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

27 May 2021 [shall come into force on 2 June 2021];

5 December 2023 [shall come into force on 1 January 2024].

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. 474

Adopted 16 August 2017

**By-laws of the Ministry of Justice**

*Issued pursuant to*

*Section 16, Paragraph one of the State Administration Structure Law*

**I. General Provisions**

1. The Ministry of Justice (hereinafter – the Ministry) shall be the leading State administration institution in the sectors of justice (legal system policy, system of courts, and administration of courts), as well as in other fields of State policy referred to in this Regulation.

2. The Ministry shall be directly subject to the Minister for Justice (hereinafter – the Minister).

3. The Ministry shall be the superior institution to the State administration institutions that are subordinate to the Ministry (hereinafter – the institutions subordinate to the Ministry) and to the private individuals to whom an administration task has been delegated and who, upon fulfilling the specific task, are subordinate to the Ministry (hereinafter – the private individuals to whom an administration task has been delegated), unless it is otherwise provided for in the law or Cabinet Regulations.

**II. Functions, Tasks and Competence of the Ministry**

4. The Ministry shall have the following functions:

4.1. to formulate, organise, and coordinate the policy in the following fields:

4.1.1. legal system, including in the field of state law, administrative law, civil law, commercial law, criminal law and religious law, as well as in the field of procedural law;

4.1.2. system of courts and administration of district (city) courts and regional courts;

4.1.3. system of criminal punishments and administrative punishments;

4.1.4. execution of punishments;

4.1.5. forensic expertise;

4.1.6. freedom of information;

4.1.7. public registers kept by the Enterprise Register of the Republic of Latvia and the Patent Office;

4.1.8. official publications, systemisation of the information included therein, and availability of legal information;

4.1.9. protection of personal data;

4.1.10. industrial property, special patents, trade marks, designs and topographies of semiconductor products;

4.1.11. maintenance of the State Immovable Property Cadastre, land cadastral survey, and land survey;

4.1.12. insolvency of legal persons (except for the credit institutions) and natural persons;

4.1.13. registration of a civil status document;

4.1.14. religious matters;

4.1.15. free legal professions;

4.1.16. alternative mechanisms for the settlement of disputes – arbitration and mediation;

4.1.17. ensuring State guaranteed maintenance;

4.1.18. State ensured legal aid;

4.1.19. State compensations to victims;

4.1.20. prevention of money laundering and terrorism financing together with the Ministry of Finance according to the specified competence;

4.1.21. uniform State professional qualification examination of a lawyer;

4.2. to organise and coordinate the implementation of laws and regulations;

4.3. to perform other functions specified by external regulatory enactments.

[*27 May 2021*]

5. To fulfil the determined functions, the Ministry shall carry out the following tasks:

5.1. draw up draft legal acts governing the field and draft development planning documents;

5.2. provide opinions regarding draft legal acts and draft development planning documents drawn up by other institutions;

5.3. issue administrative acts;

5.4. ensure the necessary research;

5.5. in accordance with the procedures laid down in laws and regulations, cooperate with other State administration institutions in drawing up and implementation of a uniform State policy, as well as in carrying out of the tasks;

5.6. ensure the implementation of the sectoral policy in the institutions subordinate to the Ministry and in the State capital companies in which the Ministry is a holder of the State capital shares (hereinafter – the State capital companies);

5.7. prepare and, in accordance with the procedures laid down in laws and regulations, provide proposals regarding the financing from the State budget necessary for implementation of the measures provided for in laws and regulations and the respective development planning documents and for carrying out the tasks of the Ministry;

5.8. on behalf of the State perform private legal transactions that are necessary for the ensuring of the operation of the Ministry;

5.9. inform the public regarding the sectoral policy and the fulfilment of the tasks of the Ministry, as well as regarding the operation of the private individuals to whom an administration task has been delegated, the State capital companies and the institutions subordinate to the Ministry;

5.10. inspect fulfilment of the functions and perform other inspections regarding the operation of the private individuals to whom an administration task has been delegated and the institutions subordinate to the Ministry;

5.11. ensure provision of information to the public and a dialogue with the public regarding the legal policy, as well as promote the development of opinion and judicial consciousness of the public in conformity with the principles of a democratic state;

5.12. examine the documents addressed to the Ministry containing a request, complaint, proposal or question, and ensure reception of persons;

5.13. in accordance with the procedures laid down in laws and regulations, ensure public participation in the process of drafting a development planning document and in State administration;

5.14. upon ensuring public accessibility to generally accessible information at the disposal of the Ministry, examine the requests of information by private individuals, and also, upon observing the principle of good administration, ensure access to generally accessible information of a specific type on the web site of the Ministry upon its own initiative;

5.15. ensure the activities of sworn bailiffs and sworn notaries in accordance with the procedures specified by the law;

