.

[*9 November 2017; 8 March 2018*]

**184.**The decisions taken by the Council of Sworn Notaries of Latvia in disciplinary matters shall be sent to the Minister for Justice.

[*28 October 2004*]

**185.**A decision of the Council of Sworn Notaries of Latvia in disciplinary matters shall come into force unless the Minister for Justice, within two weeks from the receipt of the decision of the Council, notifies:

1) that the decision in the disciplinary matter initiated against a sworn notary regarding the same offence shall be re-examined;

2) that the disciplinary matter initiated against the sworn notary has been terminated.

[*28 October 2004*]

**186.**Upon request of the Minister for Justice the Council of Sworn Notaries of Latvia shall send to him or her all the materials of the disciplinary matter.

**187.**If the Council of Sworn Notaries of Latvia while examining a matter regarding a violation by a sworn notary finds that a more serious penalty than provided for in Section 183 is to be imposed on the sworn notary, it shall send the matter together with its opinion to the Minister for Justice.

**188.**Court, Office of the Prosecutor and pre-trial investigation institutions shall notify the Council of Sworn Notaries of Latvia and the Minister for Justice of all the complaints and claims which have been initiated in relation to sworn notaries by sending electronically to the Council of Sworn Notaries of Latvia and the Ministry of Justice copies of valid rulings made in matters regarding such complaints and claims.

In relation to deeds and certifications made by sworn notaries, the copies of valid rulings made in matters regarding complaints and claims shall be sent to the Council of Sworn Notaries of Latvia.

[*8 March 2018*]

**189.**In a disciplinary matter the Minister for Justice has the right to apply the penalties laid down in Section 183, as well as the right to punish a sworn notary with the following disciplinary punishments:

1) to transfer to another place of practice for a period up to one year;

2) to dismiss from office.

The Minister for Justice may dismiss from office also a sworn notary who fails to fulfil the disciplinary punishment imposed by Section 183, Paragraph one, Clause 3 of this Law.

[*8 March 2018*]

**190.**The Minister for Justice may forward the disciplinary matter initiated by himself or herself to the Council of Sworn Notaries of Latvia for examination.

**191.**Prior to deciding the issue regarding imposition of the punishments specified in Section 189, Paragraph one, Clauses 1 and 2 of this Law, the Minister for Justice shall submit the disciplinary matter to the Council of Sworn Notaries of Latvia for it to provide its opinion.

[*24 October 2002; 8 March 2018*]

**192.**The disciplinary matters shall be initiated and sworn notaries shall be subject to disciplinary punishment not later than within two years after committing the violation or within the time period specified in the Law on the Prevention of Money Laundering and Terrorism Financing in relation to violation of requirements of the prevention of money laundering and terrorism financing.

The limitation period of a disciplinary liability in the case specified in Section 196.1 of this Law shall be counted from the date when the relevant court ruling has come into legal effect.

[*9 November 2017; 8 March 2018*]

**193.**The Council of Sworn Notaries of Latvia and the Minister for Justice may not impose on a sworn notary any of the penalties provided for in Sections 183 and 189 of this Law, as well as may not explain the wrongfulness of his or her conduct if the Council has not requested an explanation from the sworn notary in writing in advance.

**194.**The Council of Sworn Notaries of Latvia, the Disciplinary Matters Committee and the Minister for Justice may impose on a sworn notary a duty to appear in person in order to give explanations orally. For non-appearance the Council of Sworn Notaries of Latvia and the Minister for Justice may impose on the sworn notary the disciplinary punishments laid down in Section 183 of this Law.

[*24 October 2002*]

**195.**If a sworn notary fails to provide explanations within the time period determined by the Council of Sworn Notaries of Latvia, the Disciplinary Matters Committee or the Minister for Justice or fails to appear without a justifiable reason, a decision shall be taken on the basis of the circumstances ascertained in the matter and the information available.

[*24 October 2002*]

**196.**In examining disciplinary matters the Council of Sworn Notaries of Latvia, the Disciplinary Matters Committee and the Minister for Justice has the right to hear also explanations of other persons, request expert opinions, request information and documents from State and local government institutions, as well as other authorities, organisations and companies (undertakings) and officials thereof.

[*24 October 2002*]

**196.1** If a person has submitted a complaint or brought an action to a court, the matter regarding holding a sworn notary disciplinary liable shall be examined after coming into legal effect of the court ruling regarding recognition of the relevant activity or deed, or certification of the sworn notary as illegal.

[*8 March 2018*]

**197.**Decisions of the Council of Sworn Notaries of Latvia or the Minister for Justice in disciplinary matters, except for those decisions which explain the wrongfulness of sworn notary’s conduct, may be appealed to a court by the person who has been disciplinary punished in accordance with the procedures laid down in law.

**197.1** The Council of Sworn Notaries of Latvia shall, within three days after receipt of the relevant information from the Ministry of Justice, publish a decision taken in a disciplinary matter on imposing a disciplinary punishment on the website of the Council of Sworn Notaries of Latvia 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.

If the person held liable has appealed the decision 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 Sworn Notaries of Latvia has received information from the Ministry of Justice that the final court ruling by which the application was declined has come into effect.

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

[*8 March 2018*]

**198.**If a sworn notary, while performing the duties of office, by wrong or unlawful action or failure to act has caused losses to somebody, then irrespective of the liability in accordance with disciplinary or criminal procedures the losses shall be covered from the insurance compensation of the sworn notary or, if such is insufficient, from any other property of the sworn notary.

**199.**Actions regarding losses which have arisen in relation to the official duties of a sworn notary, shall be brought to the city (district) court according to the address of the place of practice of the sworn notary.

[*8 March 2018*]

**Division K**

**Supervision of Activities of Sworn Notaries and Complaints Regarding Activities of Notaries**

[*20 December 2007 / Chapter 10 has been renamed as Division K*]

**200.**Direct supervision of the activities of sworn notaries shall be assigned to that regional court in the district of which their place of office is located.

**201.**The activities of sworn notaries may at any time be examined by a judge sent by the regional court. A judge shall inform the Council of Sworn Notaries of Latvia regarding faults detected in the activities of sworn notaries.

[*28 October 2010*]

**202.**[28 October 2010]

**203.**The Council of Sworn Notaries of Latvia shall ensure the rectification of faults discovered in the activities of sworn notaries, also faults detected by the judge sent by the regional court (Section 201), by giving instructions and recommendations to sworn notaries and, if necessary, by initiating a disciplinary matter or notifying the relevant institutions in order for them to assess the necessity to hold sworn notaries criminally liable.

[*28 October 2010*]

**204.**As soon as it is discovered that a sworn notary has misappropriated property entrusted to him or her in relation to his or her official duties, the value of which exceeds the insurance compensation, the chief judge of the regional court, in order to ensure recovery of the misappropriated property, shall, upon receipt of the information from the Council of Sworn Notaries or another person, without delay, but not later than within three working days, issue an order to attach the movable property of the sworn notary, as well as make a notation in the Land Register in respect of the immovable property of the sworn notary, indicating the sum up to which the guarantee covers.

[*28 October 2010*]

[20 December 2007]

**205.**Supervision of the activity of the office of a sworn notary shall be performed by a district (city) court in accordance with the procedures laid down in the Civil Procedure Law.

[*15 June 2021*]

**206.**[15 June 2021]

**206.1** [15 June 2021]

**207.**[28 October 2004]

**208.**If the court rejects the complaint regarding the action of a sworn notary, the effect of a deed or certification may be contested only by bringing an action.

**Division L**

**Removal, Dismissal, Transfer and Suspension of Sworn Notaries**

[*20 December 2007 / Chapter 12 has been renamed as Division L*]

**209.**The Minister for Justice shall remove a sworn notary from office upon his or her request or without such request if within the last twelve months the sworn notary has not fulfilled his or her duties of office for more than seven months due to illness (Section 173).

**210.**A sworn notary may be dismissed from office by an order of the Minister for Justice or a judgment of a court.

**211.**The Minister for Justice shall dismiss from office a sworn notary:

1) who has not concluded an insurance contract or has not made the regular insurance payment within the time period determined;

2) who subsequent to appointment or transfer has not commenced performing the duties of office within the time period determined (Section 13);

3) who has assumed a position in a State and local government institution or an undertaking or in private service (Section 15) without permission;

4) whom the court has declared to be an insolvent debtor;

5) against whom the criminal proceedings regarding commitment of an intentional criminal offence have been terminated for reasons other than exoneration;

6) who has been convicted for commitment of an intentional criminal offence regardless of extinguishing or setting aside the criminal record;

7) who has committed an intentional criminal offence earlier, but who has been released from serving the sentence;

8) who is under the trusteeship;

9) who has not passed the sworn notary extraordinary qualification test or repeat regular qualification test;

10) who has not passed a qualification test within the time period laid down in this Law.

[*20 December 2007*]

**212.**The Minister for Justice may dismiss a sworn notary from office or transfer him or her to another place of practice in the cases provided for in Section 189, Paragraph one.

The appeal of a decision by the Minister for Justice regarding the transfer or removal of a sworn notary shall not suspend the operation thereof until the coming into force of the final ruling.

[*28 October 2004; 20 December 2007; 8 March 2018*]

**213.**The Minister for Justice may suspend a sworn notary from office if:

1) the sworn notary is a suspect or accused in a criminal matter regarding committing an intentional criminal offence which is not related to the fulfilment of the duties of the office of a sworn notary;

2) a disciplinary matter has been initiated against him or her;

3) the operation of an insurance contract has been suspended;

4) it is determined that mandatory provisions approved by the Cabinet are not included in the insurance contract;

5) he or she has not passed a regular qualification test within the time period laid down in this Law and the time period for passing of a regular qualification test is not extended.

The Minister for Justice shall suspend a sworn notary from his or her office if:

1) the sworn notary is a suspect or accused in a criminal matter regarding committing an intentional criminal offence which is related to the fulfilment of the duties of the office of a sworn notary;

2) a prohibition from specific employment has been imposed on the sworn notary as a security measure in accordance with the procedures laid down in the Criminal Procedure Law.

The appeal of a decision by the Minister for Justice to suspend a sworn notary shall not suspend the operation thereof until the coming into force of the final ruling.

[*28 October 2004; 20 December 2007; 14 October 2021*]

**213.1** A sworn notary suspended from the office in the cases referred to in Section 213, Paragraph one, Clause 1 of this Law may combine the office of a sworn notary with another office (job), unless the combination entails a conflict of interests, is contrary to the professional ethics norms of a sworn notary, impairs the position and dignity of a sworn notary, is a constraint to perform the duties of a sworn notary, and provided that a written permission has been received from the Minister for Justice.

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

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

2) information regarding the office (job) the sworn notary wishes to combine with the office of a sworn notary, including the office (job) duties;

3) a certification regarding meeting the criteria indicated in Paragraph one of this Section;

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

The Minister for Justice, prior to issuing the permission, shall request an opinion of the Council of Sworn Notaries of Latvia in respect of the request submitted by the sworn notary.

