

LATVIA

Apostille Questionnaire 2021

The responses are reflected as provided by Contracting Parties subject to minor typographical corrections.

Joining the Apostille Convention	
1. Did you join the Convention after 2010?	[b] No.
2. Are foreign public documents exempted from legalisation by virtue of your internal law, practice, or any bilateral / multilateral agreements (excluding the Apostille Convention)?	<p>[a] Yes, under internal law. <i>According to Section 3 Paragraph 2 of the Document Legalisation Law (English translation available here: https://likumi.lv/ta/en/en/id/155411-document-legalisation-law) the mentioned law shall not be applied if a public document has been issued in a European Union Member State, a European Economic Area State, the United Kingdom of Great Britain and Northern Ireland (except for its overseas territories) or the Swiss Confederation. This means that in Latvia documents from these countries are accepted without requiring any legalization formalities.</i></p> <p>[b] Yes, under bilateral / multilateral agreements. <i>Regulation (EU) 2016/1191 of the European Parliament and of the Council of 6 July 2016 on promoting the free movement of citizens by simplifying the requirements for presenting certain public documents in the European Union and amending Regulation (EU) No 1024/2012.</i></p> <p><i>Latvia has concluded bilateral agreements on legal assistance and legal relations in civil, family and criminal matters (Agreement of 3 February 1993 between the Republic of Latvia and the Russian Federation, Agreement of 14 April 1993 between the Republic of Moldova and the Republic of Latvia, Agreement of 21 February 1994 between the Republic of Latvia and the Republic of Belarus, Agreement of 23 May 1995 between the Republic of Latvia and Ukraine, Agreement of 23 May 1996 between the Republic of Latvia and the Republic of Uzbekistan, Agreement of 10 April 1997 between the Republic of Latvia and the Kyrgyz Republic). No legalisation formalities shall be required in respect of the documents circulate within the judicial cooperation under these agreements.</i></p>
Competent Authorities	
3. How many Competent Authorities have you designated under the Apostille Convention? <i>If unknown, please specify the reason for this and provide an approximate number.</i>	One
4. Do your diplomatic missions abroad play a role in the Apostille issuance process?	[b] Yes, our diplomatic missions act as intermediaries between the applicant and Competent Authority (e.g. forwarding applications and transmitting Apostilles once issued).

Substantive Scope				
5.	Is the concept of 'public document' defined in your internal law?	[a] Yes. According to Section 2 of the Document Legalisation Law (English translation available here: https://likumi.lv/ta/en/en/id/155411-document-legalisation-law) the term "public document" corresponds to the interpretation of the relevant term used in the Hague Convention of 5 October 1961 Abolishing the Requirement of Legalisation for Foreign Public Documents.		
6.	Have you experienced any difficulties in characterising a 'public document' for the purposes of the Apostille Convention?	[b] No.		
7.	Has the exclusion of 'documents executed by diplomatic or consular agents' (Art. 1(3)(a)) from the scope of the Apostille Convention given rise to any difficulties?	[c] No.		
8.	Do you think this Art. 1(3)(a) exclusion is justified in the context of the modern operation of the Convention?	[b] No.		
9.	Has the exclusion of 'administrative documents dealing directly with commercial or customs operations' (Art. 1(3)(b)) from the scope of the Apostille Convention given rise to any difficulties?	[c] No.		
10.	Do you think this Art. 1(3)(b) exclusion is justified in the context of the modern operation of the Convention?	[b] No.		
11.	Do you issue (outgoing) or accept (incoming) Apostilles for any of the following categories of document?		Issue	Accept
		Certificates of origin		X
		Export licences		X
		Import licences		X
		Health and safety certificates issued by the relevant government authorities or agencies		X
		Certificates of products registration		
		Certificates of conformity		
		End user certificates (i.e. documents certifying that the buyer is the end user of acquired goods)		X
		Commercial invoices		
Apostille Process				
Certification of Public Documents				
12.	Do any of your public documents require some other intermediate certification before the issuance of an Apostille?	[b] No, an intermediate certification is not required for any public document; Apostilles are issued directly upon the public document.		

