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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:

National Security Law

Chapter I General Provisions

Section 1. National Security

(1) National security is a state, attained as a result of joint, purposeful measures implemented by the State and society, in which the independence of the State, its constitutional structure and territorial integrity, the prospect of free development of society, welfare and stability are guaranteed.

(2) Guaranteeing of national security is a basic obligation of the State.

¹ The Parliament of the Republic of Latvia

Section 2. Purpose of this Law

The Law prescribes the national security system and its tasks, the competence of the persons or institutions responsible for the national security system and the principles and procedures of coordination, implementation and control of their activities.

Section 3. National Security System and Its Tasks

(1) The national security system is formed by the authorities implementing State authority and administration, and the citizens of Latvia to whom law delegates obligations and rights in the field of national security within the scope of specified competence.

(2) The tasks of the national security system are the following:

1) to forecast in a timely manner and prevent internal and external threat to the State, to guarantee State defence, public safety and democratic development of society;

2) to draw up a joint, systemic policy of national security for the authorities implementing State authority and administration, and to implement, in a coordinated and purposeful manner, the legal, economic, social, military, security and other measures determined by the State at all levels of State administration;

3) to ensure effective management to overcome threat to national security.

(3) The operation of the national security system is based upon civilian-military cooperation. Civilian-military cooperation is planned and coordinated activities of State administration institutions, the public and the National Armed Forces in the overcoming of threat to national security. The basic principles of civilian-military cooperation are effective mutual cooperation coordination, unified understanding of common goals and shared responsibility for the results of achieving the goals.

[15 May 2003]

Section 3.¹ Prohibition to Serve in Foreign States

(1) Latvian citizens are prohibited from serving in the armed forces, internal security forces, military organisation, intelligence service or security service, police (militia), or justice institution services (hereinafter – the service) of foreign states or other subjects of the international law or established in their territories, except the case when:

1) a Latvian citizen is serving in the service of the European Union, the North Atlantic Treaty Organisation, a Member State of the European Union, a Member State of the European Free Trade Association, a Member State of the North Atlantic Treaty Organisation, the Commonwealth of Australia, the Federative Republic of Brazil, or New Zealand, or in the service of such country with which the Republic of Latvia has entered into an agreement regarding recognition of dual citizenship;

2) a Latvian citizen is serving in the service that is not recognised as voluntary in the country of his or her citizenship (nationality) with which the dual citizenship has occurred in accordance with the conditions of the Citizenship Law.

(2) A non-citizen of Latvia is prohibited from serving in the service of a foreign state.

[8 December 2016 / See Paragraph 13 of Transitional Provisions]

Section 3.² Prohibition on the Organisation and Carrying Out of Trainings on the Performance of Military Tactical Tasks, and also on Participation Therein

The organisation and carrying out of individual or collective trainings for the development of combat capabilities (performance of military tactical tasks) and skills necessary for the capture of persons, buildings and objects or occupation of populated areas and territories, freeing of detained, arrested and convicted persons, and also planning and implementation of

attack, defence and combat support operations, and also participation in such trainings is prohibited, except when such are organised and carried out for ensuring the State defence, public order and safety and fulfilment of other functions provided for in the Law.

[4 October 2018]

Chapter II

Competence of Persons or Institutions Responsible for the National Security System

Section 4. Principles of Distribution of Competence of Persons or Institutions Responsible for the National Security System

The basis for the division of competence of persons or institutions responsible for the national security is the State structure, parliamentary democracy and the principle of division of State authority determined in the Constitution of the Republic of Latvia, and also the principles in accordance with which the parliamentary and civil control over the National Armed Forces, institutions of the system of the Ministry of the Interior and State security is performed.

Section 5. Obligations and Rights of Latvian Citizens

It is the obligation of every Latvian citizen to defend the independence, freedom and democratic structure of the State. Only Latvian citizens are entitled to:

- 1) participate in the development of the national security plan;
- 2) perform military service;
- 3) hold offices in State security institutions.

[15 May 2003]

Section 6. Competence of the *Saeima*

The *Saeima* shall:

- 1) adopt laws in the field of national security;
- 2) approve the National Security Concept and the State Defence Concept;
- 3) perform parliamentary control over the National Armed Forces, institutions of the system of the Ministry of the Interior and State security;
- 4) determine the basic structure and size of the National Armed Forces, and the principles for staffing;
- 5) determine the principles for staffing State security institutions;
- 6) accept and supervise the use of budget funds granted for the needs of national security;
- 7) decide on the utilisation of units of the National Armed Forces outside the State territory in accordance with the procedures laid down in law;
- 8) appoint to and release from office the officials, determined by law, of defence institutions and State security institutions;
- 9) decide on the declaration and commencement of war;
- 10) assess the justification of a declared emergency situation, state of exception or mobilisation;
- 11) examine the information provided by the Prime Minister regarding national security.

[7 April 2004; 15 May 2014]

Section 7. Competence of the National Security Committee of the *Saeima*

(1) Members elected to the National Security Committee of the *Saeima* shall need a first level personnel security clearance for access to an official secret for work in this committee. If such member is elected to the committee who does not have such a clearance, he or she may participate in the committee meetings only after receipt of the abovementioned personnel security clearance.

(2) The National Security Committee of the *Saeima* shall:

- 1) [7 April 2004];
- 2) assess and accept draft budgets of State security institutions;
- 3) perform parliamentary control of the activities and utilisation of budget funds of State security institutions;
- 4) hear reports of the Cabinet and heads of State security institutions on activities of State security institutions, and also examine the results of examinations of the activity of such institutions;

5) [7 April 2004];

6) [7 April 2004];

7) examine proposals regarding the appointment to and release from office of the Director of the Constitution Protection Bureau.

[30 October 2003; 7 April 2004; 1 March 2007; 29 March 2007 / See Transitional Provisions of the Law of 29 March 2007]

Section 8. Competence of the President

(1) The President shall:

- 1) perform the duties of the Commander-in-Chief of the National Armed Forces;
- 2) chair the National Security Advisory Board;
- 3) appoint a Supreme Commander for the time of war;
- 4) form the Military Council of the President;
- 5) recommend the Commander of the National Armed Forces for approval by the *Saeima*;
- 6) propose the issue of declaration and commencement of war for decision in the *Saeima*;

7) if an armed attack has taken place, request the collective defence support of the North Atlantic Treaty Organisation without delay and authorise the North Atlantic Treaty Organisation to take the measures deemed as necessary thereby, including application of armed force in order to preserve and restore the sovereignty and territorial integrity of the Republic of Latvia (within the scope of Article 5 of the North Atlantic Treaty of 4 April 1949);

8) take a decision on the position of the Republic of Latvia, if another Member State of the North Atlantic Treaty Organisation is requesting to examine an issue regarding collective defence support of the North Atlantic Treaty Organisation (within the scope of Article 5 of the North Atlantic Treaty of 4 April 1949) and if the Cabinet has been delayed in taking such decision.

