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

21 May 2020 [shall come into force on 5 June 2020];

21 April 2022 [shall come into force on 4 May 2022].

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

The *Saeima*1 has adopted and

the President has proclaimed the following law:

**Punishment Register Law**

**Chapter I General Provisions**

**Section 1.**

The purpose of this Law is to establish a uniform record-keeping regarding persons who have committed criminal offences and administrative violations in order to facilitate the prevention and disclosing of such offences and violations, as well as regarding control of execution of the punishment and restriction of the rights imposed on a person for the committed offences and violations.

**Section 2.**

The Punishment Register (hereinafter — the Register) is a State information system, the manager and keeper of which is the Information Centre of the Ministry of the Interior.

**Section 3.**

The information included in the Register is restricted access information.

**Chapter II. Information to be Included in the Register**

**Section 4.**

The following information shall be included in the Register regarding the person against whom criminal proceedings have been initiated:

1) the given name(s) and surname of the person, as well as the previous given name and surname, if the previous given name or surname is known;

2) the personal identity number or personal identification code (if no personal identity number has been assigned, the date of birth shall be included), and also the previous personal identity number or personal identification code, if changed;

3) father's given name;

4) the place of birth;

5) sex;

6) nationality and its type;

7) the place of residence (declared, additional address, registered, or specified);

8) the criminal case reference number in pre-trial criminal proceedings;

9) the legal classification of the criminal offence;

10) the start date of criminal proceedings, the name of the authority and unit (hereinafter — the authority) that initiated the criminal proceedings;

11) the date as of which the person shall be deemed a person against whom criminal proceedings have been initiated;

12) the date of committing the criminal offence;

13) the name of the authority, in the record-keeping of which the criminal case is filed;

14) the Section, Paragraph, and Clause of the Criminal Procedure Law and of the Criminal Law serving as the grounds for the termination of the criminal proceedings (termination in a part thereof), the name of the authority which took the decision to terminate the criminal proceedings (to terminate in a part thereof), the date when the decision to terminate the criminal proceedings (to terminate in a part thereof) was taken, and also a note whether the criminal proceedings have been terminated (terminated in a part thereof) on the grounds of exoneration (on the grounds other than exoneration);

15) the date when personal data have changed and the new data, as well as information regarding any other updates in the Register;

16) the date when the person died or the court declared the person dead

[*21 April 2022*]

**Section 5.**

In respect of a person detained as part of the criminal proceedings, in addition to the information referred to in Section 4 of this Law, the following information shall be included in the Register:

1) the date when the person was detained, the name of the detaining institution, and the place of detention where the person was placed;

2) the date when the person was released from the place of detention and the name of the releasing institution.

[*21 April 2022*]

**Section 6.**

In respect of a person suspected of committing a criminal offence, in addition to the information referred to in Sections 4 and 5 of this Law, the following information shall be included in the Register:

1) the date when the person was recognised as a suspect, as well as the name of the authority that took a decision to recognise such person as a suspect;

11) the Section, Paragraph, and Clause of the Criminal Law on the basis of which a person has been recognised as a suspect;

2) the date when a decision to recognise the person as a suspect was revoked, and the name of the authority that took the abovementioned decision;

3) the type of security measure, the date of imposition, modification or revocation thereof, and the name of the authority that took the relevant decision;

4) if the security measure does not involve deprivation of liberty, information regarding its imposition:

a) the data of the person in respect of whom a prohibition of approaching a specific person has been imposed, if the security measure is a prohibition to approach a specific person,

b) the address of the place in respect of which a prohibition to visit or approach has been imposed, if the security measure is a prohibition to approach a specific place,

c) occupation (activities) or position (job) responsibilities the suspect is prohibited from practising or performing, if the security measure is a prohibition to practice a specific occupation,

d) the duration of residence and the address of residence, if the security measure is residence in a specific place,

e) the address of the place of residence or temporary residence, if the security measure is residence in a specific place,

f) the address of permanent or temporary place of residence that may not be changed, if the security measure is placement under the police supervision,

g) the data of the person the suspect is prohibited to meet, if the security measure is placement under the police supervision,

h) places or establishments (type or address) that may not be visited, if the security measure is placement under the police supervision,

i) the time of the day the suspect must be at his or her place of residence, if the security measure is placement under the police supervision,

j) the unit of the State Police in the record-keeping of which the supervision case of the person is filed, if the security measure is placement under the police supervision,

k) the date from which the person is under supervision at the unit of the State Police, if the security measure is placement under the police supervision,

l) the date until which the person is under supervision at the unit of the State Police, if the security measure is placement under the police supervision;

5) information regarding imposition of a security measure involving deprivation of liberty:

a) the date when the person was placed in or relocated to a place of imprisonment, as well as the name of the place of imprisonment where the person has been placed or relocated to,

b) the name of the authority that has taken the decision to release the person from the place of imprisonment,

c) the date when the person was released from the place of imprisonment, the name of the place of imprisonment that released the person, and Section, Paragraph and Clause of the law or regulation serving as the grounds for releasing the person from the place of imprisonment,

d) the date when the person escaped from the place of imprisonment, and the name of the place of imprisonment the person escaped from;

6) the date when a decision to proclaim the search for the person was taken, and the name of the authority that took the decision on the search for the person;

7) the date of finding the person in respect of whom the decision on the search for the person was taken;

8) the date when a decision to join criminal proceedings or to isolate a criminal proceeding in separate records was taken; the name of the authority that took the decision to join criminal proceedings or to isolate a criminal proceeding in separate records; the criminal case reference number prior to the joinder of criminal proceedings or isolating a criminal proceeding in separate records, and the criminal case reference number after the joinder of criminal proceedings or isolating a criminal proceeding in separate records;