The Minister for Justice, after having received an opinion of the Council of Sworn Notaries of Latvia and having considered the information therein and any other information at his or her disposal, shall evaluate the compliance of the office (job) indicated in the request of the sworn notary with the criteria laid down in Paragraph one of this Section, and shall take a decision to issue the permission to combine the office of a sworn notary with the office (job) indicated in the request, or to refuse it.

A refusal to issue a permission shall not be an obstacle to submit a repeated request, provided that the criteria laid down in Paragraph one of this Section have been met.

If, after the decision of the Minister for Justice to issue a permission to a sworn notary to combine the office of a sworn notary with another office (job) has entered into effect, the Minister for Justice becomes aware that any of the legal and factual circumstances which used to be the grounds for taking the abovementioned decision have changed, and such changed circumstances are unacceptable for further combining of the offices, the Minister for Justice shall take a decision to cancel the permission to combine the offices. If it is necessary for taking of a decision, the Minister for Justice may request an opinion of the Council of Sworn Notaries of Latvia as to whether the detected circumstances would constitute any risks to the satisfaction of the criteria for the eligibility to combine offices laid down in the Law.

The Minister for Justice shall notify a sworn notary on the decisions taken within the Paragraphs four and six of this Section by sending the notification to his or her declared place of residence, and shall inform the Council of Sworn Notaries of Latvia thereof.

[*26 November 2015*]

**Division M**

**Corporate Activity of Sworn Notaries**

[*20 December 2007* / *Chapter 13 has been renamed as Division M*]

**Chapter XIX**

**Chamber of Sworn Notaries of Latvia**

[*20 December 2007 / Chapter 13, Sub-chapter 1 has been renamed as Chapter XIX*]

**214.**The Chamber of Sworn Notaries of Latvia is an independent professional corporation of sworn notaries of Latvia, which unites all sworn notaries practising in Latvia. Only the Chamber of Sworn Notaries of Latvia has the rights and duties set out in this Law.

**215.**The Chamber of Sworn Notaries of Latvia unites sworn notaries according to the occupational principle in order to maintain the prestige of their profession, promote the professional development of sworn notaries, refinement of creative abilities and the acquisition of experience in order to perform the tasks provided for in this Law and other laws.

**216.**The Chamber of Sworn Notaries of Latvia shall operate on the basis of articles of association as a self-governing autonomous public law subject.

**217.**Institutions of the Chamber of Sworn Notaries of Latvia are the general meeting of sworn notaries, the Council of Sworn Notaries of Latvia, Disciplinary Matters Committee, internal control commission and the Audit Commission.

[*28 October 2004*]

**218.**The financial resources of the Chamber of Sworn Notaries of Latvia shall be made up of sums which are paid from the income for the performance of the official duties of sworn notaries and the legal assistance provided, and from other income.

[*8 March 2018*]

**219.**In order to provide material support to sworn notaries the Chamber of Sworn Notaries of Latvia may set up special funds from the payments of sworn notaries, as well as donations by natural persons and legal persons.

**Chapter XX**

**General Meeting of Sworn Notaries**

[*20 December 2007 / Chapter 13, Sub-chapter 2 has been renamed as Chapter XX*]

**220.**The general meeting of sworn notaries shall be convened by the Council of Sworn Notaries of Latvia.

**221.**Only the general meeting of sworn notaries shall:

1) determine the number of members of the Council of Sworn Notaries of Latvia;

2) elect the chairperson, deputy chairperson of the Council of Sworn Notaries of Latvia, members of the Council and Audit Commission for a period of three years;

3) approve the activity report of the Council of Sworn Notaries of Latvia;

4) approve the budget of the Council of Sworn Notaries of Latvia and the report on the implementation of the budget of the previous year;

5) adopt the articles of association of the Chamber of Sworn Notaries of Latvia, a notaries’ code of ethics, methodology for the activities of sworn notaries and other acts related to the internal operation of the notariate;

6) determine procedures and amounts of payments to be made by sworn notaries and assistants to sworn notaries for the maintenance of the Chamber of Sworn Notaries of Latvia from the income for the performance of duties of office of a sworn notary and the legal assistance provided;

7) discuss issues regarding notariate practice.

**222.**There shall be annual general meetings and extraordinary general meetings. Extraordinary general meetings shall be convened as appropriate, convening thereof may be requested by at least one tenth of all sworn notaries.

**223.**The general meeting is not entitled to decide the issues determined in Section 221, Clauses 1, 2, 5, and 6 of this Law if it is attended by less than one third of all sworn notaries.

**224.**If there is no quorum in the general meeting of sworn notaries and therefore the elections of the Council of Sworn Notaries of Latvia have not taken place, the chairperson of the Council not later than within one month shall convene a new general meeting, but if this general meeting is attended by less than one third of all sworn notaries, a report shall be drawn up regarding this fact, new elections shall not be organised, and the Council shall retain its powers until the next annual general meeting.

**225.**The general meeting of sworn notaries shall be presided over by persons who shall be elected for such purpose by the assembled sworn notaries from among their number. The sworn notaries appointed by the general meeting shall sign the minutes.

**226.**Election of the Council of Sworn Notaries of Latvia in the general meeting of sworn notaries shall take place after the general meeting has discussed the activities report of the Council of Sworn Notaries of Latvia and the report on the implementation of the budget of the previous year and has determined the number of members of the Council of Sworn Notaries of Latvia to be elected.

**227.**The Council of Sworn Notaries of Latvia, the chairperson, the deputy chairperson, the Audit Commission, and the Disciplinary Matters Committee thereof shall be elected by secret ballot. The candidates who have obtained more than half of the number of votes of the participants of the general meeting shall be considered elected.

The general meeting shall decide other issues by open vote by a simple majority.

[*8 March 2018*]

**228.**The newly elected Council of Sworn Notaries of Latvia shall commence performing its duties two weeks after the day of election.

**Chapter XXI**

**Council of Sworn Notaries and Audit Commission**

[*20 December 2007 / Chapter 13, Sub-chapter 3 has been renamed as Chapter XXI*]

**229.**The Council of Sworn Notaries of Latvia is a representational and supervisory institution of sworn notaries, as well as administrative and executive institution of the Chamber of Sworn Notaries of Latvia.

**230.**The Council of Sworn Notaries of Latvia shall:

1) protect the honour and respect of the position of sworn notaries;

2) oversee the organisational matters of the Chamber of Sworn Notaries of Latvia;

3) represent the Chamber of Sworn Notaries of Latvia and legally express the opinion of sworn notaries in relationships with State and local government institutions, other authorities and officials, as well as in relationships with international organisations;

4) ensure professional development of sworn notaries, request and compile information regarding the practice of sworn notaries, secure co-ordination thereof, submit proposals and give opinions on issues regarding legislation and notarial practice;

5) oversee the training of assistants to sworn notaries;

6) supervise and control the activity of sworn notaries and assistants to sworn notaries, examine complaints and reports submitted in respect of them, as well as impose disciplinary punishments upon them;

61) examine the activity of each sworn notary, his or her books and files at least once a year;

7) upon request by a sworn notary or client determine the amount of remuneration for activities of the sworn notary in cases when no rate is provided for or disputes in respect of this have arisen;

8) establish a permanent internal control commission for the official duties of sworn notaries and determine the agenda thereof;

9) according to the procedures stipulated by the Cabinet once every six months submit to the Minister for Justice a report regarding the activities performed by sworn notaries;

91) issue information from the Inheritance Register and Public Will Register;

10) maintain the Notaries Information System, as well as ensure the operation of the registers laid down in this Law, use data of the system and registers for the performance of the duties of the Council of Sworn Notaries of Latvia laid down in this Law;

11) issue information regarding future authorisations in accordance with the procedures stipulated by the Cabinet;

12) perform other duties, which are laid down in laws and regulations or which have been assigned by the Chamber of Sworn Notaries of Latvia;

13) deal with the personnel management issues of sworn notaries which are related to leaves, illnesses, official travels, and other justified absence of sworn notaries;

14) in the cases specified and in accordance with the procedures laid down in this Law, verify the conformity of the sworn notary bureau with the requirements of this Law and issue a consent for the establishment of such bureau and making changes in the entries and documents of the Commercial Register.

[*28 October 2004; 20 December 2007; 28 October 2010; 17 January 2013; 23 May 2013; 8 March 2018; 14 October 2021*]

**231.**The meeting of the Council of Sworn Notaries of Latvia shall have a quorum if at least half of all members of the Council, including the chairperson or his or her deputy are participating.

**232.**The Council of Sworn Notaries of Latvia shall take decisions by open vote by a simple majority. In the event of a tied vote, the vote of the chairperson shall be decisive.

**233.**Interested persons may appeal the decisions of the Council of Sworn Notaries of Latvia within one month from the date the decision was taken in the cases provided for in law.

**234.**The financial operation of the Council of Sworn Notaries of Latvia shall be controlled by the Audit Commission.

**235.**The authorisation of the members of the Council of Sworn Notaries of Latvia shall expire upon their resigning from the position of a member of the Council, dismissal or resigning from the office of a sworn notary, or the termination or suspension of the activity of a sworn notary due to other reasons.

If one or more members (including chairperson or deputy chairperson) of the Council of Sworn Notaries of Latvia terminate their work in the Council due to the reasons determined in Paragraph one of this Section, the Council shall convene a general meeting of sworn notaries within two months and announce elections for additions of the composition of the Council until the current elections.

[*24 October 2002*]

**236.**The Council of Sworn Notaries of Latvia shall have a seal with the State lesser coat of arms and the name of the Council of Sworn Notaries of Latvia. The Council of Sworn Notaries of Latvia shall be located in Rīga.

**237.**The members of the Council of Sworn Notaries of Latvia shall fulfil their duties as a position of honour, without remuneration. Members of the Council have the right to receive compensation from the budget of the Council for travel and other direct expenses if such have arisen while fulfilling the duties of office of a member of the Council.

**Division N**

**Financial Activity of Sworn Notaries**

[*20 December 2007 / Chapter 14 has been renamed as Division N*]

**238.**Sworn notaries practice a liberal profession.

**239.**The professional activities (practice) of sworn notaries is intellectual work for which the sworn notary has the right to receive a compensation, however, the objective thereof is not making a profit.

[*14 October 2021*]

**240.**The practice of sworn notaries shall be organised exclusively in the manner laid down in this Law.

**241.**Sworn notaries shall commence their practice only after their inclusion in the list of sworn notaries. The Minister for Justice shall notify the State Revenue Service thereof. A sworn notary shall notify the State Revenue Service and the Council of Sworn Notaries of Latvia of the legal form of his or her economic activity and the address of his or her place of practice, and also the change thereof.

[*28 October 2004; 17 January 2013; 14 October 2021*]

**241.1** If it is especially necessary in the fulfilment of the duties of office of sworn notary in the relevant populated area in order to ensure the inhabitants access to notarial assistance, for the maintenance of a sworn notary practice funding may be granted from the State budget in accordance with the procedures stipulated by the Cabinet.

[*28 October 2004*]

**242.**If a sworn notary has permitted infringement of a client’s rights and the consequence thereof is a loss, the client has the right to request satisfaction from the sworn notary in so far as he or she may be at fault for such infringement.

**243.**Only sworn notaries of Latvia are entitled to offer notarial assistance and legal assistance in the conduct of matters in Land Registry offices, as well as to advertise such assistance.

