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

15 April 2021 [shall come into force on 10 May 2021].

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:

**On Judicial Cooperation and Protection of Persons’ Rights during the Transition Period after the Withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union**

**Section 1. Purpose of the Law and Its Application**

(1) The purpose of the Law is to ensure judicial cooperation and protection of persons’ rights during the transition period after the withdrawal of the United Kingdom of Great Britain and Northern Ireland (hereinafter – the United Kingdom) from the European Union.

(2) This Law is applicable starting from the day when the United Kingdom withdraws from the European Union in accordance with Article 50 of the Treaty on European Union (hereinafter – the day of withdrawal).

(3) If the United Kingdom has withdrawn from the European Union in accordance with Article 50 of the Treaty on European Union and the Agreement on the Withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community has come into effect, only the provisions of Sections 2 and 18 of this Law will be applicable starting from the day of withdrawal.

(4) The term “family member” and other terms used in this Law correspond to the explanations of terms specified in the laws and regulations regulating the corresponding field.

**Section 2. Right to Reside in the Republic of Latvia**

(1) European Union citizen’s registration certificates, European Union citizen’s permanent residence cards and the residence permits of a family member of a European Union citizen issued in the Republic of Latvia (hereinafter – Latvia) to citizens of the United Kingdom and their family members until the day of withdrawal shall be valid until the end of the period of validity indicated therein, but not later than 30 June 2021.

(2) Citizens of the United Kingdom who have been legally residing in Latvia until 31 December 2020 and wish to continue to reside in Latvia shall, by 30 June 2021, submit an application to the Office of Citizenship and Migration Affairs to receive a new document attesting to their rights of residence. Citizens of the United Kingdom to whom the document referred to in Paragraph one of this Section has been issued shall submit the application electronically or by post as a free form submission and attach a copy of a valid travel document thereto. Citizens of the United Kingdom who do not have the document referred to in Paragraph one of this Section shall submit an application to the Office of Citizenship and Migration Affairs in accordance with the laws and regulations regarding the procedures by which citizens of the European Union and their family members enter and reside in Latvia, and attach the documents to the application which confirm their lawful residence in Latvia until 31 December 2020.

(3) Family members of citizens of the United Kingdom referred to in Paragraph two of this Section who wish to continue to reside in Latvia and to whom the document referred to in Paragraph one of this Section has been issued shall submit an application for receipt of a new document attesting to their rights of residence electronically or by post as a free form submission by 30 June 2021 and attach a copy of a valid travel document thereto. Family members who do not have the document referred to in Paragraph one of this Section and who wish to enter Latvia as family members of citizens of the United Kingdom referred to in Paragraph two of this Section shall, within three months after entering in Latvia but not later than until 30 September 2021, submit an application to the Office of Citizenship and Migration Affairs in accordance with the laws and regulations regarding the procedures by which citizens of the European Union and their family members enter and reside in Latvia.

(4) The Office of Citizenship and Migration Affairs shall examine the applications referred to in Paragraphs two and three of this Section and issue a new document attesting to the rights of residence for citizens of the United Kingdom and their family members in accordance with the laws and regulations regarding the procedures by which citizens of the European Union and their family members enter and reside in Latvia and in accordance with Council Regulation (EC) No 1030/2002 of 13 June 2002 laying down a uniform format for residence permits for third-country nationals. A temporary residence permit shall be issued for five years but a permanent residence permit for 10 years.

(5) Citizens of the United Kingdom and their family members who have received the document referred to in Paragraph four of this Section shall continue to reside in Latvia in accordance with the laws and regulations regarding the procedures by which citizens of the European Union and their family members enter and reside in Latvia.

[*15 April 2021*]

**Section 3. Right to the State Social Insurance Pension and a Supplement to the Pension**

(1) In granting an old-age pension, service pension, survivor’s pension or disability pension in accordance with the law On State Pensions (hereinafter – the State pension) for persons who were socially insured in the United Kingdom until the day of withdrawal and who live in Latvia or the United Kingdom after the day of withdrawal, the following conditions shall be observed:

1) the right to the State pension is determined and it is calculated for the length of period of insurance accumulated in Latvia in accordance with the law On State Pensions;

2) persons for whom disability has been determined in Latvia in accordance with the Disability Law have the right to a disability pension;

3) if the length of period of insurance accumulated in Latvia is insufficient for the granting of the State pension, the insurance periods accumulated in the United Kingdom until the day of withdrawal which have been confirmed by the competent institution of the United Kingdom shall be taken into account to determine the rights;