9) legal classification of criminal offences in criminal proceedings, which were subject to the joinder, or of criminal proceedings, which were isolated in separate records;

10) the date when criminal proceedings were suspended or resumed, the name of the authority that took a decision to suspend or resume criminal proceedings, Section, Paragraph, and Clause of the Criminal Procedure Law serving as the grounds for suspending or resuming criminal proceedings;

11) the name of the unit in the public prosecutor's office, to which the criminal case has been transferred for the initiation of criminal prosecution against the person, the date when the criminal case was transferred, the name of the authority that transferred the criminal case to the public prosecutor's office;

12) the name of the authority to which the criminal case has been transferred according to jurisdiction (the name of the country, if the criminal case has been transferred to a foreign country), the date when the criminal case was transferred, the name of the authority that transferred the criminal case according to jurisdiction;

13) the name of the unit in the public prosecutor's office that transferred the criminal case for further investigation, the date when the criminal case was transferred, the name of the authority to which the criminal case was transferred for further investigation.

[*21 April 2022*]

**Section 7.**

In respect of a person accused of committing a criminal offence, in addition to the information referred to in Sections 4, 5, and 6 of this Law, the following information shall be included in the Register:

1) the date when a decision to hold the person criminally liable was taken, and the name of the unit of the public prosecutor's office that took the abovementioned decision;

11) the Section, Paragraph, and Clause of the Criminal Law on the basis of which a person is being held criminally liable (legal classification);

2) the name of the court to which the criminal case was transferred, the date when the criminal case was transferred, the name of the unit of the public prosecutor's office which transferred the case to the court, Section, Paragraph, and Clause of the Criminal Procedure Law serving as the grounds for taking a decision to terminate the pre-trial criminal proceedings;

3) the obligations imposed by the public prosecutor and the probationary period when the person is conditionally released from criminal liability;

4) information regarding the fulfilment of the obligations imposed by the public prosecutor:

a) the address of the place of residence that may not be changed, if upon conditional release from criminal liability an obligation has been imposed not to change the place of residence without an approval by the State Probation Service,

b) an act or occupation to be refrained from, if upon conditional release from criminal liability an obligation has been imposed to refrain from a specific act or occupation,

c) the name of the unit of the State Probation Service which carries out supervision,

d) the start and end date of probationary supervision,

e) the contact details of the supervisor of the probationary supervision case,

f) the obligations imposed within the scope of probationary supervision,

g) the date for imposition and revocation of the obligations imposed within the scope of probationary supervision;

5) the name of the authority in charge of control over the fulfilment of the imposed obligation;

6) the date when the decision on conditional release from criminal liability entered into effect in full extent;

7) the name of the country to which the criminal case was transferred according to jurisdiction, if the criminal case has been transferred to a foreign country, the date when the criminal case was transferred, the name of the unit of the public prosecutor's office that transferred the criminal case according to jurisdiction;

8) the name of the unit of the Office of the Prosecutor which transferred the criminal case for further investigation, the date when the criminal case was transferred, and also the name of the institution to which the criminal case was transferred for further investigation;

9) the name of the court to which the criminal case was returned for elimination of deficiencies, the date of returning the criminal case for elimination of deficiencies, the name of the authority to which the criminal case was returned for elimination of deficiencies;

10) the date when a decision was taken to return a criminal case submitted according agreement proceedings for elimination of violations, the name of the court that took the abovementioned decision, the name of the authority to which the criminal case was returned for elimination of violations;

11) [21 April 2022];

12) the date when a decision to release from punishment or criminal liability was made, the name of the court that made the abovementioned decision, Section, Paragraph, and Clause of the Criminal Procedure Law and of the Criminal Law serving as the grounds for the decision;

13) the date when a decision on acquittal of the person was made, the name of the court that made the abovementioned decision, Section, Paragraph, and Clause of the Criminal Procedure Law and of the Criminal Law serving as the grounds for acquitting the person.

[*21 April 2022*]

**Section 8.**

In addition to the information referred to in Sections 4, 5, 6, and 7 of this Law, the following information shall be included in the Register in respect of a person against whom proceedings for the determination of a compulsory measure of medical nature are taking place:

1) the date when the decision to continue the proceedings for the determination of a compulsory measure of medical nature was taken, the name of the institution which took the abovementioned decision, the Section, Paragraph, and Clause of the Criminal Procedure Law serving as the grounds for transferring the materials of the criminal case by the institution to the Office of the Prosecutor, and also the name of the unit of the Office of the Prosecutor to which the materials of the criminal case were transferred;

2) the date when the decision to transfer the criminal case to the court for the determination of a compulsory measure of medical nature was taken, the name of the unit of the Office of the Prosecutor that took the abovementioned decision, the Section, Paragraph, and Clause of the Criminal Procedure Law serving as the grounds for transferring the materials of the criminal case by the Office of the Prosecutor to the court, and also the name of the court to which the materials of the criminal case were transferred.