Advertising provisions for sworn notaries of Latvia shall be provided for in the articles of association of the Chamber of Sworn Notaries of Latvia.

**244.**In their professional activity sworn notaries shall be financially independent.

**245.**Sworn notaries shall practice only individually. Cooperation with other sworn notaries shall be permitted only in technical and economic matters.

A sworn notary may arrange the accounting of his or her revenues and expenditures as a natural person performing economic activity or establish a sworn notary bureau in which one or several sworn notaries may practice for an indefinite period of time. Regardless of the selected legal form of economic activity of the practice, a sworn notary shall practice in his or her own name in the professional activity and shall be personally liable for the office and other professional activities performed.

A sworn notary bureau shall be established as a limited liability company and shall be registered in 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.

Only a sworn notary may be a participant of the sworn notary bureau. A sworn notary may be a participant of only one sworn notary bureau.

If a sworn notary bureau is established, it shall be the successor in liabilities and rights of economic activities of a sworn notary as a self-employed person.

Only a sworn notary who is a participant of the relevant sworn notary bureau may be a member of the board and the council of the sworn notary bureau. A sworn notary who is a participant of the relevant sworn notary bureau shall hold the office of a member of the board or council of the sworn notary bureau, if a council has been established. A sworn notary as a member of the board or council shall receive remuneration and shall be an employee within the meaning of the law On State Social Insurance.

[*14 October 2021* / *See Paragraphs 37 and 38 of Transitional Provisions*]

**245.1** A consent of the Council of Sworn Notaries of Latvia shall be appended to the application for the registration of a sworn notary bureau in the Commercial Register and for making changes in the entries and documents of the Commercial Register.

In order to obtain a consent for the registration of a sworn notary bureau, the founder of the sworn notary bureau shall submit a submission and the documents of incorporation laid down in the Commercial Law to the Council of Sworn Notaries of Latvia. In order to make changes in the entries of the Commercial Register and the submitted documents, the person entitled to represent the sworn notary bureau shall submit documents confirming the relevant changes to the Council of Sworn Notaries of Latvia.

The person entitled to represent the sworn notary bureau shall submit the documents necessary for obtaining a consent to the Council of Sworn Notaries of Latvia within ten days from the day when the last document necessary for the registration or making changes in the entries or documents of the Commercial Register (other than the consent of the Council of Sworn Notaries of Latvia) was signed.

The Council of Sworn Notaries of Latvia shall examine the documents referred to in Paragraph three of this Section within a month and decide on giving a consent or on refusal to give a consent.

The Council of Sworn Notaries of Latvia shall refuse to give a consent if:

1) the composition of the founders, participants of the sworn notary bureau, members of the board or the council does not conform to the requirements of this Law;

2) participants of the sworn notary bureau are participants of another sworn notary bureau;

3) the legal form does not conform to the requirements of this Law;

4) the articles of association, the memorandum of association, or the decision on foundation does not conform to the requirements of this Law.

[*14 October 2021*]

**245.2** The time period which has been specified in the Commercial Law for the submission of an application shall be counted from the day when a consent of the Council of Sworn Notaries of Latvia has been provided.

[*14 October 2021*]

**245.3** A sworn notary shall use the name of a sworn notary bureau only in his or her economic activity in which the designation “sworn notary bureau” or the abbreviation “SNB” is used in addition. Only sworn notary bureaus have the right to use the abovementioned designation and the abbreviation thereof in their name.

[*14 October 2021*]

**245.4** If a sworn notary who practices in a sworn notary bureau is dismissed or removed from the office in the cases laid down in this Law, the Council of Sworn Notaries of Latvia shall, after the final decision on dismissal or removal of the sworn notary has entered into effect, send such decision to the sworn notary bureau in which the sworn notary dismissed or removed was a participant, a member of the board or the council. The person entitled to represent the sworn notary bureau has an obligation to prepare an application to the Commercial Register Office for making changes in the list of participants, in the composition of the board or council of the sworn notary bureau.

The sworn notary dismissed or removed shall, within one month, alienate the shares of the equity capital belonging to him or her to another sworn notary. If the sworn notary dismissed or removed does not alienate the shares of the equity capital belonging to him or her within one month, the sworn notary bureau shall disburse a compensation to such sworn notary which is not less than the nominal value of the shares of the equity capital, unless an agreement regarding another value has been reached. In such case the shares of the equity capital shall be extinguished in accordance with the procedures laid down in the Commercial Law.

If the only participant of a sworn notary bureau is dismissed or removed from the office of a sworn notary, he or she shall take the decision to terminate the activity of the sworn notary bureau and to appoint a liquidator and, within five days after taking the decision, send it to the Commercial Register Office for entering in 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 the name and registration number of such sworn notary bureau in the written consent for which he or she agrees to become a liquidator and the location for applying creditors’ claims. The sworn notary dismissed or removed from the office shall, without delay, notify the Council of Sworn Notaries of Latvia of liquidation of the sworn notary bureau and the appointment of a liquidator.

If the only participant of a sworn notary bureau dismissed or removed from the office does not notify the Council of Sworn Notaries of Latvia of the performance of the activities laid down in Paragraph three of this Section within ten days from the day when the decision of the Minister for Justice on his or her dismissal or removal from the office has entered into effect or in case when death of the only participant of the sworn notary bureau has set in, the Council of Sworn Notaries of Latvia shall take the decision to terminate the activity of the sworn notary bureau and to appoint a liquidator and, within five days after taking the decision, send it to the Commercial Register Office for entering in the Commercial Register. Also 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 the name and registration number of such sworn notary bureau in the written consent for which he or she agrees to become a liquidator and the location for applying creditors’ claims.

The Council of Sworn Notaries of Latvia shall determine the remuneration of the liquidator to be disbursed from the property of the sworn notary bureau to be liquidated.

In the cases referred to in Paragraphs one, two, three, and four of this Section, the books, files, deeds, and stored valuables of the sworn notary shall be transferred to the sworn notary laid down in the order of the Minister for Justice in accordance with Section 61 of this Law.

[*14 October 2021*]

**246.**Sworn notaries shall practice directly and in person.

**247.**A sworn notary or a sworn notary bureau may hire technical, financial, or advisory staff on the basis of an employment contract or work-performance contract for whose activities he or she shall be liable and who are prohibited to perform the activities of the office of a sworn notary and to provide legal assistance. All laws and regulations governing employment relationship and State social insurance shall be binding to a sworn notary and a sworn notary bureau as an employer.

[*14 October 2021*]

**248.**A sworn notary who has registered as a self-employed person shall arrange the accounting of his or her revenues and expenditures as a natural person who performs economic activity.

A sworn notary bureau shall arrange the accounting in conformity with the procedures laid down in the laws and regulations which are provided for the relevant legal form of the sworn notary bureau.

The revenues of a sworn notary who has registered as a self-employed person and of a sworn notary bureau shall consist of payments of clients for the fulfilment of notarial activities and the legal assistance provided, and also of revenues which are related to ensuring the economic activity or are laid down in this Law.

The expenditures of a sworn notary who has been registered as a self-employed person and of a sworn notary bureau shall be expenditures which are related to ensuring the economic activity, fulfilment of notarial activities, provision of legal assistance or are laid down in this Law.

[*14 October 2021*]

**248.1** It is prohibited to pledge or otherwise encumber the shares of the equity capital of the sworn notary bureau with property rights. Recovery may not be directed against the shares of the equity capital of the sworn notary bureau, and they do not form part of the entirety of property of an estate in case of death of the sworn notary.

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

The shares of the equity capital of a sworn notary bureau for a sworn notary may be alienated only in the cases provided for in the Commercial Law or this Law.

[*14 October 2021*]

**249.**[24 October 2002]

**Division N.1**

**Public Will Register**

[*23 May 2013* / *Division shall come into force on 1 May 2014.* *See Paragraphs 24 and 25 of Transitional Provisions*]

**249.1** The manager and holder of the Public Will Register shall be the Council of Sworn Notaries of Latvia. The Public Will Register data regarding the last will instruction instruments referred to in Section 249.2 of this Law, which have been made from the day of the commencement of activity of the Public Will Register, have a public credibility. The Public Will Register data on the last will instruction instruments referred to in Section 249.2 of this Law, which have been made until the day of the commencement of activity of the Public Will Register, is of an informative nature.

The Cabinet shall determine the procedures by which the Public Will Register shall be organised, the information to be included in the register, as well as the cases, procedures and extent in which the information shall be submitted to the register and shall be issued from the register.

In cases determined by the Cabinet the issuing of information from the Public Will Register is a paid service. The amount of fee for issuing of information from the Public Will Register, the procedures for payment, as well as exemptions from payment shall be determined by the Cabinet.

**249.2** A sworn notary shall submit to the Public Will Register information:

1) regarding the wills made, their revocation, amending and supplementing;

2) regarding the wills accepted for bailment, their revocation, amending and supplementing;

3) in the cases, according to the procedures and in the amount stipulated by the Cabinet – regarding such publicly certified transactions, their making, amending and revocation, which contain instructions in the event of death.

**Division O**

**Conduct of Inheritance Matters**

[*20 December 2007 / Chapter 15 has been renamed as Division O*]

**Chapter XXII**

**General Provisions for Conduct of Inheritance Matters**

[*20 December 2007 / Chapter 15, Sub-chapter 1 has been renamed as Chapter XXII*]

**250.**A sworn notary shall commence an inheritance matter after an inheritance submission has been received.

**251.**There are the following inheritance submissions:

1) regarding acceptance of an inheritance;

2) regarding confirmation of the right of inheritance;

3) regarding the coming into legal effect of the last will instruction instrument;

4) regarding renunciation of an inheritance;

5) regarding reading of the last will instruction instrument;

6) regarding refusal of a testamentary inheritance;

7) regarding proclamation;

8) regarding invitation of heirs;

9) regarding protection of an estate;

10) regarding establishment of trusteeship on inheritance;

11) regarding issuance of a European Certificate of Succession.

[*8 May 2014; 26 November 2015*]

**252.**The inheritance submission shall be submitted to the sworn notary who is practising in that operational territory of the regional court where the last declared place of residence of the estate-leaver was located, but if it is not known – according to the location of the estate property or the principal share thereof.

[*23 May 2013*]

**253.**In the inheritance submission the submitter shall indicate the given name and surname, personal identity number of the estate-leaver, his or her date of death, and the last declared place of residence, but if it is not known – the location of the estate or the principal share of the estate.

[*23 May 2013; 8 March 2018*]

**253.1**If, in accordance with the requirements of this Law, the documents or evidence regarding the fact of death of the estate-leaver, the last declared place of residence thereof or the right of the submitter of the inheritance submission to inherit must be appended to the inheritance submission, the submitter need not append such documents or evidence if the notary can obtain the information from the Register of Natural Persons.

[*7 September 2023*]

**254.**A sworn notary shall make the inheritance submission, which expresses the intent regarding acceptance or renunciation of an inheritance as a notarial deed. Upon commencement of an inheritance matter according to another inheritance submission or receipt thereof in an already commenced inheritance matter, a sworn notary shall certify the authenticity of the submitter’s signature in accordance with the procedures laid down in this Law.