(2) The President has the right to receive, upon his or her request, information at the disposal of State authorities and institutions in conformity with the regulations regarding use of information laid down in law.

[5 June 2014; 25 February 2016]

Section 9. Competence of the Prime Minister

The Prime Minister shall:

- 1) conduct measures for the prevention and overcoming of threat to national security;

- 2) every year submit a report on national security to the *Saeima* including it in the annual report on the activities carried out and planned by the Cabinet or submitting a separate report;
 - 3) coordinate the activities of ministers in the field of national security;
 - 4) organise drawing up and implementation of concepts of and plans for national security, State defence and mobilisation of the national economy;
 - 5) take the decision to perform or not perform a combat action against an aircraft in the territory of the Republic of Latvia in the case of extreme necessity in order to prevent harm to national security interests and if there is a basis to believe that the aircraft is being used as a weapon for the destruction of people, and the Minister for Defence has been prevented from fulfilling his or her office;
 - 6) decide on requesting consultations with the North Atlantic Treaty Organisation (within the scope of Article 4 of the North Atlantic Treaty of 4 April 1949) if territorial integrity, political independence or security of the State is endangered;
 - 7) upon consulting with the Minister for Foreign Affairs and the Minister for Defence, decide on the position of Latvia in the North Atlantic Treaty Organisation if international peacekeeping operation by the North Atlantic Treaty Organisation is being prepared.
- [29 March 2007; 15 May 2014; 5 June 2014]

Section 10. Competence of the Cabinet

(1) The Cabinet shall:

- 1) provide the necessary funds to State authorities for the implementation of tasks determined for them in the field of national security;
- 2) appoint to and release from office the officials, determined by law, of defence institutions, the system of the Ministry of the Interior and State security institutions;
- 3) approve the aggregate of critical infrastructure;
- 4) announce an emergency situation, state of exception and mobilisation in cases laid down in law;
- 5) decide on the participation of units of the National Armed Forces in international rescue and humanitarian operations, and also in military training (manoeuvres) outside the territory of Latvia;
- 6) decide on the necessity for the support of the armed forces of the North Atlantic Treaty Organisation and of Member States of the European Union during an emergency situation or state of exception, and also for the strengthening of State security and defence capabilities during peacetime;
- 7) [17 April 2008];
- 8) take a decision on the position of the Republic of Latvia if another Member State of the North Atlantic Treaty Organisation is requesting to examine an issue regarding collective defence support of the North Atlantic Treaty Organisation (within the scope of Article 5 of the North Atlantic Treaty of 4 April 1949);
- 9) take a decision on retaining the influence of a person or a permit to obtain influence in commercial companies of significance to national security, and also on a permit to transfer the critical infrastructure into possession or ownership of another person;
- 10) determine the procedures by which the Ministry of Defence concludes strategic partnership contracts with merchants to whom the special permit (licence) for commercial activities with goods of strategic significance or a military manufacturer certificate has been issued.

(2) The Cabinet has the right:

- 1) to request and receive information at the disposal of State security institutions in conformity with the regulations regarding use of information laid down in law;

2) to assign the performance of certain tasks to State security institutions within the scope of their competence.

[6 December 2001; 2 December 2004; 21 April 2005; 15 June 2006; 17 April 2008; 29 April 2010; 5 June 2014; 23 March 2017; 20 May 2021]

Section 11. Competence of the Ministry of Defence

(1) The Ministry of Defence shall:

- 1) draw up and implement the State defence policy;
- 2) plan resources necessary for State defence and submit the proposals related thereto to the Cabinet;
- 3) ensure the administration and military education of the personnel involved in State defence.

(2) The Minister for Defence shall perform civil control over the National Armed Forces and other authorities subordinate to the Ministry.

(3) In the case of extreme necessity in order to prevent harm to national security interests and if there is a basis to believe that the aircraft is being used as a weapon for the destruction of people, the Minister for Defence shall take the decision to perform or not perform a combat action against an aircraft in the territory of the Republic of Latvia.

The Minister for Defence is entitled to take the decision on the participation of certain units of National Armed Forces in international rescue operations and international humanitarian operations as specifically provided for in the Law on Participation of the Latvian National Armed Forces in International Operations.

[28 April 2005; 1 December 2005; 29 March 2007]

Section 12. Competence of the Supreme Commander

(1) The Supreme Commander or his or her authorised person shall participate in the Cabinet meeting in an advisory capacity.

(2) The Supreme Commander shall conduct the State defence to prevent threat to the independence of the State, its constitutional structure and territorial integrity if the Cabinet is delayed in performing wartime tasks prescribed by this Law or other laws and regulations.

[25 February 2016]

Section 13. Competence of the Ministry of the Interior

(1) The Ministry of the Interior and the authorities subordinate to it shall:

- 1) draw up and implement the State policy of internal affairs;
- 2) protect public order and safety;
- 3) protect the rights and lawful interests of persons;
- 4) register natural persons and ensure and control lawful residence of persons in the State;
- 5) implement fire safety, fire-fighting, rescue and civil protection measures;
- 6) within the scope of competence determined by law, guard and control the State border of Latvia;
- 7) coordinate the activities of State and local government authorities and public organisations regarding matters of maintenance of public order;
- 8) forecast and prevent threat to the security of the State and society, and to the national economy.

(2) On the basis of a recommendation of the head of the Security Police, the Minister for the Interior shall, in accordance with the procedures stipulated by the Cabinet, declare the terrorism threat level.

[1 December 2005; 2 November 2006]

Section 14. Competence of the Ministry of Foreign Affairs

The Ministry of Foreign Affairs shall:

- 1) implement the State external security policy;
- 2) coordinate the conclusion of international agreements binding on Latvia in the field of national security;
- 3) analyse the foreign and internal policy of foreign states.

Section 15. State Security Institutions

(1) State security institutions are State authorities which, for the implementation of tasks determined for the national security system, perform intelligence, counterintelligence activities and operational activities measures.

(2) The aggregate of State security institutions shall be formed by:

- 1) the Constitution Protection Bureau;
- 2) the Military Intelligence and Security Service;
- 3) the Security Police.

(3) The competence of State security institutions shall be determined by special laws.

[29 March 2007 / See Transitional Provisions of the Law of 29 March 2007]

Section 15.¹ Information Analysis Service

[18 June 2009]

Section 15.² Officials of the Information Analysis Service

[18 June 2009]

Section 16. Competence of Other Ministries and State Institutions

Other ministries and State institutions shall perform, in the field of national security, the obligations laid down in law and Cabinet regulations in order to guarantee the implementation of conceptions and plans related to national security and State defence, and of operational activities measures and measures to overcome threat to national security.

Section 17. Competence of Local Governments

Local governments shall:

- 1) ensure public order in the administrative territory of the relevant local government;
- 2) perform State administration functions the performance of which is delegated to the relevant local government in accordance with the procedures laid down in law;
- 3) implement the measures specified in the Cabinet decision on the emergency situation and the decision on the state of exception;
- 4) provide assistance to State security institutions and the National Armed Forces in the implementation of national security measures.