[*21 April 2022*]

**Section 8.1**

The following information shall be included in the Register in respect of a legal person against which proceedings for the imposition of a coercive measure have been initiated:

1) the name;

2) the registration number;

3) the registration date;

4) the type;

5) the legal address and actual address, if different from the legal address;

6) the number of proceedings in pre-trial criminal proceedings;

7) the legal classification of the criminal offence;

8) the date on which the proceedings for the imposition of a coercive measure to a legal person were initiated and the name of the institution which initiated the proceedings;

9) the date of committing the criminal offence;

10) the name of the institution in the record-keeping of which the case is filed;

11) the date when criminal proceedings were suspended or resumed, the name of the institution which took the decision to suspend or resume criminal proceedings, the Section, Paragraph, and Clause of the Criminal Procedure Law serving as the grounds for suspending or resuming criminal proceedings;

12) the Section, Paragraph, and Clause of the Criminal Procedure Law and of the Criminal Law serving as the grounds for the termination of the proceedings (termination in a part thereof) for the imposition of a coercive measure to a legal person, the name of the institution which took the decision to terminate the proceedings (to terminate in a part thereof), and the date when the decision to terminate the proceedings (to terminate in a part thereof) was taken;

13) the name of the court to which the case was transferred and the date when the case was transferred, and also the name of the unit of the Office of the Prosecutor which transferred the case to the court, the Section, Paragraph, and Clause of the Criminal Procedure Law serving as the grounds for taking the decision to complete the pre-trial criminal proceedings;

14) the date when personal data have changed and the new data, as well as information regarding any other updates in the Register.

[*21 April 2022*]

**Section 8.2**

The following information shall be included in the Register in respect of a minor against whom proceedings for the imposition of a compulsory measure of correctional nature have been initiated:

1) the given name(s) and surname of the person, as well as the previous given name and surname, if the previous given name or surname is known;

2) the personal identity number or personal identification code (if no personal identity number has been assigned, the date of birth shall be included), and also the previous personal identity number or personal identification code, if changed;

3) the place of birth;

4) the gender;

5) the nationality and type thereof;

6) the place of residence (declared, additional address, registered, or specified);

7) the case number;

8) the legal qualification of the criminal offence or administrative offence;

9) the date on which the proceedings were initiated and the name of the institution which initiated the proceedings;

10) the date on which the criminal offence or administrative offence was committed;

11) the Section, Paragraph, and Clause of the Criminal Procedure Law, the Criminal Law, and the Law on Administrative Liability serving as the grounds for the termination of the proceedings (termination in a part thereof), the name of the institution and of the administrative commission or sub-commission of a local government which took the decision to terminate the proceedings (to terminate in a part thereof), and the date when the decision to terminate the proceedings (to terminate in a part thereof) was taken;

12) the date when personal data have changed and the new data, as well as information regarding any other updates in the Register;

13) the date when the person died or the court declared the person dead.

[*21 April 2022*]

**Section 9.**

(1) In respect of a person convicted of committing a criminal offence, in addition to the information referred to in Sections 4, 5, 6, and 7 of this Law, the following information shall be included in the Register:

1) the date when a court decision was proclaimed which has entered into effect, and the name of the court that proclaimed the respective court decision in the criminal case;

2) the date when the public prosecutor's penal order was drawn up in respect of the punishment that has taken effect, and the name of the unit of the public prosecutor's office that drew up the public prosecutor's penal order;

3) Section, Paragraph, and Clause of the Criminal Law serving as the grounds for convicting the person;

4) the type and extent of the final punishment applied (imposed);

5) the information concerning the imposed punishment – confiscation of property:

a) type of each property item subject to confiscation,

b) value of each property item subject to confiscation;

6) the amount of compensation for damage;

7) the date when the court decision or the public prosecutor's penal order entered into effect;

8) the given name and surname of the judge or public prosecutor who proclaimed the court decision having entered into effect or who has drawn up the public prosecutor's penal order;

9) the date when a compulsory measure of medical or correctional nature was imposed, the name of the court that imposed the compulsory measure, and the type of the compulsory measure of medical or correctional nature imposed;

10) the form of guilt of the person who has committed a criminal offence, the severity of the criminal offence, and also a note whether the criminal offence committed by the person is violent;

11) the amended part of the final punishment in relation to revocation of the court ruling in a part thereof or the name of the court which made the new ruling, the date on which the ruling was made, and also the date on which the ruling entered into effect and the new type and extent of the punishment imposed in relation to full revocation of the previous ruling;

12) the obligations imposed by the court and the probationary period in the case of a suspended sentence;

13) the obligations imposed by the court in case of a conditional release;

14) the information related to the fulfilment of the obligations imposed by the court in case of a suspended sentence or conditional release:

a) the address of the place that may not be visited if, in case of a suspended sentence or conditional release, an obligation has been imposed to avoid visiting specific places,

b) the time of the day when the person must be at his or her place of residence if, in case of a suspended sentence or conditional release, an obligation has been imposed to be at his or her place of residence during specified time of the day;

15) the date when the obligations imposed by the court have been cancelled fully or partly, and the name of the court that fully or partly cancelled the obligations imposed by the court;

16) the date when a decision on conditional release was taken, the name of the court that took the abovementioned decision, and the time of unserved term of punishment;

17) the amended final probationary period and the date on which the decision to extend the imposed probationary period in the case of a suspended sentence was taken;

18) the obligations imposed during probationary supervision;

19) the information related to the obligations imposed during probationary supervision:

a) the time of the day when the person is prohibited from leaving the place of residence if there is a prohibition to leave one's place of residence during specified time of the day,

b) public areas (type or address) where the person is prohibited from staying, if there is a prohibition to stay in specific public areas,

c) the personal data of the person with whom it is prohibited to communicate, if there is a prohibition to communicate with specific people,

d) the administrative territory which may not be left, if there is a prohibition to leave a specific administrative territory without the permission of the State Probation Service,

e) the item which may not be purchased, carried or kept, if there is a prohibition to purchase, carry or keep specific items,

f) the objects, places or establishments (type and address) which may not be approached, if there is a prohibition to approach specific objects, places or establishments,

g) the name of the unit of the State Probation Service in the record-keeping of which the personal record case is filed within the scope of probationary supervision,

h) the start and end date of probationary supervision,

i) the contact details of the responsible official of the State Probation Service in the record-keeping of which the personal record case is filed within the scope of probationary supervision,

j) the date for imposition and revocation of the obligations imposed within the scope of probationary supervision;

