Republic of Latvia

Cabinet

Regulation No. 264

Adopted 18 June 2019

**Regulations Regarding Legalisation of Public Documents**

*Issued pursuant to*

*Section 5, Paragraph two, Sections 6 and 12 of the Document Legalisation Law*

**I. General Provisions**

1. This Regulation prescribes:

1.1. the procedures by which a public document issued in Latvia which is intended for use in a country which is not a participating state of the Hague Convention of 5 October 1961 Abolishing the Requirement of Legalisation for Foreign Public Documents (hereinafter – the foreign country) shall be legalised;

1.2. the procedures by which a public document issued in the foreign country shall be legalised for the use thereof in Latvia;

1.3. the procedures by which the decision to refuse legalisation shall be taken;

1.4. the amount of the State duty for the legalisation of a public document, the procedures for its payment and exemptions from the State duty;

1.5. the sample submission form.

2. The legalisation of a public document issued in Latvia and in the foreign country (hereinafter – the document) shall be ensured by:

2.1. the Consular Department of the Ministry of Foreign Affairs (hereinafter – the Department);

2.2. the diplomatic and consular mission of the Republic of Latvia (hereinafter – the Mission) in the consular area of which the document will be used.

3. A document issued in the foreign country shall be legalised in Latvia after the competent authority of the issuing country has certified:

3.1. the authenticity and status (position) of the signature of the official who signed the document;

3.2. the authenticity of the seal or stamp imprinted on the document.

4. The document shall be legalised by certifying the conformity of the specimen of the signature of the official who signed the document and the conformity of the seal or stamp imprinted on the document (hereinafter – the specimen of the signature) with the specimen of the signature of the relevant official at the disposal of the Ministry of Foreign Affairs.

5. The Ministry of Foreign Affairs shall request and receive the specimen of the signature of the official necessary for legalisation from the State institutions of Latvia and the foreign country. The specimens of the signatures of officials shall be kept permanently at the Ministry of Foreign Affairs.

6. For the fulfilment of the functions specified in the Document Legalisation Law, the Ministry of Foreign Affairs and the Council of Sworn Notaries of Latvia shall mutually exchange the specimens of the signatures of the officials of Latvia.

**II. Procedures for the Legalisation of a Document**

7. A person, by presenting a personal identification document, shall submit the legalisation application – a submission for the legalisation of a public document (Annex) – and the document to be legalised in person to the Department or the Mission.

8. The consular official shall take the following actions:

8.1. legalise the document;

8.2. take the decision to extend the time period for the examination of the legalisation application;

8.3. take the decision to refuse the legalisation of the document.

9. The document shall be examined and legalised within two working days or two hours after the fulfilment of all the requirements referred to in this Regulation, except in cases where a consular official establishes the conditions referred to in Paragraphs 10, 11 or 12 of this Regulation.

10. The time period for examining the application for legalisation may be extended if the consular officer requires:

10.1. to request the specimen of the signature of the official who has signed, certified or legalised the document;

10.2. to evaluate whether the document submitted for legalisation conforms to the requirements referred to in the Document Legalisation Law;

10.3. carry out additional checks in accordance with Paragraph 11 of this Regulation.

11. A consular official shall carry out the necessary additional checks if:

11.1. reasonable doubts arise regarding the authenticity of the document submitted for legalisation;

11.2. reasonable doubts arise of the authenticity of the specimen of the signature of the official who signed the document;

11.3. circumstances exist which provide for the relevant type of document to be evaluated in depth in order to avoid risks related to the safety of the circulation of documents;

11.4. it has been requested by the competent authorities of the issuing State of the document.

12. A consular official shall take the decision to refuse the legalisation of a document if:

12.1. the document cannot be legalised in accordance with the Document Legalisation Law;

12.2. the Ministry of Foreign Affairs does not have at its disposal the specimen of the signature of the official of Latvia or the foreign country who has signed, certified or legalised the document and, upon a request of the Ministry of Foreign Affairs, the relevant Latvian institution has not submitted the abovementioned specimen within a period of three months, but the foreign institution – within a year;

12.3. the specimen of the signature of the official of Latvia or the foreign country on the document submitted for legalisation does not conform to the specimen of the signature of the relevant official at the disposal of the Ministry of Foreign Affairs;

12.4. when performing additional checks, a reply is received from the competent authority which prohibits the legalisation of the document, or no reply is received within a year.

