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

5 May 2005 [shall come into force on 8 June 2005];

11 December 2008 [shall come into force on 24 December 2008];

12 December 2008 [shall come into force on 1 January 2009];

31 January 2013 [shall come into force on 1 March 2013];

28 May 2015 [shall come into force on 1 July 2015];

7 February 2019 [shall come into force on 1 March 2019].

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

the President has proclaimed the following law:

**Law on the Latvian National Opera and Ballet**

[*28 May 2015*]

**Section 1. Scope of Application of the Law**

The Law prescribes the legal status, operation, procedures for the financing and supervision of *valsts sabiedrība ar ierobežotu atbildību “Latvijas Nacionālā opera un balets”* [State limited liability company Latvian National Opera and Ballet] (hereinafter – the National Opera).

[*11 December 2008; 28 May 2015*]

**Section 2. Legal Status and Legal Basis for the Operation of the National Opera**

(1) The National Opera is a State cultural authority of national significance – a capital company the holder of capital shares of which is the Ministry of Culture in the person of its minister.

(2) The National Opera shall operate in accordance with this Law, the Commercial Law, the Law on Cultural Authorities, other laws and regulations, and the statutes of the National Opera.

(3) The statutes of the National Opera shall be approved by and amendments shall be made thereto by the Cabinet.

(4) The full title of the National Opera shall be the Latvian National Opera and Ballet.

[*11 December 2008; 31 January 2013; 28 May 2015*]

**Section 3. Purpose of the Operation of the National Opera**

The purpose of the operation of the National Opera shall be the preservation of the national cultural heritage in the genre of opera and ballet, consolidation and development, updating and popularisation of Latvian national opera, ballet and culture of music in Latvia and abroad, and also ensuring the availability of cultural achievements of world opera, ballet and music in Latvia.

[*11 December 2008*]

**Section 4. Functions of the National Opera**

The National Opera shall carry out the following operations in the field of culture and cultural education:

1) stage opera and ballet performances, concerts and other shows;

2) organise opera and ballet performances and concerts in Latvia and abroad;

3) promote the creation of new original Latvian works in the genre of opera and ballet and stage them;

4) promote the development of new and talented artists;

5) create studios and also opera and ballet classes;

6) represent Latvia in various international festivals, competitions and other events, and also represent Latvian culture in other countries, and promote Latvian integration in the cultural processes of the world;

7) carry out educational work in culture;

8) arouse interest in society about opera and ballet;

9) gather, compile and evaluate cultural information and ensure its availability to the public;

10) carry out other types of operations that are not in conflict with the purpose of the operation of the National Opera specified in this Law.

[*11 December 2008*]

**Section 5. Establishment, Reorganisation and Liquidation of the National Opera**

(1) The National Opera was established in 1919.

(2) The National Opera may be reorganised or liquidated on the basis of the Law.

**Section 6. Supervision of the National Opera**

(1) In order to ensure supervision of the National Opera, the Minister for Culture shall:

1) approve the draft strategy for the operation and development of the National Opera for five years;

2) approve the annual action plan of the National Opera;

3) assess the implementation of the annual action plan of the National Opera;

4) appoint to and remove from the position members of the executive board;

5) propose to carry out an audit in the National Opera;

6) [11 December 2008];

7) prepare the request for the allocation of funds from the annual State budget grants for the implementation of the national remit.

(2) In fulfilling the duties specified in Paragraph one of this Section, the Minister for Culture has the right to request and receive information from the National Opera on its operation.

[*5 May 2005; 11 December 2008; 31 January 2013*]

**Section 7. Executive Board of the National Opera**

(1) The executive board of the National Opera (hereinafter also – the executive board) shall be comprised of three members of the executive board. As a result of an open competition, a member of the executive board shall be appointed to office for five years and removed from office by the Minister for Culture.

(2) The activities of the executive board of the National Opera shall be managed by the chairperson of the executive board who is appointed from among the members of the executive board by the Minister for Culture. The functions referred to in Section 7.1, Paragraph two, Clause 1, Sub-clause “a” of this Law are within the competence of the chairperson of the executive board of the National Opera.