The sworn notary shall not certify an inheritance submission in an already commenced inheritance matter if it does not express intent of acceptance or renunciation of an inheritance, but shall ascertain the identity of the submitter.

The abovementioned submission may also be certified by the institutions or officials referred to in Section 1474 of the Civil Law.

[*8 May 2014*]

**255.**If an inheritance submission certified by another sworn notary has been submitted to a sworn notary, the sworn notary shall note the date of receipt thereon.

**256.**If the submitted inheritance submission has not been certified in conformity with the requirements of this Law, the sworn notary shall without delay notify the submitter of the necessity to submit a new, appropriately certified inheritance submission.

**257.**Prior to the commencement of an inheritance matter the sworn notary shall verify in the Inheritance Register whether the inheritance matter has not been initiated by another sworn notary.

**258.**The given name, surname, personal identity number of the estate-leaver, the given name, surname and the address of the place of practice of the sworn notary who conducts the inheritance matter shall be entered in the Inheritance Register.

The only owner of the Inheritance Register shall be the State of Latvia. The manager and holder of the Inheritance Register shall be the Council of Sworn Notaries of Latvia.

Interested persons may examine the Inheritance Register and receive extracts therefrom.

In the cases stipulated by the Cabinet the issuing of information from the Inheritance Register is a paid service. The amount of fee for issuing the information from the Inheritance Register, the procedures for payment, as well as exemptions from payment shall be determined by the Cabinet.

[*23 May 2013*]

**259.**If the Inheritance Register contains no data on the estate-leaver, the sworn notary shall commence an inheritance matter and notify the Council of Sworn Notaries of Latvia thereof for inclusion in the Inheritance Register.

**259.1** After commencement of an inheritance matter the sworn notary shall verify in the Public Will Register whether the last will instruction instrument of the estate-leaver has been registered in it.

[*23 May 2013 /* *Section shall come into force on 1 May 2014.* *See Paragraph 25 of the Transitional Provisions*]

**259.2** The sworn notary who has one of the last will instruction instruments referred to in Section 249.2 of this Law at his or her disposal shall issue it upon request to the sworn notary who is conducting the relevant inheritance matter.

[*23 May 2013 /* *Section shall come into force on 1 May 2014.* *See Paragraph 25 of the Transitional Provisions*]

**259.3** A sworn notary shall issue a copy of inheritance certificate, certified in accordance with the record-keeping procedures, to the creditors that have submitted claims in the inheritance matter. Based on their request and in relation to tax administration purposes, a sworn notary shall provide information to tax authorities regarding persons who have expressed willingness to accept the inheritance and have proved their inheritance rights.

[*26 November 2015*]

**259.4** If cash resources the sum of which is equivalent to EUR 15 000 or more are indicated in the composition of the estate, the duty of heirs is to pay them into a credit institution which is entitled to provide financial services in the Republic of Latvia.

[*8 March 2018*]

**Chapter XXIII**

**Certification of the Rights of the Surviving Spouse**

[*20 December 2007 / Chapter 15, Sub-chapter 2 has been renamed as Chapter XXIII*]

**260.**A sworn notary in an inheritance matter, on the basis of a submission of the surviving spouse, shall make a certification regarding the share of the property of the spouse of the estate-leaver in the joint spousal property, that is, in the joint property of the spouses or the aggregate spousal property (a certificate regarding the share of the spouse’s property).

**261.**The sworn notary shall certify the submission of the surviving spouse, which specifies the inventory and order of the estate property and the property relations of the spouses (legal or contractual), in accordance with the procedures laid down in Section 139.5 of this Law and shall warn the submitter of the criminal liability.

The submission of the surviving spouse shall be accompanied by documents that certify the facts determined in the submission.

**262.**A sworn notary shall send a notification to the heirs who have acquired the inheritance in accordance with the procedures laid down in Section 136 of this Law which shall specify a time period not shorter than one month for provision of a response.

The notification shall be accompanied by a copy of the notarial deed referred to in Section 261 of this Law.

**263.**If the heirs who have accepted the inheritance fail to provide a response within the time period determined in the notification, it shall be presumed that they have agreed to the submission of the surviving spouse.

**264.**If agreement of the surviving spouse and the heirs who have accepted the inheritance has been reached, the sworn notary shall make a relevant notarial deed.

**265.**If the heirs who have accepted the inheritance have expressed their objections in writing, the surviving spouse shall be acquainted therewith.

The sworn notary shall take actions to reconcile the opinions of the parties and reach an agreement.

**266.**If the heirs who have accepted the inheritance have submitted written objections against separation of the share of the surviving spouse’s property from the entirety of property of an estate and an agreement has not been reached, the sworn notary shall refuse to issue a certificate regarding the share of the spouse’s property to the surviving spouse.

[*8 May 2014*]

**267.**The certificate regarding the share of the spouse’s property shall specify:

1) the given name, surname, personal identity number (if none – the year, day and month of birth, as well as place of birth) of the estate-leaver;

2) the date of the opening of a succession;

3) the given name, surname, personal identity number (if none – year, day and month of birth, as well as place of birth) of the spouse;

4) the facts determined by the sworn notary;

5) the inventory of the property of the spouses;

6) the share of the spouse’s property in the joint spousal property.

[*20 December 2007*]

**268.**The sworn notary shall notify the heirs who have accepted the inheritance of the fact that a certificate regarding the share of the spouse’s property has been issued.

The certificate regarding the share of the spouse’s property may be contested in a court in accordance with procedures applicable to actions.

**Chapter XXIV**

**Reading and Coming into Legal Effect of Last Will Instructions**

[*20 December 2007 / Chapter 15, Sub-chapter 3 has been renamed as Chapter XXIV*]

**269.**If an inheritance matter has been commenced by another sworn notary, the inheritance submission together with its accompanying documents shall be sent without delay to the sworn notary who has commenced the inheritance matter and the submitter shall be notified thereof.

**270.**As soon as the last will instruction instrument (will, inheritance contract) has been submitted the sworn notary who conducts the inheritance matter shall, without waiting for a request, set a date for the reading of the instrument, notify all known heirs thereof and post an announcement in a publicly visible place on the premises of the place of practice of the sworn notary.

**271.**A sworn notary who has received a last will instruction instrument for safekeeping, as soon as the death of the testator becomes known to him or her, shall set a date for the reading of the instrument, notify all known heirs thereof and post an announcement in a publicly visible place on the premises of the place of practice of the sworn notary.

**272.**On the day set the sworn notary shall open and read the last will instruction instrument.

If there are more than one last will instruction instruments, all of them shall be opened and read. Last will instruction instruments, which are asserted to be unlawful or fraudulent, shall also be opened and read. In reading a last will instruction instrument, the provisions of Section 785 of the Civil Law shall be complied with.

If there are several original copies of the last will instruction instrument, all with the same content, only one of them shall be read.

The reading of a copy is not equivalent to reading the original, except where the original is lost or if it cannot soon be submitted; in such case the interested persons shall prove in court that the last will instruction instrument actually exists and, if the copy thereof is not properly certified, shall also prove its contents.

**273.**A notarial deed in respect of the opening and reading of a last will instruction instrument shall be made (a certificate regarding the reading of the last will instruction instrument) which shall specify the bequests included in the will and information regarding the following:

1) if the instrument had been sealed, whether the seals were intact;

2) whether there were objections as to the authenticity or legal effect of the last will instruction instrument;

3) whether there were any peculiarities in the last will instruction instrument – corrections, crossings-out, deletions, and additions.

The sworn notary shall not himself or herself raise the issue regarding the non-conformity of the last will instruction instrument with the law.

**274.**Following the reading of a will containing a bequest for generally benevolent and charitable purposes, the sworn notary shall send to a prosecutor an extract from the will together with information regarding the executor of the will or the given name, surname, personal identity number, and place of residence of the persons who submitted the will for the reading thereof.

[*8 March 2018*]

**275.**After reading of the last will instruction instrument the sworn notary who read it shall notify the persons determined in the last will instruction instrument who were not been present at the reading of this instrument of the opening of succession and the time periods for acceptance of the inheritance.

The notification shall be sent in a registered letter together with an extract from the notarial deed book regarding the opening and reading of the last will instruction instrument.

**276.**If according to the Inheritance Register data the inheritance matter has been commenced by another sworn notary, the notary who has received a last will instruction instrument for safekeeping shall notify such sworn notary of the date and place of the reading of the last will instruction instrument.

After reading of the last will instruction instrument the sworn notary who had received the last will instruction instrument for safekeeping shall send an extract of the notarial deed book regarding the opening and reading of such instrument together with the last will instructions in a registered letter to the sworn notary who has commenced the inheritance matter.

**277.**If necessary (Section 293), the sworn notary shall announce the opening of succession in accordance with the procedures laid down in this Law.

**278.**If the will determines a time period for the acceptance of the inheritance, the sworn notary shall take it into account in setting the time period for submission of the inheritance submission.

**279.**Within the time period determined in the notification a testamentary heir has the right to submit to the sworn notary an inheritance submission, but a person whose rights are infringed upon by the last will instruction has the right to submit objections and contest the will in a court.

**280.**The original of the last will instruction instrument shall be kept in the files of the sworn notary who conducts the inheritance matter. Interested persons may become acquainted with the last will instruction instrument; heirs may be issued with copies thereof at their request with an inscription that the last will instruction instrument has been read.

**281.**When submitting a submission to the sworn notary regarding the coming into lawful effect of the last will instruction instrument the submission shall be accompanied by:

1) the last will instruction instrument if such instrument is not at the disposal of the sworn notary;

2) the death certificate of the estate-leaver;

3) evidence confirming the estate-leaver’s last declared place of residence;

4) an inventory of the estate property with property valuation.

The submission shall specify all heirs known to the submitter.

The documents referred to in Paragraph one of this Section shall not be attached to the submission if they are in the inheritance file.

The sworn notary shall certify the submission referred to in this Section in accordance with the procedures laid down in Section 139.5 of this Law and shall warn the submitter of the criminal liability.

[*23 May 2013*]

**282.**If a sworn notary who is conducting an inheritance matter receives a court notification that an action has been brought regarding the contesting of the last will instruction instrument, he or she shall suspend the proceedings in the inheritance matter until the settling of the dispute in court.

**283.**If a last will instruction instrument is declared invalid in its entirety by a court judgment, the sworn notary shall invite the heirs by intestacy to express their intent regarding acceptance of the inheritance or its renunciation.

**284.**Upon recognising the inheritance submission as justified, the sworn notary shall make a notarial deed regarding the coming into legal effect of the last will instruction instrument (inheritance certificate) and specify the following:

1) the given name, surname, personal identity number (if none – the year, day and month of birth, as well as place of birth) of the estate-leaver;

2) the date of the opening of a succession;

3) the basis for inheriting;

4) the given name, surname, personal identity number (if none – the year, day and month of birth, as well as place of birth) of the heir;

5) the inventory of the estate property;

6) the notation that all claims of creditors which have not been submitted within the time period have been extinguished in accordance with Section 705 of the Civil Law.

The sworn notary shall make a certification inscription on the last will instruction instrument regarding the reading thereof and the coming into legal effect in its entirety or part.