4) if the right to a pension arises by aggregating the insurance periods accumulated in Latvia and the United Kingdom:

a) an old-age pension, service pension or survivor’s pension shall be calculated only on the length of period of insurance in Latvia in accordance with the law On State Pensions,

b) a Group I and II disability pension shall be calculated only on the length of period of insurance in Latvia, if the person was subject to disability insurance in Latvia in the five-year period prior to the granting of the disability pension. If the person lives in Latvia, a supplement to the disability pension shall be determined up to the amount specified in Section 16, Paragraph two of the law On State Pensions, taking into account the amount of the granted disability pension, including the amount of another state’s pension,

c) a Group I and II disability pension shall be calculated in proportion to the amount specified in Section 16, Paragraph three of the law On State Pensions, by correlating the length of period of insurance in Latvia with the combined length of period of insurance in Latvia and the United Kingdom, if the person was not subject to disability insurance in Latvia in the five-year period prior to the granting of the disability pension. If the person lives in Latvia, a supplement to the disability pension shall be determined up to amount specified in Section 16, Paragraph three of the law On State Pensions, taking into account the amount of the granted disability pension, including the amount of another state’s pension,

d) a Group III disability pension shall be calculated in proportion to the amount specified in Section 16, Paragraph one, Clause 2 of the law On State Pensions, by correlating the length of period of insurance in Latvia with the combined length of period of insurance in Latvia and the United Kingdom. If a person lives in Latvia, a supplement to the disability pension shall be determined up to the amount specified in Section 16, Paragraph one, Clause 2 of the law On State Pensions, taking into account the amount of the granted disability pension, including the amount of another state’s pension.

(2) From the day of withdrawal, for persons who live in the United Kingdom the Latvian oldage pension shall be granted before the due time – until reaching the age required for the granting of an old-age pension specified in the law On State Pensions – and disbursed, if information has been received from the competent institution of the United Kingdom regarding the fact that the person does not have a mandatory social insurance (as an employee or as a self-employed person) and does not receive an unemployment benefit. The State Social Insurance Agency (hereinafter – the Agency) shall review this information once a year.

(3) For persons who live in Latvia and for whom the Latvian State pension has been granted until the day of withdrawal, by aggregating the insurance periods accumulated in Latvia and the United Kingdom, the Agency shall continue to disburse the supplement up to the amount of the minimum pension, if such has been determined in accordance with Regulation (EEC) No 1408/71 of the Council of 14 June 1971 on the application of social security schemes to employed persons and their families moving within the Community and Regulation (EC) No 883/2004 of the European Parliament and of the Council of 29 April 2004 on the coordination of social security systems (hereinafter – Regulation No 883/2004).

(4) In accordance with the law On State Pensions, from the day of withdrawal a supplement to the old-age pension and disability pension is granted and disbursed for the length of period of insurance until 31 December 1995 for persons who live in the United Kingdom.

**Section 4. Right to the State Funded Pension Capital**

In accordance with the laws and regulations of Latvia, the persons living in the United Kingdom shall use the accrued State funded pension capital in accordance with the Law on State Funded Pensions.

**Section 5. Right to the Benefits in Relation to the Death of a State Pension Recipient**

In the case of the death of the State pension recipient, in accordance with the law On State Pensions, a person living in the United Kingdom has the right to a funeral allowance if he or she has undertaken to organise the funeral and a benefit for the surviving spouse if the surviving spouse is the recipient of an old-age pension, service pension or disability pension in accordance with the law On State Pensions.

**Section 6. Right to the Compensation in Relation to an Accident at Work or an Occupational Disease**

(1) Persons who live in the United Kingdom and who have suffered an accident at work or for whom an occupational disease has been established in Latvia have the right to compensation for the loss of capacity to work in accordance with the law On Compulsory Social Insurance in Respect of Accidents at Work and Occupational Diseases.

(2) If the cause of a person’s death is an accident at work which has occurred in Latvia or an occupational disease established in Latvia, then, in accordance with the law On Compulsory Social Insurance in Respect of Accidents at Work and Occupational Diseases, a person who lives in the United Kingdom and has undertaken to organise the funeral has the right to a funeral allowance, whereas the deceased person’s family members incapable of work – to a survivor’s compensation.

**Section 7. Right to the State Social Allowances**

(1) Citizens of the United Kingdom have the right to request and receive State social allowances in accordance with the Law on State Social Allowances until 31 December 2020, if they have at their disposal a valid document referred to in Section 2, Paragraph one or four of this Law.If the allowance is granted for a child, then the child’s place of residence must be in Latvia.

