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*9 June 2020 [shall come into force from 12 June 2020]  
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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. 300

Adopted 7 April 2009

## **Rules of Procedures of the Cabinet of Ministers**

*Issued pursuant to  
Section 15, Paragraph three and five, Section 22, Paragraph one and two,  
Section 27, Paragraph two, Section 28, Paragraph six, and Section 29, Paragraph two of  
the Law on the Structure of the Cabinet of Ministers and  
Section 11, Paragraph five of the Development Planning System Law  
[23 February 2010; 30 September 2014]*

### **I. General Provisions**

1. The Rules of Procedures of the Cabinet of Ministers shall govern the following matters of the Cabinet's internal procedures and activities:

1.1. types of documents to be considered by the Cabinet of Ministers, procedures for the submission, endorsement, progress and consideration thereof, and procedures for formalisation of the adopted decisions;

1.2. procedures by which the Prime Minister supervises the implementation of the Declaration of the Intended Activities of the Cabinet of Ministers (hereinafter — the Declaration) and its Action Plan;

1.3. contents, amount, unified form and submission procedures of information to be provided under the procedure by which matters of Cabinet members are assigned to the new Cabinet of Ministers (Annex 1);

1.4. competence and organisational procedure of State Secretaries' meeting;

1.5. organisational procedures of meetings of the Cabinet Committee and Cabinet sittings;

1.6. application procedure for participation in the Cabinet sittings and in the Cabinet Committee meetings; restrictions for such participation and participation procedure;

- 1.7. procedures of use, storage and archiving of audio recordings of meetings of the Cabinet Committee, Cabinet sittings and State Secretaries' meetings;
- 1.8. organisational procedures of meetings of Parliamentary Secretaries;
- 1.9. procedure of enforcement of tasks assigned by laws, resolutions of the *Saeima*, legal acts issued by the Cabinet of Ministers, and tasks assigned by the Prime Minister;
- 1.10. procedures for documenting absence of members of the Cabinet of Ministers and other state officials due to a business trip, vacation or illness.

[6 September 2011]

2. In accordance with authority of the Cabinet of Ministers it shall consider:

- 2.1. draft development planning documents (hereinafter — planning documents);
- 2.2. [23 February 2010];
- 2.3. external legal acts:
  - 2.3.1. international agreement or a draft thereof;
  - 2.3.2. draft law;
  - 2.3.3. draft resolution of the *Saeima*;
  - 2.3.4. draft regulations of the Cabinet of Ministers;
- 2.4. internal legal acts:
  - 2.4.1. draft instructions of the Cabinet of Ministers;
  - 2.4.2. draft recommendations of the Cabinet of Ministers;
  - 2.4.3. draft protocol decision of the Cabinet of Ministers;
- 2.5. draft orders of the Cabinet of Ministers;
- 2.6. informative statement;
- 2.7. draft official opinion of Latvia for the institutions of international organisations and the European Union:
  - 2.7.1. draft national position of the Republic of Latvia regarding EU matters (hereinafter — national position);
  - 2.7.2. draft position of the Republic of Latvia regarding cases considered by the Court of Justice of the European Union and the EFTA Court, or under the pre-trial process of the infringement procedure stipulated in Articles 258, 259 and 260 of the Treaty on the Functioning of the European Union (hereinafter — position);
  - 2.7.3. draft national position of the Republic of Latvia regarding matters of international law (hereinafter — national position on international law matters);
- 2.7.<sup>1</sup> [1 July 2015 / See Clause 270];
- 2.8. draft documents of the Cabinet of Ministers to be submitted to the court of the Republic of Latvia (hereinafter — document to be submitted to the court);
- 2.9. draft letter of the Cabinet of Ministers to the *Saeima*, ombudsman or other state institution or official (hereinafter — draft letter of the Cabinet of Ministers).

[23 February 2010; 30 September 2014]

3. When submitting a draft law to the Cabinet of Ministers for consideration, a report on the initial impact assessment of the proposed regulation structured in separate subject-specific divisions (hereinafter referred to as annotation) shall be appended thereto. An annotation, in which at least the section on the necessity of the draft legal act is filled out, shall be appended to the draft legal acts referred to in Sub-clauses 2.3.3, 2.3.4, 2.4.1, 2.4.2 and 2.5 of this Regulation; other sections shall be filled out if the draft legal act is related to the matters mentioned in the respective division. Information on the nature and necessity of the draft required by the draft legal act referred to in Sub-clause 2.4.3 of this Regulation shall be indicated in a covering letter, but, if a more detailed description of the impact of this draft legal act is required, the respective divisions of the annotation shall be filled out.

[23 February 2010]

4. Instruction of the Cabinet of Ministers shall stipulate the procedures by which annotations, annotation forms, impact assessment objects (sections) are drafted and competence of the line ministries and other public administration institutions in evaluation of annotation's divisions.

*[23 February 2010]*

5. Procedures by which policy documents are drafted shall be stipulated by those laws and regulations which define policy documents of any level, type and term, define contents of such policy documents, procedures for their drafting, approval and updating, term of validity, reporting procedures and unenforceability procedures.

6. The draft national position shall be developed and harmonised in accordance with the procedures specified in laws and regulations on the development, harmonisation, approval and updating of the national positions.

7. The draft position shall be developed and approved in accordance with the procedures specified in laws and regulations on the development and approval of the positions.

8. The draft national position on international law matters shall be developed and approved in accordance with the procedures specified in laws and regulations on development, harmonisation and approval of the national position on international law matters.

8.<sup>1</sup> [1 July 2015 / See Clause 270.]

9. [28 July 2009]

10. A member of the Cabinet of Ministers (hereinafter — submitter) shall be authorised to submit documents referred to in Clause 2 of this Regulation and developed by a line ministry, Secretariat of the Minister for Special Assignments, Deputy Prime Minister's Office or State Chancellery or institution subordinated to the Prime Minister (hereinafter — the line ministry) for consideration at a meeting of the Cabinet Committee or sitting of the Cabinet.

11. Heads of other state or municipal institutions, as well as non-governmental organisations and organisations of social partners (hereinafter — other institution) shall be entitled to submit a draft planning document, draft legal act or informative statement for consideration at a meeting of the Cabinet Committee or sitting of the Cabinet only through such member of the Cabinet of Ministers who is politically responsible for the respective area, sector or subsector.

12. If the respective member of the Cabinet of Ministers refuses to advance the draft planning document, draft legal act or informative statement prepared by an institution referred to in Clause 11 of this Regulation for consideration at the Cabinet of Ministers, the head of the institution is entitled to submit the above-mentioned draft document together with a written refusal reasoned by the respective minister to the Prime Minister for taking of final decision on further advancement of the draft planning document, draft legal act or informative statement. If the Prime Minister takes a decision to advance the above-mentioned draft for consideration at the Cabinet of Ministers, the Prime Minister shall be considered as the submitter of this draft.

13. The State Secretary of the line ministry, the head of the secretariat of the Minister for Special Assignments, the head of the Deputy Prime Minister's Office, the Director of the State Chancellery or the head of the public administration authority subordinate to the Prime Minister, as well as the submitter are entitled to submit the draft legal act for consideration at the meeting of the State Secretaries.

*[22 November 2016]*

14. Heads of other institutions shall be entitled to submit a draft legal act for consideration at a meeting of the State Secretaries only through the State Secretary of the line ministry competence of which includes matters addressed in the draft legal act. The State Secretary shall coordinate submission of this draft for consideration at a meeting of State Secretaries with the respective member of the Cabinet and include information regarding such coordination in a covering letter.

15. If the respective member of the Cabinet objects to the submission of the draft legal act prepared by an institution referred to in Clause 14 of this Regulation to the Cabinet on Ministers, the head of the institution shall be entitled to submit the above-mentioned draft together with a written refusal reasoned by the respective member of the Cabinet to the Prime Minister for taking of the final decision on further advancement of the draft legal act.

16. The State Secretary, head of the Secretariat of the Minister for Special Assignments, head of the Deputy Prime Minister's Office, Director of the State Chancellery, head of the public administration institution subordinate to the Prime Minister shall be entitled to withdraw a draft document submitted to the State Chancellery and registered thereby if such draft has been submitted by the aforementioned official, but a member of the Cabinet shall be entitled to withdraw a draft at any stage of draft's consideration.

*[22 November 2016]*

17. The line ministry shall be responsible for informing the society about the content and essential changes of the drafts to be considered at the Cabinet of Ministers. The procedures by which the line ministry prepares, formalizes and distributes information about the draft to be considered at a meeting of State Secretaries, meeting of the Cabinet Committee or sitting of the Cabinet and decisions taken to the society is stipulated in an instruction of the Cabinet of Ministers.

18. The State Chancellery shall organise the circulation of the submitted documents referred to in this Regulation and control the consideration process thereof at meetings of State Secretaries, meetings of the Cabinet Committee and sittings of the Cabinet of Ministers.

*[6 September 2011; 22 November 2016]*

19. If in cases stipulated in this Regulation the document must be submitted to the State Chancellery only electronically, the line ministry shall ensure the storage of a paper original of this document and the depositing thereof in a national archive according to the procedures stipulated by the laws and regulations on national archives.

*[30 September 2014]*

20. Documents, which according to this Regulation are submitted to the State Chancellery, line ministry, or other institution in an on-line mode by using the Electronic Processing and Assignment Control (hereinafter — the DAUKS system), shall constitute an official record and shall not require an electronic signature. The circulation of documents between line ministries and the State Chancellery shall be executed using the DAUKS system.

*[6 September 2011; 30 September 2014]*

20.<sup>1</sup> The responsible line ministry shall develop, harmonise and submit to the State Chancellery the documents referred to in Sub-clause 2.7.1 and 59.<sup>1</sup> 1, and Clause 61 using the state information system for processing of European Union documents (hereinafter — the ESVIS system). The documents, which according to this Regulation have been submitted to the State

Chancellery using the ESVIS system, shall constitute an official record and shall not require an electronic signature.

*[30 September 2014 / The new wording of the Paragraph shall come into force on 1 July 2015. See Clause 3 of the amendments]*

21. The State Chancellery shall place the signed agenda and appended documents into the e-portfolio system of the meetings of State Secretaries, meetings of the Cabinet Committee and sittings of the Cabinet (hereinafter — the e-portfolio system), and shall send an e-mail notice about the availability of agendas and materials to the registered users of the e-portfolio system. During meetings and sittings all participants shall process their documents using the e-portfolio system. On the website of the Cabinet of Ministers the State Chancellery shall publish the agenda and minutes of the meetings of State Secretaries, meetings of the Cabinet Committee and sittings of the Cabinet, as well as draft planning documents, draft legal acts and their annotations, and informative reports except for restricted use documents included in the respective agenda.

*[6 September 2011]*

22. Documents containing information that has been marked with an indicator of use restriction 'RESTRICTED USE' shall be available in the e-portfolio system only to the participants of respective meeting or sitting, as well as to other officials according to a list approved by the Director of the State Chancellery. Documents containing information that has been marked with an indicator of use restriction 'FOR OFFICIAL USE' shall be made available to the participants not later than one working day before the meeting (sitting) on the public electronic communications network, using the encryption method in accordance with the regulatory enactments governing the protection of information 'FOR OFFICIAL USE'. If it has not been possible to send the documents at least one working day before the meeting (sitting), the participants of respective meeting or sitting shall be provided with copies of the documents in printed form during the meeting (sitting).

*[22 November 2016]*

23. If according to this Regulation document is to be submitted or sent electronically, it shall be submitted or sent to the official e-mail of the State Chancellery or the relevant line ministry, or other institution, if not otherwise provided in this Regulation, by attaching such document to the e-mail message as an attachment (the application on persons additionally invited to a meeting of State Secretaries, meeting of the Cabinet Committee or sitting of the Cabinet is not required to be attached as an attachment).

*[6 September 011]*

24. The responsible line ministry or other institution shall ensure:

24.1. cross-compliance of the submitted documents and accuracy and current relevance of facts and data referred to in such documents, as well as assessment;

24.2. cross-compliance of the printed and electronic forms of the document if it is submitted both in printed form and electronically;

24.3. assessment of the submitted documents in conformity with the requirements of the Freedom of Information Law and other laws and regulations governing the availability of information. The State Chancellery shall not change the availability status of the submitted document.

24.4. compliance of the submitted drafts with legal norms of the same or higher level of legal status as well as with Latvia's international commitments;

24.5. compliance of the submitted drafts with requirements for the development, formatting and legal technicality of documents.

*[23 February 2010; 6 September 2011]*

25. The document shall not be registered if the responsible official of the State Chancellery finds that it does not comply with technical requirements for the development or the contents of the submitted document do not comply with the type of the document, and the procedures for the submission specified in this Regulation have not been followed. The responsible official of the submitting authority shall be informed of the shortcomings identified and the fact that the document has not been registered. If the shortcomings are not rectified within three working days and the necessary adjustments are not made, the State Chancellery shall reject the document by making an entry in the system DAUKS and a justification for rejection or by sending back the document that has been received in printed form and the accompanying data medium.

*[22 November 2016]*

26. If, in relation to the draft legal act, it is necessary to make relevant amendments also to other legal acts of hierarchically the same level, a draft legal act on the necessary amendments shall also be submitted to the Cabinet of Ministers simultaneously with the prepared draft in accordance with the procedures specified in this Regulation. When submitting such related draft legal acts, the responsible line ministry may attach to them one combined annotation prepared in accordance with the instructions referred to in Clause 4 of this Regulation.

*[22 November 2016]*

27. The procedures by which a draft planning document, informative statement or legal act which constitutes as an object of state secret according to the Law “On State Secrets”, shall be coordinated with the line ministries and other institutions, as well as shall be submitted to and considered by the Cabinet of Ministers, shall be governed by an instruction of the Cabinet of Ministers.

28. The procedures by which a draft planning documents, informative statement or legal acts which contain information for official use according to the Law on Freedom of Information, shall be coordinated with the line ministries and other institutions, as well as submitted to and considered by the Cabinet of Ministers, shall be governed by an instruction of the Cabinet of Ministers.

29. The unified control procedures for the execution of tasks determined in the law, decision of the *Saeima*, legal acts of the Cabinet of Ministers, protocol decisions of the meetings of the Cabinet Committee, protocol decisions of the meetings of the State Chancellery, and orders and resolutions of the Prime Minister shall be set forth in an instruction of the Cabinet of Ministers.

## **II. Succession of Matters of a Cabinet Member**

30. In the event of resignation of the Cabinet of Ministers and the Prime Minister stipulated by the Law on the Structure of the Cabinet of Ministers each line ministry shall, within the term stipulated by the resolution of the Prime Minister and in accordance with the Annex 2 to this Regulation, prepare and submit electronically information to the Interdepartmental Co-ordination Centre on the execution of the Action Plan and tasks thereof which are directed towards the achievement of the objectives of the National Development Plan and execution of which should be continued. If the line ministry, when reporting information on the completed tasks and tasks, execution of which should be continued, proposes new measures, it shall fill out Section three of Annex 2 to this Regulation.

*[2 December 2014]*

31. Within three working days after the receipt of the information referred to in Clause 30 of this Regulations the Interdepartmental Co-ordination Centre shall submit summary of the information to the Prime Minister or the nominated Prime Minister.

[2 December 2014]

32. Within three working days after the *Saeima* has taken a vote on expressing confidence to the new member of the Cabinet, the State Secretary of the respective line ministry shall submit to the new member of the Cabinet information on draft planning documents, informative statements and draft legal acts which were submitted by the previous member of the Cabinet or which are in the process of development or harmonisation, as well as any other information in line with Clauses 3, 4 and 5 of Annex 1 to this Regulation.

33. Within five working days after the *Saeima* has taken a vote on expressing confidence to the new member of the Cabinet, the line ministry shall submit to the State Chancellery information signed by the new member of the Cabinet on those draft planning documents, informative statements and draft legal acts which are submitted to the Cabinet of Ministers by the previous member of the Cabinet in accordance with a specific procedure and advancement of which has become obsolete. The line ministry shall indicate for each draft the date when it was submitted to the State Chancellery, title thereof and document registration number assigned by the State Chancellery (if known) or the registration number of the notified draft (SSM number) (Clause 77 of this Regulation).

34. If the line ministry has not provided the information according to the procedures and within the term stipulated in Clause 33 of this Regulation, the State Chancellery shall continue the advancement of draft planning documents, informative statements and draft legal acts in the Cabinet of Ministers.

### **III. Action Plan**

[2 December 2014]

35. Within a month after the *Saeima* has taken a vote on expressing confidence to the new member of the Cabinet, each line ministry by cooperating with social partners of the government, cooperation partners and non-governmental organisations representing the sector shall prepare the draft measures of the action plan (Annex 2) and submit it electronically to the Interdepartmental Co-ordination Centre.

36. Maximum five measures for the implementation of each task of the Declaration shall be indicated in the draft action plan.

37. The Interdepartmental Co-ordination Centre shall, after reception of the draft measures of the action plan, shall consolidate measures submitted by the line ministries into single draft action plan in accordance with the tasks referred to in the Declaration. If necessary the Interdepartmental Co-ordination Centre shall ask line ministries to clarify or delete measures submitted by the line ministries for the implementation of the tasks of the Declaration. The Interdepartmental Co-ordination Centre shall submit the draft action plan to the Prime Minister.

38. If the prepared draft action plan does not foresee measures for the implementation of a task included in the Declaration, the Prime Minister shall determine the line ministry in charge of the implementation of this task. The responsible line ministry shall, within five working days after reception of the task of the Prime Minister, electronically submit information on the measures for the implementation of the relevant tasks to the Interdepartmental Co-ordination Centre in accordance with Annex 2 to this Regulation by indicating the deadline for execution.

39. If necessary, the Prime Minister shall organise separate discussions regarding the draft action plan. The Interdepartmental Co-ordination Centre shall ensure organisation of the aforementioned discussions and carrying out the necessary corrections in the draft action plan.