20) the information related to the deprived rights or imposed prohibitions as part of the additional punishment – restriction of rights:

a) the rights that may not be exercised,

b) the position that may not be taken,

c) professional or other type of activity that may not be practised,

d) the address of the place that may not be visited,

e) events that may not be attended;

201) the information related to the additional punishment – police control:

a) the unit of the State Police in the record-keeping of which the personal record case of the additional punishment – police control – is filed,

b) the start and end date of the additional punishment – police control,

c) the contact details of the responsible official of the State Police in the record-keeping of which the personal record case of the additional punishment – police control – is filed,

d) the restrictions imposed during the period of serving the additional punishment – police control,

e) the date for imposition and revocation of the restrictions imposed within the scope of the additional punishment – police control;

21) the name of the authority that has been charged with the responsibility to execute the court decision or the public prosecutor's penal order;

22) the date when the serving (execution) of the sentence started and the date when the sentence has been served (executed);

23) the date when the compulsory measure of medical nature was revoked or modified or the compulsory measure of correctional nature was executed;

24) the date when a decision to release from serving the punishment was taken, the name of the court that took the abovementioned decision, and Section, Paragraph, and Clause of the Criminal Procedure Law serving as the grounds for taking the decision;

25) the date when a decision to clear criminal record was taken, and the name of the court that took the abovementioned decision;

26) the date when a decision on clemency or amnesty was taken;

27) the address of the place of residence (declared, additional address, registered, or specified) of the person after release from the place of imprisonment;

28) replacement, alleviation or aggravation of the (imposed) punishment, as well as replacement or cancellation of the additional punishment (the name of the court that took the relevant decision, the date and the new punishment);

29) the expiry date of the limitation period for execution of a convicting sentence or the public prosecutor's penal order.

(2) In addition to the information referred to in Paragraph one of this Section, also other information may be included in the Register, which has been supplied by the competent authority of a European Union Member State and which ensures the exchange of information between criminal record registers (hereinafter – the central authority of a European Union Member State).

[*21 April 2022*]

**Section 10.**

In respect of a person on whom a compulsory measure of medical nature has been imposed, in addition to the information referred to in Sections 4, 5, 6, 7, and 8 of this Law, the following information shall be included in the Register:

1) the date when a decision to impose compulsory measures of medical nature was taken and the name of the court that took the abovementioned decision;

2) the type of the compulsory measure of medical nature;

3) the date when a decision to modify or revoke the compulsory measure of medical nature was taken (the new compulsory measure of medical nature) and the name of the court that took the decision.

**Section 11.**

In addition to the information referred to in Section 8.1 of this Law, the following information shall be included in the Register in respect of a legal person to which a coercive measure has been imposed:

1) [21 April 2022];

2) [21 April 2022];

3) [21 April 2022];

4) the date when a court decision was proclaimed that has taken effect, and the name of the court that has proclaimed the respective court decision;

5) the date when the public prosecutor's penal order was drawn up concerning the coercive measure, and the name of the unit of the public prosecutor's office, which drew up the public prosecutor's penal order in respect of the coercive measure;

6) Section, Paragraph, and Clause of the Criminal Law serving as the grounds for imposing a coercive measure to a legal person;

7) the type and extent of the imposed coercive measure;

8) the given name and surname of the judge or public prosecutor who proclaimed the court decision having taken effect or who drew up the public prosecutor's penal order in respect of the coercive measure;

9) the date when the court decision or the public prosecutor's penal order in respect of the coercive measure entered into effect;

10) the date when the imposed coercive measure was executed;

11) the date of changes to the personal data and the new data.

[*21 April 2022*]

**Section 12.**

(1) In respect of a person having committed an administrative violation, the following information shall be included in the Register:

1) the given name(s) and surname of the person, as well as the previous given name and surname, if the previous given name or surname is known;

2) the personal identity number or personal identification code (if no personal identity number has been assigned, the date of birth shall be included), and also the previous personal identity number or personal identification code, if changed;

3) the sex;

4) the nationality and type thereof;

5) the place of residence (declared, additional address, registered, or specified);

6) in respect of a legal person and partnership – the name, registration number and legal address;

7) Section, Paragraph, and Clause covering the violation for the committing of which the person has been held administratively liable;

8) the date, time, and place of committing (establishing) the administrative offence;

9) the name of the authority (given name and surname of the official) conducting the administrative offence proceedings;

10) the name of the authority (given name and surname of the official) which took the decision in the administrative offence case, the number and date of the abovementioned decision, the administrative punishment imposed by the decision, the State budget or local government budget account number whereto the imposed fine shall be paid;

11) the date when the decision in the administrative violation case entered into effect;

12) the date when the administrative penalty was executed;

13) the date when the person was notified in writing regarding the transfer of the case to the bailiff;

14) the date when the decision to impose a fine was submitted for forced execution;

15) the name of the enforcement authority to which the decision to impose a fine was transferred for forced execution;

16) the date when execution of the decision to impose a fine was suspended and resumed;

17) the expiry date of the limitation period for execution of the administrative punishment;

18) the date of changes to the personal data and the new data;

19) the information regarding subjecting the person to a test for the purpose to determine the impact of alcohol concentration, narcotic or other intoxicating substances:

a) the type of the test,

b) the number of the test report,

c) the date of drawing up the test report,

d) the name of the institution performing the test,

e) the person's state (the test result or opinion after a medical examination),

f) the per mille quantity in the exhaled breath and biological environments,

g) the total amount of expenses incurred as a result of performing the test,

h) the account number whereto the person shall transfer the fee for the tests it was subject to for the purpose of determining the impact of alcohol concentration, narcotic or other intoxicating substances,

i) the date when the decision in respect of the expenses related to the tests for the purpose of determining the impact of alcohol concentration, narcotic or other intoxicating substances was transferred for forced execution,

j) the name of the enforcement authority to which the decision in respect of the expenses related to the tests for the purpose of determining the impact of the alcohol concentration, narcotic or other intoxicating was transferred for forced execution,

k) the date of reimbursement of expenses incurred as a result of performing the test;

20) [21 April 2022].

