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

10 November 2014 [shall come into force from 13 November 2014].

If a whole or part of a paragraph has been amended, the date of the amending regulation appears in square brackets at the end of the paragraph. If a whole paragraph or sub-paragraph has been deleted, the date of the deletion appears in square brackets beside the deleted paragraph or sub-paragraph.

Republic of Latvia

Cabinet

Regulation No. 975

Adopted 24 September 2013

**Procedures Regarding Loss and Restoration of Latvian Citizenship**

*Issued pursuant to*

*Section 11, Paragraph three, Section 23, Paragraph five, Section 24, Paragraph five,*

*and Section 25, Paragraph seven of the Citizenship Law*

**I. General Provisions**

1. The Regulation prescribes the procedures by which an application of a person and the documents appended thereto for renunciation of Latvian citizenship or for restoration of Latvian citizenship shall be examined, as well as the procedures by which Latvian citizenship shall be revoked.

2. An application for renunciation of Latvian citizenship and its restoration, as well as the documents regarding revocation of Latvian citizenship shall be examined by the Office of Citizenship and Migration Affairs (hereinafter – the Office).

3. A decision to lose, restore Latvian citizenship and to revoke Latvian citizenship shall be taken by the Head of the Office or his or her authorised official.

**II. Renunciation of Latvian Citizenship**

4. A person shall submit an application for renunciation of Latvian citizenship to the Office in person, send by post or electronically, signed with secure electronic signature in accordance with the laws and regulations regarding drawing up of electronic documents, or submit with the intermediation of a Latvian diplomatic and consular mission.

5. Upon submitting an application for renunciation of Latvian citizenship, the person shall present a personal identification document and append a document to the application which certifies the citizenship of which country is held by the person or the citizenship of which country is guaranteed to him or her. If the application is sent by post or electronically, copies of both abovementioned documents shall be appended to the application.

6. Upon submitting an application for renunciation of Latvian citizenship, the person shall pay the State fee. If the person has the right to a reduced rate of the State fee, he or she shall submit a document certifying the right of the person to pay a reduced rate of the State fee.

7. The Office shall check the information provided by the person and, in order to ascertain that the person does not have debts of taxes, duties or other mandatory payments, request information in writing from the Ministry of Foreign Affairs (in relation to granting of financial assistance to a person who has found himself or herself in an emergency situation in a foreign country), the State Revenue Service, the Information Centre of the Ministry of the Interior, and the Administration of the Maintenance Guarantee Fund of the Ministry of Justice regarding compliance of the person with Section 23, Paragraph four of the Citizenship Law. If information regarding the child of the person is not included in the Population Register, the Office need not request the abovementioned information from the Administration of the Maintenance Guarantee Fund of the Ministry of Justice.

*[10 November 2014]*

8. The institutions referred to in Paragraph 7 of this Regulation shall provide an answer to the request of the Office within 15 days after receipt of the request, but if additional check is necessary – within one month.

9. After check of documents the Head of the Office or his or her authorised official shall take a decision:

9.1. to recognise the person as having lost Latvian citizenship;

9.2. to refuse to recognise the person as having lost Latvian citizenship.

**III. Revocation of Latvian Citizenship**

10. If the Office has a reason for assuming that a Latvian citizen has acquired citizenship of another country without submitting the application referred to in Section 23, Paragraphs two and three of the Citizenship Law for renunciation of Latvian citizenship, in performing the check the Office shall ascertain:

10.1. when the person has acquired Latvian citizenship;

10.2. citizenship of which country the person has acquired and, if possible, when citizenship of the relevant country was acquired, as well as the justification for acquiring it;

10.3. whether the person has submitted an application for renunciation of Latvian citizenship;

10.4. whether the person has received a permission of the Cabinet to retain citizenship of another country.

11. If the Office has grounds for assuming that a Latvian citizen voluntarily serves without the permission of the Cabinet in the armed forces or military organisation of another country, except the cases specified in Section 24, Paragraph one, Clause 2 of the Citizenship Law, in performing the check the Office shall ascertain:

11.1 in the armed forces or military organisation of which country the person is serving;

11.2. whether the person is serving in the armed forces or military organisation of any other country voluntarily;

11.3. whether the Cabinet has authorised the person to serve in the armed forces or military organisation of another country;

11.4. whether the person has acquired citizenship of another country.

12. If the Office has a reason to assume that the person has intentionally provided false information or concealed the facts that apply to the conditions for the acquisition or restoration of Latvian citizenship, when certifying belonging to Latvian citizenship or during naturalisation, in performing the check the Office shall ascertain:

12.1. when the person acquired Latvian citizenship;

12.2. which of the information provided by the person has been false;

12.3. which facts that may be an obstacle for acquisition or restoration of Latvian citizenship have been concealed by the person;

12.4. what shows that false information was provided intentionally.