40. After information on the measures for the implementation of the tasks of the Declaration has been received from all line ministries the Interdepartmental Co-ordination Centre shall summarise the draft action plan and submit it to the Prime Minister. The Cabinet of Ministers shall approve the action plan by an order of the Cabinet of Ministers. The procedures by which the action plan shall be updated and reports shall be submitted shall be stipulated in this order.

41. The line ministries shall prepare information on the implementation progress of measures foreseen in the action plan in accordance with the order of the Cabinet of Ministers referred to in Clause 40 of this Regulation. This information shall be provided by filling out the respective column of the action plan and submitted electronically to the Interdepartmental Co-ordination Centre.

42. After reception of the information referred to in Clause 41 of this Regulation the Interdepartmental Co-ordination Centre shall summarize it and submit it to the Prime Minister, as well as publish it on the website of Interdepartmental Co-ordination Centre.

43. The changes in the action plan as proposed by Prime Minister are approved by the Cabinet of Ministers which adopts a respective order.

44. After the action plan or changes thereof have been approved the Interdepartmental Co-ordination Centre shall, in accordance with the order of the Cabinet of Ministers, prepare the updated action plan and publish it on the website of the Interdepartmental Co-ordination Centre, as well as send it to the competent line ministries and the State Chancellery for the publication thereof on the website of the Cabinet of Minister.

45. After the action plan or changes thereof have been approved each line ministry shall ensure the publication of the section of measures of the action plan within its competence on the website of the respective line ministry.

#### **IV. Ranks of Cabinet Members**

46. Members of the Cabinet of Ministers shall be ranked in following way:

46.1. Prime Minister;

46.2. Deputy Prime Minister;

46.3. Minister, Minister for Special Assignments.

47. Within one rank a higher rank is assigned to a Cabinet member who has worked in the respective post for a longer period of time. In case the term for assuming the post is equal higher rank shall be assigned to the official who has been working in the public administration for a longer period of time.

48. Working places of the members of the Cabinet during sittings of the Cabinet and meetings of the Cabinet Committee shall be determined according to ranks. The ranks of the members of the Cabinet shall be applied by the Chair of the sitting of the Cabinet or meeting of the Cabinet Committee when giving the right to speak during debates about the respective matter and when determining the co-signatories (the right of second signature) of a draft legal act adopted by the Cabinet of Ministers.

## V. International Agreements or their Drafts to be Considered by the Cabinet of Ministers

49. When an international agreement or a draft thereof, which is approved in accordance with Section 31, Paragraph one, Clause 2 of the Law on the Structure of the Cabinet of Ministers, is submitted for consideration to the Cabinet of Ministers and if the respective agreement or draft thereof is to be signed, the respective line ministry shall also append to it a draft protocol decision of the Cabinet of Ministers indicating the official authorised to sign the agreement or draft thereof, and draft letter of authorisation (in Latvian by appending translation in the respective foreign language and indicating that it is a translation) except in cases when the authorisation is provided by the law.

[30 September 2014]

50. If the international agreement is to be adopted by the *Saeima* without signing it in advance, the Cabinet of Ministers shall approve the draft law on approval of the aforementioned agreement.

51. If the international agreement or the draft thereof is to be approved by the *Saeima* after signing it in advance, the line ministry shall append to the aforementioned agreement a draft protocol decision of the Cabinet of Ministers, which stipulates Cabinet's support to the signature of the international agreement or draft thereof by also indicating the official authorised to sign the draft agreement and the draft letter of authorisation (in Latvian by appending translation in the respective foreign language in indicating that it is a translation) except in cases when the authorisation is provided by the law.

[30 September 2014]

52. Upon signing the international agreement the submitter shall submit to the State Chancellery a copy of the signed agreement (in cases provided by this Regulation — also a translation) or a copy of approval of signing the international agreement, clarified draft law on approval of the agreement in the *Saeima* and an updated annotation of the draft law.

53. If the international agreement or its draft is to be signed in several languages one of which is Latvian, and in case of disputes, no language has a priority, the international agreement or draft thereof shall be submitted only in the Latvian language. The international agreement or draft thereof in a foreign language (preferably — in English or Russian) shall also be appended in the information system DAUKS.

54. If the international agreement or draft thereof is to be signed in several languages one of which is Latvian, and in case of disputes one language has a priority, the agreement or draft thereof shall be submitted in the Latvian language and in the language which will have a priority in case of disputes.

55. If the international agreement or draft thereof is to be signed in a foreign language, it shall be submitted only in the denoted language and a translation into Latvian language shall be appended thereto.

56. The original copy and translation (if the agreement is not signed in Latvian) of the international agreement shall be submitted for storage to the Ministry of Foreign Affairs within ten working days after signing it, by electronically sending the text of the agreement and translation thereof.

57. The Ministry of Foreign Affairs shall via the official publication *Latvijas Vēstnesis* [official Gazette of the government of the Republic of Latvia] provide information on entering into force of the international agreement and shall ensure publication of the texts of the international agreements referred to in Clause 49 of this Regulation (in compliance with Clauses 53, 54 and 55 of this Regulation).

[30 September 2014]

## **VI. Informative Statement to be Considered by the Cabinet of Ministers**

58. Informative statement is an information or a report on the progress of solving a problem under Cabinet's competence, on the implementation of a planning document approved by the Cabinet of Ministers or enforcement of a legal act. A line ministry shall prepare an informative statement upon its own initiative or the assignment of the Prime Minister, as well as when executing a task assigned in the protocol decision of the sitting of the Cabinet or the meeting of the Cabinet Committee, in a planning document or a legal act.

[2 December 2014]

59. The informative statement shall be considered at a sitting of the Cabinet if the informative statement or the draft protocol decision of the sitting of the Cabinet appended thereto foresees further actions relating to solving of matters referred to in the statement or assessment of the sectoral policy influence. The conceptual matters shall not be included in the informative statement. The draft informative statement, which provides further actions for the institutions, shall be promulgated at the meeting of States Secretaries.

[23 February 2010; 2 December 2014]

59.<sup>1</sup> The draft informative statement which provides further actions for the institutions may be submitted for consideration at the Cabinet of Ministers without promulgation at the meeting of State Secretaries, if it refers to:

59.<sup>1</sup> 1. the membership of Latvia in the process of initiation, preparation and adoption of the European Union decisions;

59.<sup>1</sup> 2. the introduction of the European Union legal acts;

59.<sup>1</sup> 3. the infringements of the European Union law;

59.<sup>1</sup> 4. the court proceedings in the Court of Justice of the European Union or the EFTA court;

59.<sup>1</sup> 5. the implementation of international treaties of the European Council and the United Nations Organization in the area of human rights and mechanisms for handling complaints related thereto.

59.<sup>1</sup> 6. progress of the implementation of the European Union funds or other foreign financial assistance programmes.

[23 February 2010, 22 November 2016]

60. The advancement of the informative statement submitted by the submitter within the Cabinet of Ministers shall be governed by the Prime Minister, if no further actions in relation to the matter referred to in the informative statement are provided or it is not related to the assessment of the sectoral policy influence.

[2 December 2014]

61. The line ministry shall prepare an informative statement also before the informal meetings of the Council of Ministers of the European Union by including the guidelines on agenda issues of the respective Council meeting for the representative of the Republic of Latvia. The informative statement shall be appended to the draft protocol decision of the sitting of the

Cabinet of Ministers by indicating authorisation of the official to represent the Republic of Latvia at the respective meeting of the Council of Ministers.  
*[30 September 2014]*

61.<sup>1</sup> [1 July 2015 / See Clause 270.]

61.<sup>2</sup> [1 July 2015 / See Clause 270.]

## **VII. Competence, Organisation and Procedure of the Meeting of State Secretaries**

62. The State Secretaries' meetings shall normally be organised once a week (on Thursdays) at the State Chancellery or remotely. The State Secretaries' meetings shall be convened, the agenda of meetings shall be approved and the meetings shall be chaired by the Director of the State Chancellery (or an official who replaces the Director of the State Chancellery) (hereinafter - the chair of the meeting). If only the submitted drafts and the drafts to be withdrawn are included on the agenda, the chair of the meeting may take a decision not to convene the State Secretaries' meeting in person or remotely, but to organise a meeting only to determine the progress of the drafts referred to.

*[6 September 2011; 22 November 2016; 9 June 2020]*

63. The following persons may participate in the meeting of State Secretaries:

63.1. with the right of vote — Director of the State Chancellery, State Secretaries, Heads of the Secretariats of Ministers for Special Assignments (hereinafter — voting participants);

63.2. in the advisory capacity — the Head of the Prime Minister's Office, Head of the Deputy Prime Minister's Office, officials of the State Chancellery, Head of the Interdepartmental Co-ordination Centre or an authorised representative thereof, representative of the Corruption Prevention and Combating Bureau, representative of the State Audit Office, representative of the General Prosecutor's Office, Parliamentary Secretaries, representative of the Latvian Association of Local Governments, representative of the Public Services Regulatory Committee, representative of the National Trilateral Cooperation Council, representative of the Competition Council, Ombudsman or a person authorised by the Ombudsman, representative of the Development Council of a Planning Region, and a representative of the Council for Implementation of the Cooperation Memorandum between Non-governmental Organizations and the Cabinet of Ministers.

*[23 February 2010; 2 December 2014]*

64. Participants of the meeting of State Secretaries shall electronically submit to the State Chancellery applications on persons to be additionally invited in relation to specific agenda issues at least one working day before the respective meeting of State Secretaries by indicating person's name, surname, position and the issue concerning invitation. The respective line ministry shall inform the person invited to the meeting for consideration of a specific issue about the timing (agenda) of the respective issue and provide the relevant documentation.

*[6 September 2011]*

64.1. The line ministry shall inform the institutions representing local governments, non-governmental organisations and social partner organisations of the submission of the matter for consideration at the meeting of the State Secretaries, with which an agreement has not been reached in the co-ordination process.

*[22 November 2016]*

64.2. The invitation to participate, in addition to persons invited, in consideration of a specific matter on the agenda of the State Secretaries' meeting shall be included on the agenda of the relevant meeting. The persons invited shall register with the responsible official of the State Chancellery before entering the meeting hall. The persons invited to the meeting of the

State Secretaries shall only participate in the examination of a specific matter on the agenda of the meeting. After examining the relevant matter, the invited persons shall immediately leave the meeting hall, and the persons who have arrived for consideration of the next matter on the agenda shall be invited to the meeting hall. If the meeting of the State Secretaries is held remotely, the persons invited may only join (connect to) the meeting only during the examination of the relevant matter and shall leave (disconnect from) the meeting immediately after the examination of the matter.

[22 November 2016; 9 June 2020]

65. Meeting of State Secretaries shall:

65.1. take a decision on the notified draft planning documents, draft informative statements (Clause 59 of this Regulation) and announcement of draft legal acts, and regarding to notified draft legal acts referred to in Clause 73.<sup>1</sup> of this Regulation — on the application of procedures for simplified announcement and harmonisation provided in this Regulation;

65.2. take a decision on the revocation of draft planning documents, draft informative statements and draft legal acts;

[22 November 2016]

65.3. [22 November 2016]

65.4. [22 November 2016]

65.5. prior to consideration by the Cabinet of Ministers shall consider those draft legal acts that cannot be regarded as harmonised;

65.6. prior to consideration by the Cabinet of Ministers shall consider those draft national positions or other matters related to the development of draft national positions, on which the Senior Officials meeting on Matters of the European Union (hereinafter — Senior Officials meeting) has taken a decision that they should be considered at the Senior Officials meeting;

65.6.<sup>1</sup> prior to consideration by the Cabinet of Ministers shall consider draft official positions of the Republic of Latvia with a view to advocate the national development objectives in international organizations or matters related to their development if it is impossible to agree on distribution of line ministries' or other institutions' responsibilities and competences;

65.7. upon suggestion of the State Secretary of the Ministry of Economics take a decision on the necessity to submit a draft legal act to the Ministry of Economics in order to provide information to the European Commission in line with the laws on regulations stipulating the relevant procedures for provision of information on draft technical regulations (hereinafter — the procedures by which the technical regulations are harmonised);

65.8. upon suggestion of the State Secretary of the Ministry of Finance take a decision on the necessity to submit a draft legal act to the Ministry of Finance in order to send it to the European Central Bank in line with the laws on regulations stipulating the relevant procedures by which public authorities harmonise draft legal acts with the European Central Bank (hereinafter — the procedures by which the financial regulations are harmonised);

65.9. consider matters related to the implementation of assignments stipulated in laws, by the resolution of the *Saeima*, in legal acts issued by the Cabinet of Ministers, and in orders (resolutions) of the Prime Minister;

65.9.1. shall examine the draft agenda of the extraordinary Cabinet sitting prepared by the State Chancellery;

[22 November 2016]

65.10. consider other matters important for the public administration.

[23 February 2010; 6 September 2011]

66. The State Chancellery shall place the approved agenda of the meeting of State Secretaries along with other documentation (including letters of natural persons and institutions concerning the drafts in question) in the e-portfolio system at least three working days before the meeting.

67. The meeting of State Secretaries shall take its decisions on issues under their competence by agreement or voting, if such is requested by a voting participant.

68. In cases of voting, the meeting of State Secretaries shall take a decisions by simple majority vote of voting participants. In case the votes are divided equally, the chairman's opinion decides the outcome.

69. A person appointed by the Director of the State Chancellery shall take the minutes of the meeting of State Secretaries. As regards the meeting of the State Secretaries that has been organized in the case referred to in Clause 62 of this Regulation, only the fact of the announcement and withdrawal of drafts shall be indicated in the minutes. The minutes of the meeting shall include names of persons participating and speaking about the relevant matter, decisions taken and different opinions. Protocol decisions of the meeting of State Secretaries shall enter into force from the moment of adopting a decision if not otherwise provided in the decision.

*[9 June 2020]*

69.<sup>1</sup> The State Chancellery shall make audio recording of the meetings of State Secretaries. The audio recordings are performed, stored and used in conformity with Chapter XIV.<sup>1</sup> of this Regulation.

*[6 September 2011]*

70. The chairman shall sign the minutes of the meeting of State Secretaries not later than next working day after the meeting, and the State Chancellery shall promptly place it in the e-portfolio system.

71. The voting participants of the meeting of State Secretaries shall, within two working days after the minutes of the meeting are placed in the e-portfolio system, be entitled to submit a written objection to the Director of the State Chancellery regarding the contents of the protocol by providing an amended wording for the protocol decision. These amendments shall be considered at the next meeting of State Secretaries.

### **VIII. Registration, Announcement and Revocation of Draft Planning Documents, Draft Informative Statements and Draft Legal Acts**

72. The line ministry shall register draft planning documents, draft informative statements (Clause 59 of this Regulation) and draft legal acts, except for draft legal acts indicated in Clause 73 of this Regulation for announcement at the meeting of State Secretaries two working days prior to the meeting of State Secretaries (on Tuesdays, by 12:00) by filling out the draft application form in DAUKS system (hereinafter — the application).

*[2 December 2014]*

73. Draft legal acts, draft planning documents and informative statements containing 'RESTRICTED USE' information are not announced at the meeting of State Secretaries, as well as it is not required to announce such draft legal acts, draft planning documents and informative statements (the responsible line ministry shall harmonise such draft legal acts, draft planning documents and informative statements according to Clause 111 of this Regulation):

*[22 November 2016]*

73.1. draft protocol decision of the sitting of Cabinet on the implementation of a task assigned to the line ministry or other institution by the protocol decision of the Cabinet of Ministers;

73.2. draft order of the Cabinet of Ministers regarding orders of the Cabinet of Ministers on the prolongation of the deadline for the fulfilment of the task assigned to the line ministry or institution or recognition as invalid;

73.3. draft order of the Cabinet of Ministers on approval of candidates, appointment, transfer and dismissal, attribution of a special rank or combining the positions of officials;

73.4. The draft order of the Cabinet of Ministers on granting citizenship under the naturalisation procedure or a permit or refusal to keep the citizenship of the Republic of Latvia or other country;

73.5. draft order of the Cabinet of Ministers on conferring Certificates of Recognition, awards and monetary prizes for exceptional achievements in sport, culture, and in educational Olympiads, contests and competitions.

*[22 November 2016]*

73.6. draft order of the Cabinet of Ministers on the development of consultative councils, committees or working groups;

*[22 November 2016]*

73.8. draft order of the Cabinet of Ministers on participation in international operations and missions;

73.9. draft order of the Cabinet of Ministers regarding the allocation of financial resources from the state budget programme “Funds for Unforeseen Events”, regarding the reallocation of appropriations and breakdown of long-term liabilities by year or the clarification thereof;

*[22 November 2016]*

73.10. *[22 November 2016]*

73.11. conceptual statement;

73.12. informative statement on the implementation of the planning document.

*[6 September 2011; 30 September 2014; 2 December 2014; 22 November 2016]*

73.<sup>1</sup> A simplified promulgation and harmonisation procedure (default harmonisation; Clause 90 of this Regulation) can be applied to those draft legal acts which have no impact on the state budget, local government budgets, administration process, delegation of public administration tasks and on the issues concerning human rights as well as which implementation do not create additional expenses, administrative burden for the society or a particular group, and which are prepared with a view to:

73.<sup>1</sup> 1 ensure that requirements of the European Union are introduced or the international treaties binding for the Republic of Latvia are implemented and contain specific technical and security requirements, technical specifications, classified lists of objects or nomenclature codes for statistical needs ;

*[22 November 2016]*

73.<sup>1</sup> 2 replace or delete a title of a state institution in normative acts, if a decision on respective institution (for example, its reorganization) has already been adopted as well as to amend the title of a law;

73.<sup>1</sup> 3 to acknowledge legal act to be void or to delete the grounds for the issue of a legal act, as well as norms, which have lapsed and the substance of the effective part of the regulatory act shall not be altered.