[*20 December 2007; 17 January 2013*]

**285.**The sworn notary shall make the notarial deed regarding the coming into legal effect of the last will instruction instrument when the time period for acceptance of the inheritance determined by the estate-leaver has expired, but if no such time period has been specified – the time period for acceptance of the inheritance specified by the sworn notary himself or herself or the time period laid down in law.

**286.**If a court declares the last will instruction instrument invalid in part thereof, the sworn notary shall make a deed regarding the coming into legal effect of the last will instruction instrument of the remaining part.

**287.**A last will instruction instrument with an inscription by a sworn notary regarding its coming into legal effect shall be appended to the notarial instrument regarding the coming into legal effect of the last will instruction instrument inheritance certificate original, but the heir or the executor of the will shall be issued with extracts of the notarial instrument.

[*28 October 2004*]

**Chapter XXV**

**Protection of and Trusteeship on an Estate**

[*8 May 2014*]

**288.**Protection of the estate property shall be provided for by the sworn notary who is conducting the inheritance matter.

**289.**Protection of the property of a deceased person may be requested by:

1) an heir;

2) the executor of a will or trustee of an estate;

3) the administration of the place of employment of the deceased person – but only with respect to money, things or documents of the place of employment which have remained as part of the property of the deceased person;

4) creditors – with respect to such claims as have been adjudged or secured in their favour by a court judgment. In such case only that part of the estate property shall be protected as is sufficient to satisfy the claims referred to.

**290.**In cases provided for by law (Section 659 of the Civil Law) the sworn notary shall provide for protection of the estate pursuant to notification by any person, if he or she is certain of the death of the estate-leaver.

**291.**Having determined that there is a basis for protection of the estate, the sworn notary shall invite a sworn bailiff to take all actions necessary for protection of the estate.

The interested person shall submit a sworn notary's invitation to perform the protection of an estate to a sworn bailiff.

[*26 November 2015*]

**292.**The means for protection of an estate shall be:

1) sealing-off of immovable property, storehouse or packaging;

2) arrest of immovable property or movable property;

3) arrest of cash assets.

A sworn notary, based on the inheritance matter, shall indicate in the invitation the property that needs to be protected, its location, and the given name, surname, and personal identity number (for a legal person – name, registration number, and legal address) of the interested person who has requested the protection of an estate, and the means for the protection of the estate concerned.

[*26 November 2015*]

**292.1** The submission for establishment of trusteeship on an estate shall be submitted to the sworn notary conducting the inheritance matter, but if the inheritance matter has not been commenced– to the sworn notary referred to in Section 252 of this Law.

[*8 May 2014*]

**292.2** The following shall be indicated in the submission for establishment of trusteeship on an estate:

1) the given name, surname, personal identity number (if none – the year, day and month of birth, as well as place of birth) and last declared place of residence of the estate-leaver;

2) the year, day and month of death of the estate-leaver;

3) the circumstances on the basis of which a request regarding establishment of trusteeship on an estate is founded.

The death certificate of the estate-leaver shall be appended to the submission for establishment of trusteeship on an estate.

[*8 May 2014*]

**292.3** If the sworn notary recognises that there are grounds for establishment of trusteeship on an estate, he or she shall draw up a notarial deed regarding establishment of trusteeship on an estate.

The following shall be indicated in the notarial deed regarding establishment of trusteeship on an estate:

1) the given name, surname, personal identity number (if none – the year, day and month of birth, as well as place of birth) and last declared place of residence of the estate-leaver;

2) the year, day and month of death of the estate-leaver;

3) the person who has requested to establish trusteeship on an estate;

4) the circumstances on the basis of which trusteeship on an estate shall be established;

5) the Orphan's and Custody Court to which the notarial deed regarding establishment of trusteeship on an estate shall be sent for execution and appointing of a trustee.

The sworn notary shall send an extract from the notarial deed regarding establishment of trusteeship on an estate to the Orphan's and Custody Court, not to be paid by with a State fee.

If the notarial deed regarding establishment of trusteeship on an estate is made upon initiative of the sworn notary (Sections 659 and 660 of the Civil Law), it shall not be paid by with a State fee.

If the sworn notary recognises that there are no grounds for establishment of trusteeship on an estate, he or she shall refuse to make a notarial deed regarding establishment of trusteeship on an estate.

[*8 May 2014*]

**Chapter XXVI**

**Announcement Regarding Opening of Succession**

[*20 December 2007 / Chapter 15, Sub-chapter 5 has been renamed as Chapter XXVI*]

**293.**The sworn notary shall announce the opening of succession upon request of the interested persons or at his or her own discretion (Sections 659 and 665 of the Civil Law) in cases when:

1) heirs are not known;

2) it is not certain that the applicants to the right of inheritance are the only and the nearest heirs;

3) heirs are known but they do not want or cannot accept the inheritance or they express a wish to accept it on the basis of the right of inventory only;

4) heirs, executors of the will or the trustee of the estate are ignorant of the debts attaching to the estate property.

**294.**Announcement of the opening of succession may be requested by an heir, a person who has the right to inherit after the person who is invited to inherit (substitute, secondary heir), the executor of the will, the trustee of the estate and persons who have made claims against the estate as legatees or creditors.

**295.**The submission for announcement shall be submitted to the sworn notary conducting the inheritance matter, but if the inheritance matter has not been commenced – to the sworn notary referred to in Section 252 of this Law.

[*23 May 2013*]

**296.**The submission for announcement shall specify:

1) the facts which are the basis for the request for announcement, and evidence corroborating them;

2) persons interested in the matter as are known to the applicant, and the place of residence of such persons.

**297.**In the announcement the sworn notary shall invite to apply all those who have rights to the estate as heirs, creditors or in some other capacity. The time period for the invitation shall be determined at the discretion of the sworn notary, unless the law provides otherwise. It shall not be shorter than three months from the date of publishing of the invitation. The sworn notary shall indicate in the announcement that claims of creditors which have not been submitted within the time period will be extinguished.

[*17 January 2013*]

**298.**If the announcement takes place in connection with the reading of a will, the sworn notary shall, by means of the announcement, invite persons who have objections to the will to make application in regard to their rights, indicating that otherwise the will shall be deemed to have come into legal effect.

**299.**The announcements referred to in Sections 297 and 298 of this Law may be combined.

**300.**An announcement regarding the opening of succession shall be published in the official gazette *Latvijas Vēstnesis*.

[*17 January 2013*]

**Chapter XXVII**

**Accepting an Inheritance**

[*20 December 2007 / Chapter 15, Sub-chapter 6 has been renamed as Chapter XXVII*]

**301.**If heirs have not expressed their intent to accept the inheritance, the persons who have the right to inherit after the person who is invited to inherit (substitutes, secondary heirs), as well as the creditors and legatees of the estate-leaver, may submit to the sworn notary, in conformity with the provisions of Section 293 of this Law, a submission regarding the invitation of the heirs to express their intent regarding acceptance of the inheritance (Sections 697 and 698 of the Civil Law).

**302.**The submission regarding the invitation of heirs to express their intent regarding acceptance of the inheritance shall specify:

1) the persons invited to inherit, if such persons are known;

2) the basis for inheriting (inheriting on the basis of law, will or inheritance contract);

3) the submitter’s claim regarding the estate.

**303.**The sworn notary shall not verify the validity of the submitter’s claim.

**304.**If heirs are known, the sworn notary, without announcing the opening of succession, shall invite the heirs determined in the submission, setting a time period in conformity with Section 297 of this Law, to notify whether they wish to accept the inheritance or to renounce it (Sections 697 and 698 of the Civil Law).

**305.**If the heirs are unknown to the submitter, the sworn notary shall announce the opening of succession in the official gazette *Latvijas Vēstnesis*, invite the heirs, setting a time period in conformity with Section 297 of this Law, and notify the known heirs and the Council of Sworn Notaries of Latvia thereof for inclusion in the Inheritance Register.

[*23 May 2013*]

**306.**If the heirs have not applied within the time period determined in the invitation (announcement regarding the opening of succession) or if they have renounced the inheritance, the sworn notary shall draw up a notarial instrument free of charge from the State fees for termination of the inheritance matter.

The following shall be indicated in the notarial deed regarding termination of an inheritance matter:

1) the given name, surname, personal identity number (if none – the time and place of birth) of the estate-leaver;

2) the date of the opening of a succession;

3) the interested person who has requested the inviting of heirs;

4) the day of proclamation of the inheritance;

5) the composition of the estate property if such is indicated;

6) the submitted claims of creditors in accordance with Section 416, Paragraph two of the Civil Law;

7) a finding that the heirs have not applied within the announced time period, the property has been recognised as property without heirs and in accordance with Section 416 of the Civil Law escheats to the State;

8) a finding that the claims of creditors not submitted within the time period determined in the announcement regarding the opening of succession (if the opening of succession has been announced) are extinguished in accordance with Section 705 of the Civil Law.

The notarial deed regarding termination of an inheritance matter shall be the basis for the registration of property in the name of the State.

If an immovable property is a part of the inventory of an estate property, a sworn notary upon sending an extract of the notarial deed to a sworn bailiff shall ensure that the notation regarding recognition of the property as property without heirs is entered in the Land Register, as well as send a copy of extract of the notarial deed book and information regarding the respective sworn bailiff to such local government within the territory of which the immovable property is located and to the State institution responsible for administering the relevant type of property, if an extract of the notarial deed book must be sent to him or her in accordance with Paragraph five of this Section.

If claims of creditors have been indicated in the notarial deed regarding termination of an inheritance matter, a sworn notary, after making of the notarial deed regarding termination of an inheritance matter, shall send an extract of the notarial deed book to the sworn bailiff, within the borders (district) of whose place of office is the location of the property included in the estate. If the property included in the estate is located within the borders determined for operation of various district courts, the sworn notary shall prepare as many extracts of the notarial deed book as is the number of district courts within the borders determined for operation of which the property is located, and send to one of the sworn bailiffs practising within the borders determined for operation of every relevant district court.

If claims of creditors have not been indicated in the notarial deed regarding termination of an inheritance matter, a sworn notary, after making of the notarial deed regarding termination of an inheritance matter, shall send an extract of the notarial deed to the State Revenue Service.

If the inventory of an estate property is not known, a sworn notary shall not send an extract of the notarial deed book to a sworn bailiff or to the State Revenue Service. If a sworn notary receives information regarding the inventory of the estate property after termination of an inheritance matter, he or she shall make amendments to the notarial deed regarding termination of an inheritance matter and shall act in accordance with Paragraphs four, five, and six of this Law.

[*17 January 2013*]

**307.**A submission regarding acceptance of an estate on the basis of the right of inventory (Section 709 of the Civil Law) may be submitted within two months from the day when the opening of succession became known to the heirs.

**308.**After a submission is received the sworn notary shall invite a sworn bailiff, but if the estate is located outside a city – then the relevant Orphan's and Custody Court to draw up an inventory list.

[*20 December 2007*]

**309.**A submission in writing regarding refusal of an inheritance or renunciation of an inheritance (Sections 609, 651, 689 and 775–783 of the Civil Law) may be submitted to the sworn notary who conducts the inheritance matter.