(2) In respect of a person who has violated competition law, in addition, a note shall be entered in the Register whether, depending on the detected violation, the bidder or applicant should be excluded from participating in the procurement procedure in accordance with the requirements of the Public Procurement Law.

[*21 April 2022*]

**Section 13.**

In addition to the information referred to in Sections, 8.2 of this Law, the following information shall be included in the Register in respect of a minor on whom a compulsory measure of correctional nature has been imposed:

1) the date on which the decision to impose a compulsory measure of correctional nature entered into effect and the name of the court or administrative commission or sub-commission of a local government which took the abovementioned decision;

2) the imposed compulsory measure of correctional nature;

3) the obligation imposed in addition to the imposed compulsory measure of correctional nature;

4) the obligation or prohibition imposed with the imposed compulsory measure of correctional nature – restrictions on behaviour;

5) the information related to imposition of the compulsory measure of correctional nature – restrictions on behaviour:

a) the public place that may not be visited,

b) the personal data of the person who may not be met,

c) the time of the day when the person must be at his or her place of residence;

6) the information related to imposition of the compulsory measure of correctional nature – placement in a social correctional educational institution for children:

a) the name of the social correctional educational institution,

b) the term for which the child or the minor has been placed in a social correctional educational institution;

7) the name of the authority to which the decision to impose the compulsory measure of correctional nature has been transferred for execution;

8) the date on which the decision to replace the imposed compulsory measure of correctional nature with more stringent compulsory measure was taken, and the name of the court or administrative commission or sub-commission of a local government that took the abovementioned decision;

9) the date on which the decision to reduce or extend the term for the imposition of the compulsory measure of correctional nature was taken, the name of the court or administrative commission or sub-commission of a local government that took the abovementioned decision;

10) the date on which the decision to replace the compulsory measure of correctional nature – placement in a social correctional educational institution for children – with a punishment was taken, the name of the court that took the abovementioned decision.

[*21 April 2022*]

**Section 14.**

(1) The information to be included in the Register shall be provided to the Information Centre of the Ministry of the Interior by:

1) the entity or person having the authority to carry out the investigation;

2) the unit of the public prosecutor's office;

3) the court;

4) the Latvian Prison Administration;

5) the authority that executes the punishment or the imposed compulsory measure, or recovers the testing expenses incurred for the purpose of determining the impact of alcohol concentration, narcotic or other intoxicating substances;

6) the Treasury;

7) the Office of Citizenship and Migration Affairs;

8) the Chancery of the President;

9) [21 April 2022];

10) the authorities or officials which are entitled to conduct the administrative offence proceedings;

11) other State and local government authorities having at their disposal information required for compiling the Register.

(2) The institutions referred to in Paragraph one of this Section shall be liable for providing the information to the Register in due time and for the conformity of such information with the supporting documents, if any.

(3) The Cabinet shall determine the procedures for and the volume of information to be provided to the Information Centre of the Ministry of the Interior by the authorities referred to in Paragraph one of this Section.

[*21 April 2022*]

**Section 15.**

In order to ensure the accumulation of true and updated information referred to in this Law and the completeness of the information, the Information Centre of the Ministry of the Interior is entitled to request and receive information from State and local government authorities free of charge.

**Section 16.**

(1) The Information Centre of the Ministry of the Interior shall include and store in the Register the information provided by the central authority of a European Union Member State with regard to the conviction of a citizen of Latvia, non-citizen of Latvia, the conviction of a citizen of a European Union Member State, the European Economic Area or the Swiss Confederation (hereinafter – Union citizen) who holds a Latvia-issued registration certificate of a Union citizen or a permanent residence certificate of a Union citizen, and regarding the conviction of a foreign national who holds a Latvia-issued temporary or permanent residence permit, as well as the information provided by a third country in accordance with international agreements with regard to the conviction of the abovementioned persons.

(2) If the central authority of a European Union Member State provides information regarding any adjustments to the information provided earlier, the Information Centre of the Ministry of the Interior shall adjust the information in the current database of the Register accordingly.

(3) If, when providing the information referred to in Paragraph one of this Section, the central authority of a European Union Member State has indicated that the information should be used exclusively for the purposes of criminal proceedings, such information shall not be provided to another central authority of a European Union Member State. In such case, the Information Centre of the Ministry of the Interior shall provide information regarding the European Union Member State from which the information has been received.

(4) The Information Centre of the Ministry of the Interior shall provide third countries with the information that has been provided by the central authority of a European Union Member State and is included in the Register, respecting the restrictions determined by the European Union Member State.

**Chapter III. Requesting of Information from the European Union Member States**

**Section 17.**

(1) The Information Centre of the Ministry of the Interior shall be the central authority of the Republic of Latvia within the meaning of Regulation (EU) 2019/816 of the European Parliament and of the Council of 17 April 2019 establishing a centralised system for the identification of Member States holding conviction information on third-country nationals and stateless persons (ECRIS-TCN) to supplement the European Criminal Records Information System and amending Regulation (EU) 2018/1726 (hereinafter – Regulation No 2019/816) and shall fulfil the obligations laid down in the Regulation.