*[23 February 2010; 6 September 2011; 22 November 2016]*

73.1.4. to approve forms (model documents).

*[22 November 2016]*

74. The application shall include the justification for the submission of a draft (shall include an indication of the relevant task or note that the draft is submitted upon the initiative of the line ministry), the type of draft, policy area (Annex 3), the name of the draft, the information regarding the developer of the draft, as well as the line ministries and other institutions, whose harmonisation is required, and the deadline for the provision of opinions, if another deadline

is requested than the one referred to in Clause 88 of this Regulation, taking into account that it may not be less than three working days and longer than 20 working days.

*[6 September 2011; 22 November 2016]*

74.<sup>1</sup> With regard to draft legal acts mentioned in Clause 73.<sup>1</sup> of this Regulation the following information shall be provided in the application: justification of submission (attach indication to the corresponding assignment or note that the draft has been submitted according with ministry's initiative), project type, policy area (Annex 3), title and information about the developer of the draft.

*[6 September 2011]*

75. The ministry shall append to the application in DAUKS system the draft planning document in question and the respective draft legal act, the draft informative statement and the respective draft legal act, the draft legal act and its annotation, but the international agreement (or its draft) shall also be complemented by a draft letter of authorisation and text of this agreement (its draft) pursuant to the provisions of Chapter V of this Regulation.

76. The responsible line ministry shall, upon the announcement of the draft, according to a record in the minutes of the meeting of State Secretaries and within two working days after the meeting of State Secretaries, send electronically the documents that demonstrate the legality of legal relations defined by the respective draft legal act to persons who have presented opinions.

*[22 November 2016]*

77. The State Chancellery shall place the draft planning document in question and the respective draft legal act, the draft informative statement and the respective draft legal act, the draft legal act and its annotation on the website of the Cabinet of Ministers (on Wednesdays, until 9.00 a.m.). The draft shall be regarded as registered when it is placed on the website of the Cabinet of Ministers and when a registration number (SSM number) is assigned thereto.

78. If a line ministry or another institution, which is not mentioned in the application wishes to give an opinion on the notified draft or if the respective ministry or other institution is mentioned in the application, yet it is not willing to give an opinion, then a day before the meeting of State Secretaries (on Wednesdays, until 3.00 p.m.) it shall submit to DAUKS system information about application in order to give an opinion or about its refusal to give an opinion. Other institutions which do not have access to DAUKS system shall electronically submit to the State Chancellery their applications on provision of an opinion by indicating the draft's title and registration number (SSM number) of the notified draft (Clause 77 of this Regulation).

*[23 February 2010]*

78.<sup>1</sup> Line ministries and other institutions usually do not apply to give an opinion on provisions concerning notified drafts mentioned in Clause 73.<sup>1</sup> of this Regulation. Application for opinion shall be regarded as opposition to the application of default harmonisation. If ministry has announced to give an opinion, the meeting of State Secretaries hears out information provided by the line ministry, and decides on the procedures for application of default harmonisation, notified drafts harmonisation in regular order or cancellation of its promulgation. If other institution applies to give an opinion, the meeting of State Secretaries shall take a decision on the fact that the responsible line ministry shall assess this opinion or resolution and simultaneously announce the notified draft and stipulate the application of procedures for simplified announcement and harmonisation (Clause 73.<sup>1</sup> of this Regulation).

*[6 September 2011]*

79. A line ministry or other institution shall not have the right of refusal to give its opinion if the draft in question is directly related to matters under competence of this ministry or institution.

80. *[22 November 2016]*

81. *[22 November 2016]*

82. *[22 November 2016]*

83. The notified draft planning document, draft informative statement or draft legal act shall be regarded as announced and term for submission of the opinion shall start two working days after the meeting of State Secretaries (on Mondays, at 9.00 a.m.) at which the notified draft was considered and approved, if not otherwise decided at the meeting of State Secretaries.

84. *[22 November 2016]*

85. *[22 November 2016]*

86. *[22 November 2016]*

87. The ministry may cancel the announced draft in DAUKS system. The State Chancellery shall include the draft to be cancelled in the agenda of the next meeting of State Secretaries.

#### **IX. Harmonisation of Announced Drafts**

88. The promulgated draft of the responsible line ministry (which is placed on the website of the Cabinet of Ministers) except for drafts mentioned in Clause 73.<sup>1</sup> of this Regulation shall be harmonised with the line ministries and other institutions indicated in the minutes of the meeting of State Secretaries. The announced draft shall be harmonised within 10 working days upon its announcement (if the meeting of State Secretaries has not defined another term).

*[23 February 2010; 22 November 2016]*

89. The promulgated draft (Clause 74 and 88 of this Regulation) shall be harmonised in one of the following ways, by:

89.1. providing an opinion to the responsible line ministry (Clause 94 of this Regulation);

*[22 November 2016]*

89.2. electronically notifying the line ministry in charge that there are no objections and proposals (the line ministry shall make a note on the harmonisation in system DAUKS, while another institution shall send a notification to the official e-mail address of the responsible line ministry).

*[23 February 2010; 22 November 2016]*

89.3. certifying by the endorsement of the State Secretary of the relevant line ministry or head of other institution or an official authorized by him/her on the draft and annotation that there are no objections and proposals.

*[22 November 2016]*

90. If the line ministry or other institution (including ministries and other institutions referred to in Clause 91 of this Regulation) fails to present the opinion or other information on the failure to harmonise the draft (Clause 89 of this Regulation) referred to in Clause 73.<sup>1</sup> of this Regulation within five working days after the announcement (unless other deadline is set at the meeting of State Secretaries which may not be shorter than three working days), the announced

draft shall be regarded as harmonised (default harmonisation) and the responsible line ministry shall submit it according to the set procedure for consideration at the Cabinet of Ministers.  
*[23 February 2010; 22 November 2016]*

90.<sup>1</sup> If the line ministry or other institution provides the opinion with objections or electronically notifies the responsible line ministry, that it shall give an opinion, in terms referred to in Clause 90 of this Regulations on the objections on application of default harmonisation, the deadline for the provision of opinions on this draft shall be prolonged for five working days and the harmonisation with the line ministry or other institution providing the opinion, shall be organized according to a regular procedure provided in this Regulation.  
*[6 September 2011; 22 November 2016]*

91. Opinion (harmonisation) on the promulgated draft is required from:

91.1. the Ministry of Finance;

91.2. the Ministry of Justice;

91.3. the State Chancellery if the draft refers to the institutional structure and principles of action of the public administration;

91.3.<sup>1</sup> the Interdepartmental Co-ordination Centre — regarding any draft planning document and draft informative statement, as well as draft legal act which refers to cross-harmonisation and compliance with the requirements of laws and regulations of the national level development planning documents, and on matters relating to the governance of capital shares of a public person.;

*[22 November 2016]*

91.4. the Ministry of Foreign Affairs – on an international agreement or its draft, or any other draft relating to international obligations of Latvia;

91.5. the Latvian Association of Local and Regional Governments if according to the Law On Municipalities the draft has to be endorsed with municipalities;

91.6. the Public Services Regulatory Committee if a draft legal act is related to a regulation of public services;

91.7. the National Regional Development Council if the draft is related to regional development, territorial planning and land policy;

91.8. the National Trilateral Cooperation Council if the draft is related to the interests of employers and employees;

91.9. the Competition Council if the draft is related to matters of competition protection and development;

91.9.<sup>1</sup> the Latvian National Commission for the United Nations Educational, Scientific, Cultural Organization (UNESCO), if the draft relates to international commitments of the Republic of Latvia in the area of UNESCO activities (education, science, culture, environment, information or communication, the mass media);

91.10 other ministries the competence of which is directly related to the draft, as well as other institutions stipulated in the external laws and regulations for implementing harmonisation of draft laws and regulations, or if the necessity for an opinion derives from the provisions of external laws and regulations stipulating their competence.

*[23 February 2010; 6 September 2011; 8 May 2012]*

91.<sup>1</sup> If the Interdepartmental Co-ordination Centre after assessment of the announced draft determines that the draft is incompliant with the Declaration or the action plan or approved planning documents, which undermine the usefulness of advancing the draft, it shall present to the Prime Minister an opinion and proposal on further advancement of the announced draft.

*[8 May 2012]*

91.<sup>2</sup> Draft legal acts, which relate to activities of all non-governmental organisations (horizontal matters of non-governmental organisations' sector), shall be submitted to the State Chancellery

for consideration in the Council for Implementation of the Memorandum of Co-operation between Non-governmental Organisations and the Cabinet of Ministers.

*[22 November 2016]*

92. If another institution, which is not mentioned in the minutes of the meeting of State Secretaries as a provider of an opinion, has presented its opinion on the announced draft, within the deadline specified in Clause 88 of this Regulation for the provision of opinions regarding the respective announced draft, the responsible line ministry shall also assess such opinion and include objection in the statement referred to on Clause 96 of this Regulation, as well as shall invite the representative of the respective institution to participate in the harmonisation process. If an agreement with the aforementioned institution is not reached within the harmonisation process, the responsible line ministry shall consider necessity to advance the announced draft for its consideration at the meeting of State Secretaries or shall prepare the draft for its submission to the Cabinet of Ministers in line with the stipulated procedure by including information on objections from the other institution in the covering letter of the submitter.

*[2 December 2014]*

93. Opinion shall be provided on each type of drafts (draft planning document, draft informative statement, draft legal act) separately. The opinion shall be signed by the State Secretary or his/her authorised official or the head of an institution which provides the opinion. The opinion shall include the surname, phone number and e- mail address of the drafter.

94. The line ministry or other institution, according to the competence specified in regulatory enactments, in its opinion shall:

94.1. present grounded and justified objections on which the agreement should be reached during the harmonisation process;

94.2. present proposals of recommendatory nature;

94.3. specify the supported option if the draft provides for several solution options.

*[22 November 2016]*

95. If a ministry or other institution has failed to structure the opinion, in overall it has a recommendatory nature. If the opinion indicates that a line ministry or other institution does not support advancement of the draft, the whole draft is deemed as objected.

96. If opinions on the announced draft include objections and proposals, the responsible line ministry shall consider them, clarify the draft and prepare a statement on the objections expressed in the opinions (see Annex 4) (hereinafter — statement). The statement shall summarize all the objections included in opinions by line ministries and other institutions on the particular clause (section, paragraph). If the objections relate to all drafts included in the legislative package (Clause 26 of this Regulation), they are technical and if it does not interfere with the progress of the co-ordination process, the responsible line ministry may, by evaluating the usefulness and extent of the objections, draw up one joint statement for the whole package of draft legal acts.

*[22 November 2016]*

97. If ministries and other institutions have supported the draft with no objections or have expressed only proposals, the draft shall be considered as harmonised, and the responsible line ministry shall, in line with the procedures set forth by this Regulation, prepare the draft for its submission to the sitting of the Cabinet.

98. If a ministry and other institution (including the other institution referred to Clause 92 of this Regulation) has expressed objections on the announced draft, the responsible line ministry, after the consideration of objections, shall electronically send the statement and the harmonised

draft (its annotation) to ministries and other institutions which have presented the opinion or have, in line with the stipulated procedure, acknowledged the absence of objections, as well as those ministries and other institutions which are affected by substantial changes made to the draft (hereinafter in this Chapter — participants of harmonisation process).

*[23 February 2010]*

99. If the responsible line ministry, when clarifying the announced draft, has taken into account the objections by the participants of harmonisation process, and if, within five days after the delivery of the statement and harmonised draft, no objections on the harmonised draft are received from the participants of harmonisation, the draft is considered harmonised and the responsible line ministry shall prepare, according to the procedures stipulated in this Regulation, the draft for its submission to the sitting of the Cabinet.

100. In order to reach an agreement on objection disregarded or partly taken into consideration, the responsible ministry shall convene a joint inter-ministerial (inter-institutional) meeting. Upon convening the inter-ministerial (inter-institutional) meeting, the responsible line ministry shall, no later than five days before the meeting, send electronically to the participants (to the official e-mail address of the institution and the provider of the opinion) information about the meeting, specifying the ministries and other institutions, for purposes of which objections the meeting is organised, as well as shall enclose the statement and the harmonised draft (its annotation).

101. If the nature and amount of the objection does not require the presence in order to reach an agreement, the responsible line ministry may organise the harmonisation through electronic means. The responsible line ministry shall send electronically to the participants of harmonisation process (to an official e-mail address of the institution and the provider of the opinion) a statement (which includes the grounding or explanation of the responsible line ministry on the objections disregarded or partly taken into consideration) and the clarified draft (its annotation), specifying ministries and other institutions for purposes of which objections the meeting is organised, and the deadline (not shorter than five working days) by which the participants of harmonisation process have to express their opinion.

*[23 February 2010]*

102. By organizing the harmonisation in electronically, the information on the harmonisation or objections shall be sent simultaneously to the responsible line ministry and other participants of the harmonisation process within fixed period of time. The information shall be sent from an e-mail of the provider of the opinion to the e-mail of the responsible official of the line ministry and e-mails of other participants of the harmonisation process — providers of the opinion.

*[23 February 2010]*

103. If a representative of the respective participant of the harmonisation process does not arrive to the inter-ministerial (inter-institutional) meeting or, in case of electronic harmonisation, does not respond by the specified deadline, its disregarded or partly applied objections shall be deemed as cancelled and will be considered as having recommendatory nature.

104. The responsible line ministry following the inter-ministerial (inter-institutional) meeting or electronic harmonisation process shall respectively update the statement by including information about the dates of meeting or electronic harmonisation, as well as the expressed views and the results of the harmonisation. The statement shall also include objections expressed during the harmonisation, as well as indicate those participants of the harmonisation process who were invited to express their opinion but whose representatives were absent from the meeting or did not respond electronically.

105. The responsible line ministry shall send electronically by using the official e-mail of the responsible line ministry the clarified statement and draft (annotation thereof) to all participants of harmonisation.

*[6 September 2011; 2 December 2014]*

106. If during the inter-ministerial (inter-institutional) meeting or electronic harmonisation agreement on all expressed objections is reached, and if no objections have been received within five days after the delivery of the updated statement and draft (its annotation), the draft shall be considered as harmonised and submitted for its consideration in the sitting of the Cabinet of Ministers.

107. *[22 November 2016]*

108. If during the inter-ministerial (inter-institutional) meeting or electronic harmonisation process agreement is not reached on disregarded or partly applied objections, or if objections have been received within the deadline specified in Clause 106 of this Regulation, the responsible line ministry shall submit the draft for its consideration at the meeting of State Secretaries. The responsible line ministry shall be entitled to conduct another harmonisation process in line with the procedures set forth in this Chapter.

109. If the deadline, by which the opinions should be provided on the promulgated draft, specified in the minutes of the meeting of State Secretaries is less than basic term provided in Clauses 88 and 90 of this Regulation, the deadline of five working days specified in this Chapter for harmonisation process shall be replaced by three working days.

*[23 February 2010]*

110. If a draft legal act, which has been harmonised in compliance with Clauses 90, 97 and 106 of this Regulation shall be submitted to:

110.1. the Ministry of Economics, in order to inform the European Commission about the development of a legal act, the responsible line ministry shall postpone for a certain period of time its submission to the sitting of the Cabinet in accordance with the procedures by which technical regulations are harmonised;

110.2. the Ministry of Finance, in order to send it to the European Central Bank, the responsible line ministry shall, in line with the procedures by which financial regulations are harmonised, postpone its submission to the sitting of the Cabinet for a certain period of time.

*[22 November 2016]*

**X. Harmonisation of Draft Documents, a Matter of the Cabinet of Ministers and Draft Documents to be Submitted for Consideration at the Sitting of the Cabinet of Ministers under the Urgency Procedure without Announcement at the Meeting of State Secretaries**

*[22 November 2016]*

111. If the laws and regulations does not provide other procedures for harmonisation, the following harmonisations should be presented on draft legal acts, draft planning documents and informative statements referred to in Clause 73 of this Regulations:

111.1 from the Ministry of Finance — on draft order of the Cabinet of Ministers on granting an award of the Cabinet of Ministers, on granting the monetary prize for exceptional achievements in sports, culture and educational Olympiads, contests and competitions, on participation of officials in international missions and operations and granting of funding from the state budget program “Funds for Unforeseen Events”, on the reallocation of the

appropriation and on the breakdown of the long-term liabilities by year or the adjustment thereof, as well as on conceptual statement;

*[22 November 2016]*

111.2. from the Ministry of Justice — on draft order of the Cabinet of Ministers regarding the participation of officials in international missions and operations, as well as on a conceptual statement;

*[22 November 2016]*

111.3. from the Ministry of Foreign Affairs — on draft order of the Cabinet of Ministers on participation of officials in international missions and operations;

*[22 November 2016]*

111.4. from the Corruption Prevention and Combating Bureau — on draft order of the Cabinet of Ministers for permission for combining of positions;

111.5. from the Interdepartmental Co-ordination Centre and State Chancellery (if the draft refers to the institutional structure and principles of action of the public administration) — on conceptual statement and informative statement on the implementation of the planning document;

111.6. from ministries and other institutions, representatives of which are to be included in a particular council, committee, or working group — on draft order of the Cabinet of Ministers concerning development of consultative councils, committees or working groups;

111.7. from those line ministries and other institutions to which a task has been assigned or in the competence of which it included — on conceptual statement, informative statement on the implementation of a planning document, draft protocol decision of the sitting of the Cabinet on the fulfilment of a task assigned to the ministry or other institution by the protocol decision of the sitting of the Cabinet and on draft order of the Cabinet of Ministers on prolongation of the deadline for the fulfilment of the tasks assigned to a line ministry or other institution.

*[2 December 2014]*

111.<sup>1</sup> Deadline for the presentation of harmonisations stipulated in Clause 111 of this Regulation is 10 working days, but in case of urgent matters the responsible line ministry can request a shorter deadline which may not be shorter than three working days. Harmonisations shall be presented in compliance with one of types mentioned in Clause 89 of this Regulation.