(3) The Ministry of Culture shall announce an open competition in the official gazette *Latvijas Vēstnesis* for the position of a member of the executive board of the National Opera, and information on the announced competition shall be placed on the website of the Ministry of Culture.

(4) The following person may be a member of the executive board of the National Opera:

1) who has acquired higher academic or vocational education (except for the first level higher vocational education);

2) who has at least five years of work experience in order to professionally perform the tasks of the member of the executive board in the National Opera;

3) who is fluent in the official language and in at least two foreign languages;

4) who has knowledge and understanding of the culture sector, particularly of music and performing arts;

41) who has knowledge and understanding of the operation and management of a State capital company;

5) who has an impeccable reputation.

(5) When choosing members of the executive board, the competition commission shall also evaluate the proposal for further development of the operation of the National Opera developed by a competition participant in which he or she indicates the ways and means for the implementation thereof. A candidate to the position of a member of the executive board shall submit the proposal to the competition commission together with the other documents provided for in the competition regulations.

(6) The Ministry of Culture shall announce a competition for the position of a member of the executive board six months before the end of the term of the mandate of an existing member of the executive board.

(7) A member of the executive board of the National Opera may be appointed repeatedly to office for a new term. In such case an open competition for the position of the relevant member of the executive board shall not be organised. The member of the executive board who has fulfilled the duties of the member of executive board for two consecutive terms is entitled to apply to to the position of a member of he executive board also for the next term of office by taking part in the open competition for the position of a member of he executive board.

(8) If a member of the executive board resigns or is removed from office before the end of the term of office, the Minister for Culture shall, by organising a competition, appoint a new member of the executive for the remaining term of office of the member of the executive board. If six or less months are left until the end of the term of office of the member of the executive board, the Minister for Culture may appoint a new member of the executive board for the remaining term of office of the member of the executive board. In such case the open competition for the position of the relevant member of the executive board shall not be organised.

(9) Employment contract with a member of the executive board of the National Opera shall be concluded by the Minister for Culture for the term of office of the member of the executive board.

[*31 January 2013; 7 February 2019*]

**Section 7.1 Competence of the Executive Board of the National Opera**

(1) The executive board of the National Opera shall perform the tasks determined for it and shall be responsible for the fulfilment thereof in accordance with this Law and other laws and regulations, and also the statutes of the National Opera.

(2) The executive board of the National Opera shall:

1) manage and organise continuous operation of the National Opera, including:

a) implement artistic and educational work in culture, ensure a balanced development of the opera and ballet genre, and also plan the prospective and seasonal repertoire;

b) plan the financial and economic activities according to the budget of the National Opera;

c) organise the technical and technological provisions required for the operation of the National Opera, and also maintain the property in the ownership, possession or use of the National Opera;

d) organise the administrative activities of the National Opera, including the management of human resources and documents, compilation and analysis of statistical data;

2) ensure that the funds of the National Opera, including the funds from the State budget allocated to the National Opera, and the property of the National Opera are used legally, economically and purposefully;

3) develop the draft strategy for the operation and development of the National Opera for five years, the draft annual action plan and the draft annual budget;

4) determine the structure, list of positions and remuneration of the employees of the National Opera by complying with the provisions specified in Section 8, Paragraph two of this Law;

5) employ and dismiss the employees of the National Opera;

6) determine the competence and liability of the employees of the National Opera;

7) provide information to the Minister for Culture on the activities of the National Opera and proposals on the matters related to the operation of the National Opera;

8) perform other activities permitted by the laws and regulations in order to perform the functions laid down by the Law.

[*31 January 2013*]

**Section 7.2 Representation Rights of the Executive Board of the National Opera and the Taking of Decisions**

(1) The chairperson of the executive board shall have individual representation rights. The remaining members of the executive board shall have joint representation rights together with the chairperson of the executive board.

(2) The executive board of the National Opera shall independently take decisions within the scope of its competence.

(3) The executive board of the National Opera shall have a quorum if its meeting is attended by at least two member of the executive board one of whom is the chairperson of the executive board.

