Republic of Latvia

Cabinet

Regulation No. 192

Adopted 3 April 2018

**Procedures for Establishing a Commission which Assesses the Reasons for the Dismissal of the Director of the Corruption Prevention and Combating Bureau from the Position and Procedures for the Operation of the Commission and Taking Decisions Thereby**

*Issued pursuant to*

*Section 4, Paragraph ten of the Law on Corruption Prevention and Combating Bureau*

1. The Regulation prescribes the procedures for establishing the commission to assess the reasons referred to in Section 4, Paragraph nine, Clauses 1, 2, 3, and 4 of the Law on Corruption Prevention and Combating Bureau (hereinafter – the Law) for the dismissal of the director of the Corruption Prevention and Combating Bureau (hereinafter – the director of the Bureau) from the position (hereinafter – the commission) and also prescribes the procedures for its operation and taking decisions thereby.

2. In accordance with Section 4, Paragraph ten of the Law, the commission shall be established by the Cabinet, taking into account the information provided by the Prosecutor General or Prime Minister where one or several reasons referred to in Section 4, Paragraph nine, Clauses 1, 2, 3, and 4 of the Law for the dismissal of the director of the Bureau from the position are indicated.

3. The head of the commission shall inform the Public Consultative Council of the Corruption Prevention and Combating Bureau (hereinafter – the Consultative Council) of the establishment of the commission and he or she shall ask the Consultative Council to authorise not more than three representatives for participation in the commission.

4. The head of the commission shall convene the commission meeting and, at least three working days before the meeting, inform about it the members of the commission and the representatives authorised by the Consultative Council.

5. The representatives authorised by the Consultative Council shall participate in the work of the commission insofar as it is permitted by the requirements of laws and regulations regarding the protection of the official secret.

6. The commission meeting shall be closed. The commission meeting may be open if the commission takes a relevant decision thereon and ensures the fulfilment of the requirements laid down in laws and regulations in relation to the protection of personal data, restricted access information, and official secret.

7. The commission shall have a quorum if at least three members of the commission with voting rights participate in the commission meeting.

8. The commission shall take decisions by the majority of votes. In the event of a tied vote, the head of the commission shall have the casting vote.

9. Experts may be invited to a commission meeting. The opinion provided by experts shall be of a recommendatory nature.

10. Each representative authorised by the Consultative Council and the experts referred to in Paragraph 9 of this Regulation shall certify with their signature that they will not disclose the restricted access information which has become known to them during the commission meeting.

11. The commission is entitled to request information from the competent authorities and the director of the Bureau which is necessary for the assessment of the reasons referred to in Section 4, Paragraph nine, Clauses 1, 2, 3, and 4 of the Law.

12. The commission shall assess the information and documents at its disposal which justify the reasons referred to in Section 4, Paragraph nine, Clauses 1, 2, 3, and 4 of the Law for the dismissal of the director of the Bureau from the position and also the opinions of the invited experts. The commission shall hear out the director of the Bureau and take the decision referred to in Section 4, Paragraph ten or eleven of the Law.

13. The information created or received during the operation of the commission shall have the status of restricted access information. If the information contains the official secret, it shall be classified according to the requirements of laws and regulations governing the protection of the official secret.

14. The commission meeting shall be recorded in audio format and also the minutes shall be taken. The minutes shall be signed by all commission members.

15. A member of the commission who does not agree with or wishes to supplement the commission decision or part thereof may express his or her individual opinion in writing within two working days after the commission meeting. The written opinion shall be added to the minutes of the meeting as an annex.

16. The minutes of the commission meeting shall be sent to the members of the commission within three working days after the commission meeting.

17. The commission shall, within five working days after taking the decision referred to in Section 4, Paragraph ten of the Law, inform in writing thereof the Prime Minister and the director of the Bureau.

18. The commission shall, within five working days after taking the decision referred to in Section 4, Paragraph eleven of the Law, inform in writing thereof the Prime Minister and also notify the decision to the director of the Bureau.

19. The functions of the commission secretariat shall be ensured by the Office of the Prosecutor General.

20. Cabinet Regulation No. 386 of 4 July 2017, Procedures for Establishing a Commission to Assess the Reasons for the Dismissal of the Director of the Corruption Prevention and Combating Bureau from the Position (*Latvijas Vēstnesis*, 2017, No. 133), is repealed.

Prime Minister Māris Kučinskis

Minister for Justice Dzintars Rasnačs