(2) For persons who live in the United Kingdom or exit from Latvia to the United Kingdom after the day of withdrawal, the State family allowance (supplements to the State family allowance), childcare benefit, benefit for the care of a disabled child and an allowance for a disabled person for whom care is necessary shall be disbursed in compliance with the conditions of Regulation No 883/2004.

**Section 8. Right to the State Social Security Benefit**

The right to the State social security benefit for the Latvian citizens and non-citizens who move from the United Kingdom to reside in Latvia from the day of withdrawal until 31 December 2020 shall be determined in accordance with the Law on State Social Allowances, if they have lived in Latvia for not less than 60 months in total, and of these the last 12 months – in Latvia or the United Kingdom.

**Section 9. Right to the Unemployment Benefit**

(1) In accordance with the law On Unemployment Insurance, when granting the unemployment benefit for persons who live in Latvia, the insurance periods accumulated in the United Kingdom until the day of withdrawal, which have been confirmed by the competent institution of the United Kingdom, shall be taken into account.

(2) The unemployment benefit that has been granted in accordance with the law On Unemployment Insurance shall be disbursed to the persons who live in the United Kingdom or exit from Latvia to the United Kingdom after the day of withdrawal.

**Section 10. Right to the Sickness Benefit**

(1) The right to the sickness benefit for the persons who live in Latvia shall be determined in accordance with the law On Maternity and Sickness Insurance, taking into account the insurance periods accumulated in the United Kingdom until the day of withdrawal, which have been confirmed by the competent institution of the United Kingdom.

(2) The sickness benefit that has been granted in accordance with the law On Maternity and Sickness Insurance shall be disbursed to the persons who live in the United Kingdom or exit from Latvia to the United Kingdom after the day of withdrawal.

**Section 11. The Procedures for Requesting and Receiving Social Insurance Services and State Social Allowances**

(1) Persons who live in the United Kingdom shall submit a submission for the granting of social insurance services and State social allowances to the Agency through the competent institution of the United Kingdom, or in person, or send it electronically signed with a secure electronic signature. Persons can request the services administered by the Agency available on the single State and local government service portal www.latvija.lv by using the means of authentication offered by the portal.

(2) If the Agency does not have the documents required for the granting of social insurance services and State social allowances at its disposal, a person shall submit them to the Agency through the competent institution of the United Kingdom, or in person, or send notarially certified copies by post to the Agency, or send electronically in compliance with the laws and regulations regulating the circulation of electronic documents.

(3) Upon request of a person, social insurance services and State social allowances shall be transferred to the persons who live in the United Kingdom to their account in a credit institution in Latvia or the United Kingdom.

(4) For persons who live in the United Kingdom, the granted State pension, the benefit for a spouse in the case of the death of the pension recipient, the compensation for the loss of capacity to work and the survivor’s compensation shall be disbursed by the Agency according to the procedures laid down in the law On State Pensions in relation to the disbursement of pensions to persons who depart to live abroad, in compliance with that laid down in Paragraph three of this Section.

(5) The disbursement of the State pension for persons who live in the United Kingdom shall be renewed in accordance with the procedures laid down in the law On State Pensions.

(6) The Agency shall send to the competent institution of the United Kingdom and receive from it information in the field of social security which is necessary to grant and disburse to a person social insurance services and State social allowances, as well as to determine the procedures for making the mandatory State social insurance contributions. The Agency shall send, receive and process the personal data (a person’s given name, surname, personal identity number, date of birth/death, the address of the place of residence, marital status and its composition, employment status, disability data, periods of insurance and domicile, types and amounts of granted social insurance services and State social allowances, data on the person’s incapacity for work, excluding a medical diagnosis) of an applicant or recipient of social insurance services and State social allowances, as well as of those making mandatory State social insurance contributions.

**Section 12. Recovery of Overpayments**

The Agency shall recover overpayments in accordance with the procedures laid down in the law On State Social Insurance.

**Section 13. Making Mandatory State Social Insurance Contributions**

(1) Starting from the day of withdrawal, the rights, obligations and responsibility of the United Kingdom’s employers and employees shall be treated the same way as the rights, obligations and responsibility of the European Union’s employers and employees as laid down in the law On State Social Insurance.

(2) If the Agency receives a document issued by the competent institution of the United Kingdom which attests that a person is socially insured in the United Kingdom, the person does not have to make (for the person) mandatory State social insurance contributions in Latvia.

(3) The Agency shall, upon receipt of a person’s or employer’s application, issue a document which attests to the making of the mandatory State social insurance contributions in Latvia for the person as an employee or attests to the fact that the person himself or herself is making mandatory State social insurance contributions as a self-employed person.