[7 March 2013]

Section 18. Competence of Public Organisations

- (1) Public organisations and their associations may be involved in national security measures in accordance with the procedures and to the extent laid down in laws and regulations.
- (2) It is prohibited to form, train and arm military public organisations of volunteers or associations of such organisations.

Chapter II.¹

Prohibition to Exit from the Republic of Latvia

[22 June 2017]

Section 18.¹ Prohibition to Exit

- (1) A citizen, a non-citizen, a person who has been granted the status of a stateless person or alternative status in the Republic of Latvia, or a refugee is prohibited to exit from the Republic of Latvia if the Minister for the Interior has taken the decision on prohibition for him or her to exit from the Republic of Latvia.
- (2) The Minister for the Interior may take the decision on prohibition for the person referred to in Paragraph one of this Section to exit from the Republic of Latvia for a specific period of time up to one year if a State security institution has provided information that the abovementioned person is planning to engage in an armed conflict, terrorist activities or other activities outside the Republic of Latvia as a result of which there are sufficient grounds for assuming that the person will endanger national security of the Republic of Latvia after his or her return.
- (3) The head of the State security institution shall send a statement on existence of the conditions referred to in Paragraph two of this Section to the Minister for the Interior for taking the decision on prohibition for the person to exit from the Republic of Latvia.
- (4) The decision on prohibition for the person to exit from the Republic of Latvia shall enter into effect on the day of taking it. Upon notifying the person of prohibition to exit from the Republic of Latvia, he or she shall be provided information regarding the facts and the justification for the decision insofar as it is permitted by the requirements of the law On Official Secret and of other laws and regulations governing protection of information.
- (5) The Minister for the Interior shall, within three working days after the decision on prohibition for the person to exit from the Republic of Latvia has been taken, inform the Office of Citizenship and Migration Affairs thereof.
- (6) The person referred to in Paragraph one of this Section regarding whom the decision has been taken in accordance with Paragraph two of this Section has the right, within one month after notifying the decision, to appeal it to the Department of Administrative Cases of the Supreme Court. Submission of the application to the court shall not suspend the operation of the decision referred to in Paragraph two of this Section.

[22 June 2017]

Section 18.² Examination in a Court of an Application Regarding the Decision of the Minister for the Interior on Prohibition for the Person to Exit from the Republic of Latvia

- (1) The Department of Administrative Cases of the Supreme Court shall examine a case which has been initiated on the basis of the application regarding the decision referred to in Section 18.¹, Paragraph two of this Law within two months from the day when the decision to accept the application and to initiate a case was taken.
- (2) The court shall examine the case as the court of first instance. The case shall be examined collegially.

(3) If the court needs to examine information containing an official secret for objective clarification of circumstances of the case, only the court shall become acquainted with such information and evaluate it. The court shall indicate in the ruling that such information has been evaluated.

(4) The court ruling is final and not subject to appeal, and shall enter into effect at the moment of proclaiming it.

[22 June 2017]

Chapter III National Security Advisory Board

Section 19. Composition of the National Security Advisory Board

(1) Members of the National Security Advisory Board shall be the following:

- 1) the President;
- 2) the Chairperson of the *Saeima*;
- 3) the chairperson of the National Security Committee of the *Saeima*;
- 4) the chairperson of the Defence, Internal Affairs and Corruption Prevention Committee of the *Saeima*;
- 5) the Prime Minister;
- 6) the Minister for Defence;
- 7) the Minister for Foreign Affairs;
- 8) the Minister for the Interior;
- 9) [7 April 2004].

(2) The Prosecutor General has the right to participate in the meetings of the National Security Advisory Board.

(2¹) The heads of State security institutions may be invited to participate in the meetings of the National Security Advisory Board in an advisory capacity.

(3) The activity of the National Security Advisory Board and its secretariat shall be ensured by the Chancery of the President.

[7 April 2004; 9 November 2006; 18 June 2009]

Section 20. Competence of the National Security Advisory Board

(1) The National Security Advisory Board shall:

1) coordinate a joint State policy in the field of national security, implemented by the higher State institutions and officials, and examine the course of improvement and problems of such;

2) examine plans and concepts related to national security, as laid down in law.

(2) The National Security Advisory Board shall submit proposals to the *Saeima* regarding appointment to and release from office of the Director of the Constitution Protection Bureau.

(3) A decision of the National Security Advisory Board, except in the cases referred to in Paragraph two of this Section, shall have a recommending character and shall not release the responsible officials from responsibility for the decisions they have taken.

(4) The National Security Advisory Board has the right to request from State security institutions all the existing information at their disposal which concerns national security interests.

[7 April 2004; 1 December 2005; 18 June 2009]

Section 21. Convening of Meetings of the National Security Advisory Board

Meetings of the National Security Advisory Board shall be convened by the President.

Chapter IV

Overcoming Threat to National Security

Section 22. Threat to National Security

(1) Depending on the type of threat to national security, the intensity and nature thereof, and also on the size of the threatened territory a corresponding terrorism threat level shall be determined, and also an emergency situation or a state of exception may be declared in accordance with the procedures laid down in law.

(2) [17 April 2008]

(3) [7 March 2013]

(4) [7 March 2013]

(5) Mobilisation may be announced in the case of an emergency situation and a state of exception in order to carry out tasks related to national security and State defence, and also to liquidate emergency situations and the consequences thereof.

(6) A time of war sets in when an external enemy has performed military aggression or has turned against the State independence, its constitutional structure, or territorial integrity in some other manner.

[21 April 2005; 2 November 2006; 17 April 2008; 7 March 2013; 25 February 2016]

Section 22.¹ Terrorism Threat Levels

(1) Depending on the possibility of terrorism threats and negative effects of the potential consequences, the following terrorism threat levels shall be declared:

1) low terrorism threat level (colour code – blue) if there is a terrorism threat of general nature;

2) elevated terrorism threat level (colour code – yellow) if there is an increased terrorism threat;

3) high terrorism threat level (colour code – orange) if a terrorism threat to a specific object, national economy sector, or a region of the State has been confirmed;

4) critically high terrorism threat level (colour code – red) if the terrorist attack has occurred or if the terrorist attack is imminent.

(2) The terrorism threat levels may be declared for:

1) all territory of the State;

2) threatened region of the State;

3) threatened national economy sector;

4) threatened object.

(3) The authorities involved in anti-terrorism activities shall plan measures for the prevention and management of terrorism threats in accordance with the terrorism threat levels.

[2 November 2006]

Section 22.² Critical Infrastructure

(1) Critical infrastructure is objects, systems or parts thereof and services located in the Republic of Latvia which are of significance for ensuring the implementation of important public functions, and also human health protection, security, economic or social welfare and destruction of or interferences in the operation of which would significantly affect the implementation of State functions, except for the critical financial services referred to in Section 22.³ of this Law and the financial market infrastructures related thereto, including payment and financial instrument settlement systems within the meaning of the law On Settlement Finality in Payment and Financial Instrument Settlement Systems.