(2) If any persons and authorities having the right to receive information from the Register in accordance with this Law require information regarding the current criminal record of a national of a European Union Member State in a European Union Member State or a third country, and also the current criminal record of a third-country national in a European Union Member State the Information Centre of the Ministry of the Interior shall request information regarding:

1) the criminal record of a national of a European Union Member State – from the central authority of the European Union Member State which is the country of nationality of the respective person;

2) the criminal record of a third-country national – from the central authority of the European Union Member State which holds information regarding the criminal record of the respective person.

(3) The information referred to in Paragraph two of this Section shall be requested by the Information Centre of the Ministry of the Interior by filling out a form the contents and template of which shall be determined by the Cabinet. The form shall be filled out in the language of the respective European Union Member State or in the language indicated by the respective country to the General Secretariat of the Council of the European Union as the language for communication.

(4) The Information Centre of the Ministry of the Interior shall request a copy of the decision in a criminal case on convicting a person from the central authority of a European Union Member State, if it is needed for the persons and authorities that have the right to receive information from the Register in accordance with this Law.

[*21 April 2022 / The new wording of Paragraphs one, two, and three shall come into force on 28 June 2022. See Paragraph 9 of Transitional Provisions*]

**Section 18.**

The information referred to in Section 17, Paragraph one of this Law that has been provided by the central authority of a European Union Member State may be used exclusively for the initially designated purposes, except in the cases when:

1) the restrictions stipulated by the European Union Member State are respected;

2) it is necessary for preventing imminent and serious threat to public order.

**Chapter IV. Provision of the Information Included in the Register**

**Section 19.**

(1) The following persons have the right to request and receive information from the Register:

1) a private individual – the information regarding himself or herself included in the Register and at the disposal of the central authority of a European Union Member State, and also in the cases and to the extent laid down in the external legal acts governing the operations of persons;

2) a person or authority performing investigative operations or a person authorised to perform the investigation, a unit of the public prosecutor's office and the court — information that is required to enable the performance of the functions laid down in the laws and regulations governing the operations of the respective authorities or persons;

3) the authority which is entitled to conduct the administrative offence proceedings – information that is required for the examination of administrative offence cases included in the record-keeping thereof or for conducting the administrative offence proceedings;

4) other authorities – information in the cases and to the extent laid down in the external legal acts governing the operations thereof;

5) sworn bailiffs – information in the cases and to the extent laid down in the external legal acts governing the operations thereof;

6) a defence counsel – information regarding the defendant in the criminal proceedings or administrative offence case;

7) an employer – information in order to verify the compliance of the natural person with the restrictions laid down in laws and regulations when hiring for a job or recruiting for service (specifying the law or regulation that prescribes the relevant restrictions);

8) the central authority of a European Union Member State — information regarding conviction of a person;

9) the Information Centre of the Ministry of the Interior – when performing the functions of the system administrator to ensure data quality, and also for the analysis of the data entered, the issuing of information from the system, and the preparation of statistical data.

(2) The Information Centre of the Ministry of the Interior shall provide the information included in the Register to the central authority of another European Union Member State in respect of its national who has been convicted in the Republic of Latvia.

(21) [*Paragraph shall come into force on 28 June 2022 and shall be included in the wording of the Law as of 28 June 2022*. *See Paragraph 9 of Transitional Provisions*]

(22) Indication that a third-country national has been convicted of any criminal offence listed in Annex to Regulation (EU) 2018/1240 of the European Parliament and of the Council of 12 September 2018 establishing a European Travel Information and Authorisation System (ETIAS) and amending Regulations (EU) No 1077/2011, (EU) No 515/2014, (EU) 2016/399, (EU) 2016/1624 and (EU) 2017/2226 punishable by deprivation of liberty of more than three years shall be deleted from the European Criminal Records Information System after the relevant criminal record has been extinguished or set aside.

(23) Data on a third-country national convicted in Latvia shall be deleted from the European Criminal Records Information System in full after all convictions of the third-country national have been extinguished or set aside.

(3) If the information referred to in Paragraph two of this Section is to be used exclusively for the purposes of criminal proceedings, the Information Centre of the Ministry of the Interior shall notify accordingly the central authority of the European Union Member State to which the information is provided.

(4) The Cabinet shall determine the way and procedures by which the Information Centre of the Ministry of the Interior shall provide and send the information included in the Register.

(5) If the information included in the Register regarding conviction of a national of another European Union Member State is corrected or deleted, the Information Centre of the Ministry of the Interior shall notify accordingly the central authority of the European Union Member State to which the abovementioned information has been provided.

(6) The Information Centre of the Ministry of the Interior shall provide a copy of the decision in the criminal proceedings on the conviction of a person to the central authority of a European Union Member State, if a relevant request has been received. The Information Centre of the Ministry of the Interior shall request and receive free of charge a copy of the decision in the criminal proceedings on the conviction of a person from public authorities, as well as copies of any further decision in respect of the convicting decision.

[*21 April 2022* / *The new wording of Clause 8 of Paragraph one shall come into force on 28 June 2022 and shall be included in the wording of the Law as of 28 June 2022. See Paragraph 9 of Transitional Provisions*]

**Section 20.**

(1) The Information Centre of the Ministry of the Interior shall provide the information included in the Register to the central authority of another European Union Member State in respect of the criminal record of a citizen of Latvia, non-citizen of Latvia, such Union citizen who holds a registration certificate of a Union citizen or a permanent residence certificate of a Union citizen issued in Latvia, and also in respect of the criminal record of a third-country national, specifying the relevant restrictions on processing of personal data, if a request for such information has been received from the central authority of another European Union Member State.