(4) The Agency shall inform the State Revenue Service regarding the receipt of a document issued by the competent institution of the United Kingdom, which attests that the person is socially insured in the United Kingdom.

**Section 14. Right to Receive Social Services and Social Assistance**

Citizens of the United Kingdom have the right to receive the social services and social assistance specified in the Law on Social Services and Social Assistance until 31 December 2020 on the basis of any of the provisions of Section 3, Paragraph one, Clause 3 of the Law on Social Services and Social Assistance, if they have obtained the right to reside in Latvia until the day of withdrawal and continue to live (reside) in Latvia after the day of withdrawal. This provision also applies to the family members of the abovementioned citizens.

**Section 15. Right to a Predictable Disability and Disability Expert-examination**

(1) Citizens of the United Kingdom have the right to a predictable disability and disability expert-examination laid down in Section 7, Paragraph one of the Disability Law until 31 December 2020, if they have obtained the right to reside in Latvia until the day of withdrawal and continue to live (reside) in Latvia after the day of withdrawal. This provision also applies to the family members of the abovementioned citizens.

(2) Citizens of the United Kingdom, who live in the United Kingdom and who have the right to social insurance services in Latvia, have the right to the disability expert-examination laid down in Section 7, Paragraph one of the Disability Law until 31 December 2020.

**Section 16. Right to the Support for Unemployed Persons and Persons Seeking Employment**

Citizens of the United Kingdom have the right to receive the support specified in the Support for Unemployed Persons and Persons Seeking Employment Law for the unemployed persons, persons seeking employment and persons subject to the risk of unemployment until 31 December 2020, if they have obtained the right to reside in Latvia until the day of withdrawal and continue to live (reside) in Latvia after the day of withdrawal. This provision also applies to the family members of the abovementioned citizens.

**Section 17. Right to Receive Healthcare Services within the Framework of State Mandatory Health Insurance**

(1) Citizens of the United Kingdom have the right to receive healthcare services within the framework of State mandatory health insurance until 31 December 2020, if by the day of withdrawal they:

1) have obtained the right to reside in Latvia and continue to reside in Latvia after the day of withdrawal in connection with employment or as a self-employed persons. These rights also apply to the family members of the abovementioned citizens of the United Kingdom;

2) have been legally residing in Latvia and their right to receive healthcare services is attested to by Form S1 ‘Confirmation of rights to receive healthcare’, which has been issued by the United Kingdom in accordance with Regulation No 883/2004.

(2) Citizens of the United Kingdom who have commenced studies at an institution of higher education or college in Latvia until the day of withdrawal have the right to receive healthcare services within the framework of State mandatory health insurance during the period of their study.

**Section 18. Right to Study at an Institution of Higher Education and College**

The right of a citizen of the United Kingdom and a citizen of Latvia to study at an institution of higher education or college is equal, if the citizen of the United Kingdom has signed a study agreement with the institution of higher education or college in accordance with the Law on Institutions of Higher Education by 31 December 2020. The right of a citizen of the United Kingdom, who signs a study agreement with an institution of higher education or college after 31 December 2020, to study at an institution of higher education or college is determined by the provisions of the Law on Institutions of Higher Education regarding the studies of foreigners in Latvia.

**Section 19. Right to the Recognition of Professional Qualification in Regulated Professions**

(1) If an application for the recognition of professional qualification in a regulated profession obtained in the United Kingdom is submitted until the day of withdrawal, the legal provisions in the law On the Regulated Professions and the Recognition of Professional Qualifications which apply to the recognition of professional qualifications obtained in a Member State of the European Union shall be applied.

(2) After the day of withdrawal, taking into account the requirements of the law On the Regulated Professions and the Recognition of Professional Qualifications, the general system for the recognition of professional qualification shall be applied to the recognition of evidence of education and professional qualification obtained in the United Kingdom.

(3) If the documents confirming a doctor’s and the doctor profession’s primary speciality, sub-speciality or additional speciality, nurse’s, mid-wife’s, dentist’s and the dental sub-speciality, pharmacist’s, veterinarian’s and architect’s professional title, education and professional qualification in the United Kingdom are issued until the day of withdrawal, the special system for the recognition of professional qualification shall be applied, taking into account the requirements of the law On the Regulated Professions and the Recognition of Professional Qualifications.

(4) The special system for the recognition of professional qualification shall be applied to the recognition of an advocate’s right to practise, if the advocate has obtained the professional title of a United Kingdom advocate until the day of withdrawal and wishes to practise in Latvia.