(2) Critical infrastructure shall be classified as follows:

1) especially important critical infrastructure of State level (Category A critical infrastructure) the destruction of or reduction of operational capabilities of which significantly threatens State administration and national security;

2) important critical infrastructure of State level (Category B critical infrastructure) the destruction of or reduction of operational capabilities of which hinders State administration and threatens public and national security;

3) critical infrastructure of local governments and sectors (Category C critical infrastructure) the destruction of or reduction of operational capabilities of which hinders administration of local government activities or sectors, and also threatens public security;

4) critical infrastructure of sectors (Category D critical infrastructure) the destruction of and the reduction of operational capabilities of which or discontinuation of the provision of critical services declared during a state of exception or during the time of war significantly threatens public and national security.

(3) A separate critical infrastructure the destruction of or reduction of operational capabilities of which would significantly affect at least two European Union Member States may also be determined as a European critical infrastructure.

(4) The owner or legal possessor of critical infrastructure, including European critical infrastructure, shall ensure planning and implementation of security measures and continuity of operation. In case of threat to national security, the owner or legal possessor of critical infrastructure, including European critical infrastructure, shall ensure implementation of security measures and continuity of operation at least in the minimum amount.

(5) The owner or legal possessor of critical infrastructure, including European critical infrastructure, shall determine the status of restricted access information for documents governing internal security measures.

(6) The Cabinet shall determine the procedures for surveying critical infrastructure, including European critical infrastructure, and for planning and implementation of security measures and continuity of operation.

(7) A permit of the Cabinet shall be required for transfer of the critical infrastructure referred to in Paragraph two, Clause 1 or 2 or Paragraph three of this Section into possession or ownership of another person.

[29 April 2010; 23 March 2017; 20 May 2021]

Section 22.³ Critical Financial Services

(1) Critical financial services are cash and non-cash payments which are provided in the Republic of Latvia by a credit institution licensed in the Republic of Latvia or a credit institution licensed (registered) in another European Union Member State (hereinafter – the credit institution).

(2) In order to ensure the availability of critical financial services in the case of a threat to national security, the credit institution shall develop a plan for the continuity of operation in which the obligations of such outsourcing service providers shall be indicated which have been attracted by the credit institution for ensuring critical financial services and shall submit this plan to the Financial and Capital Market Commission. The credit institution shall, at least once a year, review and update the plan for the continuity of operation and shall test it.

(3) The Financial and Capital Market Commission shall determine:

1) the criteria for the determination of such credit institutions which develop a plan for the continuity of operation and ensure the availability of critical financial services in the case of a threat to national security;

2) the (minimum) amount of critical financial services in the event of a threat to national security;

3) the requirements for developing the plans for the continuity of operation of credit institutions.

(4) Upon consulting with Latvijas Banka, the Financial and Capital Market Commission shall:

1) in the event of a threat to national security, monitor and control the development and implementation of the plans for the continuity of operation of credit institutions;

2) evaluate the test results of the plans for the continuity of operation of credit institutions.

(5) The Financial and Capital Market Commission shall perform the tasks referred to in this Section in compliance with the conditions of Council Regulation (EU) No 1024/2013 of 15 October 2013 conferring specific tasks on the European Central Bank concerning policies relating to the prudential supervision of credit institutions.

[20 May 2021]

Section 22.⁴ Protection of Information on Immovable Property Object Important for the National Security and State Defence

[Section shall come into force on 1 January 2022 and shall be included in the wording of the Law as of 1 January 2022 / See Paragraph 19 of Transitional Provisions]

Section 23. Responsibility of the Cabinet and Obligations of Ministries

(1) The Cabinet shall be responsible for the overcoming of the threat to national security and the liquidation of such consequences.

(2) The Ministries shall forecast the threats to sectors within their competence and plan the prevention, overcoming and liquidation of the possible consequences of the threats. The sector plans for the prevention, overcoming and liquidation of possible consequences of the threats shall be submitted by the ministries to the relevant members of the Cabinet for approval. The draft plans prior to approval shall be submitted by the ministries to the Crisis Management Council for evaluation. The approved plans shall be submitted by the ministries to the Crisis Management Council for utilisation in the work of the Council.

(3) In the case of a threat to national security, the measures for overcoming the threat shall be conducted by the ministry responsible for the relevant sector.

(4) [21 April 2005]

(5) In the case of a threat to national security, the Cabinet is entitled to take the decision on the involvement of the National Armed Forces in the maintenance of public order and liquidation of the consequences caused by the threat.

(6) [17 April 2008]

(7) For overcoming a concealed military threat during peace, if military means are used, the Cabinet may assign the Ministry of Defence to lead the measures for overcoming the threat in a restricted territory in accordance with the State Defence Plan. If the Cabinet is hindered in fulfilment of its functions, the Prime Minister shall decide thereon. If the Prime Minister is hindered in fulfilment of his or her office, the Minister for Defence shall decide thereon.

(8) In order to commence the fulfilment of tasks of the State Defence Plan and the State Defence Operational Plan in the case of an increased military threat, the Cabinet is entitled to take the decision on the mobilisation of guardsmen and reserve soldiers for not more than 72 hours, informing the *Saeima* thereof without delay.

[15 May 2003; 21 April 2005; 2 November 2006; 17 April 2008; 18 May 2017; 4 October 2019/Paragraph eight shall come into force on 13 January 2020. See Paragraph 16 of Transitional Provisions]

Section 23.1 Crisis Management Council

(1) In the case of a threat to national security, the Crisis Management Council shall coordinate civilian-military cooperation and the operational measures of State administration authorities in overcoming the threat to national security.

(2) The by-laws of the Crisis Management Council shall be approved by the Cabinet.

[21 April 2005]

Section 23.2 Composition of the Crisis Management Council

(1) The Crisis Management Council shall be chaired by the Prime Minister.

(2) Members of the Crisis Management Council are:

1) the Minister for Defence;

2) the Minister for Foreign Affairs;

3) the Minister for Economics;

4) the Minister for Finance;

5) the Minister for the Interior;

6) the Minister for Justice;

7) the Minister for Health;

8) the Minister for Transport;

9) the Minister for Environmental Protection and Regional Development.

(3) Heads of State security institutions and other State officials may be invited to meetings of the Crisis Management Council in an advisory capacity.

[21 April 2005; 7 March 2013]

Section 23.3 Competence of the Crisis Management Council

The Crisis Management Council shall:

1) coordinate the operational management of overcoming the threat to national security;

2) coordinate the development of plans for the prevention of threat to national security of State administration authorities;

3) [17 April 2008];

4) in the case of a threat to national security, coordinate a unified and timely implementation of political decisions in State administration authorities;

5) [29 April 2010].