(4) The decisions of the executive board shall be taken by a simple majority of votes of the member of the executive board, except in the cases referred to in Paragraphs five and six of this Section.

(5) If a meeting of the executive board is attended by two member of the executive board, the decision shall be deemed taken if both member of the executive board have voted for it.

(6) In the matters referred to in Section 7.1, Paragraph two, Clauses 3 and 4 of this Law and in the matters unanimously recognised by the executive board as essential, the decision of the executive board of the National Opera shall be taken if all members of the executive board have voted for it.

[*31 January 2013*]

**Section 8. Remuneration for Work in the National Opera**

(1) Remuneration of the members of the executive board of the National Opera shall be determined by the Minister for Culture in accordance with the procedures specified by the law pursuant to the criteria characterising the size of the capital company.

(2) Remuneration of the employees of the National Opera shall be determined by the executive board of the National Opera within the framework of the work remuneration fund of the National Opera budget in conformity with the work remuneration of a specialist of the relevant qualification in the labour market.

[*11 December 2008; 31 January 2013*]

**Section 9. Planning the Activities of the National Opera**

(1) The strategy for the operation and development of the National Opera for five years shall be approved by the Minister for Culture.

(2) The executive board of the National Opera shall draw up the draft strategy for the operation and development of the National Opera for five years, providing for the results to be achieved within a specific time period and the resources necessary for the achievement of such results, and shall submit the draft to the Minister for Culture.

(3) The strategy for the operation and development of the National Opera for five years shall form the basis for the annual action plan of the National Opera. Results to be achieved during the year and the measures and resources necessary for the achievement of such results shall be determined in the annual action plan. The annual budget of the National Opera shall be adopted on the basis of the annual action plan.

[*5 May 2005; 31 January 2013*]

**Section 10. Advisory Council of the National Opera**

[31 January 2013]

**Section 11. Competence of the Advisory Council**

[31 January 2013]

**Section 12. Property of the National Opera**

(1) Property of the National Opera shall be formed by:

1) the movable and immovable property assigned to the National Opera, including funds;

2) the movable and immovable property, including funds, that have been given as gifts (donated) by natural and legal persons, and also the property that the National Opera has purchased using the funds given as gifts (donated) and its own funds;

3) intellectual property.

(2) Property of the National Opera is to be used only to ensure its operation and to implement the purpose of the operation of the National Opera specified by this Law.

(3) The immovable property purchased using the budget funds allocated by the State shall be registered with the Land Register by the National Opera in the name of the State.

(4) The immovable property obtained using the funds given as gifts (donated) or own funds, and also the immovable property that has been given as a gift (donated) by natural and legal persons shall be registered with the Land Register in the name of the National Opera.

[*11 December 2008*]

**Section 13. Funds of the National Opera**

The funds of the National Opera shall be formed by:

1) a State budget grant for the implementation of the national remit;

2) income from economic activity;

3) gifts and donations in the form of monetary funds and property, including the gifts and donations of foreign natural and legal persons;

4) a grant from the local government budget;

5) other sources of financing provided for in laws and regulations.

[*11 December 2008*]

**Section 13.1 National Remit**

(1) The national remit is the aggregate of performances, concerts, other shows of the National Opera, cultural and educational programmes and support measures of the sector in Latvia and abroad which is determined in the annual contract entered into between the Ministry of Culture and the National Opera in accordance with the provisions of this Law and for which the required financial provision is provided in the annual State budget law. The contract shall be entered into for a period which does not exceed one financial year.

(2) The national remit shall be drawn up in accordance with the purpose and functions of the National Opera specified in this Law and it shall:

1) ensure the needs of the public for a culture product of opera, ballet and music genre of high artistic value;

2) ensure the creation of new original works in the genre of opera and ballet;

3) ensure the preservation of the national heritage and its development in the field of opera, ballet and music culture;

4) ensure the availability of Latvian achievements in world opera, ballet and music culture and popularisation thereof;

5) promote the popularisation of the Latvian achievements in culture, opera, ballet and music culture abroad;

6) promote the cultural educating of society in the field of opera, ballet and music culture.

