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

13 June 2006 [shall come into force on 17 June 2006];

30 January 2018 [shall come into force on 2 February 2018];

12 March 2019 [shall come into force on 15 March 2019];

15 September 2020 [shall come into force on 23 September 2020];

17 September 2024 [shall come into force on 19 September 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. 42

Adopted 20 January 2004

**By-laws of the Crime Prevention Council**

*Issued pursuant to*

*Section 13 of the State Administration Structure Law*

1. The Crime Prevention Council (hereinafter – the Council) is a collegial authority whose purpose of operation is to strengthen the rule of law, to coordinate and improve the operation of State authorities in order to prevent and combat crime, particularly corruption and organised crime, which endangers security and economic stability of the State, and also to facilitate unified and efficient cooperation of the executive power and the judicial power for strengthening the rule of law.

[*15 September 2020*]

2. The Council shall have the following functions:

2.1. to coordinate the development of the crime prevention strategy and to supervise the implementation thereof;

2.2. to coordinate and improve the operation of State authorities in the prevention and combating of crime to promote efficiency of the abovementioned activities;

2.3. to examine proposals for the development of draft laws and regulations in the field of prevention and combating of crime and to take a decision on the progress of the relevant draft law or regulation;

2.4. if necessary, to organise the criminological research of the causes of crime, to foresee the potential unfavourable consequences and circumstances and also to plan the prevention thereof;

2.5. when implementing the joint justice and home affairs policy of the European Union, to coordinate the operation of the law enforcement authorities of Latvia in fight against crime (particularly against corruption and organised crime);

2.6. to promote the involvement of the society in the prevention of crime (particularly corruption and organised crime);

2.7. to decide on the distribution of the funds of the basic budget programme of the Ministry of Justice “Fund of the Proceeds of Crime from Confiscation”;

2.8. to implement cooperation between the executive power and the judicial power in order to bring forward joint objectives and to coordinate cooperation in strengthening the rule of law in conformity with the principles of separation of powers.

[*13 June 2006; 30 January 2018; 15 September 2020*]

3. Members of the Council shall implement the tasks and decisions of the Council in conformity with the rights and powers granted in laws and other regulatory enactments.

4. The Council has the right:

4.1. to assess the operation of the authorities involved in the prevention and combating of crime and the efficiency thereof and also to submit an assessment to the relevant authority;

4.2. to request and receive the information, statements, and explanations necessary for the work of the Council from State, local government, and other authorities;

4.3. to invite officials of State, local government, and other authorities to participate in the meetings of the Council;

4.4. to commission studies from scientific institutions;

4.5. to provide proposals for the development of draft laws and regulations and to assign the ministries to develop draft laws and regulations in the field of the prevention and combating of crime, and also to take other measures for the performance of the functions of the Council;

4.6. [30 January 2018]

[*13 June 2006*]

5. The Council shall consist of:

5.1. the Prime Minister (the Chairperson of the Council);

5.2. the Minister for Justice;

5.3. the Minister for the Interior;

5.4. the Minister for Finance;

5.5. [15 September 2020];

5.6. [15 September 2020];

5.7. the Prosecutor General;

5.8. President of the Supreme Court

5.9. the Auditor General;

5.10. [12 March 2019];

5.11. the Governor of Latvijas Banka;

5.12. Head of the Financial Intelligence Unit of Latvia;

5.13. the Director of the Corruption Prevention and Combating Bureau;

5.14. the Minister for Foreign Affairs;

5.15. the Minister for Defence;

5.16. a representative delegated by the President of Latvia;

5.17. the Director of the State Security Service;

5.18. the Director General of the State Revenue Service;

5.19. the Chief of the State Police;

5.20. the Director of the Constitution Protection Bureau.

[*12 March 2019; 15 September 2020; 17 September 2024*]

5.1 If a member of the Council is unable to participate in a meeting, he or she has the right to authorise another person in writing to substitute him or her at the meeting of the Council. The relevant authorisation shall be submitted to the Ministry of Justice before the meeting of the Council.