[21 April 2005; 2 November 2006; 17 April 2008; 29 April 2010]

Section 23.4 Crisis Management Council Secretariat

(1) The work of the Crisis Management Council shall be ensured by the Crisis Management Council secretariat.

(2) The Crisis Management Council secretariat shall ensure a purposeful and continuous provision of cooperation and support of responsible authorities to the Crisis Management Council within the scope of its competence in the following issues:

1) preparation of proposals to the Crisis Management Council regarding the development of crisis management;

2) the coordination and examination of sector threat forecasts prepared by the ministries, and the developed plans for the prevention, overcoming and liquidation of possible consequences thereof;

3) the coordination and operational planning of the prevention of a threat to national security, and analysis of the results of the implementation thereof;

4) the management of State and international level crisis management training or participation in training.
[21 April 2005; 2 November 2006]

Section 23.⁵ Comprehensive State Defence

In order to provide comprehensive State defence in case of war, military aggression or occupation until the moment the authorities implementing legitimate State authority and administration are fully restored, the National Armed Forces, State administration and local government authorities and also natural and legal persons shall implement measures for military and civil protection of the State and conduct armed resistance, civil disobedience and non-cooperation with illegal administration authorities.
[4 October 2018]

Section 23.⁶ Prevention of Situations Posing a Threat to the State Caused by Military Actions

(1) A situation posing a threat to the State caused by military actions is an illegal foreign military action implemented against the Republic of Latvia, including:

1) illegal entry into or presence in the territory of the Republic of Latvia of a military aviation aircraft, military unmanned aircraft or other aircraft, warship, military submarine or other military underwater transportation, military vehicle or other, including remotely piloted, unmanned military mechanical device;

2) intelligence or illegal access to information systems, electronic communications networks, interruption of their operation or electromagnetic interference in the operation of objects important for the national security of the Republic of Latvia, important commercial companies or objects in the ownership, possession or holding of the State and in the operation of military aviation aircraft and warships, and other non-kinetic military actions;

3) illegal entry into or presence in the territory of the Republic of Latvia of military formations or military formation without insignia.

(2) A situation posing a threat to the State caused by military actions is also the actions referred to in Paragraph one of this Section which are illegally performed by a foreign country against another Member State of the North Atlantic Treaty Organisation or European Union by using the territory of the Republic of Latvia.

(3) The National Armed Forces shall, in cooperation with the competent law enforcement authorities and State security institutions and according to the procedures specified in the State Defence Plan and the State Defence Operational Plan, immediately perform measures which they consider proportionate and necessary in order to prevent a situation posing a threat to the State caused by military actions, including the application of armed force.

[20 May 2021]

Section 24. Powers of the President in Case of War or Military Aggression

(1) In case of war declared to the State or military aggression, the President shall immediately:

1) act in accordance with the regulations of the State Defence Plan, issue orders and directions to the National Armed Forces, State and local government authorities and the population of the State;

2) convene the *Saeima* for the taking of a decision on the declaration and commencement of war;

3) [25 February 2016];

2) [25 February 2016];

[21 April 2014; 25 February 2016]

Section 25. Powers of Other Authorities and Officials in Case of War or Military Aggression

(1) If a state of exception has not been declared in the State or its part, in case of unexpected military aggression:

1) the Commander of each unit of the National Armed Forces shall undertake the military defence measures in accordance with the State Defence Operational Plan, without awaiting a separate decision on it;

2) the Commander of the National Armed Forces shall immediately undertake organised military defence activities in accordance with the State Defence Operational Plan and shall inform thereof the Minister for Defence;

3) the Minister for Defence shall immediately undertake organised military defence activities in accordance with the State Defence Plan and shall inform thereof the President, the Presidium of the *Saeima*, and the Prime Minister.

(2) Demonstration of armed resistance may not be prohibited during a war, military aggression or occupation.

If the authorities implementing legitimate State authority and administration have been liquidated in an antidemocratic way or as a result of military aggression of another State, the following shall be done in the interests of maintaining or restoring the independence:

1) the National Armed Forces, and also other State authorities shall act in accordance with special procedures, appropriate to the situation, laid down in the National Security Plan and the State Defence Plan;

2) the Ambassador Plenipotentiary of Latvia to the United Nations shall have the powers to represent the legitimate State authority of Latvia. The State Defence Plan may prescribe procedures for transferring the powers to represent the legitimate State authority;

3) State authorities and officials of Latvia situated in foreign states shall immediately take measures for the restoration of State independence, making use of the help of international organisations;

4) [4 October 2018].

(4) The National Armed Forces may involve citizens for the provision of support to the preparation and implementation of the measures included in National Security Plan and State Defence Plan on voluntary basis and basis of mutual trust.

[5 June 2014; 25 February 2016; 4 October 2018]

Section 25.¹ Obligations and Rights of Citizens in Case of War or Military Aggression

(1) Upon the implementation of comprehensive State defence, the citizens shall have the following obligations:

1) to perform the tasks given by the National Armed Forces and the units of the armed forces of the North Atlantic Treaty Organisation and European Union Member States providing assistance in the performance of their tasks and ensuring military protection of Latvia, and also other State administration and local government authorities responsible for overcoming threat to national security;

2) to not cooperate with illegal administration authorities and armed units of the aggressor, except when such refusal to cooperate endangers the life or freedom of the person or his or her family members.

(2) Upon the implementation of comprehensive State defence, the citizens shall have the following rights in accordance with the national and international legal norms:

1) to implement civil disobedience by acting against illegal administration authorities and armed units of the aggressor;

2) to demonstrate armed resistance;

3) to provide all types of support to the members of civil disobedience and armed resistance, and also the National Armed Forces and the units of the armed forces of the North Atlantic Treaty Organisation and European Union Member States providing assistance in the performance of their tasks and ensuring military protection of Latvia.

[4 October 2018]

Chapter V

Preparation and Approval of Concepts and Plans for Prevention of Threat to National Security

Section 26. Analysis of a Threat to National Security

(1) The analysis of a threat to national security is a comprehensive assessment as a result of which the existing and potential specific threats or risk factors to the national security are identified.

(2) The analysis of a threat to national security shall be:

- 1) drawn up by the Constitution Protection Bureau in cooperation with the Security Police and the Military Intelligence and Security Service not less than once every four years;
- 2) coordinated by the Council of State Security Institutions;
- 3) examined by the Cabinet and the National Security Advisory Board.

[7 April 2004; 18 June 2009; 15 May 2014]

Section 27. National Security Concept

(1) The National Security Concept is a document prepared on the basis of the analysis of a threat to national security which determines the basic strategic principles and priorities for the prevention of threat to national security.

(2) The National Security Concept shall be:

- 1) prepared by the Cabinet;
- 2) examined by the National Security Advisory Board;
- 3) approved by the *Saeima* not less than once during each convening by 1 October of its first year of operation.

[15 May 2014]

Section 28. Analysis of Military Threat

(1) The Analysis of Military Threat is an assessment of the possibility of military aggression against Latvia in which the existing and potential threats and risk factors, and also their possible expression and impact are specified.