5.16. supervise the management of resources envisaged for the State ensured legal aid, State compensations to victims, and State guaranteed maintenance;

5.17. provide the Orphan’s and Custody Courts with the methodological assistance in the settlement of inheritance matters, protection of inheritance, making of a certification and fulfilment of other functions related to making of certifications;

5.18. organise the execution of criminal punishments and operation of the probation system;

5.19. methodologically manage the operation of the General Registry offices and supervise the compliance with the regulatory enactments in the registration of civil status documents;

5.20. compensate private individuals for the damage caused in accordance with the procedures lad down in the Law on Compensation for Damage Caused in Criminal Proceedings and Administrative Offence Proceedings;

5.21. organise the supervision of compliance with the Official Language Law;

5.22. provide other State administration institutions and the private individuals to whom an administration task has been delegated with the methodological assistance in the development of draft laws and regulations;

5.23. coordinate and control the transposition and implementation of the European Union law;

5.24. according to its competence, ensure the fulfilment of international treaties binding on Latvia;

5.25. according to its competence, represent the interests of the Republic of Latvia in international organisations (including the Council of Europe, the Organisation for Economic Co-operation and Development, the United Nations Organization, and also in the matters to be examined in the court of the European Free Trade Association) and in European Union institutions (including in the matters to be examined in the Court of Justice of the European Union, the European Judicial Network in civil and commercial matters, the European Judicial Network, the European Union Agency for Fundamental Rights, the European Network for Victims’ Rights and the European Judicial Training Network);

5.26. ensure the maintenance and building of courthouses;

5.27. ensure the planning, evaluation, implementation, supervision and control of the projects in the field of justice financed by the European Union funds, the Norwegian Financial Mechanism and the financial mechanisms of other foreign countries;

5.28. ensure the organisational and technical maintenance of the Information System of International Criminal-legal Co-operation Requests;

5.28.1 organise the uniform State professional qualification examination of a lawyer;

5.29. implement other tasks laid down in laws and regulations.

[*27 May 2021*]

6. The Ministry shall have the right:

6.1. to participate in events organised by international organisations;

6.2. to conclude international cooperation agreements;

6.3. to coordinate international cooperation;

6.4. to provide paid services;

6.5. exercise other rights specified by regulatory enactments.

**III. Provision of Rule of Law in the Operation of the Ministry and Reports on the Operation of the Ministry**

7. The State Secretary shall take the decision on the administrative act issued by the governance official of the Ministry or actual action of the governance official contested by a private individual, unless it has been laid down otherwise in laws and Cabinet regulations.

8. A private individual may appeal to a court against the administrative acts issued by the State Secretary and his or her actual action.

8.1In a civil case in a cassation court, the State shall be represented by the official of the Legal Department of the Ministry.

[*27 May 2021*]

9. The public reports on the operation of the Ministry and the use of the budget resources allocated thereto shall be provided by the Ministry in accordance with the procedures laid down in laws and regulations.

**IV. Institutions Subordinate to the Ministry and State Capital Companies**

10. The institutions subordinate to the Ministry are the following:

10.1. [27 May 2021]

10.2. Prisons Administration;

10.3. [5 December 2023];

10.4. the Insolvency Control Service;

10.5. Patent Office;

10.6. Court Administration;

10.7. Enterprise Register;

10.8. Administration of the Maintenance Guarantee Fund;

10.9. State Probation Service;

10.10. State Forensic Science Bureau;

10.11. State Language Centre;

10.12. State Land Service.

[*27 May 2021*]

11. The Ministry is a holder of the State capital shares in *sabiedrība ar ierobežotu atbildību “Tiesu namu aģentūra”* [limited liability company Courthouse Agency] and *valsts sabiedrība ar ierobežotu atbildību “Latvijas Vēstnesis”* [State limited liability company *Latvijas Vēstnesis*].

[*5 December 2023*]

**V. Closing Provisions**

12. Cabinet Regulation No. 243 of 29 April 2003, By-law of the Ministry of Justice (*Latvijas Vēstnesis*, 2003, No. 70, 141, 161, 168, 180; 2004, No. 52, 90, 188; 2006, No. 46; 2008, No. 49, 83, 171; 2009, No. 104, 121, 203; 2010, No. 164, 204; 2011, No. 51, 199), is repealed.

13. By-laws and rules of procedures of councils and committees established by the Ministry, and also the orders on the establishment of working groups which have been issued until the day of coming into force of this Regulation pursuant to Paragraph 17 of Cabinet Regulation No. 243 of 29 April 2003, By-law of the Ministry of Justice, shall remain in force until they are repealed or until the moment they cease to be in force on other grounds.

Prime Minister Māris Kučinskis

Minister for Justice Dzintars Rasnačs