*[6 September 2011; 22 November 2016]*

112. The ministry shall harmonise the prepared informative statement (see Sub-clause 59.<sup>1</sup> 1 and Clause 61 of this Regulation) and the annexed draft protocol decision of the Cabinet of Ministers with the Ministry of Foreign Affairs and involved line ministries and other institutions in line with the procedures for coordination of national position laid down in laws and regulations on the development, harmonisation, approval and updating of national positions.

*[30 September 2014]*

113. The line ministry shall electronically send the draft document (except for a draft document to be submitted to the Constitutional Court; Clause 113.<sup>1</sup> of this Regulation) that shall be submitted to the court to the line ministries or other competent institutions for harmonisation not later than five working days before the end of the deadline specified in the Prime Minister's resolution.

*[23 February 2010]*

113.<sup>1</sup> Upon receipt of the document of the Constitutional Court addressed to the Cabinet of Ministers, the State Chancellery shall electronically (by sending respective information to the official e-mail address of the line ministry):

113.<sup>1</sup> 1 immediately inform the line ministry (responsible line ministry) which has developed the objected draft legal act on the document received from the Constitutional Court;

113.<sup>1</sup> 2 harmonise with the responsible line ministry and other ministries competent in respective matters, those officials of the institutions who are responsible for preparation of the draft document that shall be submitted to the Constitutional Court;

113.<sup>1</sup> 3. taking into account the deadline referred to in the document of the Constitutional Court, shall agree with the responsible line ministry and other involved line ministries on the deadline until which the responsible line ministry will electronically send to the State Chancellery a working version of the draft document that shall be submitted to the Constitutional Court and it shall include actual circumstances and counterarguments therein.

*[23 February 2010]*

113.<sup>2</sup> Upon receipt of the working version of the document drafted by the responsible line ministry and the supplements by the ministries involved that shall be submitted to the Constitutional Court, the State Chancellery shall make legal assessment, supplement with legal argumentation and harmonise electronically the consolidated working version of the draft document that shall be submitted to the Constitutional Court with the responsible line ministry and other ministries involved. In accordance with the resolution of the Prime Minister the responsible line ministry shall submit the harmonised draft document to be submitted to the Constitutional Court for consideration at the sitting of the Cabinet.

*[23 February 2010]*

113.<sup>3</sup> The representation of the Cabinet of Ministers at the Constitutional Court shall be ensured by the responsible line ministry and the State Chancellery, but, if during the process of drafting the objected legal act the latter has had substantial conceptual objections which have not been taken into account during the process of harmonisation and adoption of the legal act, the responsible line ministry shall ensure preparation of the draft document to be submitted at the Constitutional Court, submission thereof to the Cabinet of Ministers and representation of national interests at the Constitutional Court.

*[23 February 2010]*

114. The draft letter of the Cabinet of Ministers shall be harmonised with line ministries and other institutions, the competence of which is directly related to the respective matter, by sending electronically the draft letter for harmonisation thereof to the mentioned institutions not later than five working days before the end of the deadline specified in the resolution of the Prime Minister.

*[23 February 2010]*

115. The Ministry of Finance shall not harmonise with other ministries and central public authorities the information and draft legal acts related to annual draft budget and its preparation, to the medium-term budgetary framework draft law and its preparation, as well as to ensuring the budget implementation process, in cases referred to in the Law On Budget and Finance Management and in the Annual State Budget Law, instead it shall consult with the Ministry of Justice in order to ensure the principle of rule of law.

*[22 November 2016]*

116. A member of the Cabinet of Ministers may ask the Prime Minister to examine the matter as a matter of the Cabinet of Ministers. The matter of the Cabinet of Ministers is a matter for which a political settlement of the Cabinet of Ministers and a conceptual decision or vote is required as to the substance. The Prime Minister may, upon his/her own initiative, at any time announce the matter as a matter of the Cabinet of Ministers.

*[23 February 2010; 22 November 2016]*

117. A member of the Cabinet of Ministers may ask the Prime Minister to examine an informative report (Clause 59 of this Regulation) or a draft legal act (regardless of whether it has been previously announced at the meeting of the State Secretaries), or to examine the matter, which has been submitted as a matter of the Cabinet of Ministers (Clause 116 of this Regulation), at the sitting of the Cabinet of Ministers as a matter of urgency. The urgency procedure may be applied only in exceptional cases where the matter needs to be addressed immediately in connection with the occurrence of adverse effects to the state affecting essential public interests or international, financial, economic or security interests of the State. The submitter shall justify the urgency on the substance, by specifying certain adverse effects. Delay in performance of a previously known task shall not be considered as the grounds for urgency. *[23 February 2010; 10 September 2011; 2 December 2014; 22 November 2016]*

118. The responsible line ministry shall submit the matter referred to in Clause 117 of this Regulation to the State Chancellery, using the system DAUKS, not later than three working days prior to the sitting of the Cabinet of Ministers (on Thursday, before 12.00). *[23 February 2010; 22 November 2016]*

119. The responsible line ministry shall co-ordinate the matter referred to in Clause 117 of this Regulation in accordance with the procedures laid down in Chapter IX or Clause 111 of this Regulation prior to the submission to the State Chancellery, or shall ensure the co-ordination with line ministries and other institutions whose competence is directly affected by the matter in accordance with external regulatory enactment, as well as with:

119.1. the Ministry of Justice;

119.2. the Ministry of Finance;

119.3 the Ministry of Foreign Affairs (regarding international treaties and their drafts);

119.4 the Cross-Sectoral Coordination Centre (in relation to the consistency of the

national level development planning documents and compliance with the requirements of regulatory enactments, as well as with regard to draft planning documents and draft legal acts, addressing the management of capital shares of a public person).

*[6 September 2011; 2 December 2014; 22 November 2016]*

120. The responsible line ministry shall organise the coordination of matters referred to in Clause 117 of this Regulation in accordance with Chapter IX of this Regulation, by taking into account the shortened time period referred to in Clause 109 of this Regulation. If the Ministry of Justice, the Ministry of Finance, the Ministry of Foreign Affairs or the Cross-Sectoral Coordination Centre determine that the responsible line ministry has not specified the grounds for the application of the urgency procedure or the justification is not indicated in substance, it shall immediately inform the ministry and the State Chancellery, in electronic form (by sending the information to the official e-mail address), and the responsible ministry shall co-ordinate such a draft and submit to the Cabinet of Ministers in accordance with regular procedures specified in this Regulation.

*[23 February 2010; 22 November 2016]*

## **XI. Submission, Advancement Specification and Assessment of Planning Documents, Informative Statements, Draft Legal Acts and Other Draft Documents**

121. The following documents shall be appended when submitting to the State Chancellery a draft document referred to in present Regulation for consideration at the meeting of State Secretaries, the meeting of the Cabinet Committee and the sitting of the Cabinet:

121.1. accordingly, a covering letter signed by the State Secretary (or the head of the secretariat of the Minister for Special Assignments, the head of the Office of the Deputy Prime

Minister or the head of the public administration authority subordinate to the Prime Minister) or a letter by the submitter, which is drawn up on an institution's form in accordance with the model of the covering letter provided in Annex 5 to this Regulation;

121.2. annexes - documents necessary for adopting a decision - in accordance with Annex 6 to this Regulation.

*[22 November 2016]*

121.<sup>1</sup> When submitting a draft document to the State Chancellery, which, in accordance with the set procedures, shall be submitted to the Cabinet of Ministers by the institution subordinate to the Prime Minister through the Prime Minister, the covering letter shall be drawn up in accordance with the model of the covering letter provided in Annex 5 of this Regulation and shall be signed by the head of the institution.

121.<sup>2</sup> If a package of draft legal acts is submitted (Clause 26 of this Regulation), a single covering letter may be drawn up for the whole package of draft legal acts.

*[22 November 2016]*

122. Draft planning documents, draft legal acts, informative reports and other documents and the annexed documents (in line with Annex 6 to this Regulation), except for documents with status 'FOR SERVICE USE' or containing the object of official secret, which shall be considered at the meeting of State Secretaries, the meeting of the Cabinet Committee and the sitting of the Cabinet of Ministers shall be submitted to the State Chancellery only through DAUKS system.

*[23 February 2010; 22 November 2016]*

122.<sup>1</sup> By submitting to the State Chancellery a request signed by a submitter regarding change of the status of the document (e.g. declassification, prolonging of the current status), the submitter shall indicate in its covering letter the number of the document, date, title, registration number (if available) assigned by the State Chancellery and the justification for the change of status. The submitter shall also provide the aforementioned information regarding legal acts of the Cabinet of Ministers and protocol resolutions of the Cabinet sitting, which have been taken on the basis of relevant documents of the submitter, as well as documents of other institutions appended to the covering letter of the submitter.

*[6 September 2011; 22 November 2016]*

122.<sup>2</sup> If the ministry requests inclusion of the issue in the meeting of State Secretaries, the meeting of the Cabinet Committee or in additional agenda of the sitting of the Cabinet, it ensures that the Latvian Association of Local and Regional Governments, non-governmental organizations and social partners if they have collaborated in the draft legal act or have provided an opinion on the issue, shall be informed that the draft shall be advanced in accordance with the urgent progressing procedure. The responsible line ministry shall electronically send the aforementioned information to the official e-mail address or ensure provision of information by sending the clarified draft and statement. The submitter shall also provide the aforementioned information regarding the legal acts of the Cabinet of Ministers and protocol resolutions of the sitting of the Cabinet of Ministers, which have been taken on the basis of the relevant documents of the submitter, as well as documents of other institutions appended to the covering letter of the submitter.

*[6 September 2011; 22 November 2016]*

123. [23 February 2010];

124. [23 February 2010];

125. [23 February 2010];

126. [28 July 2009]

127. Upon submission to the State Chancellery of updated draft or additional materials related to a previously submitted draft document which is mentioned in this Regulation, the submitter shall indicate in its covering letter the date, protocol and paragraph number of the meeting of State Secretaries, the meeting of the Cabinet Committee or the sitting of the Cabinet during which the respective document was considered, as well as include the registration number (if such is applied) given by the State Chancellery and a reference if any of the mentioned additional materials contains restricted access information.

*[23 February 2010]*

128. The State Chancellery, within seven working days following the date of the submission of draft planning document or informative statement to the State Chancellery for its consideration in the meeting of State Secretaries, the meeting of the Cabinet Committee or sitting of the Cabinet of Ministers, shall examine the compliance of a draft with the:

128.1. procedures laid down in this Regulation regarding the harmonisation of drafts;

128.2. requirements laid down in laws and regulations with regard to drawing up of draft legal acts;

128.3. requirements for preparation of a draft legal act's annotation laid down in regulatory enactments;

128.4. laws, other legal acts, as well as effective planning documents, the Declaration and action plan, where needed.

*[2 December 2014; 22 November 2016]*

128.<sup>1</sup> If necessary, in the case referred to in Sub-clause 128.4 of this Regulation the State Chancellery shall send the draft in question to the Interdepartmental Co-ordination Centre for the assessment of the cross-harmonisation and compliance with the requirements of the laws and regulations of the development planning documents of national level, as well as compliance with the Declaration and action plan and for the provision of an opinion to the Prime Minister.

*[2 December 2014; 22 November 2016]*

129. The State Chancellery, by taking into consideration the opinions of line ministries and other institutions and the legal assessment results referred to in Clause 128 of this Regulation, shall draw up an opinion regarding the draft for the Prime Minister or the Director of the State Chancellery, while providing a proposal regarding further progress of the draft, or shall ensure the legal and editorial drawing up of the draft legal act and further advancement for consideration in the sitting of the Cabinet of Ministers according the procedure laid down in this Regulation.

*[22 November 2016]*

129.<sup>1</sup> If according to the Prime Minister's resolution on further advancement of the informative statement it should be sent to the Cabinet member for information without consideration at the sitting of the Cabinet of Ministers, the State Chancellery shall place the informative statement in section 'Informative Statements' of the e-portfolio system and the system shall send a notification to its users.

*[23 February 2010; 22 November 2016]*

130. The State Chancellery, in accordance to the procedures by which technical regulations are harmonised, upon a receipt of information from the Ministry of Economics about suspension

period for advancing the draft legal act, shall prepare draft resolution of the Prime Minister on suspension period for advancing of respective legal act till the end of the specified period.

131. The submitter of the draft legal act within a month after the end of suspension period for advancing referred to in Clause 130 of this Regulation, shall submit to the Cabinet of Ministers an amended draft and updated annotation, which also includes information about objections and comments received from the European Commission and the European Union Member States, as well as about amendments to a respective draft legal act, taking into consideration the objections and comments by the European Commission and the European Union Member States.

132. If an extension of the suspension period for advancing draft legal act (see Clause 130 of this Regulation) is required, the submitter of the draft legal act within a month from the expiry date of the suspension period shall submit to the State Chancellery a letter on extension of the suspension period for advancing the respective draft legal act.

133. If an extension of the suspension period for advancing a draft legal act that is harmonised with the European Central Bank is necessary, the submitter of the draft legal act within one month from the expiry of the suspension period shall submit to the State Chancellery a letter on extension of the suspension period for advancing the respective draft legal act.

## **XII. Procedure for Considering Draft Legal Acts and Draft National Positions and Any Related Issues in the Meeting of State Secretaries**

134. In the meeting of State Secretaries, reports on the submitted draft legal acts or draft national positions or related matters (hereinafter in this Chapter — a draft) shall be delivered by the State Secretary, the head of the secretariat of the Minister for Special Assignments, the head of the Deputy Prime Minister's Office, the Director of the State Chancellery or the head of the public administration authority subordinate to the Prime Minister or officials authorized by them).

*[22 November 2016]*

135. Decisions on the draft legal acts submitted for their consideration shall be adopted unanimously by the voting participants of the meeting of State Secretaries. If no agreement is reached, the submitter presents the draft legal act for its consideration at the meeting of the Cabinet Committee. If no agreement is reached with regard to draft national position or related matter, it shall be submitted to the Cabinet of Ministers in line with laws and regulations on development, harmonisation, approval and updating of national positions.

136. Decision of the meeting of State Secretaries (including differing views) also on those drafts, agreement on which was not reached during the meeting of State Secretaries, shall be included in the minutes of the meeting of State Secretaries.

137. If consideration of the draft or matter included in the agenda of the meeting of State Secretaries is postponed during the meeting, the chairman of the meeting sets the term for repeated consideration of the matter.

138. If the meeting of State Secretaries rejects the draft legal act, the State Chancellery, if necessary, shall resume control over the fulfilment of task by setting the deadline for its implementation — a month from the date of the meeting of State Secretaries, unless other date has been set during the meeting of State Secretaries, and shall inform the State Secretary, the head of the secretariat of the Minister for Special Assignments, the head of the Deputy Prime

Minister's Office or the head of the public administration authority subordinate to the Prime Minister about this fact.

[22 November 2016]

139. Draft legal act is advanced for its consideration in the sitting of the Cabinet only if the legal act has been supported in the meeting of State Secretaries without any amendments or which require amendments, on which a decision has been adopted in the meeting of State Secretaries or which definition shall be submitted in a written form for consideration during the meeting and which have been included in the minutes of the meeting of State Secretaries.

140. Submitter of a draft legal act, which has been supported in the meeting of the State Secretaries shall submit for consideration at the sitting of the Cabinet within a month upon an approval. On the next day following the expiry of a deadline, the State Chancellery shall send through *DAUKS* system a reminder on the non-fulfilment of the task. If the submitter had submitted the draft legal act that had been supported at the meeting of the State Secretaries for consideration at the meeting of the State Secretaries, the State Chancellery shall include this draft legal act on the agenda of the sitting of the Cabinet of Ministers in accordance with Clause 167 of this Regulation. The draft national position or related matter, supported in the meeting of State Secretaries, shall be submitted to the Cabinet of Ministers in line with laws and regulations on development, harmonisation, approval and updating of national positions.

[22 November 2016]

141. The deadline mentioned in Clause 140 of this Regulation does not concern the draft legal act if, according to Clause 139 of this Regulation, the draft legal act, which has been supported by the meeting of State Secretaries, shall be submitted to:

141.1. the Ministry of Economics in order to inform the European Commission about the preparation of legal act. The responsible line ministry shall in accordance with the procedures by which technical regulations are harmonised postpone its submission to the sitting of the Cabinet for a certain period of time;

141.2. the Ministry of Finance, in order to send it to the European Central Bank. The responsible line ministry in accordance with the procedures by which financial regulations are harmonised postpone its submission to the sitting of the Cabinet for a certain period of time;

142. If any amendments, which have not been precisely defined or included in the minutes of the meeting of State Secretaries, are necessary to the draft legal act, or if the draft requires harmonisation with ministries and other institutions, the draft shall not be approved. In such case, the draft shall be elaborated within two months following the meeting of State Secretaries, and submitted for its repeated consideration in the meeting of State Secretaries. On the next day following the deadline, the State Chancellery shall send through *DAUKS* a reminder on the non-fulfilment of the task.

143. If the State Chancellery removes the control over the legal act and, if needed, resumes the control over the fulfilment of the task, by specifying a deadline for its implementation — a month counting from the date of the meeting of the State Secretaries, and shall inform the State Secretary, the head of the secretariat of the Minister for Special Assignments, the head of the Deputy Prime Minister's Office or the head of the public administration authority subordinate to the Prime Minister about it, if further advancement of the draft legal act according to the decisions adopted in the meeting of State Secretaries is only possible after the adoption of a definite planning document or entering into force of a legal act.