Requesting an Apostille (Outgoing)			
13. How can an Apostille be requested?	[a]	In person.	X
	[b]	By post.	X
	[c]	By email.	X
	[d]	Through a website.	X
	[e]	Other. <i>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.</i>	X
14. When issuing an Apostille, do you enquire about the State of destination?	[a]	Yes, in the application form.	
15. How long does it take for an Apostille to be issued?	In-person request (paper Apostille)	Other requests (from the time of receipt) (paper Apostille)	e-Apostille requests
	Other		
<i>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. 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 of these Regulations.</i>			
16. Does your Competent Authority impose a fee for issuing an Apostille?	[a]	Yes, a single price for all Apostilles. <i>Persons have to pay notary's fees for legalization of a public document with a certificate (Apostille) - 18.00 euros plus value added tax and state fee.</i>	
Issuing an Apostille (Outgoing)			
17. How is the origin of a public document verified for the purpose of issuing an Apostille (i.e. verification of the authenticity of the signature, the capacity of the signer, and the identity of the seal / stamp (Art. 5(2))?	[a]	Single Competent Authority. [ii] An electronic database of sample signatures / seals / stamps.	
18. How does a Competent Authority address situations where it is unable to verify the origin of the public document?	[b]	The Competent Authority will contact the issuing authority to confirm authenticity but will not issue the Apostille until the new signature, stamp or seal is added to the database.	
19. In what language(s) are the 10 standard items of your Apostilles available?	[a]	In one language. <i>The Apostille shall be drawn up in English.</i>	
20. In what language(s) are the blank fields of your Apostilles filled in?	[a]	In one language. <i>The Apostille blank fields shall be drawn up in English.</i>	
21. How are the blank fields of your Apostilles filled in?	[c]	Other. <i>Automatically generated in the Notary Information System.</i>	

Apostille Registers		
22. How is your Apostille register, required by Article 7, maintained?	[a] Single Competent Authority. [i] Electronic form, publicly accessible online (e-Register).	
23. What particulars are contained in your Apostille register?	[a] Number and date of the Apostille (required).	X
	[b] Name and capacity of the person signing the document and / or the name of authority whose seal or stamp is affixed (required).	
	[c] Name and / or type of underlying document.	X
	[d] Description of the contents of underlying document.	
	[e] Name of the applicant.	X
	[f] State of destination.	
	[g] Copy of the Apostille.	X
	[h] Copy of the underlying document.	
	[i] Other. <i>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(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.). A unique identifier is automatically assigned to each registered Apostille by the Register.</i>	X
24. Is there a limit to how long records can be retained on the Apostille register?	[d] No.	
25. If your register is not publicly accessible, how frequently do your Competent Authorities receive requests to verify an Apostille they have issued in the register?	[g] Not applicable, register is publicly accessible.	

Technology & the e-APP		
26. Under your internal law, do you recognise electronic / digital signatures as functionally equivalent to handwritten signatures (i.e. can a public document be signed electronically)?	[a] Yes. <i>Cabinet of Ministers Regulations No. 267, Riga, 18th June 2019, entered into force on 1st July 2019 "Regulations regarding Legalization of Public Documents with Apostille" (https://likumi.lv/ta/id/307693-noteikumi-par-publisku-dokumentu-legalizaciju-ar-apliecinajumu-iapostillei) Point 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.</i>	
27. Under your internal law, are public documents executed, or able to be executed, in electronic form (whether or not they are to be used abroad under the Convention)?	[a] Yes.	
<p><i>For Parties that answered yes to Q27.</i></p> 27.1. What categories of public documents are executed, or able to be executed, in electronic form (whether or not they are to be used abroad under the Convention)?	[a] All public documents.	X
	[b] Civil status documents (e.g. birth, death and marriage certificates) and certificates of non-impediment.	
	[c] Other administrative documents (including decisions from administrative tribunals or decision-making bodies).	
	[d] Extracts from commercial registers and other registers.	
	[e] Notarial authentications of signatures.	
	[f] Other notarial acts.	
	[g] Diplomas and other education documents.	
	[h] Court documents, including judgments.	
	[i] Patents or other documents pertaining to intellectual property rights.	
	[j] Documents relating to adoptions.	
	[k] Translations.	
	[l] Medical or health certificates.	
	[m] Criminal records.	
[n] Import or export licences.		
[o] Certificates of origin.		
[p] Certificates of conformity.		
[q] Other.		