(2) The information referred to in Paragraph one of this Section shall be provided by filling out a form, the contents and template of which shall be determined by the Cabinet.

(3) The form referred to in Paragraph two of this Section shall be filled out in the national language or the language which the European Union Member State concerned has indicated to the General Secretariat of the Council of the European Union as the language for communication.

(4) The information in respect of criminal record of a national of another European Union Member State or a third country shall be provided in accordance with international agreements.

[*21 April 2022*]

**Section 21.**

(1) The information included in the Register shall be provided:

1) in the form of a statement;

2) in online data transmission mode if the requester of information is identified.

(2) Information provided in online data transmission mode shall be valid without a signature.

(3) A statement from the current database of the Register shall include information regarding the criminal record of a natural person in the Republic of Latvia which has not been set aside (extinguished), information regarding a penalty imposed on a natural or legal person in the Republic of Latvia in an administrative offence case when less than one year has passed since its execution, and also information regarding the coercive measures imposed on legal persons in the Republic of Latvia.

(4) A statement from the archives database of the Register shall include information regarding the criminal record of a natural person in the Republic of Latvia which has been set aside or extinguished, information regarding a penalty imposed on a natural or legal person in the Republic of Latvia in an administrative offence case when more than one year has passed since its execution, and also information regarding the coercive measures imposed and executed in the Republic of Latvia in respect of legal persons.

(41) The multilingual standard form shall be issued upon request if a statement of no criminal record has been issued to the person. The multilingual standard form shall be issued in exchange for a fee according to the price list of paid services stipulated by the Cabinet.

(5) A state fee shall be payable for the preparation of the statement.

(6) The provision of information from the Punishment Register shall be a paid service, and it shall be provided according to the price list of paid services stipulated by the Cabinet.

[*21 April 2022* / *Amendment regarding the deletion of Paragraph five shall come into force on 1 January 2023 and shall be included in the wording of the Law as of 1 January 2023. See Paragraph 8 of Transitional Provisions*]

**Section 21.1**

[*Section shall come into force on 28 June 2022 and shall be included in the wording of the Law as of 28 June 2022. See Paragraph 9 of Transitional Provisions*]

**Chapter V Time Periods for Storing the Information Included in the Register**

**Section 22.**

(1) The following information shall be stored in the current database of the Register:

1) regarding a person against whom criminal proceedings have been initiated — until the moment when the person has lost this status;

2) regarding a detained person — until the moment when the person has lost this status;

3) regarding a suspect — until the moment when the person has lost this status;

4) regarding an accused person — until the moment when the person has lost this status;

5) regarding a person against whom proceedings are in progress in order to impose a compulsory measure of medical nature — until the moment when the person has lost this status;

6) regarding a convict — until the moment when criminal record has been cleared or removed, and in the case when a compulsory measure of medical or correctional nature has been imposed — until the moment when the compulsory measure of medical nature has been revoked or the compulsory measure of correctional nature has been executed;

7) [21 April 2022];

8) regarding a person who has committed an administrative offence – until the moment when administrative offence proceedings have been terminated or one year has elapsed since the enforcement of the penalty imposed in an administrative offence case or after expiry of the limitation period of the enforcement of an administrative penalty, or after receipt of information from a sworn bailiff on seizure, partial enforcement, or termination or completion of the enforcement proceedings;

9) regarding a minor on whom a compulsory measure of correctional nature has been imposed — until the moment when the respective compulsory measure has been executed or replaced with a punishment;

10) regarding a legal person on whom a coercive measure has been imposed — until the moment when the respective coercive measure has been executed;

11) regarding a person on whom information has been received from a European Union Member State or a third country – until information on the deletion of the previously provided information has been received from the central authority of a European Union Member State or a third country, but not longer than 100 years after birth of the person.

(2) The information from the current database of the Register shall be transferred to the archives database of the Register when the grounds for storing the information referred to in Paragraph one, Clauses 1, 2, 3, 4, 5, 6, 8, 9, and 10 of this Section have ceased to exist or the term for storing the information has expired.

[*21 April 2022*]

**Section 23.**

The following information shall be stored in the archives database of the Register:

1) regarding a person whose criminal record has been set aside or extinguished, against whom the initiated criminal proceedings have been terminated, regarding an acquitted person, regarding a person on whom the imposed compulsory measure of correctional nature has been executed, a person on whom the imposed compulsory measure of medical nature has been revoked – for one year after information has been received from the Register of Natural Persons regarding the death of the person, however, not longer than 100 years after birth of the person;

2) regarding a legal person on whom a coercive measure has been imposed — until its liquidation or for 10 years after liquidation if a coercive measure — liquidation — has been enforced on the legal person;

3) regarding a person who has committed an administrative offence – for one year after receipt of information regarding the death of the person from the Register of Natural Persons, for 10 years after the termination of the administrative offence proceedings, the execution of the penalty imposed in the administrative offence case or expiry of the limitation period of the enforcement of an administrative penalty, or receipt of information from a sworn bailiff regarding the return of an enforcement document to a creditor or the termination or completion of the enforcement proceedings, or for 10 years after the transfer of information to the archives database regarding a person who committed an administrative offence in the period from 1 January 2002 until 31 December 2005.

[*21 April 2022*]

**Section 24.**

Information shall be deleted from the Register and a relevant statement shall be drawn up thereto if the grounds for storing the information referred to in Section 22, Paragraph one, Clause 11 of this Law have ceased to exist or if the term for storing the information has expired, and if the grounds for storing the information referred to in Section 23 of this Law have ceased to exist or if the term for storing the information has expired.

**Chapter VI. Administrative Offence Proceedings Support System**

[*21 May 2020 / Chapter shall come into force on 1 July 2020. See Paragraph 7 of Transitional Provisions*]

**Section 25.**

(1) The Administrative Offence Proceedings Support System is a sub-system of the Register.

