Cabinet of Ministers Regulations No. 267

Riga, 18th June 2019 (Minutes No. 29 14. §)

**Regulations regarding Legalization**

**of Public Documents with Apostille**

*Issued in accordance with Section 6 of the Document Legalisation Law*

*and Section 342(2) of the Notariate Law*

1. These Regulations prescribe a model application form for legalization of a public document with an apostille (hereinafter – apostille), the procedure by which the apostille is prepared or a decision is made to refuse issue of the apostille, the procedure for creating and maintaining an e-apostille register (hereinafter – the register) as well as the extent of information to be included therein and the procedure and extent of information to be submitted in the register and withdrawn therefrom.

2. A person may submit an application for apostille (hereinafter - application) (Annex 1) together with the document to be legalized:

2.1. in person, to a sworn notary;

2.2. through regular mail, to a sworn notary;

2.3. electronically to a sworn notary;

2.4. electronically through the website of the Latvian Sworn Notary Council by the use of authentication tools available therein. In such case, the application need not to be separately signed;

2.5. in person, to the Latvian diplomatic or consular representation which is to transmit the application to the Latvian Sworn Notary Council;

2.6. in person, through regular mail or electronically, to the Latvian Sworn Notary Council by an authority to which a person abroad, within the competences of the authority, has requested to issue an apostilled document. In such case, the application need not to be separately signed.

3. After the receipt of the application and the document to be legalized, a sworn notary shall make sure whether the document to be legalized conforms to the requirements specified in the Document Legalization Law and verify the status of the official signing the document (hereinafter – the official) as well as the conformity of the signature and the imprint of the seal or stamp with information at disposal of the notary, the signature of the official and the sample seal or stamp.

4. If the document to be legalized is electronically signed, a sworn notary makes sure whether the document to be legalized conforms to the requirements specified in the Document Legalization Law and verifies that the signatory's signature is valid, the signatory's given name and surname correspond with the given name, surname of the signatory mentioned in the document, the document holds a time stamp, the data of the official with the given name, surname and status indicated in the document correspond to the data in his possession.

5. Once the requirements referred to in Paragraphs 3 or 4 of these Regulations are satisfied, a sworn notary shall make an apostille.

6. If the sample signature of the signatory of the document and the sample of the seal or stamp impression (hereinafter both together – the signature sample) are not available to the sworn notary, he or she shall inform the Latvian Sworn Notary Council and the submitter thereof. The Latvian Sworn Notary Council shall request that the relevant institution, within three months from the date of receipt of the request, submit to the Latvian Sworn Notary Council the signature sample required for legalization or information that the sample signature is not available. Upon receipt of the information referred to in this Article, the Latvian Sworn Notary Council shall promptly provide sworn notaries with access to the information received, as well as inform the respective sworn notary.

7. The Ministry of Foreign Affairs and the Latvian Sworn Notary Council shall mutually exchange sample signatures of Latvian officials in order to perform the functions specified in the Document Legalization Law.

8. The apostille shall be drawn up in English (Annex 2) within one working day following the receipt of the application and the document to be legalized or information specified in Article 6 of these Regulations. The apostille shall be drawn up and signed by a secure electronic signature accompanied by a time stamp

9. The sworn notary shall sign the apostille in one file with the legalized electronic document or scanned paper document.

10. The sworn notary shall refuse to draw up an apostille in accordance with the procedure laid down in the Notariate Law if the document does not comply with the requirements of the Document Legalization Law, as well as if the signature sample could not be obtained as per the procedure specified in Article 6 of these Regulations.

11. The Register is a subsystem of the Register of Deeds and Certificates of Sworn Notaries maintained by the Latvian Sworn Notary Council.