[22 November 2016]

### **XIII. Procedure for Considering Draft Planning Documents, Informative Statements and Legal Acts in a Meeting of the Cabinet Committee and its Preparation and Process**

144. The Cabinet Committee (hereinafter — the Committee) shall consider:

144.1. prior to its consideration at the sitting of the Cabinet sitting — the draft planning document, the agreement on which was not reached in the harmonisation process;

144.2. prior to its consideration at the sitting of the Cabinet sitting — the draft informative statement (see Clause 59 of this Regulations, the agreement on which was not reached in the harmonisation process);

144.3. the draft legal act, the agreement on which was not reached in the meeting of State Secretaries;

144.4. the draft legal act which is not updated in accordance with decisions adopted during the meeting of State Secretaries;

144.5. the draft planning document, informative statement or legal act, on which the objections or significant corrections to a text were proposed during the sitting of the Cabinet;

144.6. the draft legal act, on which the State Chancellery, during its processing for consideration at the sitting of the Cabinet, has significant legal or editorial objections;

144.7. repeatedly:

144.7.1. the draft planning document, informative statement or legal act which was approved in the meeting of the Committee and which was not updated in line with decisions adopted by the meeting of the Committee;

144.7.2. the draft which was not approved in the meeting of the Committee;

144.7.3. the draft legal act which was approved in the meeting of the Committee and which contains technical regulations, on which the European Commission has expressed objections, and which has then been accordingly updated.

145. The number of Committees, their composition and date, time and place of their meetings shall be indicated by the Prime Minister.

146. For purposes of coordinating the positions of the Cabinet of Ministers and local governments, extended meetings of the Committee shall be organised and chaired by the Prime Minister with participation of members of the Cabinet of Ministers and representatives of local governments in accordance with the concluded agreement. The representatives of local governments for the Committee's meeting shall be appointed by the Latvian Association of Local and Regional Governments.

147. The confirmed agenda of the Committee and its items together with respective materials (including letters on drafts from natural persons and other institutions) shall be made available to the State Chancellery in e-portfolio system not later than three working days before the actual date of the meeting.

148. *[22 November 2016]*

149. The following persons may participate in the meeting of the Committee in the advisory capacity:

149.1. officials and their authorised representatives as set in laws;

149.2. representative of the Office of the Prosecutor General;

149.3. persons invited by the Prime Minister;

149.4. persons invited by a member of the Cabinet of Ministers;

149.5. assistant or advisor of a member of the Cabinet of Ministers;

149.6. Parliamentary Secretary of the respective ministry;

149.7. State Secretary and his/her deputies;

149.8. the Head of the Prime Minister's Office, Head of the Deputy Prime Minister's Office, officials of the State Chancellery and his/her authorised officials, Head of the Interdepartmental Co-ordination Centre or an authorised representative thereof;

149.9. ombudsman and his/her authorised persons;

149.10. Chief of the Corruption Prevention and Combating Bureau or his/her authorised officials;

149.11. representative of the Republic of Latvia to the Court of Justice of the European Union and the EFTA Court;

149.12. authorised representative of the Latvian Association of Local and Regional Governments;

149.13. representative of the planning region development council;

149.14. authorised representative of the Free Trade Union Confederation of Latvia and of the Employers' Confederation of Latvia;

149.15. representative of non-governmental organizations authorized by the Council for Implementation of the Cooperation Memorandum between Non- governmental Organizations and the Cabinet of Ministers.

*[23 February 2010; 2 December 2014]*

150. The responsible line ministry shall provide details of the agenda, information and respective materials to the official, who according to the covering letter of the submitter is invited to participate in the meeting of the Committee for the consideration of a specific matter.

151. Not later than one working day before the meeting of the Committee, the responsible line ministry or other institution shall electronically submit to the State Chancellery a statement providing the name, surname and position of a person to be additionally invited for consideration of specific matters. The respective line ministry shall provide details of the agenda, information and respective materials to the person, who is additionally invited to participate in consideration of a specific matter.

*[6 September 2011; 22 November 2016]*

151.<sup>1</sup> The line ministry shall inform the authorities representing local governments, non-governmental organisations and social partner organisations with which no agreement has been reached in the co-ordination process regarding the submission of the matter for consideration at the Committee meeting.

151.<sup>2</sup> The invitation to participate in the examination of a specific matter on the agenda of the Committee meeting in addition to invited persons shall be included on the agenda of the relevant Committee meeting. The responsible official of the State Chancellery shall register the persons invited before they enter the meeting hall. The persons invited to the Committee meeting shall only participate in the examination of a specific matter on the agenda of the meeting. Following the examination of the matter, the invitees shall immediately leave the meeting hall.

*[22 November 2016]*

152. In the meeting of the Committee, the submitter or his/her authorised person reports about the submitted draft.

153. The decision on progressing the draft for its consideration at the sitting of the Cabinet of Ministers shall be unanimously adopted by the Committee.

154. In case of postponing the consideration of draft included in the agenda of the meeting of the Committee upon an initiative by chairman of the sitting, submitter or any other member of the Cabinet of Ministers, the chairman of the sitting shall specify the term for consideration of the matter.

155. If the Committee rejects the draft, the State Chancellery removes the control over the draft, and, if needed, resumes the control over fulfilment of task, also setting a deadline for task — a month counting from the date of the meeting of the Committee, and notifies the responsible line ministry.

156. The minutes of the meeting of the Committee shall be prepared by an official appointed by the Director of the State Chancellery. The minutes of the meeting of the Committee shall include the meeting's participants, who reported on respective matter, as well as the decisions taken.

156.<sup>1</sup> The State Chancellery shall make audio recording of the meeting of Committee. The audio recordings are performed, stored and used in conformity with Chapter XIV<sup>1</sup> of this Regulation. [23 February 2010]

157. If the matter is urgent and the draft which was considered or approved in the meeting of the Committee has to be considered exceptionally at the next sitting of the Cabinet, the submitter, during the meeting of the Committee, shall inform the chairman of the meeting of the Committee and ask to additionally include the respective draft in agenda of the sitting of the Cabinet, which takes place on the next day.

158. The minutes of the meeting of the Committee shall be signed by the chairman of the meeting and the Director of the State Chancellery or authorised official of the State Chancellery. If the meeting of the Committee had several chairmen, the minutes shall be signed by each of them. The State Chancellery shall immediately include the signed minutes in e-portfolio system.

159. Within two working days after the submission of the minutes of the meeting of the Committee in e-portfolio system, members of the Cabinet of Ministers are allowed to submit to the Director of the State Chancellery written objections on the content of the minutes, and include precise wording of the amendment to the protocol decision. The mentioned objections shall be considered in the next meeting of the Committee.

160. The following documents shall be advanced to the sitting of the Cabinet:

160.1. draft legal act which has been approved in the meeting of the Committee without amendments or to which, within a month after the meeting (if not otherwise agreed), its submitter should make amendments, decision on which was adopted in the Committee, or wording of which shall be submitted in a written form for its consideration in the meeting of the Committee and which are included in the minutes of the meeting of the Committee. On the next day following the deadline, the State Chancellery shall send through *DAUKS* a reminder on the non-fulfilment of the task;

160.2. draft planning document and draft informative statement which has been approved in the meeting of the Committee without amendments or to which, within two months after the meeting (if not otherwise agreed), its submitter should make amendments, decision on which was adopted by the Committee, or wording of which shall be submitted in a written form for its consideration in the meeting of the Committee and which are included in the minutes of the meeting of Committee. On the next day following the deadline, the State Chancellery shall send through *DAUKS* a reminder on the non-fulfilment of the task.

161. If the draft legal act which was approved in the meeting of the Committee has to be submitted to:

161.1. the Ministry of Economics, in order to inform the European Commission about the development of a legal act, the responsible line ministry shall postpone for a certain period of time its submission to the sitting of the Cabinet in accordance with the procedures by which technical regulations are harmonised;

161.2. the Ministry of Finance, in order to send it to the European Central Bank, the responsible line ministry shall, in line with the procedures by which financial regulations are harmonised, postpone its submission to the sitting of the Cabinet for a certain period of time.

162. If any amendments, which have not been precisely defined or included in the minutes of the meeting of the Committee, need to be made to the draft planning document, informative statement or legal act, or if the draft requires harmonisation with respective ministries and other institutions and officials, the draft shall not be approved. The draft shall be updated and submitted for repeated consideration in the meeting of the Committee within two months, if not otherwise decided during the meeting of Committee. On the next day following the deadline, the State Chancellery shall send through *DAUKS* a reminder on the non-fulfilment of the task.

163. The State Chancellery shall remove the control over the draft, and, if needed, resume the control over fulfilment of task, also setting a deadline for task — a month counting from the date of the meeting of the Committee, and shall notify the responsible line ministry:

163.1. [22 November 2016]

163.2. if within six months after the meeting of the Committee, the fulfilment of provisions set forth in the Committee's minutes and required for further advancement of a draft has not been ensured.

#### **XIV. Procedure for Consideration of Draft Documents in the Sitting of the Cabinet, its Organisation and Progress**

164. The following documents shall be considered at the sitting of the Cabinet of Ministers without consideration in the meeting of State Secretaries and the meeting of the Committee:

164.1. draft planning documents, informative statements (Clause 56 of this Regulation) and draft legal acts submitted in relation to the declaring an emergency situation or state of exception in the State (in accordance with the Law “On the Emergency Situation and State of Exception”) or affecting matters relating to the prevention and management of situations of threat to the State.

164.2. matters of the Cabinet of Ministers (Clause 116 of this Regulation);

164.3. draft legal acts submitted under the urgency procedure and informative statements (Clause 59 of this Regulation), the urgency of which is justified in accordance with the criteria referred to in Clause 117 of this Regulation;

164.4. draft planning documents, informative statements (Clause 59 of this Regulation) and draft legal acts which are harmonised in accordance with the procedures specified in this Regulation (Chapter IX and Clause 111 of this Regulation);

164.5. draft annual state budget (portfolio of draft budget law), medium-term draft law of the budgetary framework and draft legal acts related to its preparation, as well as draft legal acts related to ensuring the budget implementation and information in cases set forth in the annual state budget law and in the Law “On Budget and Finance Management”;

164.6. informative statements referred to in Clauses 59.<sup>1</sup> and 61 of this Regulation, as well as an informative statement referred to in Clause 60 of this Regulation if they have been directed for consideration in the sitting of the Cabinet of Ministers;

164.7. draft planning document, informative statements or draft legal acts which according to the “Freedom of Information Law” contain restricted access information or in accordance with the Law “On Official Secret” are an object of official secret or contain an object of an official secret;

164.8. draft national position, except for cases set forth in legal acts, if the Senior Officials meeting has decided on a prior consideration of a draft national position in the meeting of State Secretaries, as well as draft positions and draft national positions with regard to international law issues;

164.9. draft documents to be submitted to the court;

164.10. draft letters of the Cabinet of Ministers

*[23 February 2010; 10 September 2011; 30 September 2014; 22 November 2016]*

165. The State Chancellery shall include a draft national position and a draft position in the agenda of the next sitting of the Cabinet or the sitting of the Cabinet specified in a covering letter from a submitter.

166. The State Chancellery shall co-ordinate the draft legal act with the responsible line ministry after its legal and editorial execution and shall include a draft legal act, a draft planning document or an informative statement in the draft agenda of the regular sitting of the Cabinet of Ministers.

*[22 November 2016]*

167. The State Chancellery shall usually include a draft legal act, which has been examined and supported at the meeting of the State Secretaries or at the meeting of the Committee, in the draft agenda of the Cabinet sitting following its legal and editorial execution (usually within ten working days following the meeting of the State Secretaries, if the supported draft legal act has been submitted by the submitter, or after the meeting of the Committee, or after the submitter has submitted the relevant updated draft legal act for consideration by the Cabinet of Ministers).

*[22 November 2016]*

168. The State Chancellery shall usually include the draft planning documents and informative statements and draft legal acts considered and approved in the meeting of the Committee in the draft agenda of the sitting of the Cabinet of Ministers following legal and editorial execution of the appended draft legal act (usually within ten days following the meeting of the Committee or the submission of an updated draft for its consideration in the Cabinet of Ministers).

*[22 November 2016]*

169. The Cabinet sittings shall be organised in person, remotely or by means of a survey, using videoconferencing, a conference call, as well as other information technology tools in accordance with the procedures specified by the Prime Minister. The time and venue of Cabinet sittings shall be determined by the Prime Minister. The Cabinet sitting shall be announced by the Director of the State Chancellery on the assignment of the Prime Minister.

*[9 June 2020]*

170. The approved agenda of the sitting of the Cabinet of Ministers and appended draft documents along with respective materials (including letters from natural persons and other institutions on the draft) shall be submitted by the State Chancellery to the e-portfolio system three working days before the respective sitting.

*[22 November 2016]*

171. Officials referred to in Clause 28, Paragraph four of the Law On the Structure of the Cabinet of Ministers, voting participants of the meetings of State Secretaries (Clause 63.1 of this Regulation) and officials invited by the Prime Minister shall participate in the sitting of the Cabinet in the advisory capacity, when regarding specific agenda matters.

*[6 September 2011]*

172. In addition to persons to be invited, the line ministry or another institution shall electronically submit to the State Chancellery an application for the examination of a specific matter on the agenda of the open part of the sitting of the Cabinet of Ministers by specifying the name, surname, position and matter to be examined. The persons to be additionally invited may lodge the matter referred to in Clause 164.1 of this Regulation until the beginning of the sitting of the Cabinet of Ministers.

*[6 September 2011; 22 November 2016]*

173. Persons to be invited to the closed part of the sitting of the Cabinet shall be specified in a covering letter of the submitter or in a letter of the State Secretary of a respective line ministry. Representatives of social partner organisations are authorised to participate in the closed part of the sitting of the Cabinet, where a draft national position is considered, and before the sitting they shall electronically submit to the State Chancellery information about the representative to be invited to the sitting.

174. Upon submitting information to State Chancellery about persons to be additionally invited for consideration of concrete matter at the sitting of the Cabinet, the suitability of their participation shall be evaluated taking into consideration provisions of Clause 28, Paragraph five of the Law On the Structure of the Cabinet of Ministers.

*[6 September 2011]*

175. The submitter shall ensure that persons, on which decision is to be adopted when the sitting of the Cabinet considers a draft legal act on approval of candidates for official positions, their appointment or dismissal, shall be invited to the sitting of the Cabinet.

*[6 September 2011]*

176. The responsible line ministry shall provide details of the agenda, information and respective materials to the person, who is invited to participate in the sitting of the Cabinet for the consideration of a specific matter.

*[6 September 2011]*

177. Invitation to additionally invited persons to participate in consideration of a specific matter of agenda of the sitting of the Cabinet shall be included in agenda of a respective sitting by 10.00 a.m. on the day of the sitting. The registration of invited persons shall be conducted at the room of the sitting of the Cabinet by an official of the State Chancellery. Persons invited to the closed part of the sitting of the Cabinet only participate in consideration of a concrete agenda matter of the sitting of the Cabinet. After finalising consideration of a respective matter, the invited persons shall immediately leave the room of the sitting, and persons who have arrived in order to consider next agenda matter shall be invited in the room. In case of a remote sitting of the Cabinet of Ministers, the persons invited may join (connect to) the meeting only during the examination of the relevant matter and they shall immediately leave the meeting (have to be excluded from it).

*[6 September 2011; 9 June 2020]*

178. *[2 December 2014; 22 November 2016]*

179. *[22 November 2016]*

180. The Prime Minister is authorised to decide in which part of the sitting of the Cabinet — open or closed — the matters shall be concerned.

181. When submitting documents for consideration to the sitting of the Cabinet which contain information that has been marked with an indicator of use restriction “RESTRICTED” or “FOR OFFICIAL USE”, each document (electronic or printed) appended to a covering letter with restriction, shall be marked with special labels as provided by respective laws and regulations on protection of respective information, and the covering letter shall contain information about restrictions on its use.

182. When submitting unrestricted draft documents for their consideration to the sitting of the Cabinet with an appeal to make discussion on those documents in the closed part of the sitting of the Cabinet, the submitter in his/her covering letter shall include justification for this.

183. Draft documents referred to in Sub-clause 2.7 and 2.8 of this Regulation and draft planning documents, informative statements and draft legal acts referred to in Clause 181 of this Regulation and containing information which has been marked with an indicator of use restriction “RESTRICTED”, shall be considered at the closed part of the sitting of the Cabinet, unless the responsible line ministry has specified that the draft document should be considered at the open part of the sitting of the Cabinet.

184. The sitting of the Cabinet, after specifying its agenda and length, shall be chaired by the Prime Minister or a person who acts for him/her in line with provisions set forth in laws and regulations (hereinafter — Chair of the sitting of the Cabinet).

185. [23 February 2010];

186. If a person invited to the sitting of the Cabinet disturbs the orderly procedure of the sitting, the Chair of the Cabinet sitting may expel the person from the sitting’s room.  
*[23 February 2010]*

187. The minutes of the sitting of the Cabinet of Ministers shall be recorded by the Director of the State Chancellery or an official authorized by him/her. The minutes of the sitting shall include persons who participated in the sitting and spoke about a respective matter, as well as the decisions and voting results (in case of a vote). The minutes of the Cabinet sitting shall also indicate that a member of the Cabinet of Ministers, due to the restrictions specified in regulatory enactments, as well as for ethical or other reasons, refuses to participate in the taking of a decision, and shall ask the relevant Cabinet member not later than the day following the Cabinet sitting to submit a written justification to be appended to the minutes of the sitting.  
*[22 November 2016]*

188. The State Chancellery shall perform audio recording of the open and closed part of the sitting of the Cabinet. The audio recordings are performed, stored and used in conformity with Chapter XIV<sup>1</sup> of this Regulation. The State Chancellery shall ensure the live broadcasting of the open part of the sitting of the Cabinet of Ministers on the website of the Cabinet of Ministers.  
*[23 February 2010; 6 September 2011; 22 November 2016]*

189. [23 February 2010];

190. Decisions of the sitting of the Cabinet shall be adopted according to the procedures set forth in the Law “On the Structure of the Cabinet of Ministers”. If votes are equally divided (“vote-for” equal to “vote-against” and “refrain”) a decisive vote belongs to the Chair of the sitting of the Cabinet.  
*[23 February 2010; 22 November 2016]*

190.1. If, during the preparation of the draft agenda of the Cabinet sitting, the State Chancellery finds the absence of a quorum of Cabinet members on the day and time scheduled for the meeting, the State Chancellery shall inform the Prime Minister thereof and the Prime Minister shall decide on the postponing of the beginning of the meeting or the day of the meeting. If it is not possible to postpone the beginning of the meeting or the day of the meeting to another time or day, and it is necessary to convene the Cabinet sitting on the scheduled day and time, the Prime Minister shall take a decision regarding the convening of the sitting, by determining individual Cabinet members, who may exceptionally participate in the sitting in a way that differs from other Cabinet members.