(2) Documents related to the administrative offence case shall be prepared, downloaded, and stored in the Administrative Offence Proceedings Support System.

[*21 May 2020 / Section shall come into force on 1 July 2020. See Paragraph 7 of Transitional Provisions*]

**Section 26.**

Documents prepared in printed form shall be converted into an electronic format and certified with an electronic signature within the meaning of Article 3(10) of Regulation (EU) No 910/2014 of the European Parliament and of the Council of 23 July 2014 on electronic identification and trust services for electronic transactions in the internal market and repealing Directive 1999/93/EC (hereinafter – Regulation No 910/2014) in compliance with the following provisions:

1) content representation of the original document and compliance with it in the specified storage period is ensured;

2) reading of the document content electronically is ensured and a derivative in printed form is created, if necessary;

3) the converted document is protected against additions, changes, unauthorised access, and destruction;

4) the destruction process of the original document is documented in accordance with the procedures specified by the head of the institution.

[*21 May 2020 / Section shall come into force on 1 July 2020. See Paragraph 7 of Transitional Provisions*]

**Section 27.**

(1) A requirement of the signature of an official or higher official referred to in the Law on Administrative Liability is fulfilled if the document created in the Administrative Offence Proceedings Support System is signed with an electronic signature within the meaning of Article 3(10) of Regulation (EU) No 910/2014.

(2) If a procedural action in administrative offence proceedings is certified by a signature, the person who participates in the abovementioned action may sign also in the following way:

1) with a secure electronic signature;

2) on the sensor of the signature capturing device;

3) on a separate signature sheet;

4) with an electronic signature tool (system tool) available in the electronic service of the Administrative Offence Proceedings Support System.

(3) A requirement of the signature of such person who participates in the procedural action in administrative offence proceedings is fulfilled also if the course of proceedings has been recorded with technical means or if an official or higher official has made a notation in the Administrative Offence Proceedings Support System that the person has familiarised himself or herself with the content of a procedural document.

[*21 May 2020 / Section shall come into force on 1 July 2020. See Paragraph 7 of Transitional Provisions*]

**Section 28.**

The documents prepared and downloaded within the scope of administrative offence proceedings shall be stored in the Administrative Offence Proceedings Support System for one year from the moment of receipt of information on the death of an administratively punished person or a person to be held administratively liable or for 10 years from the enforcement of the penalty imposed in an administrative offence case or after expiry of the limitation period of the enforcement of an administrative penalty. The data obtained through the use of technical means shall be stored for three months from the enforcement of the penalty imposed in an administrative offence case or after expiry of the limitation period of the enforcement of an administrative penalty.

[*21 May 2020 / Section shall come into force on 1 July 2020. See Paragraph 7 of Transitional Provisions*]

**Transitional Provisions**

1. With the coming into force of this Law, the Punishment Register Law of 13 October 2005 (*Latvijas Republikas Saeimas un Ministru Kabineta Ziņotājs*, 2005, No. 21; 2007, No. 12; 2009, No. 14; *Latvijas Vēstnesis*, 2010, No. 102) is repealed.

2. Section 9, Paragraph one, Clauses 5 and 10, Section 12, Clauses 16 and 17, and Section 13 of this Law shall come into force on 1 January 2015.

3. The data on persons in the Register who have committed administrative violations up to 31 December 2001 shall be deleted from the Register and a relevant statement shall be drawn up.

4. The data on persons in the current database of the Register who have committed administrative violations between 1 January 2002 and 31 December 2005 shall be transferred to the archives database of the Register.

5. The Cabinet shall issue the regulations referred to in Section 14, Paragraph three, Section 17, Paragraph one, Section 19, Paragraph four, Section 20, Paragraph two, and Section 21, Paragraph six of this Law by 1 June 2014.

6. Until the regulations referred to in Section 14, Paragraph three, Section 19, Paragraph four, and Section 21, Paragraph six of this Law come into force, however not longer than until 1 June 2014, Cabinet Regulation No. 687 of 22 August 2006, Procedures and Scope for Providing Information to the Punishment Register and Releasing the Information Included in the Punishment Register, and Cabinet Regulation No. 323 of 25 April 2006, Regulation Regarding the State Fee for Issuing a Statement from the Punishment Register, shall be in force insofar as they do not in contradiction with this Law.

7. Chapter VI of this Law shall come into force concurrently with the Law on Administrative Liability.

[*21 May 2020*]

8. Amendments regarding the deletion of Section 21, Paragraph five of this Law shall come into force on 1 January 2023.

[*21 April 2022 / The abovementioned amendment shall be included in the wording of the Law as of 1 January 2023*]

9. Amendments to Section 16, Paragraphs one and two and the title of Chapter IV of this Law, the new wording of Section 17, Paragraphs one, two, and three and Section 19, Paragraph one, Clause 8, and also Section 19, Paragraph 2.1 and Section 21.1 of this Law shall come into force on 28 June 2022.

[*21 April 2022 / The abovementioned amendments shall be included in the wording of the Law as of 28 June 2022*]

**Informative Reference to European Union Directive**

[*21 April 2022*]

The Law contains legal norms arising from Directive (EU) 2019/884 of the European Parliament and of the Council of 17 April 2019 amending Council Framework Decision 2009/315/JHA, as regards the exchange of information on third-country nationals and as regards the European Criminal Records Information System (ECRIS), and replacing Council Decision 2009/316/JHA.

This Law shall come into force on 1 January 2014.

The Law was adopted by the *Saeima* on 10 October 2013.

President A. Bērziņš

Riga, 29 October 2013