**Chapter XXVIII**

**Confirmation of Rights of Intestate Succession**

[*20 December 2007 / Chapter 15, Sub-chapter 7 has been renamed as Chapter XXVIII*]

**310.**Heirs by intestacy may submit to the sworn notary an inheritance submission regarding confirmation of the right of inheritance.

**311.**The inheritance submission shall be submitted to the sworn notary who is practising in that operational territory of the regional court where the last declared place of residence of the estate-leaver was located, but if it is not known – according to the location of the estate property or the principal share thereof.

[*23 May 2013*]

**312.**The inheritance submission shall be accompanied by:

1) the death certificate of the estate-leaver;

2) evidence confirming the estate-leaver’s last declared place of residence;

3) a list of the estate property with valuation of the property;

4) evidence confirming the right of the submitter to inherit;

5) information on all known heirs.

The sworn notary shall certify the submission referred to in this Section in accordance with the procedures laid down in Section 139.5 of this Law and shall warn the submitter of the criminal liability.

[*23 May 2013*]

**313.**After receipt of the submission the sworn notary shall announce the opening of succession in the cases provided for by this Law.

**314.**Confirmation of the rights of inheritance shall take place when the time period for acceptance of the inheritance determined in the announcement or the law has expired.

**315.**If a dispute regarding the right of inheritance arises, it shall be resolved in a court in accordance with procedures applicable to actions.

**316.**When the sworn notary finds that the submission is justified, the sworn notary shall make a notarial deed regarding confirmation of the rights of inheritance (inheritance certificate) which shall specify whether the submitter has acquired the whole estate as the sole heir or a specified undivided share thereof as a co-heir.

**317.**In confirming the rights of inheritance, mutual agreements between heirs that are not in conformity with law shall not be considered.

**318.**The inheritance certificate shall specify:

1) the given name, surname, personal identity number (if none – the date and place of birth) of the estate-leaver;

2) the date of the opening of a succession;

3) the basis for inheriting;

4) the given name, surname, personal identity number (if none – the date and place of birth) of the heir;

5) the size of the shares, undivided shares of the estate of the heirs;

6) the inventory of the estate property;

7) the notation that all claims of creditors which have not been submitted within the time period have been extinguished in accordance with Section 705 of the Civil Law.

[*17 January 2013*]

**319.**Samples of inheritance certificates shall be approved by the Cabinet.

[*20 December 2007*]

**Chapter XXIX**

**Division of the Estate**

[*20 December 2007 / Chapter 15, Sub-chapter 8 has been renamed as Chapter XXIX*]

**320.**An estate may be divided informally or at a notary, except for the case when there is a dispute among the co-heirs regarding division of the estate.

**321.**When drawing up a draft division of the estate, the sworn notary shall invite all co-heirs.

The sworn notary shall take actions to reconcile the opinions of the parties and reach an agreement.

**322.**The sworn notary who draws up the draft division of the estate may invite a sworn bailiff to draw up an inventory list of the estate and, if necessary, to invite an expert for the valuation of the estate.

**323.**In the draft division of the estate the sworn notary shall substantiate the procedures for the division of the estate laid down therein.

**324.**If co-heirs agree to the draft division of the estate drawn up by the sworn notary, the sworn notary shall appropriately certify the agreement on the division of the estate.

**Chapter XXIX.1**

**Conduct of Cross-Border Inheritance Matters**

[*26 November 2015*]

**324.1** When conducting cross-border inheritance matters, a sworn notary shall apply the provisions of this Law to the extent permitted by the legal norms of the European Union directly applicable in Latvia.

**324.2** A sworn notary shall have a jurisdiction to conduct a cross-border inheritance matter provided that any of these criteria exists:

1) the last place of residence of the estate-leaver was in Latvia;

2) the place of residence of the person making an inheritance submission is in Latvia;

3) the estate property or its major part is located in Latvia;

4) the person making an inheritance submission is a national of the Republic of Latvia;

5) the estate-leaver was a national of the Republic of Latvia.

**324.3** An inheritance submission shall be submitted to the sworn notary referred to in Section 252 of this Law; however, when the last declared place of residence of the estate-leaver or the location of the estate property or its major part is unknown, the inheritance submission shall be submitted to any sworn notary.

**324.4** The legal acts applicable in cross-border inheritance matters shall be determined in accordance with Regulation (EU) No 650/2012 of the European Parliament and of the Council of 4 July 2012 on jurisdiction, applicable law, recognition and enforcement of decisions and acceptance and enforcement of authentic instruments in matters of succession and on the creation of a European Certificate of Succession (hereinafter – Regulation No 650/2012).

**324.5** If a sworn notary conducting a cross-border inheritance matter receives information that, in accordance with Regulation No 650/2012, legal proceedings on the same inheritance have been initiated in a court of another Member State, he or she shall terminate this inheritance matter and notify the inheritance register thereof.

If a sworn notary conducting a cross-border inheritance matter receives information that, in accordance with Regulation No 650/2012, a cross-border inheritance matter on the same inheritance is conducted in an out-of-court institution of another Member State, he or she shall proceed with conducting this inheritance matter, unless the persons involved in the Latvian inheritance matter request its termination.

If a sworn notary conducting a cross-border inheritance matter receives information that, in accordance with Regulation No 650/2012, a related action has been brought to a court in Latvia or in another Member State regarding the contesting of the last will instruction instrument, he or she shall suspend the proceedings in the inheritance matter until the dispute has been settled at the court.

**324.6** Upon request of the interested person, a sworn notary who has issued an inheritance certificate shall issue the attestation referred to in Article 60(2) of Regulation No 650/2012.

**Chapter XXIX.2**

**European Certificate of Succession**

[*26 November 2015*]

**324.7** A sworn notary who is conducting or has conducted a respective cross-border inheritance matter, may adjust the rights in rem referred to in Article 31 of Regulation No 650/2012 when making an inheritance certificate or a European Certificate of Succession, or when making supplements to an inheritance certificate or a European Certificate of Succession.

A sworn notary shall make the abovementioned supplements in the form of a notarial deed and, without delay, inform all persons thereof who have been issued an excerpt from an inheritance certificate or a copy of a European Certificate of Succession.

**324.8** A European Certificate of Succession shall be issued by a sworn notary if the cross-border inheritance matter is in the jurisdiction of Latvia in accordance with Articles 4, 7, 10, and 11 of Regulation No 650/2012.

**324.9** A submission requesting issuance of a European Certificate of Succession may be submitted using the forms provided for in Annex 4 to Commission Implementing Regulation (EU) No 1329/2014 of 9 December 2014, establishing the Forms referred to in Regulation (EU) No 650/2012 of the European Parliament and of the Council on jurisdiction, applicable law, recognition and enforcement of decisions and acceptance and enforcement of authentic instruments in matters of succession and on the creation of a European Certificate of Succession (hereinafter – Regulation No 1329/2014).

[*14 October 2021*]

**324.10** A submission requesting issuance of a European Certificate of Succession shall be submitted to the sworn notary who is conducting or has conducted the cross-border inheritance matter in Latvia.

A submission requesting issuance of a European Certificate of Succession shall be submitted to the notary referred to in Section 324.3 of this Law, if:

1) an authentic instrument has been issued in another Member State in the cross-border inheritance matter, where the matter has been judged as to its substance;

2) an executor of the will or an administrator of the estate has been appointed in another Member State in the cross-border inheritance matter;

3) a cross-border inheritance matter has been initiated neither in Latvia nor in another Member State.

**324.11** A sworn notary shall consider the submission requesting issuance of the European Certificate of Succession in accordance with the provisions of Chapter VI of Regulation No 650/2012 and this Law, to the extent permitted by Chapter VI of this Regulation.

**324.12** A sworn notary shall publish in the official gazette *Latvijas Vēstnesis* a notification on having received a request to issue a European Certificate of Succession, and shall notify all known beneficiaries on the fact of having received such submission.

**324.13** The legal facts and legal relations referred to in an authentic instrument issued in another Member State shall be binding on a sworn notary, and the abovementioned authentic instrument shall have an evidentiary effect unless contested or declared invalid.

**324.14** Having recognised the submission requesting issuance of a European Certificate of Succession to be valid, a sworn notary shall make a European Certificate of Succession in the form of a notarial deed, using Form V from Annex 5 to Regulation No 1329/2014.

A sworn notary shall issue excerpts from a European Certificate of Succession or its copies in accordance with the procedures laid down in Sections 104 and 106 of this Law.

A sworn notary shall notify all known beneficiaries on the issuance of a European Certificate of Succession.

**324.15** A sworn notary shall not issue a European Certificate of Succession in the cases referred to in Article 67(1) of Regulation No 650/2012.

A refusal to issue a European Certificate of Succession shall not be an obstacle to a repeat submission of a request to issue a European Certificate of Succession and its consideration, provided the obstacles that used to be the reason for the refusal have ceased to exist.

**324.16** A sworn notary who made a European Certificate of Succession, upon request of an interested party, may rectify, modify, or withdraw the European Certificate of Succession in accordance with Article 71 of Regulation No 650/2012, or suspend the effects of the European Certificate of Succession in accordance with Article 73 of this Regulation.

A sworn notary shall make the abovementioned rectifications and amendments and withdraw and suspend the European Certificate of Succession in the form of a notarial deed and, without delay, notify all persons thereof who have been issued an excerpt from the European Certificate of Succession or its copy.

**Division P**

**Conduct of Divorce Matters**

[*28 October 2010*]

**Chapter XXX**

**General Provisions for Conducting Divorce Matters**

**325.**A sworn notary shall divorce a marriage, if spouses have agreed thereon and if:

1) spouses do not have a joint minor child and joint property;

2) spouses have a joint minor child or joint property and spouses have entered into a written agreement regarding custody of the joint minor child, rights of access, child’s means of support and division of the joint property.

**326.**The jurisdiction to divorce a marriage in transboundary matters shall be determined in accordance with Article 3 of Council Regulation (EC) No 2019/1111 of 25 June 2019 on jurisdiction, the recognition and enforcement of decisions in matrimonial matters and the matters of parental responsibility, and on international child abduction (hereinafter – Regulation No 2019/1111).

If the jurisdiction to divorce a marriage in a transboundary matter has not been determined for the Republic of Latvia, a sworn notary shall not commence the divorce matter and notify the spouses thereof.

The legal acts applicable in cross-border divorce matters shall be determined in accordance with Council Regulation (EU) No 1259/2010 of 20 December 2010 implementing enhanced cooperation in the area of the law applicable to divorce and legal separation.

[*23 May 2013; 14 October 2021* / *The new wording of Paragraph one shall come into force on 1 August 2022.* *See Paragraph 39 of Transitional Provisions*]

**Chapter XXXI**

**Commencement of a Divorce Matter**

**327.**A sworn notary shall commence a divorce matter when a joint submission of both spouses regarding divorce is received, prior to it making sure whether the relevant divorce matter has not been commenced by another sworn notary.

**328.**A submission regarding divorce shall be made as a notarial deed.

**329.**The following shall be indicated in a submission regarding divorce:

1) the given name, surname, personal identity number (if none – the year, day and month of birth) of each spouse;

2) the year, day, month and number of registry entry of the entering into marriage;

3) the marriage registration country and authority or the relevant denomination and minister;

4) whether the spouses have joint minor children and whether they have agreed regarding custody of joint minor children, use of rights of access and means of support;

5) whether the spouses have joint property and whether the spouses have agreed regarding division of such property;

6) the surnames of the spouses after divorce.