12. The sworn notary shall include in the Register information on the submitter (given name, surname, personal identity number or foreign-issued identity number (in the absence of the number, birth year, day and month) or name and registration number of a legal person, type of receipt of the document, contact information (address, electronic mail address, telephone number)) and the document (name, type (electronic / paper), number, note of what is to be legalized – original document, translation or derivative); moreover, the document signed electronically according to procedures set forth in Article 8 and 9 of these regulations and the apostille are also to be added to the entry in the Register. A unique identifier is automatically assigned to each registered apostille by the Register.

13. After registration of the apostille in the Register, the sworn notary shall provide the applicant or his or her representative with information on the possibilities of verifying the apostille together with the legalized document. If the applicant has expressed the wish to receive information electronically, the sworn notary shall send it to the applicant or his representative electronically. In cases specified in sub-articles 2.5. and 2.6. of these Regulations, information on the possibilities of verifying the apostille together with the legalized document shall be submitted to the Latvian Sworn Notary Council, which shall issue it to the relevant Latvian diplomatic or consular representation, the submitter or his or her representative, or the authority to which a person abroad, within the competences of the authority, has requested to issue an apostilled document.

14. The Latvian Sworn Notary Council provides free online verification of the apostille on the website of the Latvian Sworn Notary Council according to the unique identifier of the apostille or verify the electronically apostilled document after it has been uploaded.

15. The Regulations shall enter into force on 1st July 2019.

Prime Minister *A. K. Kariņš*

Associate to the Prime Minister,

Minister of Justice *J. Bordāns*

Annex 1

to the Cabinet of Ministers

Regulations No. 267 of

18th June 2019

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**Application for legalization of a public document with apostille**

|  |  |
| --- | --- |
| Given name, surname, personal identity number or foreign-issued identity number (in the absence of a number, year, day and month of birth) (to be completed by a natural person) |   |
| Name, registration number (to be completed by a legal person) |   |
| Address, electronic mail address |   |
| telephone number |   |
| I wish to receive the document(mark as appropriate) | notary’s office e-mail \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_postal servicesto the specified addressother \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| Notes(e.g. person who is additionally entitled to receive documents (given name, surname, personal identity number or foreign-issued identity number (in the absence of a number, year, day and month of birth), address, e-mail, telephone number)) |   |
| **Public document** |
| Name |   |
| Type(mark as appropriate) | electronic paper |
| Number |   |
| The following document is to be apostilled(mark as appropriate) | original translationderivative (copy, true copy, extract) |
| Country wherein the document is to be used |   |

I am aware that the apostille, together with the document, will be available online so that the person to whom it is submitted could verify it.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|   |   |   |   |   |
| (date\*) |   | (given name, surname) |   | (signature\*) |

\*Remark. The document requisites “date” and “signature” shall not be filled in if the document is executed in line with the regulatory enactments concerning executing electronic documents or if the application is submitted through the website of the Latvian Sworn Notary Council.

Associate to the Prime Minister,

Minister of Justice *J. Bordāns*

Annex 2

to the Cabinet of Ministers

Regulations No. 267 of

18th June 2019

**Inscription of public document legalization with apostille**

**APOSTILLE**
(Convention de La Haye du 5 octobre 1961)

|  |  |  |
| --- | --- | --- |
| 1. | Country: **Republic of Latvia** |   |
|   | **This public document** |   |
| 2. | has been signed by |   |
|   | ................................................................................................ |   |
| 3. | acting in the capacity of |   |
|   | ................................................................................................ |   |
|   | ................................................................................................ |   |
| 4. | bears the seal/stamp of |   |
|   | ................................................................................................ |   |
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**Certified**

|  |  |  |  |  |
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| 5. | at ……………………….. |   | 6. | the .................................... |
| 7. | by .................................. |   |   |   |

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| --- | --- | --- | --- | --- |
|   |   |   |   |   |
| 8. | No .................................. |   |   |   |
| 9. | Seal/stamp:Time stamp – DD/MM/YYYY/ HH/MM | 10. | Signature: |
|   |   |   | Secure electronic signatureNAME SURNAME |

Associate to the Prime Minister,

Minister of Justice *J. Bordāns*