190.2. If a Cabinet sitting is convened, which, in accordance with the decision of the Prime Minister, is attended by a Cabinet member in a way that differs from other Cabinet members, additional matters shall be included in the approved agenda of the Cabinet sitting not later than two hours before the sitting.

190.3. The Cabinet members, who, in accordance with the decision of the Prime Minister, participate in a sitting in a way that differs from other Cabinet members, not later than an hour before the beginning of the sitting, shall express their views on all matters on the agenda (on each item separately or on the agenda section as a whole), in the 'Remarks' field of the e-portfolio system and, if possible, follow the live broadcasting of the Cabinet sitting.

190.4. The State Chancellery shall collect the views of the Cabinet members who, in accordance with the decision of the Prime Minister, participate in a sitting in a way that differs from other Cabinet members, and shall inform the chair of the Cabinet sitting. The chair of the Cabinet sitting shall inform at the sitting which Cabinet members shall participate in the sitting in a way that differs from other Cabinet members, as well as regarding the views of these Cabinet members regarding the matters included on the agenda of the sitting.

190.5. Wherever necessary, during the Cabinet sitting, the State Chancellery shall organise communication with a Cabinet member who participates in a Cabinet sitting in a way that differs from other Cabinet members.

190.6. If, in a Cabinet sitting, where a Cabinet member, in accordance with the decision of the Prime Minister, participates in a way that differs from other Cabinet members, some agenda matter is being discussed and requires a vote, the State Chancellery shall, on behalf of the head of the Cabinet, swiftly organise communication with this Cabinet member. In the event the communication fails, the chair of the Cabinet sitting shall, if possible, suspend the examination of the matter.

190.7. The State Chancellery shall provide information regarding the participation of these Cabinet members in the sitting in the minutes of the Cabinet sitting (Clause 190.4 of this Regulation) with an additional note according to the type of different participation.

190.8. Wherever necessary to convene an extraordinary Cabinet sitting regarding a specific event, in relation to which it is necessary to immediately take a Cabinet decision, but which does not need to be discussed, a conceptual decision or a vote and the opinions of ministries have not been necessary, the Prime Minister may, in the exceptional case, in the light of the considerations of expediency, ask the State Chancellery to organise the sitting of the Cabinet of Ministers in a form of a survey, by clarifying the views of the members of the Cabinet regarding the matter to be examined at the meeting and without inviting the members of the Cabinet to participate in the meeting in person or remotely.

190.9. If an extraordinary sitting of the Cabinet of Ministers is organised in a form of a survey (Clause 190.8 of this Regulation), an additional note 'was held in a form of a survey', as well as the participants and the decision taken in accordance with the results of the survey shall be indicated in the minutes.

190.10. In case a Cabinet member, in accordance with the decision of the Prime Minister, participates in the Cabinet sitting in a way that differs from the participation of other Cabinet members or an extraordinary Cabinet sitting is held in a form of a survey, the State Chancellery shall ensure that opinions of Cabinet members are recorded accordingly.

[22 November 2016; 9 June 2020]

191. In case of postponing the consideration of a draft included in the agenda of the sitting of the Cabinet upon an initiative of the Chair of the sitting, submitter or any other member of the Cabinet of Ministers, the Chair of the sitting shall specify the term for consideration of the matter.

192. If the sitting of the Cabinet rejects the draft, the State Chancellery removes the control over the draft, and, if needed, resumes the control over fulfilment of task, also setting a deadline for task — a month counting from the date of the sitting, and notifies the submitter.

193. If a member of the Cabinet of Ministers has any objections or additional considerations on a matter addressed at the sitting of the Cabinet, he/she shall communicate them during the consideration of a respective matter at the sitting of the Cabinet, prepare objections or additional considerations in a written form and by the end of the sitting submit them to the Director of the State Chancellery. The State Chancellery shall ensure that an individual opinion of a Cabinet member submitted in writing is included in the minutes of the sitting of the Cabinet.

[23 February 2010]

194. A draft legal act or other document shall be adopted at the sitting of the Cabinet of Ministers or supported accordingly only in the case where the text thereof has been drawn up and prepared for signature or sending to the addressee. If the text requires clarification, which is not of an editorial nature, or clarifications need to be agreed, the relevant draft or document shall not be supported and the Cabinet of Ministers shall decide on the course of its further examination in the Cabinet of Ministers.

[22 November 2016]

195. During the sitting of the Cabinet, the Chair shall precisely define proposals expressed and accepted during the debates for their recording in the sitting's minutes.

196. If a draft planning document, an informative statement or a draft legal act require amendments decision on which has not been passed during the sitting of the Cabinet and which have not been recorded in the minutes of the sitting of the Cabinet, or a draft needs to be harmonised with respective ministries or other institutions, the draft shall not be approved (adopted). The rejected draft shall be updated and submitted for repeated consideration to the sitting of the Cabinet within two months, if not otherwise decided during the sitting. On the next day following the deadline, the State Chancellery shall send through *DAUKS* a reminder on non-fulfilment of the task.

196.1. If the draft legal act has been examined, in accordance with this Regulation, at the Cabinet sitting as a matter of the Cabinet of Ministers or a matter of urgency and adopted or accordingly supported, the State Chancellery shall ensure the legal and editorial execution thereof within five working days, unless otherwise specified in the minutes of the Cabinet sitting.

[22 November 2016]

197. If a draft planning document, an informative statement or draft legal act is approved (adopted) by the sitting of the Cabinet assigning to make specific amendments, the submitter within a week after the sitting of the Cabinet, during which the draft was approved (adopted), unless otherwise specified, shall update the draft according to the decisions passed during the sitting and submits the updated draft to the State Chancellery. On the next day following the deadline, the State Chancellery shall send through *DAUKS* a reminder on non-fulfilment of the task.

198. During the sitting of the Cabinet, a member of the Cabinet of Ministers can ask that following the processing of final editorial of draft protocol decision the State Chancellery endorses with him/her the sitting's draft protocol decision on any matter considered at the sitting of the Cabinet.

199. The minutes of the sitting of the Cabinet shall be signed by the Chair of the sitting of the Cabinet and by the Director of the State Chancellery. If the sitting of the Cabinet has several Chairs, each of them shall sign the minutes. The signed minutes of the sitting of the Cabinet shall be immediately submitted by the State Chancellery in the *e-portfolio* system.

200. Within two working days after the submission of minutes of the sitting of the Cabinet in *e-portfolio* system, members of the Cabinet of Ministers are allowed to submit to the Director of the State Chancellery the written objections on the content of the minutes, and include precise wording of the amendment to the protocol decision. The mentioned objections shall be considered in the next Cabinet sitting.

201. The State Chancellery shall remove the control over a draft planning document, an informative statement or a draft legal act, and, if needed, resumes the control over fulfilment of task, also setting a deadline for task — a month counting from the date of the sitting of the Cabinet, and shall notify the responsible line ministry:

201.1. [22 November 2016]

201.2. if within six months after the receipt of resolution of the Prime Minister, the implementation of provisions necessary for further advancement of draft has not been ensured.

#### **XIV.<sup>1</sup> Performing, Storing and Using the Audio Recordings of the Sittings of the Cabinet, Meetings of the Committee and Meetings of State Secretaries**

[23 February 2010; 6 September 2011]

201.<sup>1</sup> The purpose of audio recording of the sittings of the Cabinet, meetings of the Committee and meetings of State Secretaries is to fix the procedure of the sitting, debates and to ensure that every person who has presented an opinion and his/her statement is recognizable. If necessary, the audio recording is used to update a draft protocol resolution, assess the validity of the objections, as well as clarify the arguments used in decision-making process.

[6 September 2011]

201.<sup>2</sup> To ensure that the audio recording complies with the objective mentioned in Clause 201.<sup>1</sup> of this Regulation:

201.<sup>2</sup> 1. the voting participant and other person who is willing to present an opinion on certain issue of the agenda takes the floor only upon the invitation of the Chair of the sitting. The Chair invites to express an opinion by mentioning name, surname and position of a respective person;

201.<sup>2</sup> 2. if the Chair of the meeting has not mentioned name, surname and position of a voting participant or other person, the person himself/herself shall mention his/her name, surname and position before taking the floor. This requirement shall also apply to any other repeated presentation by respective person during respective sitting on the same or other matter;

201.<sup>2</sup> 3. the voting participants, the Director of the State Chancellery, and the Deputy Director shall turn on a microphone at a respective work place before taking the floor. Other persons shall speak only from the place where the microphone is available.

[6 September 2011]

201.<sup>3</sup> If a voting participant or other person fails to comply with requirements laid down in Clause 201.<sup>2</sup> of this Regulation, the Chair of the meeting or the Director of the State Chancellery

is entitled to interrupt the speaker to ensure that he/she mentions his/her name, surname, position and uses the microphone.

201.<sup>4</sup> The State Chancellery shall perform a separate audio recording for the open and closed part of the meetings of State Secretaries, meetings of the Committee and the sittings of the Cabinet, save in the information carriers and transfer to the Archive of the State Chancellery.  
*[6 September 2011]*

201.<sup>5</sup> In order to become familiar with audio recording of the open part of the meetings of State Secretaries, meeting of the Committee and the sittings of the Cabinet, a written application shall be submitted to the State Chancellery. After receiving an approval of the State Chancellery it is possible to listen to audio recording in the premises of the State Chancellery, receive electronically a note indicating a link to the audio recording. The audio recording shall not be processed according to a user's needs.  
*[6 September 2011]*

201.<sup>6</sup> In order to familiarize oneself with audio recordings of closed parts of the sitting of the Cabinet, which contain restricted use information, a written application shall be submitted to the State Chancellery, subject to procedure laid down in the Freedom of Information Law concerning requests for information. After receipt of the approval by the State Chancellery, it is possible to listen to a recording of respective matter in the premises of the State Chancellery or audio recording shall be sent to the applicant pursuant to procedure for flow of restricted information set out in the regulatory acts.  
*[6 September 2011]*

201.<sup>7</sup> The audio recordings of closed parts of the sitting of the Cabinet containing objects of national secret shall be stored and used under laws and regulations that stipulate protection of objects of national secret.  
*[6 September 2011]*

## **XV. Processing, Signing and Publishing of Decisions of the Cabinet of Ministers**

202. Decisions adopted during the sitting of the Cabinet or tasks assigned to individual line ministries, other institutions or officials shall be recorded in the sitting's minutes and they come into effect from the moment of adopting the decision, unless otherwise indicated in the decision.

203. Before signing a legal act which has been approved (adopted) by the Cabinet of Ministers, only amendments which have been decided by the sitting of the Cabinet can be introduced to the text, as well as it can include corrections (updates) pertaining to the mentioned amendments.

204. The State Chancellery shall ensure the transfer of the draft document that has been adopted or supported at the Cabinet sitting to the relevant submitter.  
*[22 November 2016]*

205. A planning document which has been approved by the sitting of the Cabinet shall be signed by its submitter.  
*[2 December 2014]*

206. Regulations, instructions, recommendations and orders adopted by the sitting of the Cabinet of Ministers shall be signed successively by a respective member of the Cabinet of Ministers (second signature), who has submitted the draft legal act for consideration at the sitting of the Cabinet of Ministers, and the Prime Minister (first signature).  
*[22 November 2016]*

207. *[22 November 2016]*

208. If a submitter of a draft legal act does not participate in the sitting of the Cabinet, a legal act which has been passed by the Cabinet of Ministers instead of the respective Minister shall be signed (second signature) by a Minister who acts for him/her on a respective day of the sitting of the Cabinet.

209. If a draft legal act has been submitted for consideration to the Cabinet of Ministers by the Prime Minister, then the Cabinet of Ministers during its sitting shall take a decision on which Minister shall sign (second signature) a respective legal act, and a respective record with regard to this shall be included in minutes of the sitting of the Cabinet.

210. The State Chancellery usually within three working days after the sitting of the Cabinet, unless otherwise specified in the minutes of the Cabinet of Ministers, shall electronically send to the *Saeima* the following documents: a draft law (in cases referred to in this Regulation – also the text of an international agreement) which has been approved by the sitting of the Cabinet and its annotation or the draft decision of the *Saeima* and its annotation enclosing an extract of the minutes of the sitting of the Cabinet together with a covering letter signed by the Prime Minister, as well as a letter of the Cabinet of Ministers signed by the Prime Minister to the *Saeima* together with extract of the minutes of the Cabinet sitting. The submitter shall sign the draft law and its annotation and a draft decision of the *Saeima* and its annotation before sending to the *Saeima*.

[23 February 2010; 30 September 2014]

211. Regulations, instructions and recommendations of the Cabinet of Ministers shall be dated according of their adoption. Orders of the Cabinet of Ministers shall be dated according to the date of their signing.

212. The State Chancellery shall, within one working day after signing thereof, send through the DAUKS system the legal act issued by the Cabinet of Ministers, as well as planning document supported by the Cabinet of Ministers and legal act approving such document for publication of the official publication *Latvijas Vēstnesis*. The issuer of the official publication *Latvijas Vēstnesis* shall ensure publication usually within two working days after receipt of the aforementioned documents.

[2 December 2014]

212.<sup>1</sup> The State Chancellery shall, within one working day after signing thereof, electronically send to the Interdepartmental Co-ordination Centre the planning document supported by the Cabinet of Ministers and legal act approving such document so it would be published in the information system “Database of policy planning documents”.

[2 December 2014]

213. [22 November 2016]

214. The State Chancellery shall ensure that the legal act, planning document and legal act approving such document delivered (through the DAUKS system) to be published in the official publication *Latvijas Vēstnesis*, as well as the planning document and legal act approving such document delivered to be published in the information system “Database of policy planning documents” conform to the original. Cross-compliance of the legal act, planning document and legal act approving such document and the legal act, planning document and legal act approving such document received from the State Chancellery through the DAUKS system shall be ensured by the publisher of the official publication *Latvijas Vēstnesis*.

[2 December 2014]

214.<sup>1</sup> [6 September 2011]

215. Submitter of a respective legal act or a ministry, other institution or official indicated in the legal act shall be responsible for enforcement of regulations, instructions, recommendations and orders of the Cabinet of Ministers.

216. If necessary, the submitter of a respective legal act shall present an explanation of a legal act passed by the Cabinet of Ministers.

## **XVI. Orders and Resolutions of the Prime Minister and their Enforcement**

217. For purposes of a specific task, the Prime Minister passes an order on creation of a working group. The order shall include the composition of a working group, issues to be discussed, activities and scheduled tasks. The order can also instruct that materials related to matters of the working group (for instance, minutes of the meetings) shall be submitted to a respective institution.

218. In addition to cases set forth in the Law “On the Structure of the Cabinet of Ministers”, the Prime Minister upon his/her order shall:

218.1. [6 September 2011];

218.2. appoint the Head of the Prime Minister’s Office;

218.3. appoint the Acting Prime Minister who shall act for the Prime Minister if he/she is absent or otherwise obstructed from fulfilling his/her duties;

218.4. appoint the Acting Deputy Prime Minister or Minister if the Deputy Prime Minister or Minister is absent or otherwise obstructed from fulfilling his/her duties;

218.5. assign vacations to the Director of the State Chancellery, the Head of the Prime Minister’s Office and the Head of an institution which is subordinated to the Prime Minister.

[23 February 2010]

219. Prime Minister shall take a decision on advancing the drafts submitted to the Cabinet of Ministers, as well as he/she shall assign tasks to members of the Cabinet of Ministers, the Head of the Prime Minister’s Office, the Director of the State Chancellery and other heads of subordinated public administration institutions.

220. When submitting a draft order of the Prime Minister to the State Chancellery, the submitter shall attach a covering letter in conformity with a model covering letter provided in Annex 5 of this Regulation and append documents in line with Annex 6 to this Regulation. A submitter or a head of the institution subordinated to the Prime Minister shall submit the Prime Minister’s draft order to the State Chancellery only through DAUKS system.

[23 February 2010; 22 November 2016]

221. [23 February 2010];

222. The State Chancellery shall prepare draft order of the Prime Minister for its signing. Order of the Cabinet of Ministers shall be dated according to the date of their signing.

223. The State Chancellery shall send through DAUKS system the order of the Prime Minister for publishing in the official publication *Latvijas Vēstnesis* within one working day after its signing. The publisher of the official publication *Latvijas Vēstnesis* shall ensure publishing in the official publication *Latvijas Vēstnesis* usually within two working days upon receipt of the order of the Prime Minister. Conformity of the published order of the Prime Minister with the

text of the order received from the State Chancellery through DAUKS system shall be ensured by the publisher of the official publication *Latvijas Vēstnesis*.  
[6 September 2011; 30 September 2014]

224. Ministry, other institution or official indicated in an order of the Prime Minister shall be responsible for fulfilment of tasks assigned by the order.

225. Every official mentioned in the task (resolution) shall be responsible for the fulfilment of tasks assigned upon the resolution of the Prime Minister. Official which is listed in task (resolution) as first shall ensure fulfilment of a common task assigned upon the task (resolution).