For Parties that answered yes to Q27. 27.2. Approximately what percentage of your public documents are originally executed in electronic form (whether or not they are to be used abroad under the Convention)?	Approximately 15%	
28. Do you issue e-Apostilles?	[a] Yes.	
For Parties that answered yes to Q28. 28.3. Under your internal law, which of the following do you consider public documents for the purpose of issuing e-Apostilles?	[a] Electronic public documents.	
For Parties that answered yes to Q28. 28.4. How is an e-Apostille signed (i.e. what technology is used to apply an electronic / digital signature)?	[a] A government-built certificate. <i>eSignature of LVRTC complies with all safety requirements, determined for trust and certification services by the regulatory authorities of Latvia as well as European Union.</i>	
For Parties that answered yes to Q28. 28.5. How is an e-Apostille affixed to / associated with the underlying public document to ensure it is not tampered with?	The sworn notary shall sign the Apostille in one file with the legalized electronic document or scanned paper document.	
For Parties that answered yes to Q28. 28.6. Once issued, how is the e-Apostille transmitted to the applicant?	[e] Other. <i>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.</i>	
29. Are your authorities equipped to accept incoming e-Apostilles?	[b] Yes, but on certain conditions.	
30. Do you maintain an e-Register?	[a] Yes.	
For Parties that answered yes to Q30. 30.2. What technology is used to maintain your e-Register?	[a] A government-built platform.	
31. Have you been in contact with other Competent Authorities that operate an e-APP component and exchanged information and / or relevant experience?	[b] No.	
Issues with Apostilles		
32. Has an Apostille <i>issued</i> by your Competent Authority ever been refused by the authorities of another Contracting Party on the following grounds:	[a] Form requirements (e.g. square-shaped, sides of at least nine centimetres, border, ink, etc).	X
	[b] The manner in which the Apostille was affixed / attached to the underlying document.	
	[c] The Apostille was not signed.	
	[d] One or more of the standard informational items were not filled in.	

	[e] The Apostille was in electronic form (<i>an e-Apostille</i>).	X
	[f] The underlying public document was in electronic form.	
	[g] The underlying public document had expired / was not issued within a certain timeframe.	
	[h] The underlying document was not a public document under the law of the destination.	
	[i] Other.	
	[j] Unknown.	
	[k] No / Not applicable.	
For Parties that answered other than "No" to Q32. 32.1. If an Apostille was rejected, what action did you take?	[a] The Apostille was reissued.	
	[b] Contacted the receiving authority.	X
	[c] Contacted the Competent Authority of the place of destination.	X
	[d] Contacted nearest diplomatic mission of the place of destination.	X
	[e] Contacted own diplomatic mission accredited to the place of destination.	X
	[f] Contacted the Permanent Bureau.	
	[g] No action taken.	
	[h] Other.	
	[i] Unknown.	X
33. Has your Competent Authority ever been requested by external Competent Authorities to certify or confirm your procedure for issuing Apostilles?	[b] No.	
34. Has an Apostille <i>received</i> by your authorities ever been refused on the following grounds:	[a] The issuing State was not a Contracting Party to the Apostille Convention.	
	[b] Form requirements (e.g. square-shaped, sides of at least nine centimetres, border, ink, etc).	
	[c] The manner in which the Apostille was affixed / attached to the underlying document.	
	[d] The Apostille was not signed.	
	[e] One or more of the standard informational items were not filled in.	
	[f] The Apostille was in electronic form (<i>an e-Apostille</i>).	

	[g]	The underlying public document was in electronic form.	
	[h]	The underlying public document had expired / was not issued within a certain timeframe.	
	[i]	The underlying document was not a public document under the law of the destination.	
	[j]	Other.	
	[k]	Unknown.	
	[l]	No / Not applicable.	X