(5) If a person performs professional activities in the United Kingdom in a profession which is regulated in Latvia, has submitted the declaration referred to in Section 42, Paragraph two of the law On the Regulated Professions and the Recognition of Professional Qualifications until the day of withdrawal and has received the permit provided for in Section 42, Paragraph five of the abovementioned law in the case determined by the law, he or she can continue to provide temporary professional services in the regulated profession in Latvia for one year after the submission of the declaration or receipt of the permit. The abovementioned declaration cannot be submitted or extended after the day of withdrawal.

**Section 20. Right to Practise as a Sworn Advocate**

If an advocate of the United Kingdom has obtained the right to practise in Latvia until the day of withdrawal in accordance with Part 7 of the Advocacy Law of the Republic of Latvia ‘Activities of Advocates of European Union Member States in Latvia’, Division 11, he or she is allowed to perform professional activity in Latvia under the professional title of his or her country of residence also after the day of withdrawal.

**Section 21. Judicial Cooperation in Cross-border Civil Matters, which are Related to the United Kingdom**

(1) If legal proceedings or a matter before a sworn notary has been commenced or an application or a request for legal assistance is submitted to a competent institution in Latvia or the United Kingdom until the day of withdrawal, the following European Union legal acts will continue to be applied in Latvia in such matters (including enforcement proceedings arising from these) after the day of withdrawal:

1) Regulation (EU) No 1215/2012 of the European Parliament and of the Council of 12 December 2012 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters;

2) Council Regulation (EC) No 4/2009 of 18 December 2008 on jurisdiction, applicable law, recognition and enforcement of decisions and cooperation in matters relating to maintenance obligations;

3) Council Regulation (EC) No 2201/2003 of 27 November 2003 concerning jurisdiction and the recognition and enforcement of judgments in matrimonial matters and the matters of parental responsibility, repealing Regulation (EC) No 1347/2000;

4) Regulation (EU) No 2015/848 of the European Parliament and of the Council of 20 May 2015 on insolvency proceedings;

5) Council Regulation (EC) No 44/2001 of 22 December 2000 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters;

6) Council regulation (EC) No 1346/2000 of 29 May 2000 on insolvency proceedings;

7) Regulation (EC) No 1393/2007 of the European Parliament and of the Council of 13 November 2007 on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters (service of documents), and repealing Council Regulation (EC) No 1348/2000;

8) Council Regulation (EC) No 1206/2001 of 28 May 2001 on cooperation between the courts of the Member States in the taking of evidence in civil or commercial matters.

(2) If legal proceedings or a matter with a sworn notary have been commenced in Latvia until the day of withdrawal, the following European Union legal acts will continue to be applied in Latvia in these matters (including enforcement proceedings arising from these) after the day of withdrawal:

1) Regulation (EC) No 1896/2006 of the European Parliament and of the Council of 12 December 2006 creating a European order for payment procedure;

2) Regulation (EC) No 861/2007 of the European Parliament and of the Council of 11 July 2007 establishing a European Small Claims Procedure;

3) Regulation (EU) No 606/2013 of the European Parliament and of the Council of 12 June 2013 on mutual recognition of protection measures in civil matters;

4) Regulation (EC) No 805/2004 of the European Parliament and of the Council of 21 April 2004 creating a European Enforcement Order for uncontested claims – with the condition that the application for a European Enforcement Order has been submitted until the day of withdrawal.

(3) If, in accordance with the European Union legal acts referred to in Paragraph two of this Section, the judgements and authentic instruments given in the United Kingdom are requested to be enforced in Latvia, their enforcement in Latvia is permissible only if the United Kingdom has confirmed that it will apply the procedural guarantees in relation to the review of judgements laid down in these European Union legal acts also after the day of withdrawal.

**Section 22. Judicial Cooperation in Cross-border Criminal Matters, which are Related to the United Kingdom**

The European Arrest Warrant, a ruling by which a punishment of deprivation of liberty has been imposed, a ruling on the recovery of a financial nature, a ruling on the confiscation of property, a procedural ruling on the provision of property for confiscation or provision of acquiring evidence, a decision determining the application of a security measure related to deprivation of liberty, the European Investigation Order and the European Protection Order received from the United Kingdom until the day of withdrawal shall be enforced in accordance with the procedures applicable to the European Union Member States.

The Law shall come into force on the next day following its proclamation.

The Law has been adopted by the *Saeima* on 21 March 2019.

President R. Vējonis

Rīga, 27 March 2019