226. The deadline for the fulfilment of task which has been assigned by an order of the Prime Minister is one month from the date of signing the order, unless other deadline is specified in the respective order. A proposal on the amendment of the deadline indicated in the order of the Prime Minister shall be presented to the State Chancellery in a form of a draft order of the Prime Minister.

227. The deadline for fulfilment of a task which has been assigned upon a resolution of the Prime Minister is 10 working days from the day of receipt of the respective resolution, unless any other deadline is provided in the resolution or other external normative act. If additional preparation and harmonisation of a matter is needed, the Prime Minister after considering reasoned request of an addressee of resolution may extend the task's deadline.

[23 February 2010]

228. The deadline for the fulfilment of an urgent task which has been assigned upon a resolution of the Prime Minister is three working days from the day of receipt of the respective resolution, unless any other deadline is provided.

229. The State Chancellery shall assume control only over those tasks assigned upon the Prime Minister's orders and resolutions the fulfilment of which shall be communicated (in a written form) to the Cabinet of Ministers or the Prime Minister or those tasks which include preparation and submission of documents to the Cabinet of Ministers.

230. On the working day following the deadline for the fulfilment of task assigned by an order or resolution of the Prime Minister, the State Chancellery shall send to a responsible official of a ministry a reminder on the non-fulfilment of the task through DAUKS system. Upon receipt of a reminder, the responsible official shall, within five working days, communicate to the State Chancellery the progress of task fulfilment and the reason for non-fulfilment.

231. Following the deadline mentioned in Clause 230 of this Regulation, the State Chancellery shall prepare proposals to the Prime Minister with regard to further progress of a matter and, if necessary, present respective information in the meeting of State Secretaries.

232. Response to the State Chancellery on the fulfilment of a task assigned by an order or resolution of the Prime Minister shall also include the number and date of the finalised document.

233. After consideration of a written proposal of the submitter, the Prime Minister shall decide on termination of control over expired task which was assigned by a resolution of the Prime Minister.

## **XVII. Ensuring Enforcement of Laws and Decision of the *Saeima***

234. The State Chancellery, upon receipt of laws and decisions of the *Saeima*, containing tasks for the Cabinet of Ministers, as well as other documents of the *Saeima* sent for consideration to the Cabinet of Ministers or for informative purposes, shall register them. In order to ensure fulfilment of tasks assigned to the Cabinet of Ministers by laws and decisions of the *Saeima*, the Prime Minister shall instruct a respective member of the Cabinet of Ministers to prepare and submit draft legal act needed for consideration.

235. The Director of the State Chancellery upon assignment of the Prime Minister is entitled to request information from the State Secretary, the head of the secretariat of the Minister for Special Assignments, the head of the Deputy Prime Minister's Office or the head of the public administration authority subordinate to the Prime Minister regarding the fulfilment of tasks referred to in Clause 234 of this Regulation. The information shall be provided within 10 working days after the receipt of the request.

[22 November 2016]

236. The deadline for fulfilment of the tasks mentioned in Clause 234 of this Regulation shall be specified in line with the deadline provided by the law or the decision of the *Saeima*, by which the Cabinet of Ministers shall pass a respective legal act or if the law or the decision of *Saeima* does not provide such a deadline, it shall be set in compliance with deadline of the entry in to force of the law or the decision of the *Saeima*. If additional preparation and harmonisation of a matter is needed, the Prime Minister after considering a reasoned request of a respective member of the Cabinet of Ministers may extend the deadline.

[23 February 2010]

237. The enforcement of a resolution of the Prime Minister or the Director of the State Chancellery shall be ensured by an official who is mentioned first in the resolution, whereas the control should be assumed by the line ministry or the State Chancellery.

238. On the working day following the deadline for enforcement of the resolution of the Prime Minister or the Director of the State Chancellery, the State Chancellery shall send to a responsible official of ministry a reminder on non-fulfilment of the task via DAUKS system. Upon receipt of a reminder, the responsible official shall, within five working days, communicate to the State Chancellery the progress of the task fulfilment and the reason for non-fulfilment.

239. Following the deadline mentioned in Clause 238 of this Regulation, the State Chancellery shall prepare proposals to the Prime Minister with regard to further progress of a matter and, if necessary, present respective information in the meeting of State Secretaries.

## **XVIII. Ensuring the Fulfilment of Tasks Assigned by the Cabinet of Ministers or Documents**

240. Responsibility for the fulfilment of a task assigned by a protocol decision of the meeting of State Secretaries, protocol decision of the sitting of the Cabinet, protocol decision of the meeting of the Committee or legal act of the Cabinet of Ministers shall be assumed by the line ministry, other institution or official which is mentioned first, unless otherwise stated in a respective document.

241. The State Chancellery shall assume control only over those tasks the fulfilment of which shall be notified (in a written form) to the Cabinet of Ministers or the Prime Minister or those tasks which include preparation and submission of documents to the Cabinet of Ministers.

242. Deadline for a task assigned by a protocol decision of the meeting of State Secretaries (except for tasks related to announcement of the notified drafts) shall be two months after the date of the meeting of State Secretaries unless other date is specified.

243. Deadline for tasks assigned by a protocol decision of the meeting of the Committee, protocol decision of the sitting of the Cabinet and legal act of the Cabinet of Ministers shall be two months unless other deadline is specified.

244. Proposal for the amendment of deadline specified in protocol decision of the sitting of the Cabinet or legal act of the Cabinet of Ministers shall be presented in a form of respective draft legal act. Decision on the amendment of deadline for the fulfilment of the task assigned by protocol decision of the meeting of the Committee shall be adopted by the Prime Minister after considering a written proposal by a member of the Cabinet of Ministers.

245. In order to ensure the fulfilment of tasks assigned by the Cabinet of Ministers and protocol resolutions of the meeting of State Secretaries, the head of the secretariat of the Minister for Special Assignments, the head of the Deputy Prime Minister's Office or the head of the public administration authority subordinate to the Prime Minister, the Director of the State Chancellery upon an assignment by the Prime Minister are entitled to request information from the State Secretaries on the fulfilment of the assigned tasks. Information shall be presented within 10 working days after the receipt of the request.

*[22 November 2016]*

246. On the working day following the deadline for the fulfilment of task, the State Chancellery shall send to a responsible official of a line ministry a reminder on the non- fulfilment of the task through DAUKS system. Within five working days upon receipt of a reminder, the responsible official shall inform the State Chancellery about fulfilment of the task or in accordance with Clauses 226, 227 and 244 of this Regulation shall prepare proposals for the amendment of the deadline.

247. Following the deadline mentioned in Clause 246 of this Regulation, the State Chancellery shall prepare proposals to the Prime Minister with regard to further advancement of a matter and, if necessary, present respective information in the meeting of State Secretaries.

248. Response to the State Chancellery on fulfilment of the task assigned by a resolution of the Director of the State Chancellery shall also include the number and date of finalised document.

249. Decision on termination of control over expired tasks or drafts referred to in Clause 16 of this Regulation shall be adopted by the Prime Minister after considering a written proposal of a member of the Cabinet of Ministers or by the Director of the State Chancellery after considering a written proposal of the State Secretary, the head of the secretariat of the Minister for Sepcial Assignments, the head of the Deputy Prime Minster's Office or head of the public adminstration authority subordinate to the Prime Minister.

### **XIX. Meetings of Parliamentary Secretaries**

250. The State Chancellery shall ensure meetings of Parliamentary Secretaries convened and chaired by the Parliamentary Secretary of the Prime Minister. The Parliamentary Secretary of the Prime Minister shall set the date, place and issues to be discussed of the meeting of Parliamentary Secretaries.

251. The minutes of the meeting of Parliamentary Secretaries shall be prepared by an official appointed by the Director of the State Chancellery. The minutes shall contain participants of the meeting, issues discussed and decisions adopted during the meeting.

**XX. Procedures by Which Absence of the Members of the Cabinet of Ministers and Other State Officials Due to a Business Trip, Vacation or Illness is Documented**

252. Not later than three working days before the planned absence, a member of the Cabinet of Ministers (hereinafter — Minister) shall submit an application to the Prime Minister. The application shall specify period and reason for the absence as well as may contain a recommendation for a Minister who will act in his/her place during the absence.

*[6 September 2011]*

253. In case of unplanned absence (e.g., illness), a Minister shall submit his/her absence application to the State Chancellery as soon as possible.

254. In an application for foreign business trip, a Minister shall indicate the purpose of this trip and any matters that he/she will concern. Application shall also contain an official invitation and agenda, as well as indicate officials who will be met during the business trip.

255. The Prime Minister upon his/her order assigns another Minister to perform respective duties upon a request of a Minister who is or will be absent or upon a proposal by the State Chancellery; the Prime Minister may perform duties of the Minister who is on planned absence.

256. After receiving instruction by the Prime Minister for substitution of a Minister during his absence, the Prime Minister shall accordingly prepare a draft order of the Prime Minister as well as inform the Minister who will perform duties of the absent Minister.

257. If due to unexpected reasons, the Minister who is indicated in the order of the Prime Minister cannot act for the absent Minister, he/she shall immediately inform the Prime Minister in writing about this issue. The State Chancellery shall prepare and submit to the Prime Minister a proposal on assigning another Minister who will perform duties of the Minister who is on planned absence.

258. If a Minister who is substituted resumes his duties before the end of absence term which was indicated (if the term was not specified — then after the respective reasons have ended) in order of the Prime Minister, he/she shall immediately inform the Prime Minister about this issue. The State Chancellery, on the basis of provided information, shall prepare a respective draft order of the Prime Minister.

259. The State Chancellery shall prepare draft order of the Prime Minister on vacation or foreign business trip of a member of the Cabinet of Ministers, Parliamentary Secretary of the Prime Minister, Director of the State Chancellery, Head of the Prime Minister's Office and other heads of public administration institutions subordinated to the Prime Minister.

*[23 February 2010; 6 September 2011]*

260. The State Chancellery shall harmonise with the Ministry of Foreign Affairs a draft order of the Prime Minister on foreign business trips (except for a draft order on the foreign business trip of the Minister for Foreign Affairs). The Ministry of Foreign Affairs within 24 hours after signing the Prime Minister's order shall:

260.1. if necessary, prepare memorandums to respective foreign embassies on visas;

260.2. inform the respective diplomatic or consular representation of the Republic of Latvia about planned official foreign business trip and coordinate assistance needed for its organisation and process.

*[23 February 2010]*

261. The State Chancellery shall send the signed order of the Prime Minister to respective line ministries through system DAUKS.

*[22 November 2016]*

262. Within five working days after the end of the foreign business trip, Minister, Parliamentary Secretary of the Prime Minister, Director of the State Chancellery, Head of the Prime Minister's Office and heads of other public administration institutions subordinated to the Prime Minister shall present to the Prime Minister a written report (one copy — to the Minister for Foreign Affairs) on the business trip and its results, also indicating the official representatives he/she met and what issues were discussed during the trip.

*[6 September 2011]*

## **XXI. Closing Provisions**

263. Instruction of the Cabinet of Ministers No. 20 "Procedure for Completing Annotations of Laws and Regulations" of 18 December 2007 shall apply till the passing of instruction mentioned in Clause 4 of this Regulation, but not later than until 1 November 2009, without prejudice to this Regulation.

*[28 July 2009]*

264. Clause 5 of this Regulation shall come into force together with laws and regulations which stipulate planning documents of all levels and types, their content, procedures for their preparation, approval, updating, term of validity, procedures for providing reports, as well as unenforceability procedures.

265. Instruction of the Cabinet of Ministers No 18 "Procedure for Submission to and Consideration in the Cabinet of Ministers of a Draft Policy Planning Document, Draft Legal Act and Informative Statement which According to the Law On State Secret is an Object of State Secret of 6 November 2007 shall apply till the passing of instruction mentioned in Clause 27 of this Regulation, but not later than until 1 July 2009, without prejudice to this Regulation.

266. *[6 September 2011];*

267. Clause 82 of this Regulation governing the procedures for organising a public discussion and Chapter II, Sub-clause 2.3 of Annex 5 shall come into effect together with regulations on the procedures for public involvement in the process of development planning. By the day when aforementioned regulations come into force, the meeting of State Secretaries shall decide on the procedures by which public discussions shall be organised.

268. Procedures set forth in Clause 87 of this Regulation for cancellation of announced drafts in DAUKS system shall come into effect on 1 November 2009. By the above-mentioned term, drafts can be cancelled upon electronically presenting to the State Chancellery information including the date of the meeting of State Secretaries in which the draft was announced, as well as the protocol number, paragraph number and draft's title.

*[28 July 2009 / Amendment to Paragraph shall come into force on 1 July 2009. See Clause 2 of the amendments.]*

269. Requirements set forth in this Regulation with regard to filling out of annotation (section of annotation) and preparation of statement shall not apply to drafts which were declared for their announcement in the meeting of State Secretaries before this Regulation came into force, but not later than until 1 June 2009.

270. Sub-clause 2.7.<sup>1</sup>, Clauses 8.<sup>1</sup>, 61.<sup>1</sup> and 61.<sup>2</sup>, Sub-clause 164.8.<sup>1</sup> and Annex 2, Chapter II, Clause 6.<sup>1</sup> of this Regulation becomes invalid on 1 July 2015.  
*[30 September 2014]*

271. Clause 61 of this Regulation shall not be applied during the term of Presidency, except if the Senior Officials meeting has taken a different decision.  
*[30 September 2014]*

272. Clause 165 of this Regulation shall not be applied also regarding the draft high priority mandates of the Presidency until 30 June 2015.  
*[30 September 2014]*

Prime Minister, Minister for Children,  
Family and Integration Affairs

V. Dombrovskis

Minister for Justice

M. Segliņš

**Information to be Prepared for Succession of Matters of a Cabinet Member**  
*[2 December 2014]*

1. [2 December 2014]
2. [2 December 2014]
3. Information about draft planning documents, draft informative statements and draft legal acts being developed or advanced by the line ministry.
4. Information about proceedings in which the line ministry is involved.
5. Information about the implementation of the budget and about the number of employees during the current year and last three years.

\_\_\_\_\_ (signature of the State Secretary)\*

Note. \* The detail “signature” of the document shall not be filled out if the electronic document has been prepared in conformity with the laws and regulations on the drawing up of electronic documents.

Minister for Justice

M. Segliņš

to  
M

## Action Plan of the Government for the Implementation of the Declaration of the Intended Activities of Ministers [2 December 2014]

Declaration's section and field of activity	Number of the task assigned by the Declaration	Task assigned by the Declaration	Measure of the action plan	Result of the activity	Number of the task of the National Development Plan (hereinafter — the NDP) and the NDP indicator (if applicable)	Responsible institution	Jointly responsible institutions	Execution deadline (dd.mm.yyyy)	Program
1	2	3	4	5	6	7	8	9	

**I. Most important activities of the Cabinet of Ministers** (listed in order of the priority)

<i>Indication of a section or field of activity in accordance</i>		<i>The specific task assigned by the Declaration</i>	<i>Several ministries can prepare one or more (up to five) measures</i>	<i>Indication of the function of line ministries and institutions subordinated</i>	<i>Indication of the number of the NDP task and number of the NDP</i>			<i>Indication of the final deadline of a measure which shall</i>	<i>The shall out accord with</i>
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			by the Declaration	and the final product of the implementation of measures, goods created by the institution and services provided by the institution to external customers provided for in the planning documents					of the of M (herei the Proce 7 Apr provide inform the pr the imple of measu report period
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**II. Other measures to be performed**

According to the Declaration section or field of activity must be indicated		The specific task assigned by the Declaration	Several line ministries can prepare one or more (up to five) measures for the implementation of the same task assigned by the Declaration	Indication of the function of line ministries and institutions subordinated thereto stipulated by the laws and regulations and the final product of the implementation of measures, goods created	Indication of the number of the NDP task and number of the NDP indicator without the text			Indication of the final deadline of a measure which shall not exceed the term of the Cabinet of Ministers	The shall out accor with of the Proce provide inform the pr the imple of meas
-----------------------------------------------------------------------------	--	-----------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------	--	--	-----------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------

				<i>institution to external customers provided for in the planning documents</i>					
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**III. New measures** (if necessary this section shall be filled out within the framework of succession of cases of a member of the Cabinet)

<i>Not applicable</i>	<i>Not applicable</i>	<i>Not applicable</i>	<i>Measure</i>	<i>Indication of the function of line ministries and institutions subordinated thereto stipulated by the laws and regulations and the final product of the implementation of measures, goods created by the institution and services provided by the institution to external customers provided for in the planning</i>	<i>Indication of the number of the NDP task and number of the NDP indicator without the text</i>				
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No.	Policy area	Specific field of policy	Policy sub-area (if any)
1	2	3	4
1.	Foreign policy and general issues of the EU	1.1. Development cooperation 1.2. Institutional issues of the EU 1.3. Issues of the EU enlargement 1.4. International relations 1.5. International and regional organisations 1.6. External security of the country	
2.	Budget and financial policy	2.1. Administration of foreign financial instruments 2.2. Policy of the finance and capital market 2.3. Financial management 2.4. Bookkeeping 2.5. Monetary policy 2.6. Taxation policy 2.7. Policy of state and local government budgets	2.1.1. European and other foreign instruments
3.	Natural resources, agricultural production and processing policy	3.1. Agricultural policy 3.2. Forest policy 3.3. Fishery policy 3.4. Food safety and quality 3.5. Animal health policy	3.1 1. Management of animals, cultivation of forest and fish resources
4.	Internal policy	4.1. Rescue and civil security 4.2. Population register 4.3. Migration policy 4.4. Prevention and combating of crimes 4.5. Protection of person's rights and interests 4.6. Social order and security	