13. The decision to refuse the legalisation of a document and to extend the period for the examination of a legalisation application is an administrative act and may be contested by submitting the respective submission to the Director of the Department. The decision taken by the Director of the Department may be appealed to the Administrative District Court.

14. The legalisation endorsement shall be placed on the document and shall consist of:

14.1. the name of the institution which legalised the document;

14.2. the registration number of the legalisation;

14.3. the date when the document is legalised;

14.4. the given name, surname and position of the official who legalised the document;

14.5. the signature of the official who legalised the document;

14.6. the official seal bearing the name of the institution which legalised the document.

15. If there is insufficient space on the document, the legalisation endorsement shall be drawn up on a separate sheet and appended to the document with technically sustainable means (for example, being tied with string).

16. The document shall be registered in the electronic Document Legalisation System. The Document Legalisation System shall be maintained by the Ministry of Foreign Affairs.

17. The submitted document or the decision to refuse the legalisation of the document and the appended documents shall be issued to the document submitter personally or to the person indicated in the submission.

**III. State Duty for the Legalisation of a Document**

18. The State duty for the legalisation of a document is:

18.1. within two working days – EUR 15.00

18.2. within two hours – EUR 30.00

19. The State duty shall be paid into the State budget prior to the submission of the document for legalisation.

20. A person shall pay the State duty using the types of paid services specified in the laws and regulations regarding the price list of the consular remuneration of the Ministry of Foreign Affairs and the procedures by which consular remuneration and State duties are collected.

21. If the decision to refuse the legalisation or to extend the term of legalisation has been taken, the State duty shall not be refunded.

22. The payment of the State duty shall be exempt in accordance with the international agreements binding on the Republic of Latvia, in the interests of the State or for humanitarian reasons on the basis of a reasoned submission of the person. The Director of the Department or his or her authorised official shall decide on the exemption from the payment of the State duty.

23. The following Regulations are hereby repealed:

23.1. Cabinet Regulation No. 186 of 20 March 2012, Regulations Regarding Legalisation of Public Documents (*Latvijas Vēstnesis*, 2012, No. 47; 2017, No. 21);

23.2. Cabinet Regulation No. 187 of 20 March 2012, Regulations Regarding the State Fee for the Legalisation of a Public Document (*Latvijas Vēstnesis*, 2012, No. 47; 2013, No. 188; 2017, No. 21).

24. This Regulation shall come into force on 1 July 2019.

Prime Minister A. K. Kariņš

Acting for the Minister for Foreign Affairs – Minister for Finance J. Reirs

**Annex**

Cabinet Regulation No. 264

18 June 2019

**Submission for the Legalisation of a Public Document**

**(to be completed in a legible handwriting, in block letters or in electronic form)**

|  |  |
| --- | --- |
| Given name, surname (to be completed by a natural person) |   |
| Address (to be completed by a natural person) |   |
| Name (to be completed by a legal person) |   |
| Legal address (to be completed by a legal person) |   |
| Contact telephone |   |
| Number of documents to be legalised |   |
| Time periods for the examination of a submission (mark as appropriate) | within two working dayswithin two hours |

**Public Document**

|  |  |
| --- | --- |
| Name of the document |   |
| Must legalise (mark as appropriate) | the original of the document;the translation of the document;the derivative of the document (extract, true copy or copy) |
| The purpose for which the document is necessary |   |
| The country in which the document is intended to be used |   |
| Notes, including the person entitled to receive the legalised document (if different from the applicant) |   |

I agree that the data submitted is used in the legalisation process of the document

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| (date) |  | (given name, surname) |  | (signature) |

**Internal notes**

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I confirm that I received the legalised document

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| (date) |  | (given name, surname) |  | (signature) |

Acting for the Minister for Foreign Affairs – Minister for Finance J. Reirs