(2) The Analysis of Military Threat shall be:

- 1) prepared by the Military Intelligence and Security Service each year;
- 2) examined by the State Security Advisory Board and the Cabinet.

[18 May 2017]

Section 29. State Defence Concept

(1) The State Defence Concept is a document drawn up on the basis of the Analysis of Military Threat which determines the basic strategic principles, priorities and measures of the State military defence during peacetime, threat to national security and a time of war.

(2) The State Defence Concept shall be:

- 1) prepared by the Ministry of Defence;
- 2) examined by the Cabinet;

3) approved by the *Saeima* not less than once during each convening by 1 October of its second year of operation.
[1 December 2005]

Section 30. National Security Plan

(1) The National Security Plan shall be based on the strategy and principles determined by the National Security Concept. It shall include specific measures for neutralisation and prevention of a threat to national security.

(2) The National Security Plan shall be drawn up and approved by the Cabinet within a year after approval of the National Security Concept.

(3) The Prime Minister shall make the National Security Advisory Board and the National Security Committee of the *Saeima* acquainted with the National Security Plan approved by the Cabinet.

[15 May 2014]

Section 31. State Defence Plan

(1) The State Defence Plan shall be prepared on the basis of the Analysis of Military Threat and the principles determined in the State Defence Concept. It shall determine specific State defence measures, priorities and necessary resources, and also the necessary readiness and activities of the National Armed Forces, authorities implementing State authority and administration, local governments, and natural and legal persons with regard to State defence.

(2) The State Defence Plan shall be:

- 1) drawn up by the Ministry of Defence in cooperation with other ministries;
- 2) approved by the Cabinet.

(3) The Minister for Defence shall make the Defence, Internal Affairs and Corruption Prevention Committee of the *Saeima* acquainted with the State Defence Plan.

(4) The Minister for Defence may, after coordination with the Constitution Protection Bureau, involve in the development of the State defence plan specialists from foreign states, international organisations and the institutions thereof with which an agreement has been entered into regarding the protection of classified information.

[15 May 2003; 9 November 2006]

Section 32. National Armed Forces Development Plan

[6 December 2001]

Section 33. State Defence Operational Plan

(1) The State Defence Operational Plan shall include the assessment of the operational situation, the assessment of operational combat readiness of the National Armed Forces, and the plan of action. It shall determine leadership of the operational situation, tasks, obligations, procedures for their performance, expected support, possible liaison and materials and technical facilities.

(2) The State Defence Operational Plan shall be:

- 1) drawn up by the Commander of the National Armed Forces;
- 2) approved by the Minister for Defence.

(3) The implementation of the State Defence Operational Plan shall be ensured by the Commander of the National Armed Forces.

[25 February 2016]

Section 34. National Armed Forces Mobilisation Plan

[6 December 2001]

Section 35. National Economy Mobilisation Plan

- (1) The National Economy Mobilisation Plan shall include the preparation and use of State material reserves and objects of national economy during a state of war or a state of exception.
- (2) The National Economy Mobilisation Plan shall be drawn up and approved by the Cabinet.
[25 February 2016]

Section 36. State Civil Protection Plan

- (1) The State Civil Protection Plan shall include measures for the implementation of the State civil protection system, and preventive, readiness and response measures intended for emergency situations, and measures for the liquidation of the consequences of such situations, and shall determine the operation of the civil protection system in case of military aggression or a state of war.
- (2) The State Civil Protection Plan shall be:
- 1) drawn up by the Ministry of the Interior in cooperation with other ministries;
 - 2) approved by the Cabinet.

Chapter VI

Restrictions on Commercial Companies of Significance to National Security and Exchange of Information with the European Commission and the Member States

[23 March 2017 / *The title of the Chapter in the wording of the Law as of 23 November 2020*]

Section 37. Commercial Companies of Significance to National Security

The restrictions specified in this Chapter shall apply to a commercial company registered in the Republic of Latvia which conforms to at least one of the following conditions:

- 1) is an electronic communications merchant with a significant market power which has been imposed liabilities for tariff regulation and cost accounting in accordance with the procedures provided for in the Electronic Communications Law;
- 2) is an audible electronic mass medium the coverage zone of the programme of which, using technical means for terrestrial broadcasting, according to the broadcasting permit issued by the National Electronic Mass Media Council is Latvia or at least 60 per cent of its territory, or is an audio-visual electronic mass medium the coverage zone of the programme of which, using technical means for terrestrial broadcasting, according to the broadcasting permit issued by the National Electronic Mass Media Council is Latvia or at least 95 per cent of its territory;
- 3) has received a licence in the Republic of Latvia for transmission, distribution, storage of natural gas or has, in its ownership, a liquefied natural gas facility connected to a transmission system;
- 4) is an electricity or thermal energy producer the installed actual capacity of which exceeds 50 megawatts;
- 5) is a thermal energy transmission and distribution operator which has heat supply networks in its ownership in length of at least 100 kilometres;
- 6) has received a licence for electricity transmission in the Republic of Latvia;
- 7) is the owner of a forest land in the Republic of Latvia in the area of at least 10 000 hectares;
- 8) is the owner of an agricultural land in the Republic of Latvia in the area of at least 4000 hectares;

9) has received the special permit (licence) for commercial activities with goods of strategic significance or a military manufacturer certificate issued by the Ministry of Defence, and it has a valid strategic partnership contract with the Ministry of Defence.
[23 March 2017; 20 May 2021]

Section 38. Restrictions on Obtaining Influence

(1) In order to preclude an influence endangering or potentially endangering national security in a commercial company of significance to national security, the Cabinet shall determine the obligations referred to in this Chapter for commercial companies of significance to national security and decide on the permit for the following activities:

1) in relation to capital companies:

a) obtaining of qualifying holding;

b) obtaining of decisive influence;

c) transfer of an undertaking;

d) preservation of the status of a stockholder or shareholder or preservation of the right to exercise indirect holding (right to vote), if the beneficial owner changes;

2) in relation to partnerships:

a) joining of a new member;

b) preservation of the status of a member if the beneficial owner changes.

(2) The concept “qualifying holding” used in this Law conforms to the concept of qualifying holding within the meaning of the Financial Instrument Market Law, if a smaller proportion of holding or other additional conditions have not been specified in another law; the concept “decisive influence” conforms to the concept of decisive influence within the meaning of the Group of Companies Law; the concept “beneficial owner” conforms to the concept of the beneficial owner within the meaning of the Law on the Prevention of Money Laundering and Terrorism Financing.