		5.2. Construction policy	
		5.3. Energy	5.3.1. Renewable resources
		5.4. Internal market policy 5.5. Development of innovations 5.6. Housing policy 5.7. Protection of consumer rights 5.8. Industry 5.9. Standardisation policy	
		5.10. Structural policy of the national economy	5.10 1. Public partnership
6.	Education and science policy	6.1. Higher education and development of science 6.2. Development of the lifelong learning system 6.3. Development of the vocational education system 6.4. Development of the state language 6.5. Development of the general education system	
7.	Cultural policy	7.1. Copyright policy	
		7.2. Development of culture	7.2 1. Development of archives, architecture, art, theatre, museums, visual arts, publishing, literature, cinematography 7.2 2. Preservation of minority cultural traditions
		7.3. Preservation of cultural heritage	7.3.1. Protection of monuments
		7.4. Cultural education	
8.	Employment and social policy	8.1. Labour policy	8.1 1. Labour market and social dialogue 8.1 2. Minimum wage 8.1 3. Promotion of employment and reduction of unemployment 8.1 4. Labour protection
		8.2. Social security	8.2 1. Social insurance

			8.2 6. Equal rights with special needs
		8.3. Gender equality 8.4. Social inclusion 8.5. Policy of children and family affairs	
9.	Civic society and democracy policy	9.1. Development of the information society	
		9.2. Youth policy	
		9.3. Development of the civic society	9.3.1. Development of NGOs
		9.4. Integration of the society	9.4.1. Minority rights 9.4.2. Promotion of tolerance in the society
		9.5. Development of the voting system	
		9.6. Media policy	
10.	Public administration policy	10.1. Development planning	
		10.2. Development of e-governance	
		10.3. Better regulation policy	
		10.4. Development of the system of planning regions and local governments	
		10.5. Public administration development	10.5.1. Development of human resources 10.5.2. Quality management 10.5.3. Development of services rendered by administration 10.5.4. Government communication
		10.6. State property management	
11.	Regional policy	11.1. Landscape policy	
		11.2. Territorial cooperation in Europe	
		11.3. Regional development	11.3.1. Rural development 11.3.2. Urban development
		11.4. Spatial planning	
		11.5. Land policy	11.5.1. Land management resources

			12.1.6. Ad penalty procedu
		12.2. Criminal law policy	12.2.1. Criminal 12.2.2. Crimina law 12.2.3. Criminal enforcement law
		12.3. Civil law policy	12.3.1. Civil law 12.3.2. Civil pro 12.3.3. Commer
		12.4. Corruption prevention and combating policy 12.5. Judicial system development policy	
		12.6. International law policy	12.6.1. Internati law 12.6.2. Internati law
		12.7. EU law policy	
13.	Transport and communication policy	13.1. Communication policy	13.1.1. communication 13.1.2. Post poli 13.1.3. Inform communication policy
		13.2. Transport policy	13.2.1. Road tra 13.2.2. Railway
			13.2.3. Air trans 13.2.4. Sea trans 13.2.5. Public policy 13.2.6. Transit p
14.	Tourism, sports and leisure activities policy	14.1. Interest education 14.2. Sports policy 14.3. Tourism policy	
15.	Business policy	15.1. Development of commerce 15.2. Development of competitiveness 15.3. Privatisation policy	
16.	Environmental protection policy	16.1. Military education	16.1.1. Devel professional mil

18.	Environmental policy	18.1. Nature protection 18.2. Climate change 18.3. Environmental protection	
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Minister for Justice

## Statement of Objections Expressed in Opinions

(type and title of the document)

### I. Issues on which no agreement was reached during the harmonisation phase

No.	Wording of the draft presented for harmonisation (wording of the specific Clause (Section))	Objection of a line ministry (or other institution) as indicated in the opinion, as well as additional objection on the specific Clause (Section) of the draft	Justification presented by the line ministry in charge concerning its refusal to accept the objection	Objection maintained by the submitter of the opinion if it differs from the justification for the objection included in the opinion
1	2	3	4	5

### Information about inter-ministerial (inter-institutional) meeting or electronic harmonisation

Date

Participants of harmonisation

The line ministries (other institutions) which have not attended the meeting or which have not replied to the invitation to participate in the harmonisation process

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**II. Issues on which agreement was reached during the harmonisation phase**

No.	Wording of the draft presented for harmonisation (wording of the specific Clause (Section))	Objection of a line ministry (or other institution) as indicated in the opinion, as well as additional objection on the specific Clause (Section) of the draft	Indication of the responsible line ministry that the objection was taken into account or information concerning the alternative solution selected in the harmonisation phase
1	2	3	4

The official in charge \_\_\_\_\_  
(signature)\*

Note. \* The detail “signature” of the document shall not be filled out if the electronic document has been prepared in conformity with the regulations on the drawing up of electronic documents.

\_\_\_\_\_  
(first name and surname of the official in charge of the draft)

\_\_\_\_\_  
(title)

\_\_\_\_\_  
(phone and fax number)

## Sample Covering Letter

[23 February 2010; 6 September 2011; 30 September 2014; 2 December 2014; 2  
2016 / See Clause 270 of this Regulation]

Rīga

... No.

About the draft.....

To the State Chancellor

Based on the Cabinet Regulation No 300 “Rules of Procedure of the Cabinet of Ministers” of 7 April 2009, ..., I shall submit a draft .... for consideration (at the meeting of State Secretaries, meeting of the Committee and the sitting of the Cabinet of Ministers)

1.	Justification of submission	<i>Reference to the Declaration of the Intended of the Cabinet of Ministers and number of the task in the action plan, legal act or planning document (date of approval, number and specific Clause), to the resolution (date, number and paragraph of the meeting of State Secretaries, the meeting of the Cabinet Committee or the sitting of the Cabinet of Ministers, the Prime Minister’s resolution (number) or order (date of approval, number and Clause) if the submitted document has been approved in accordance with the tasks assigned in the document referred to above.</i>
2.	Date and number of the State Secretaries’ meeting	<i>If the draft has been announced at the meeting of State Secretaries, the date of the State Secretaries’ meeting, number of the minutes on which the draft is announced and registration number of the notified document (number).</i>
3.	Information about harmonisations	<i>Information about the line ministries and other institutions which were involved in the harmonisation process with whom the draft has been harmonised and whose objections no agreement has been reached. The type of harmonisation applied shall be specified.</i>

4.	Information about harmonisation with the EU bodies	<p><i>Information about harmonisation with the European Commission — draft legal acts which are to be submitted to the Ministry of Economics under the procedures by which technical regulations are harmonised.</i></p> <p><i>Information about harmonisation with the Central Bank — draft legal acts which are to be submitted to the Ministry of Finance under the procedures by which financial regulations are harmonised.</i></p>
5.	Policy area	<p><i>According to the classification of policy areas in Annex 3 to this Regulation, a policy area shall be indicated for all draft development planning documents, informative statements, as well as draft legal acts. If a draft covers several areas, all of them shall be indicated.</i></p>
6.	Responsible official	<p><i>First name, surname and title of the official responsible for the progress of the draft shall be indicated.</i></p>
7.	Persons to be invited	<p><i>When the usefulness of participation has been established as indicated in Section 28, Paragraph five of the Law “On the Structure of the Cabinet of Ministers”, the name, surname, title, name of the line ministry and the institution represented by the person to be invited shall be indicated.</i></p>
8.	Status of restricted use of a draft	<p><i>It shall be indicated whether the draft and the document have the status of restricted-use document. If the status of restricted-use document is assigned to the document, the following information shall be indicated:</i></p> <ol style="list-style-type: none"> <li><i>1) justification for such a status (how does the provision of the law apply to the document in question)</i></li> <li><i>2) whether the restriction regarding the document remains valid after consideration of this matter by the Cabinet of Ministers and the term for restriction</i></li> <li><i>3) the restriction for use also to the list of institutions attached to the covering letter.</i></li> </ol> <p><i>It shall be specified whether the title of the document needs to be or does not need to be reflected on the agenda of the Cabinet sitting.</i></p> <p><i>Institutions to which the adopted legal act shall be sent after signing shall be indicated.</i></p>

		<i>placed in the public section of the e-portfolio. The time when the decision is taken, and that the Ministry will make the decision public on its website following the adoption of the decision.</i>
9.	Other information	<p><i>Information concerning a person's or institution's or ministry's authorisation to participate in the working group or committee.</i></p> <p><i>Information concerning related draft development planning documents, as well as statements that shall be simultaneously considered at the sitting of the Cabinet of Ministers.</i></p> <p><i>Where a joint annotation is produced, it shall be indicated to which draft legal act the joint annotation is attached.</i></p> <p><i>Where a joint statement is drawn up, it shall be indicated to which draft legal act the joint statement is attached.</i></p>
10.	Relationship with the establishment of an emergency situation or the state of exception in the State	<p><i>Reference to the relevant norm of the Constitution of the Republic of Latvia, the Emergency Situation and State of Exception Act.</i></p> <p><i>This row shall be completed only when the draft is submitted in relation to the establishment of an emergency situation or the state of exception in the State.</i></p>
11.	Justification of a matter of the Cabinet of Ministers	<p><i>A justification shall be provided as to why the matter should be examined at the sitting of the Cabinet of Ministers as a matter of the Cabinet of Ministers.</i></p> <p><i>This row shall be completed only when the matter of the Cabinet of Ministers is submitted.</i></p>
12.	Justification for an urgency procedure	<p><i>A justification shall be provided as to why the matter should be examined at the sitting of the Cabinet of Ministers under the urgency procedure.</i></p> <p><i>The consequences that will arise if the matter is not examined and addressed immediately shall be indicated.</i></p> <p><i>This row shall be completed only when the matter is submitted under the urgency procedure.</i></p>
13.	Reasons for failure to submit the draft in due time	<p><i>The time when the task became known, the time when its execution, the progress of the measure shall be indicated.</i></p> <p><i>The circumstances which impeded timely execution and submission of the matter shall be indicated.</i></p> <p><i>This row shall be completed only when the matter is submitted.</i></p>

Appended\*:

1. ...

2. ...

Submitter

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(signature)\*\* Name, surname

Surname, phone number, e-mail adress of the drafter

**Annex 6**

to the Cabinet

No. 300 of 7 A

**Documents to be Appended to the Covering Letter (Annexes)**

*[22 November 2016]*

1. When a draft legal act is submitted for consideration at the meeting of State Se following documents shall be appended to its covering letter:

1.1. draft legal act;

1.2. annotation;

1.3. draft letter of authorization (when submitting an international treaty or

1.4. confirmations by line ministries and other institutions indicating that the act has been harmonised. Where a draft has been harmonised by default, it shall be the covering letter;

1.5. statement;

1.6. opinion of the European Commission — under the procedures by which regulations are harmonised;

1.7. opinion of the European Central Bank – under the procedures by which regulations are harmonised;

1.8. relevant documents which certify lawfulness of the provisions of the o (for instance, ownership documents, decision of the local government on its conse possession of real estate) and which are required for adoption of a decision;

2. When a draft planning document and the draft legal act or an informative (Clause 59 of the this Regulation) are submitted for consideration to the meeting of Committee or the sitting of the Cabinet of Ministers, the following documents shall to the covering letter:

2.1. draft planning document or an informative statement (Clause 59 Regulation);

2.2. draft legal act;

2.3. opinions or confirmations of the line ministries and other institutions in the draft planning document or informative statement has been harmonised. Where been harmonised by default, it shall be indicated in the covering letter.

3.3. other documents to be additionally submitted in line with the minutes of the State Secretaries.

4. When a draft legal act is submitted for consideration to the sitting of the Cabinet without consideration thereof at the meeting of State Secretaries and the meeting of the Committee (except for draft legal acts specified in Clause 5 of this Annex), the documents shall be appended to the covering letter:

4.1. draft legal act;

4.2. annotation;

4.3. draft letter of authorization (when submitting an international treaty or

4.4. opinions or confirmations by the line ministries and other institutions in the draft legal act has been harmonised. Where a draft has been harmonised by default, it shall be indicated in the covering letter.

4.5. statement;

4.6. opinion of the European Commission — under the procedures by which regulations are harmonised;

4.7. opinion of the European Central Bank – under the procedures by which regulations are harmonised;

4.8. relevant documents which certify lawfulness of the provisions in the draft (for instance, ownership documents, decision of the local government on its consent to possession of real estate) and which are required for adoption of a decision;

4.9. a letter or other document by which the relevant person has been asked to participate or agrees to participate in the working group, advisory council or commission. If the person is not a representative of the line ministry submitting a draft legal act, - the information specified in this Section for the draft Cabinet order regarding the personnel of the working group, consultative council or commission (if the aforementioned information is not in the covering letter, it is not necessary to append the documents specified in this Section).

5. When a draft legal act referred to in Clause 73 of this Regulation is submitted for consideration to the Cabinet of Ministers, the following documents shall be appended to the covering letter:

5.1. draft legal act;

5.2. annotation. The annotation shall not be appended if the following documents have been submitted:

5.2.1. draft order of the Cabinet of Ministers on the establishment of advisory councils, commissions or working groups;

5.2.2. draft order of the Cabinet of Ministers on granting the citizenship of the Republic of Latvia to the naturalisation procedure or a permit or refusal to maintain the citizenship of the Republic of Latvia or other country;

5.3. information signed by the Head of the Naturalisation Board — to accompany the draft order of the Cabinet of Ministers on granting citizenship under the naturalisation procedure or refusal to keep the citizenship of the Republic of Latvia or other country;

5.4. opinions and confirmations of line ministries and other institutions in the draft order has been harmonised in accordance with Clause 111 of this Regulation. Where a draft has been harmonised by default, it shall be indicated in the covering letter. Other documents shall be appended to the draft order of the Cabinet of Ministers on the establishment of the working group, advisory council or commission by which the relevant person

Personal Data (first name, surname, education, work experience, language skills), — to a draft order of the Cabinet on approval of candidates for a post, appointment of officials, attribution of a special rank, conferring Certificates of Recognition of the Ministers or awards of the Cabinet of Ministers. In case of a draft order of the Cabinet on conferring Certificates of Recognition or award of the Cabinet of Ministers the curricula shall also provide person's date of birth and address;

5.6. decision of competition's committee if such a competition is provided for in respective laws and regulations;

5.7. decision of the Awards Committee of the Cabinet of Ministers — to the Cabinet of Ministers on conferring Certificates of Recognition or award of the Cabinet of Ministers.

6. When a draft national position is submitted for consideration to the meeting of the Secretaries or to the Cabinet of Ministers, the following documents shall be appended to the covering letter:

6.1. draft national position;

6.2. draft protocol resolution of the Cabinet sitting by specifying at least the following information:

6.2.1. national positions to be approved (title, number);

6.2.2. authorisation for an official to represent the Republic of Latvia in cases stipulated in the relevant laws and regulations on the coordination and harmonisation, approval and updating of national positions;

6.3. informative statement. Where several draft national positions are submitted, an informative statement shall be submitted, including only generally available information.

7. When a draft position regarding cases considered by the Court of Justice of the European Union and the EFTA Court is submitted for consideration to the Cabinet of Ministers, the following documents shall be appended to the covering letter:

7.1. draft position;

7.2. draft protocol decision of the sitting of the Cabinet by specifying the following information:

7.2.1. title of the position to be approved (number of case, parties);

7.2.2. authorisation for an official to represent the Republic of Latvia in the proceedings, if necessary;

7.3. draft letter of authorisation in cases stipulated in the relevant laws and regulations on the development and approval of positions.

8. When a draft position regarding the pre-trial process of the infringement procedure in Articles 258, 259 and 260 of the Treaty on the Functioning of the European Union is submitted for consideration to the Cabinet of Ministers, the following documents shall be appended to the covering letter:

8.1. draft position;

8.2. draft protocol decision of the sitting of the Cabinet including:

8.2.1. an assignment for the responsible line ministry to develop a draft legal act in due time and submit it to the Cabinet of Ministers if prevention of the infringement procedure requires development of such a draft legal act;

against other member state of the European Union, if Latvia has initiated process of the infringement procedure provided in Article 259 of the Treaty on the Functioning of the European Union against other member state of the European Union.

8.3. informative statement in cases stipulated in the relevant laws and regulations on development and approval of positions.

8.4. copy of the formal notice or reasoned opinion of the European Commission.

9. When a draft national position on international law matter is submitted for consideration to the Cabinet of Ministers, the following documents shall be appended to the covering letter:

9.1. draft national position;

9.2. draft protocol decision of the sitting of the Cabinet of Ministers in connection with the national position to be approved and, if necessary, authorisation for an official representative of the Republic of Latvia in the respective institution of the international organisation;

9.3. draft letter of authorisation, if necessary.

10. When a draft document to be submitted to the court is submitted for consideration to the Cabinet of Ministers, the following documents shall be appended to the covering letter:

10.1. draft document to be submitted to the court;

10.2. draft protocol decision of the sitting of the Cabinet of Ministers by which the Prime Minister assigns for the responsible line ministry to authorize a representative (representatives) to appear at court or for the responsible line ministry or the Cabinet of Ministers – a representative (representatives) at Constitutional Court;

10.3. opinions or confirmations of the line ministries and other institutions indicating that the document to be submitted to the court has been harmonised. Where a draft has been harmonised by default, it shall be indicated in the covering letter.

10.4. draft letter of authorisation, if necessary.

11. When a draft letter of the Cabinet of Ministers is submitted for consideration to the Cabinet of Ministers, the covering letter shall be accompanied by:

11.1. draft letter of the Cabinet of Ministers;

11.2. draft protocol decision of the Cabinet sitting if further actions of the line ministries are envisaged with regard to the matters specified in the letter;

11.3. opinions and confirmations of line ministries and other institutions indicating that the order has been harmonised. Where a draft has been harmonised by default, it shall be indicated in the covering letter.

12. When a draft order of the Prime Minister is submitted to the State Chancellery, the covering letter shall be accompanied by:

12.1. draft legal act;

12.2. letter or other documents by which a person is authorised to participate in a working group if this person is not a representative of the ministry, — to a draft order on the working group (where the aforementioned order is presented in the covering letter, the documents referred to in this sub-clause shall be appended).