[*12 March 2019*]

6. Upon invitation of the Chairperson of the Council, officials and employees of other State authorities, representatives of non-governmental organisations, experts, and other specialists may also participate in the meetings of the Council. The Minister for Education and Science, the Minister for Welfare, and the Minister for Health are invited to participate in a meeting of the Council with voting rights in taking the decision referred to in Sub-paragraph 2.7 of this Regulation.

[*12 March 2019; 15 September 2020*]

7. The Council shall have a quorum if more than one half of the members of the Council or the authorised persons substituting them are present at the meeting.

[*12 March 2019*]

8. The duties of the Chairperson of the Council during his or her absence shall be performed by a member of the Council appointed by the Chairperson of the Council.

9. The Council shall take decisions by a simple majority. In the event of a tied vote, the deciding vote shall be that of the Chair of the Council. The meetings of the Council shall be closed. The Auditor General, the Minister for Foreign Affairs, the representative delegated by the President of Latvia, the Director of the State Security Service, the Director General of the State Revenue Service, the Chief of the State Police, and the Director of the Constitution Protection Bureau shall not participate in taking the decision referred to in Sub-paragraph 2.7 of this Regulation.

[*15 September 2020*]

10. The Chairperson of the Council:

10.1. shall convene meetings of the Council, approve their agenda, and chair the meetings of the Council;

10.2. is entitled to request and receive the information, statements, and explanations necessary for the work of the Council from State, local government, and other authorities;

10.3. shall sign the decisions of the Council, the minutes of meetings, and other documents of the Council;

10.4. shall represent the Council without a special authorisation.

11. A meeting of the Council may also be convened if it is proposed by at least two members of the Council and also the Minister for Justice for ensuring the performance of the functions referred to in Sub-paragraph 2.7 of this Regulation.

[*30 January 2018*]

12. The meetings of the Council shall be recorded in the minutes. The minutes of a meeting of the Council shall include the issues on the agenda and the decisions taken and also the persons who participated in the meeting and the persons who expressed an opinion on the relevant issue.

13. The Ministry of Justice shall ensure the material supply for the performance of the permanent functions of the Council and also:

13.1. prepare the draft agenda of a meeting of the Council;

13.2. prepare the submitted materials for examination at a meeting of the Council;

13.3. control the enforcement of the decisions of the Council;

13.4. ensure exchange of information between the authorities and officials involved in solving the issues within the competence of the Council and also take other measures for the performance of the functions of the Council upon assignment of the Chairperson of the Council.

[*30 January 2018*]

14. The Council may take a decision by a written procedure.

[*17 September 2024*]

15. The functions of the secretariat of the Council shall be performed by the Ministry of Justice. The secretariat of the Council shall prepare and send to the members of the Council the draft protocol decision and documents necessary for taking a decision.

[*17 September 2024*]

16. If any of the members of the Council objects to the written procedure, the matter shall be reviewed in a meeting of the Council.

[*17 September 2024*]

17. The member of the Council shall, within a period of 10 working days, send electronically to the secretariat of the Council his or her opinion on the draft protocol decision, expressing objections and recommendations, if any.

[*17 September 2024*]

18. After receiving objections or recommendations and compiling thereof, the secretariat of the Council shall send an updated draft protocol decision to the members of the Council.

[*17 September 2024*]

19. The members of the Council shall, within a period of five working days, electronically send to the secretariat of the Council their objections or proposals on the updated draft protocol decision.

[*17 September 2024*]

20. The decision taken as a result of the written procedure of the Council shall be signed by the Chair of the Council.

[*17 September 2024*]

21. The secretariat of the Council shall send the decision taken as a result of the written procedure to the members of the Council and their representatives within a period of 10 working days.

[*17 September 2024*]

Prime Minister E. Repše

Minister for Justice A. Aksenoks