[23 March 2017]

Section 39. Legal Consequences of Obtaining the Status of a Company of Significance to National Security

(1) A commercial company shall, within five working days from the day when it conforms to any of the conditions referred to in Section 37 of this Law:

1) submit a notification to the Commercial Register Office regarding its conformity with the conditions for a commercial company of significance to national security;

2) make an entry in the register of stockholders or shareholders regarding the status of the capital company;

3) inform the shareholders or stockholders of the relevant capital company and persons who exercise indirect holding (right to vote), or members of the partnership regarding its conformity with the conditions for a commercial company of significance to national security;

4) inform the authority stipulated by the Cabinet regarding its shareholders, stockholders and persons who exercise indirect holding (right to vote), or regarding members and beneficial owners – natural persons who directly or indirectly have qualifying holding in this commercial company.

(2) The Commercial Register Office shall publish the information regarding conformity of the commercial company with the conditions for a commercial company of significance to national security on the website of the Commercial Register Office.

(2¹) If the commercial company has not fulfilled the requirements referred to in Paragraph one, Clause 1 of this Section, the authority specified in Paragraph four of this Section shall send information regarding conformity of the commercial company with the conditions for a

commercial company of significance to national security to the Commercial Register Office for registration and publication.

(3) If beneficial owners are:

1) a financial authority supervised by the competent financial and capital market supervisory authority of the relevant country, an investment fund, an alternative investment fund, and investors in foundations equivalent thereto – information regarding beneficial owners may contain only information regarding the relevant financial authority and its operational policy;

2) an association or foundation – information regarding the beneficial owner shall contain information regarding the relevant association or foundation and its purpose of operation;

3) stockholders of such joint stock company the stocks of which are admitted to trading on a regulated market – information shall be provided only regarding such stockholders which exceed 10 per cent of the total number of voting stocks of the relevant joint stock company.

(4) The Cabinet shall determine the authority to which the information specified in Paragraph one, Clause 4 of this Section shall be submitted, the amount of the information to be submitted, and the procedures for submitting it.

(5) If the commercial company has not submitted information in accordance with the laws and regulations, the authority referred to in Paragraph four of this Section has the right to take the decision by which it imposes an obligation on the commercial company to submit the information indicated in the decision within one month after entering into effect of the decision.

(6) The decision referred to in Paragraph five of this Section may be contested and appealed in accordance with the procedures laid down in the Administrative Procedure Law. Contesting or appealing of the decision shall not suspend the operation thereof.

[23 March 2017; 20 May 2021]

Section 40. Receipt of a Permit for Obtaining Qualifying Holding or Decisive Influence

(1) A permit of the Cabinet shall be necessary before a person or several persons who act in a coordinated manner obtain qualifying holding or decisive influence in a commercial company of significance to national security or become a member of such commercial company, or also obtain influence in a capital company registered in the Republic of Latvia which is a member of a commercial company of significance to national security.

(2) If a direct prohibition is imposed in another law on specific legal subjects in relation to obtaining holding of specific type in any of the commercial companies of significance to national security, such prohibition shall be applicable regardless of a permit of the Cabinet.

(3) An application for the receipt of a permit shall be submitted by a person who wishes to obtain qualifying holding or decisive influence in a commercial company of significance to national security.

[23 March 2017]

Section 41. Change of a Beneficial Owner

(1) A shareholder, stockholder in a commercial company of significance to national security, a person who exercises indirect holding (right to vote), or a member must receive a permit to retain holding or to remain a member in the commercial company if its beneficial owner changes.

(2) An application for the receipt of a permit shall be submitted by the relevant shareholder, stockholder in a commercial company of significance to national security, person who exercises indirect holding (right to vote), or member within five working days from the day when change of the beneficial owner occurred.

(3) The Cabinet is entitled to take a decision by which an obligation is imposed on the person referred to in Paragraph two of this Section to alienate shares or stocks of the equity capital accordingly within a specific period of time or to terminate indirect holding (right to vote), or to leave the commercial company.

(4) If the person has not carried out the activities which are specified in the decision referred to in Paragraph three of this Section, it is not entitled to exercise the right to vote in the relevant capital company or is not entitled to represent the partnership and to manage record-keeping on the following day after the specified period of time.

[23 March 2017]

Section 42. Transfer of an Undertaking

(1) A permit of the Cabinet shall be required for each transfer of an undertaking as a result of which a person obtains such undertaking in its ownership from a capital company of significance to national security which has assets that are used for carrying out the activity referred to in Section 37 of this Law.

(2) A commercial company of significance to national security shall submit an application for the receipt of a permit in accordance with the procedures stipulated by the Cabinet.

[23 March 2017]

Section 43. Exceptions for Restrictions on Obtaining Influence

A permit of the Cabinet shall not be required if:

1) the same capital company obtains shares or stocks of the equity capital in the cases specified in the law;

2) shares or stocks of a State capital company and State capital are managed in accordance with the Law on Governance of Capital Shares of a Public Person and Capital Companies;

3) an undertaking, shares or stocks of the equity capital are transferred into the ownership of a public person, capital company of a public person, or a public private capital company;

4) in accordance with the procedures laid down in the Criminal Procedure Law the person directing the proceedings decides on returning the shares or stocks of the equity capital to the lawful owner;

5) in accordance with the procedures laid down in the Criminal Procedure Law the court decides on confiscating the shares or stocks of the equity capital.

[23 March 2017]

Section 44. Procedures for Taking and Appealing a Decision of the Cabinet

(1) In the cases referred to in Section 22.², Paragraph seven, Section 40, Paragraph one, Section 41, Paragraph three, and Section 42, Paragraph one of this Law, the decision of the Cabinet is taken within one month from the day of receiving an application. This time period may be extended up to four months.

(2) Upon taking a decision in the cases referred to in this Chapter, the Cabinet shall evaluate the restriction on the rights of the person, its commensurability with the national security interests, and the opinion of a State security institution, and also the conformity with the principle of protection of legitimate expectations.

(3) The decision referred to in Section 22.², Paragraph seven, Section 40, Paragraph one, Section 41, Paragraph three, and Section 42, Paragraph one of this Law shall be notified to the addressee, and a notification on the decision taken shall be sent to the relevant commercial company of significance to national security if it is not the addressee of the decision.

- (4) The decision of the Cabinet may be appealed to the Administrative District Court. The appeal of the decision shall not suspend the operation thereof.
- (5) The court shall examine the case as the court of first instance. The case is examined in the composition of three judges. A judgement of the Administrative District Court may be appealed by submitting a cassation complaint.
- (6) If the court needs to examine information containing an official secret for objective clarification of circumstances of the case, only the court shall become acquainted with such information and evaluate it. The court shall indicate in the ruling that such information has been evaluated.
- (7) If the Cabinet has not taken a decision within the time period specified in this Section, it shall be deemed that a permit has been granted after expiry of the time period.
- (8) The Cabinet shall determine the authority to which the application for the receipt of the permits referred to in Section 22.², Paragraph seven, Section 40, Paragraph one, Section 41, Paragraph one, and Section 42, Paragraph one of this Law should be submitted, the amount of the information to be submitted, the procedures for submitting and evaluating it, and also for taking the decision to issue a permit or to refuse to issue a permit and for taking and notifying the decision to specify the obligations referred to in Section 41, Paragraph three of this Law, and the information to be included in the notification regarding the decision taken.
- (9) The Cabinet shall determine the authority which implements the cooperation mechanism between the European Commission and the Member States specified in Regulation (EU) 2019/452 of the European Parliament and of the Council of 19 March 2019 establishing a framework for the screening of foreign direct investments into the Union, and also the procedures for processing, screening, fulfilment and transmitting of the received information and information request.