13. If the Office has a reason to assume that the person has committed an action promoting violent overthrow of the government of the Republic of Latvia, has incited publicly to overthrow violently the public authority stipulated in the Constitution of the Republic of Latvia or to change violently the political system, has incited publicly to perform or has performed organisational activities promoting abrogation of the independence of the Republic of Latvia as a state, in performing the check the Office shall ascertain:

13.1. whether the court judgment by which the person was recognised as guilty of committing a criminal offence has entered into effect;

13.2. whether the person has acquired citizenship of another country.

14. Upon performing the check, the Office has the right to receive information free of charge from natural or legal persons, State administration institutions, as well as to use documents, materials of an expert-examination, and other evidence.

15. After the check of documents the Head of the Office or his or her authorised official shall take a decision:

15.1. to revoke Latvian citizenship;

15.2. to terminate the case of check, if no circumstances have been established in the check which may be a reason for revocation of Latvian citizenship.

**IV. Restoration of Latvian Citizenship**

16. A person shall submit an application for restoration of Latvian citizenship to the Office in person, send by post or electronically, signed with secure electronic signature in accordance with the laws and regulations regarding drawing up of electronic documents, or submit with the intermediation of a Latvian diplomatic and consular mission.

17. The person shall certify in the application that the restrictions for acquisition of Latvian citizenship specified in Section 11 of the Citizenship Law do not apply to him or her. If the person has been convicted of committing such a criminal offence in any other country which qualifies as a criminal offence also in Latvia, however, a competent international organisation or international court has recognised that such a judgment has been rendered without conforming to the principles of fair trial or of proportionality of the punishment, the person shall present a respective adjudication of the international organisation or international court.

18. Upon submitting an application for restoration of Latvian citizenship, the person shall present a personal identification document, submit a statement regarding criminal record (only in relation to persons who have attained 14 years of age) issued by the competent authority in the country of citizenship and issued not earlier than six months prior to submitting the application for restoration of Latvian citizenship, or documentary evidence that it is not possible to obtain such a statement, and shall pay the State fee. If documents are sent by post or electronically, a copy of the personal identification document and a statement regarding criminal record or documentary evidence that it is not possible to obtain such a statement shall be appended to the application. If the person has the right to a reduced rate of the State fee, he or she shall submit a document certifying the right of the person to pay a reduced rate of the State fee.

*[10 November 2014]*

19. In order to verify the compliance of the person with the requirements referred to in Section 11 of the Citizenship Law, the Office shall request information in writing from the following institutions:

19.1. the State Border Guard (if the declared place of residence of the person is in the borderland or the last declared place of residence was in the borderland), the Constitution Protection Bureau, the Security Police, the State Police, the Financial Police and Customs Criminal Office of the State Revenue Service, the Prison Administration, the Corruption Prevention and Combating Bureau, and the Military Police – regarding compliance of the person with the requirements referred to in Section 11, Paragraph one, Clause 1 of the Citizenship Law;

19.2. the Military Intelligence and Security Service – on the compliance of the person with the requirements referred to in Section 11, Paragraph one, Clauses 1 and 2 of the Citizenship Law;

19.3. the Centre for Documentation of the Consequences of Totalitarianism – on the compliance of the person with the requirements referred to in Section 11, Paragraph one, Clause 4 of the Citizenship Law;

19.4. the Information Centre of the Ministry of the Interior – on the compliance of the person with the requirements referred to in Section 11, Paragraph one, Clause 5 of the Citizenship Law;

19.5. the Ministry of Foreign Affairs (in relation to granting of financial assistance to a person who finds himself or herself in an emergency situation in a foreign country), the State Revenue Service, the Information Centre of the Ministry of the Interior, and the Administration of the Maintenance Guarantee Fund of the Ministry of Justice – on the compliance of the person with the requirements referred to in Section 11, Paragraph one, Clause 7 of the Citizenship Law;

19.6. the Ministry of Foreign Affairs – on the compliance of the person with the exception provided for in Section 11, Paragraph one, Clause 5 of the Citizenship Law, if the person has presented the document referred to in Paragraph 17 of this Regulation.

*[10 November 2014]*

19.1 The Office shall not request:

19.1 1. the information referred to in Sub-paragraph 19.3 of this Regulation if the person was born after 4 May 1990 or was a minor on 4 May 1990;

19.1 2 the information referred to in Sub-paragraph 19.5 of this Regulation from the Administration of the Maintenance Guarantee Fund of the Ministry of Justice, if information regarding the child of the person is not included in the Population Register.

*[10 November 2014]*

20. The Office is entitled to request information from other State administration institutions, if it is necessary to ascertain the compliance of the person with the conditions of the Citizenship Law.

21. The institutions referred to in Paragraph 19 of this Regulation shall provide an answer to the request of the Office within 15 days after receipt of the request, but if additional check is necessary – within six months.

22. After the check of documents the Head of the Office or his or her authorised official shall take a decision:

22.1. to restore Latvian citizenship;

22.2. to refuse to restore Latvian citizenship, if the documents in the file do not confirm the rights of the person to restore Latvian citizenship.

**V. Closing Provision**

23. This Regulation shall come into force on 1 October 2013.

Prime Minister Valdis Dombrovskis

Minister for the Interior Rihards Kozlovskis