[*11 December 2008*]

**Section 14. Rights of the National Opera**

[11 December 2008]

**Section 15. Accounts of the National Opera**

(1) The National Opera shall open an account with the Treasury for the receipt of the State budget funds and for making expenditures therefrom.

(2) [11 December 2008]

[*11 December 2008*]

**Section 16. Accounting Records of the National Opera**

[11 December 2008]

**Section 17. Internal Control of the National Opera**

The internal control in the National Opera shall be carried out by complying with the provisions of the Commercial Law and the statutes of the National Opera.

[*11 December 2008*]

**Section 18. Annual Public Report of the National Opera**

At the end of a financial year, the National Opera shall prepare and publish an annual public report and a list of the donors and the donated amounts in order to inform society of the purposes and results of the activity of the National Opera, and also of the use of the State budget funds and donations.

**Transitional Provisions**

[*11 December 2008*]

1. Until 1 January 2009, the Cabinet shall issue the order regarding the reorganisation of the State cultural institution Latvian National Opera as the State capital company Latvian National Opera.

2. The property of the State cultural institution Latvian National Opera to be reorganised shall be transferred to the relevant State capital company Latvian National Opera. The State capital company shall be the successor of commitments, rights, property and funds of the cultural institution to be reorganised.

3. In the order regarding the reorganisation of the State cultural institution as the State capital company, the Cabinet shall determine the size of the equity capital of the State limited liability company Latvian National Opera and approve the composition of the property thereof, including the list of the immovable property which will be invested in the equity capital of the State capital company.

4. The director of the National Opera shall, not later than within a month after the registration of the State limited liability company Latvian National Opera with the Enterprise Register of the Republic of Latvia, approve the list of positions of the employees.

5. The Advisory Council of the National Opera which has been established by the Cabinet Order No. 48 of 24 January 2003, On the Advisory Council of the Latvian National Opera, shall act until the end of the term of office thereof.

6. The provision of Section 7, Paragraph three of this Law regarding announcement of an open competition for the position of the director shall not be applied in appointing the director of the State limited liability company Latvian National Opera for the first time. Employment relationship established until 1 January 2009 with the director of the State cultural institution Latvian National Opera under the supervision of the Ministry of Culture shall be continued by making the amendments to the employment contract in accordance with the requirements of this Law.

7. In 2009, the remuneration (wage, bonuses, prize-moneys, benefits etc.) determined in accordance with this Law shall be specified pursuant to the law On Remuneration of Officials and Employees of State and Local Government Institutions in 2009.

[*12 December 2008*]

8. The Ministry of Culture shall, not later than by 31 May 2013, submit to the Commercial Register Office the statutes of the National Opera that have been developed in conformity with the amendments to this Law which have come into force on 1 March 2013 and that have been approved in accordance with the procedures laid down in laws and regulations.

[*31 January 2013*]

9. The Ministry of Culture shall announce an open competition for the positions of the members of the executive board of the National Opera not later than on 30 June 2013.

[*31 January 2013*]

10. The Minister for Culture shall appoint a new executive board of the National Opera in the composition of three members of the executive board by 31 December 2013.

[*31 January 2013*]

11. The executive board of the National Opera which fulfils its duties on 1 March 2013 shall continue to fulfil its duties until the new executive board in the composition of three members of the executive board is appointed. After a new executive board of the National Opera is appointed, the previous executive board shall be responsible for the transfer of property, documents, and other objects related to the performance of official duties to the new executive board in accordance with the deed of acceptance and delivery.

[*31 January 2013*]

12. The executive board of the National Opera shall, by 31 August 2015, submit to the Commercial Register Office the statutes of the National Opera that have been developed in conformity with the amendments to this Law (which have come into force on 1 July 2015) and have been approved in accordance with the procedures laid down in laws and regulations.

[*28 May 2015*]

13. Members of the executive board of the National Opera who fulfil their duties on 1 March 2019 shall continue to fulfil them until the end of their term of office.

[*7 February 2019*]

The Law has been adopted by the *Saeima* on 22 May 2002.

Acting for the President,

Chairperson of the *Saeima* J. Straume

Rīga, 12 June 2002