[23 March 2017; 23 November 2020]

Section 45. Legal Consequences of Non-conformity with the Restriction

- (1) If a person or several persons who act in a coordinated manner obtain qualifying holding or decisive influence in a commercial company of significance to national security or become a member of such commercial company without receiving the permit referred to in Section 40 of this Law, then a transaction concluded or action carried out in Latvia which was the grounds for obtaining the abovementioned rights is not valid from the moment of concluding or carrying out. Regardless of the place of concluding the transaction or the action the commercial company of significance to national security is not entitled to make changes in the register of stockholders or shareholders if the permit specified in Section 40 of this Law has not been received.
- (2) If as a result of transfer of an undertaking another person obtains, without receiving the permit referred to in Section 42 of this Law, such undertaking into its ownership from a capital company of significance to national security which holds assets that are used for carrying out the activity referred to in Section 37 of this Law, the transfer is not valid.
- (3) Decisions of a meeting of shareholders or stockholders of a commercial company of significance to national security voted by shareholders and stockholders for holding or change of the beneficial owner of which the Cabinet has not given a permit, or decisions taken in violation of the prohibition of the right to vote specified in this Chapter shall not be valid. Also any action of a member which has been carried out thereby on behalf of the commercial company of significance to national security, thus violating the restrictions on representation and record-keeping specified in this Law, shall not be valid.
- (4) In the cases specified in Paragraph one of this Section, the Cabinet shall take a decision by which the following obligation is imposed:
- 1) on shareholders or stockholders of capital companies to alienate shares or stocks of the equity capital or to terminate indirect holding (right to vote), and prohibits to exercise the right to vote in the relevant capital company until fulfilment of the abovementioned obligation;

2) on members of partnerships to leave the company, and prohibits to represent the company and to manage its record-keeping until fulfilment of the abovementioned obligation.
[23 March 2017]

Transitional Provisions

1. With the coming into force of this Law, the law On State Defence (*Latvijas Republikas Saeimas un Ministru Kabineta Ziņotājs*, 1995, No. 2, 21; 1996, No. 6; 1997, No. 6; 1999, No. 24) is repealed.

2. Until the adoption of the relevant Cabinet Regulation, but not later than by 1 July 2002, the following Cabinet regulations shall be in effect which have been issued in accordance with the law On National Defence:

1) Regulation No. 37 of 21 January 1997, By-laws on Service Career Path of Military Persons;

2) Regulation No. 91 of 11 March 1997, Rules of Procedure on Military Discipline of Soldiers.

[6 December 2001]

3. Section 7, Paragraph one of this Law shall come into force concurrently with the convening of 8th *Saeima*.

4. Section 7, Paragraph two, and Section 20, Paragraphs one and three of this Law shall come into force concurrently with relevant amendments to the Law on State Security Institutions and the Law on the Constitution Protection Bureau.

5. Section 19, Paragraph three of this Law shall come into force on 1 January 2002.

6. The National Security Concept, prepared in accordance with Section 27 of this Law, and the State Defence Concept, prepared in accordance with Section 29, shall be approved during the term of office of the 7th *Saeima* by 1 October 2001.

7. The Cabinet shall approve the State Civil Defence Plan referred to in Section 36 of this Law by 1 January 2003.

[16 May 2002]

8. The Cabinet shall approve the National Economy Mobilisation Plan referred to in Section 35 of this Law by 31 December 2010.

[15 May 2003; 2 December 2004; 29 March 2007]

9. The remuneration (work remuneration, etc.) in 2009 specified in accordance with this Law shall be determined in accordance with the law On Remuneration of Officials and Employees of State and Local Government Institutions in 2009.

[12 December 2008]

10. Work in the Information Analysis Service shall be considered as equivalent to work in State security institutions.

[18 June 2009]

11. Such officials of the Information Analysis Service who at the time of liquidation of the Service, in conformity with that laid down in Paragraph 10 of the Transitional Provisions, conform to the criteria brought forward for such persons who have the right to service pension

in accordance with the Law on Service Pensions of Officials of the Constitution Protection Bureau are granted a service pension. Service pensions are granted to, calculated for and disbursed to officials of the Information Analysis Service in accordance with the procedures laid down in the Law on Service Pensions of Officials of the Constitution Protection Bureau.
[18 June 2009]

12. Until the day of coming into force of new Cabinet regulations, but not later than until 1 June 2010, Cabinet Regulation No. 428 of 10 June 2008, Procedures for the Planning and Implementation of Security Measures for Objects Vital for State Security, shall be in force.
[29 April 2010]

13. For persons who have started to serve in foreign countries by 1 January 2017 the prohibition provided for in Section 3.¹ of this Law shall be applicable from 1 January 2018.
[8 December 2016]

14. Commercial companies which with the coming into force of Section 37 of this Law conform to the conditions of a commercial company of significance to national security shall fulfil the obligations specified in Section 39, Paragraph one of this Law by 1 June 2017.
[23 March 2017]

15. The Commercial Register Office shall ensure publishing of the information regarding commercial companies of significance to national security on the website of the Commercial Register Office (Section 39, Paragraph two) from 15 June 2017.
[23 March 2017]

16. Section 23, Paragraph eight of the Law shall come into force concurrently with the relevant amendments to the Mobilisation Law.
[4 October 2018]

17. The Financial and Capital Market Commission shall, by 1 September 2021, issue the legal acts referred to in Section 22.³, Paragraph three of this Law.
[20 May 2021]

18. The Cabinet shall, by 1 September 2021, issue the regulations referred to in Section 22.², Paragraph six of this Law. Until the day of coming into force of the relevant Cabinet regulations, but not later than by 1 September 2021, Cabinet Regulation No. 496 of 1 June 2010, Procedures for the Identification of Critical Infrastructure, Including European Critical Infrastructure and Planning and Implementation of Security Measures, shall be applicable, insofar as it is not in contradiction with this Law.
[20 May 2021]

19. Section 22.⁴ of this Law shall come into force on 1 January 2022. The Cabinet shall issue the regulations provided for in Section 22.⁴, Paragraph two of this Law by 31 December 2021.
[20 May 2021 / Section shall be included in the wording of the Law as of 1 January 2022]

Informative Reference to the European Union Directive

[29 April 2010]

The Law contains legal norms arising from Council Directive 2008/114/EC of 8 December 2008 on the identification and designation of European critical infrastructures and the assessment of the need to improve their protection.

The Law has been adopted by the *Saeima* on 14 December 2000.

President

V. Vīķe-Freiberga

Rīga, 29 December 2000