An original of the marriage certificate or a copy or extract issued by the civil registry, or a statement from a registry office shall be attached to a submission regarding divorce.

If spouses have a joint minor child or joint property, a written agreement regarding custody of the joint minor child, rights of access, child’s means of support and division of joint property shall be attached to the submission regarding divorce.

**330.**A sworn notary, who has received a submission regarding divorce, shall register the relevant matter in the Register of Divorce Matters.

The Register of Divorce Matters shall be conducted by the Chamber of Sworn Notaries of Latvia. The data referred to in Section 331 of this Law shall be entered in the Register of Divorce Matters by the sworn notary who is conducting the divorce matter.

**331.**The following shall be entered in the Register of Divorce Matters:

1) the number of the divorce matter;

2) the date of commencement of the divorce matter;

3) the year, day, month, the number of the register entry, the registration country and authority or the relevant denomination and minister of the entering into marriage;

4) the date by which there is the right to revoke the submission regarding divorce;

5) the name, surname, personal identity number

(if none – the year, day, month and the place of birth) of each spouse;

6) the name, surname and the address of the place of practice of the sworn notary who conducts the divorce matter;

7) the date of making of the divorce certificate and the register number or notation regarding termination of the divorce matter proceedings.

**332.**A divorce matter is commenced on the day when it is registered in the Register of Divorce Matters.

A sworn notary shall notify both spouses regarding the commencement of the divorce matter.

**Chapter XXXII**

**Divorce**

**333.**A sworn notary shall not divorce a marriage earlier than after 30 days, counting form the day of commencement of the divorce matter.

**334.**Within the time period laid down in Section 333 of this Law each spouse has the right to revoke the submission regarding divorce. A revocation shall be expressed in writing and without conditions. A signature on the revocation shall be certified by a sworn notary or another person determined in Section 1474 of the Civil Law.

In such case a sworn notary shall terminate the divorce matter, registering such fact in the Register of Divorce Matters.

If the revocation is submitted by one spouse, a sworn notary shall inform the other spouse regarding the revocation and regarding termination of the divorce matter.

**335.**A terminated divorce matter shall not be renewed. The termination of the divorce matter shall not be obstruction for a new submission regarding divorce.

**336.**If a sworn notary has not received divorce revocation within the time period laid down in Section 333 of this Law, he or she shall divorce the marriage by making a notarial deed regarding divorce (a divorce certificate). The marriage shall be divorced from the day when a sworn notary has made a divorce certificate.

A sample divorce certificate shall be approved by the Cabinet.

**337.**A sworn notary shall specify the following in a divorce certificate:

1) the given name, surname, personal identity number (if none – the year, day, month and the place of birth) of each spouse;

2) the year, day, month, country, the number of registry entry and authority or the relevant denomination and minister of the entering into divorced marriage;

3) the year, day and month of divorce;

4) the fact that the marriage is divorced according to the joint submission of both spouses;

5) the surnames of the spouses after divorce.

**338.**A sworn notary shall prepare the information regarding divorce for a divorced spouse who has the citizenship of the Republic of Latvia, and shall send it to:

1) the civil registry in the operation district of which the marriage was registered;

2) the minister of the relevant parish where the marriage was registered;

3) the territorial division of the Office of Citizenship and Migration Affairs according to the declared place of residence of each divorced spouse.

A sworn notary shall send the information regarding divorce in a cross-border matter to the Ministry of Foreign Affairs.

[*23 May 2013*]

**339.**Upon request of a divorced spouse, a sworn notary shall issue a certificate in matrimonial matters referred to in Article 39 of Council Regulation (EC) No 2201/2003 of 27 November 2003 concerning jurisdiction and the recognition and enforcement of judgments in matrimonial matters and the matters of parental responsibility, repealing Regulation (EC) No 1347/2000 (Annex I to Regulation No 2201/2003), or a certificate in matrimonial matters referred to in Article 66(1)(a) of Regulation No 2019/1111 (Annex VIII to Regulation No 2019/1111).

[*14 October 2021* / *The new wording of Section shall come into force on 1 August 2022.* *See Paragraph 39 of Transitional Provisions*]

**Division R**

**Legalisation of Public Documents with a Certificate (apostille)**

[*1 November 2018* / *Division shall come into force on 1 July 2019.* *See Paragraph 33 of Transitional Provisions*]

**340.**A sworn notary shall legalise a public document issued in Latvia with a certificate (apostille) in accordance with the laws and regulations regarding the legalisation of documents. If a notarial deed or certification is submitted for legalisation, it shall be legalised by a sworn notary other than that who has performed the relevant notarial activity.

[*1 November 2018* / *Section shall come into force from 1 July 2019.* *See Paragraph 33 of Transitional Provisions*]

**341.** A sworn notary shall commence the legalisation of a public document issued in Latvia with a certificate (apostille) after receipt of the submission of the relevant person and the document to be legalised.

[*1 November 2018* / *Section shall come into force from 1 July 2019.* *See Paragraph 33 of Transitional Provisions*]

**342.**A sworn notary shall make an entry in a register available for public online free of charge and the manager and holder of which is a Council of Sworn Notaries of Latvia regarding the legalisation of a public document issued in Latvia with a certificate (apostille).

The Cabinet shall determine the procedures for establishing and maintaining the register referred to in Paragraph one of this Section, the amount of information to be included therein, as well as the procedures by and extent to which the information shall be submitted to the register and shall be issued from it.

[*1 November 2018* / *Section shall come into force from 1 July 2019.* *See Paragraph 33 of Transitional Provisions*]

**343.**State and local government institutions. and also natural and legal persons shall, in accordance with the international agreements binding on the Republic of Latvia, be exempted from payment of remuneration of a sworn notary for legalisation of a public document issued in Latvia with a certificate (apostille).

[*1 November 2018* / *Section shall come into force from 1 July 2019.* *See Paragraph 33 of Transitional Provisions*]

**Division S**

**Certification of Notification Submitted on the Website of the Council of Sworn Notaries of Latvia**

[*1 November 2018*]

**344.**The following persons may express intent by a notification submitted on the website of the Council of Sworn Notaries of Latvia which is signed with a secure electronic signature and has a time stamp, and has been submitted using means of qualified increased security electronic identification:

1) credit institution, and also a capital company the legal grounds for operation of which are determined by the Law on Development Finance Institution, a capital company which has received a special permit (licence) for the provision of consumer credit services, and a savings and loan association which has received the special authorisation (licence) issued by Latvijas Banka in accordance with the Law on Savings and Loan Associations – regarding the consent for amending the mortgage and restrictions of the rights related thereto or for corroboration of a cession;

2) credit institution, and also a capital company the legal grounds for operation of which are determined by the Law on Development Finance Institution – regarding the consent for corroboration, if such consent arises from corroborated rights or restrictions of such rights;

3) legal persons, and also individual merchants as owners of an immovable property – regarding the consent for corroboration of rights on the acquirer – legal persons, and also individual merchants;

4) legal persons, and also individual merchants as acquirers of rights – regarding the consent for corroboration of rights if the immovable property belongs to legal persons, and also individual merchants.

Upon certifying the notification submitted in accordance with the procedures laid down in this Section, the requirements referred to in Division D of this Law shall be applied, insofar as it is not laid down otherwise in this Division.

[*1 November 2018; 15 February 2024*]

**345.**The notification submitted by the persons referred to in Section 344, Paragraph one, Clauses 1 and 2 of this Law shall be deemed as sufficient for corroboration in the Land Register.

The consent included in the notification submitted by the persons referred to in Section 344, Paragraph one, Clauses 3 and 4 of this Law shall be notarised by a sworn notary in the video conferencing mode in accordance with the procedures referred to in Division E1 of this Law or also in person upon the choice of legal persons, and also individual merchants.

[*1 November 2018* / *Paragraph one (regarding the expression of the consent on the website of the Council of Sworn Notaries of Latvia by a credit institution, and also a capital company the legal grounds for operation of which are determined by the Law on Development Finance Institution) shall be applied starting from 1 May 2019.* *See Paragraph 35 of Transitional Provisions*]

**Transitional Provisions**

[*24 October 2002*]

1. If the sworn notary office remuneration rate provides for differing tariffs for the making of a notarial deed and certification of a deed in accordance with the declaration procedures, the lowest rate shall be applied in both cases.

2. [28 October 2010]

3. Section 9, Clause 3, 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.

4. [28 October 2004]

5. Section 147, Clause 3 of this Law shall be applicable to persons who are appointed to office after 1 January 2003.

6. In cases when the law provides for notarial certification, public certification or certification in accordance with declaration procedures of expressions of intent, the sworn notary shall make a notarial deed (Section 82). In cases where the law provides for notarial certification, public certification or certification in accordance with declaration procedures of signatures the sworn notary shall also certify the capacity to act.

7. Up to the day of the coming into force of Cabinet regulations, but not later than 1 April 2005, the Ministry of Justice recommendations of 17 February 1998, Remuneration Rates for Legal Assistance provided by Sworn Notaries, and the Ministry of Finance regulations of 13 February 1995, Regulations regarding the Civil Liability Insurance of the Professional Work of Sworn Notaries, shall be in effect.

[*28 October 2004*]

8. The Cabinet shall by 1 April 2005 issue the regulations referred to in Section 6.1 of this Law.

[*28 October 2004; 20 December 2007*]

9. The Cabinet shall, until 1 July 2008, issue the regulations referred to in Section 20, Paragraphs one, two and three, Section 23.1, Paragraph three, Section 43, Paragraph one, Section 45.1, Section 64, Section 67, Paragraph two, Section 165, Paragraph one, Section 230, Clause 9 and Section 319 of this Law.

[*20 December 2007*]

10. Until coming into force of the relevant Cabinet regulation, but no longer than until 1 July 2008, the following Cabinet regulations shall be in force, in so far as they are not in contradiction to this Law:

1) Cabinet Regulation No. 690 of 6 September 2005, Procedures for the Sworn Notary Examination;

2) Cabinet Regulation No. 247 of 12 April 2005, Regulation Regarding the Minimum Amount of Knowledge Necessary for Passing the Sworn Notary Examination and Fee for the Sworn Notary Examination;

3) Cabinet Regulation No. 534 of 27 June 2006, Regulation Regarding Sworn Notary Office Remuneration Rates;

4) Cabinet Regulation No. 988 of 20 December 2005, Regulation Regarding the Form of Sworn Notary Registers and Books and Procedures for Keeping Thereof;

5) Cabinet Regulation No. 1009 of 27 December 2005, Regulation Regarding the Keeping of the Inheritance Register and Conducting of Inheritance Matters;

6) Cabinet Regulation No. 917 of 6 December 2005, Procedures by which the Council of Sworn Notaries of Latvia Provides a Report Regarding the Activities Performed by the Sworn Notaries;

7) Cabinet Regulation No. 740 of 27 September 2005, Regulation Regarding Samples of Inheritance Certificates.

[*20 December 2007*]

11. Amendments to Section 192 of this Law, in accordance with which the time period laid down for initiation of a disciplinary matter is extended from one year to two years, shall be applied in respect of those violations which are committed after 1 March 2008.

[*20 December 2007*]

12. Sworn notaries shall, until 31 July 2008 after acquisition of the training programme for sworn notaries, pass the attestation which is considered to be the first qualification test. Such condition shall apply to those sworn notaries which have given the oath until 1 July 2008. The following shall be assessed during the attestation procedure:

1) theoretical knowledge necessary in the activity of the sworn notary, including regarding laws and regulations (the first part of the attestation);

2) the ability to apply such knowledge in practice in order to perform the office duties of a sworn notary, including the drawing up of deeds and record keeping of a sworn notary (the second part of the attestation);

3) social competence and social intellect of a sworn notary (the third part of the attestation).

[*20 December 2007*]

13. The training of sworn notaries referred to in Paragraph 12 of these Transitional Provisions in conformity with the training programme for sworn notaries co-ordinated by the Minister for Justice and the examination, as well as the work of the examination commission during the attestation process, shall be organised by the Council of Sworn Notaries of Latvia.

[*20 December 2007*]

14. Social competence and social intellect only shall be assessed during the attestation for sworn notaries, who have passed the examination successfully in conformity with the Cabinet Regulation No. 247 of 12 April 2005, Regulation Regarding the Minimum Amount of Knowledge Necessary for Passing the Sworn Notary Examination and Fee for the Sworn Notary Examination.

[*20 December 2007*]

15. A decision on the results of the attestation referred to in Paragraph 12 of these Transitional Provisions shall, on the day determined by the Minister of Justice, be taken by the examination commission approved by the Minister for Justice in the composition of which the representatives of the Ministry of Justice, judges of Land Registry offices, judges of regional courts, academic personnel of higher educational establishments and sworn notaries, as well as a personnel selection specialist, shall be included.

[*20 December 2007*]

16. A sworn notary shall pass the attestation, if:

1) he or she has received a certification for the first part of the attestation regarding successful acquisition of the training programme organised by the Council of Sworn Notaries of Latvia;

2) he or she has received a motivated opinion of the Council of Sworn Notaries of Latvia for the second part of the attestation regarding performance of previous office duties of the sworn notary with recommendation to recognise that the sworn notary has passed the second part of the attestation;

3) he or she has received an appropriate certificate of the Council of Sworn Notaries of Latvia regarding acquisition of the training course Customer Service Standard of Notaries.

[*20 December 2007*]

17. If a sworn notary has not passed any of the parts of the attestation, the examination commission shall take a decision not to attest the sworn notary.

[*20 December 2007*]

18. A decision of the examination commission on the attestation results 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 following the day of taking thereof. A decision of the examination commission shall enter into effect on the day when the Minister for Justice has approved it.

[*20 December 2007*]

19. A sworn notary, who fails to pass the attestation, shall, within six months, pass an extraordinary qualification test.

[*20 December 2007*]

20. The work of the examination commission referred to in Paragraph 15 of these Transitional Provisions shall take place in accordance with the law or regulation regulating the procedures for the sworn notary examination, in so far as it is not in contradiction to this Law.

[*20 December 2007*]

21. The time period for organisation of the sworn notary examination indicated in the first sentence of Paragraph one of Section 19 of this Law – at least once a year – may not be applied in 2011, 2012, 2013 and 2014. In 2011, 2012, 2013 and 2014 the Minister for Justice may, upon his or her own initiative or proposal of the Council of Sworn Notaries of Latvia, organise a sworn notary examination assessing the necessity thereof.

[*28 October 2010; 23 May 2013*]

22. Amendments to Section 45, Paragraph four, Section 45.1, Section 87.4 and Section 230, Clauses 10 and 11 of this Law in relation to future authorisation shall come into force concurrently with Section III.1 “Future Authorisation” of Part Four, Chapter 18, Sub-chapter 1 of the Civil Law.

[*17 January 2013 /* *See Law of 29 November 2012*]

23. The provisions of Section 11.1 of this Law regarding the filling in a vacant place of office a sworn notary may not be applied in years 2013 and 2014, except the case when, upon assessing the necessity, it is concluded that a vacant place of office of a sworn notary should be filled in.

[*23 May 2013*]

24. Sworn notaries shall within a year following the day of commencement of activity of the Public Will Register submit to it the information regarding the last will instruction instruments laid down in Section 249.2 of this Law, which have been made from the day of entry into force of the Notariate Law (1 September 1993) until commencement of activity of the Public Will Register. The abovementioned information shall be submitted to the Public Will Register in accordance with Section 249.1, Paragraph two of this Law.

[*23 May 2013*]

25. Section 230, Clause 9.1, Division N.1 “Public Will Register”, Sections 259.1 and 259.2 of this Law shall come into force on 1 May 2014.

[*23 May 2013*]

26. Section 67.1 of this Law shall come into force on 1 January 2022.

[*9 November 2017; 14 November 2019*]

27. Inheritance matters which have been commenced with the sworn notaries of Riga Regional Court in Ogre until inclusion of the territory of operation of Ogre District Court into the territory of operation of Zemgale Regional Court shall be completed or terminated according to the jurisdiction which was determined until inclusion of the territory of operation of Ogre District Court into the territory of operation of Zemgale Regional Court.

[*8 March 2018*]

28. Complaints regarding the official duties of sworn notaries of Riga Regional Court in Ogre received in the Riga Regional Court until inclusion of the territory of operation of Ogre District Court into the territory of operation of Zemgale Regional Court shall be examined according to the jurisdiction which was determined until inclusion of the territory of operation of Ogre District Court into the territory of operation of Zemgale Regional Court.

[*8 March 2018*]

29. Submissions received at Riga Regional Court until 30 June 2018 regarding issuing of permissions referred to in Section 80 of this Law to receive information from files, deeds, and certifications of sworn notaries of Riga Regional Court in Ogre shall be examined according to the jurisdiction which was determined until 30 June 2018.

[*8 March 2018*]

30. The new wording of Section 45 of this Law, amendments to the wording of Section 45.1 and supplementation of Section 45.1 with Paragraph two (which provides for the creation of the Register of Authorisations Certified by Sworn Notaries), Section 57, Paragraph three (which provides that the information on an authorised person, an authorising person, and information on a certified authorisation and a sworn notary who has certified the authorisation shall be indicated in the Register of Authorisations Certified by Sworn Notaries), amendments to Section 80, Paragraph one, Clause 2 and supplementation of Section 80 with Paragraph four (which provides for delegation to the Cabinet to determine a fee, exemptions from it, and reductions of a fee for issuing of a permission, and also the procedures for issuing a permission to receive information from files of a sworn notary), amendments to Section 107.4, Paragraph two (which provides for the possibility of recovery of the lawful interest), and the new wording of Section 107.7, Paragraph one, Clause 2, and Clause 5 (which provides for the indication of additional information in a notarial deed of enforcement), and also Division E.1, Electronic Deeds and Certifications, of this Law shall come into force on 1 July 2018.

[*8 March 2018*]

31. Section 147, Clause 6, Sections 148.1, 148.2, and 148.3 (regarding examination of an assistant to a sworn notary) of this Law shall come into force on 1 September 2018.

[*8 March 2018*]

32. Amendments to Section 75, Paragraph four (in relation to verification of the identity of witnesses), the new wording of the second sentence of Section 151, and the new wording of Section 174, amendments to Section 176, and Section 230, Clause 13 (in relation to the competence of the Council of Sworn Notaries of Latvia in managing the issues of personnel management) of this Law shall come into force on 1 January 2019.

[*8 March 2018*]

33. Section 65, Clause 5.2 of this Law regarding legalisation of public documents issued in Latvia with a certificate (apostille) and Division R Legalisation of Public Documents with a Certificate (apostille) shall come into force on 1 July 2019.

[*1 November 2018*]

34. Amendments to this Law regarding the supplementation of Section 76 with Paragraph three (regarding the use of Biometric Data Processing System) shall come into force on 1 May 2019.

[*1 November 2018*]

35. Section 344, Paragraph one, Clauses 1 and 2 and Section 345, Paragraph one (regarding the expression of the consent on the website of the Council of Sworn Notaries of Latvia by a credit institution, and also a capital company the legal grounds for operation of which are determined by the Law on Development Finance Institution) shall be applied starting from 1 May 2019.

[*1 November 2018*]

36. Amendments to this Law regarding the new wording of Section 6.1 shall come into force on 1 July 2019.

[*1 November 2018*]

37. Complaints regarding action of a sworn notary in the fulfilment of the duties of the office, and also complaints regarding refusal to fulfil such duties which have been submitted to regional courts by 31 December 2021 shall be examined by such regional court to which the relevant complaint has been submitted and in accordance with such procedures which are in force until 31 December 2021.

[*15 June 2021*]

37. A sworn notary who has registered his or her bureau in the Taxpayer Register of the State Revenue Service shall, within six months after amendments to Section 245 of this Law come into force providing for the establishment of a sworn notary bureau as a limited liability company and the registration in the Commercial Register, submit an application to the Commercial Register in conformity with the requirements of this Law. The sworn notary bureau registered in the Commercial Register shall be the successor to the rights and liabilities of such sworn notary bureau which had been established until the day when amendments to Section 245 of this Law came into force. If a sworn notary who has registered his or her bureau in the Taxpayer Register of the State Revenue Service has not addressed to the Council of Sworn Notaries of Latvia for obtaining a consent for the registration of the sworn notary bureau in the Commercial Register, the Council of Sworn Notaries of Latvia shall take the decision on loss of the legal capacity of the bureau and, within five days, send the decision to the State Revenue Service. The State Revenue Service shall, on the basis of the decision of the Council of Sworn Notaries of Latvia, exclude the sworn notary bureau from the Taxpayer Register of the State Revenue Service. If the sworn notary bureau is excluded from the Taxpayer Register of the State Revenue Service in accordance with the procedures laid down in this Paragraph of Transitional Provisions, the particular sworn notary shall be responsible for the late tax payments of the excluded sworn notary bureau.

[*14 October 2021*]

38. In taking the decision on consent to register a sworn notary bureau in the Commercial Register, the Council of Sworn Notaries of Latvia shall concurrently decide on exclusion of such sworn notary bureau from the Taxpayer Register of the State Revenue Service which had been established until the day when amendments to Section 245 of this Law came into force providing for the establishment of a sworn notary bureau as a limited liability company and the registration thereof in the Commercial Register. The Council of Sworn Notaries of Latvia shall, within five days, send the decision to the State Revenue Service. The State Revenue Service shall, on the basis of the decision of the Council of Sworn Notaries of Latvia, exclude the sworn notary bureau from the Taxpayer Register of the State Revenue Service.

[*14 October 2021*]

39. Amendments to Sections 326 and 339 of this Law in relation to the application of Regulation No 2019/1111 of this Law shall come into force on 1 August 2022.

[*14 October 2021*]

Chairperson of the Supreme Council of the Republic of Latvia A. Gorbunovs

Secretary of the Supreme Council of the Republic of Latvia I. Daudišs

Rīga, 1 June 1993