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Republic of Latvia

Cabinet

Regulation No 213

Adopted 29 April 2003

Regulations regarding Residence Permits

*Issued pursuant to
Section 3, Paragraph three; Section 22, Paragraph three; Section 23, Paragraph two; Section
32, Paragraph two; Section 33, Paragraph one; Section 34, Paragraph one, Clause 9;
Section 35, Paragraphs 12 and 13 and Section 36, Paragraph one, Clause 4 of the
Immigration Law*

I. General Provisions

1. These Regulations prescribe:

- 1.1. the procedures for approval of invitations;
- 1.2. the documents necessary for requesting a residence permit;
- 1.3. the procedures for issuance, registration and cancellation of temporary residence permits and permanent residence permits;
- 1.4. the range of aliens who are entitled to submit the documents for requesting a residence permit in connection with employment or commercial activity to the Office of Citizenship and Migration Affairs (hereinafter – Office);
- 1.5. the restrictions on commercial activities for aliens in compliance with the economic and internal security interests of the Republic of Latvia;
- 1.6. the procedures for reimbursement of remuneration (compensation) for departure for permanent residence to foreign states;
- 1.7. the procedures by which an alien declares his or her absence outside the Republic of Latvia; and
- 1.8. the amount of information and procedures for the utilisation of the information to be included in electronic information systems – databases of invitations and the register of aliens.

2. An alien shall submit the documents for requesting a residence permit specified in these Regulations personally to the diplomatic or consular Mission of the Republic of Latvia abroad (hereinafter – Mission) or to the Office if he or she has a valid residence permit or he or she requests a permanent residence permit in accordance with Section 24, Paragraph one, Clause 8 of the Immigration Law:

- 2.1. in conformity with the address of a legal person if the inviter is a legal person; and
- 2.2. in conformity with the place of residence if the inviter is a natural person.

3. If a legal person invites an alien to reside in the Republic of Latvia, the documents for the approval of an invitation, for the request or registration of a residence permit may be submitted by an authorised representative of the relevant legal person.

4. An alien who resides in the Republic of Latvia with a valid visa or who is a citizen of such state who does not need a visa to enter the Republic of Latvia is entitled to submit the documents referred to in these Regulations to the Office for the request of a residence permit not later than 30 days before the end of the period of residence if the residence is related to employment or commercial activities and he or she:

- 4.1. has invested not less than 600 000 lats in the equity capital of a commercial company;
- 4.2. is a teacher in an accredited educational institution;
- 4.3. is a scientist in a State science establishment;
- 4.4. is a head of an institution financed from the State budget, a composer, a musician, a singer, a choreographer, a dancer, a director or an actor of cinema, theatre or another institution of art, a circus artist or a technical worker involved in provision of a performance;
- 4.5. is a consultant (expert) who provides assistance to the State or local government institutions or helps to implement such international agreement or project the member state of which is the Republic of Latvia;
- 4.6. is a trainer of a Latvian national sports team; or
- 4.7. is a professional sportsman.

5. An alien who is a citizen of such state who does not need a visa to enter the Republic of Latvia is entitled to submit the documents referred to in these Regulations to the Office for the request of a residence permit not later than 30 days before the end of the period of residence, if the residence is related to employment or commercial activities and he or she is:

- 5.1. an individual merchant;
- 5.2. the sole founder of a commercial company;
- 5.3. an official of a partnership the right of representation of which has been registered in the commercial register;
- 5.4. a member of the council or board of directors of a capital company registered in the commercial register; or
- 5.5. a specialist in the atomic energy sector.

6. If it is in the interests of the State of Latvia, the director of the Office is entitled to reduce the time period specified in Paragraphs 4 and 5 of these Regulations.

7. An invitation approved by the Office shall be necessary for the request for or registration of a residence permit. An invitation shall not be necessary if an alien:

- 7.1. is an individual merchant;
- 7.2. is the sole founder of a commercial company;
- 7.3. is a self-employed person;
- 7.4. is a representative of a foreign merchant;
- 7.5. has invested not less than 600 000 lats in the equity capital of a commercial company;
- 7.6. is a minor and one of his or her parents is a Latvian citizen, a Latvian non-citizen or an alien who has received a permanent residence permit in the Republic of Latvia and such child was born and permanently resides in the Republic of Latvia;
- 7.7. is divorced and his or her spouse died and a minor – a Latvian citizen or a Latvian non-citizen remains under the care of the alien;
- 7.8. was a Latvian citizen on 17 June 1940;

7.9. has received a certificate in the Republic of Latvia in respect of a general secondary education, acquired by a complete programme of general secondary education in the official language;

7.10. prior to acquisition of the citizenship of another state, was a Latvian citizen or a Latvian non-citizen and requests a permanent residence permit in accordance with Section 24, Paragraph one, Clause 8 of the Immigration Law; and

7.11. wishes to register a permanent residence permit.

8. An official of the Office or Mission has the right to invite an alien and the inviter to an interview in order to take a decision regarding the issuance or registration of a residence permit. If necessary, both persons shall be interviewed concurrently.

9. An alien who has a valid temporary residence permit or a permanent residence permit, shall submit a travel document for receipt of a new residence permit to the Office not later than 30 days after the receipt of such document if in the place of the previous travel document a new travel document has been received.

II. Approval of Invitations

10. Documents for the approval of an invitation shall be submitted by:

10.1. a Latvian citizen or a Latvian non-citizen who has reached legal age;

10.2. a foreigner who has reached legal age and who has a valid permanent residence permit in the Republic of Latvia;

10.3. a State or local government institution of the Republic of Latvia; and

10.4. a legal person of the Republic of Latvia or of a foreign state registered in accordance with the procedures specified in the regulatory enactments of the Republic of Latvia.

11. A natural person shall submit documents for the drawing up of an invitation to the Office according to the place of residence.

12. A legal person shall submit documents for the drawing up of an invitation to the Office in conformity with the registered legal address.

13. A natural person in drawing up an invitation shall:

13.1. present a personal identification document. If the invitation is drawn up for the spouse, the inviter shall present his or her own travel document;

13.2. provide the information referred to in Sub-paragraph 18.2 of these Regulations regarding the alien and information regarding the expected time, place and purpose of residence thereof in the Republic of Latvia; and

13.3. submit a payment document, which attests to the payment of the State fee.

14. A representative of the legal person in drawing up an invitation shall:

14.1. present a personal identification document and a properly completed authorisation;

14.2. submit a submission which includes the registration number of the legal person, the information referred to in Sub-paragraph 18.2 of these Regulations regarding the alien, the expected time, place and purpose of residence thereof in the Republic of Latvia and proof that the inviter assumes responsibility for departure of the alien from the State at a specified time,

as well as, if necessary, ensures the covering of expenses related to health care, residence in the Republic of Latvia and return to the country of domicile; and

14.3. submit a payment document, which attests to the payment of State fee.

15. If a legal person of the Republic of Latvia or a foreign state which has been registered in accordance with the procedures specified in the regulatory enactments of the Republic of Latvia draws up an invitation, in addition to the documents referred to in Paragraph 14 of these Regulations, starting with the second year of activity, it shall present a statement of the State Revenue Service regarding being entered in the record of tax payers (in the first year of activity) or a statement that it does not have tax payment debts administered by the State Revenue Service (starting with the second year of activity). If the legal person has a tax payment debt, a request of invitation may be submitted if the legal person has received the consent of the State Revenue Service.

16. If an organisation registered with the Board of Religious Affairs invites an alien to reside in the Republic of Latvia for the performance of a religious activity, it shall co-ordinate the submission referred to in Sub-paragraph 14.2 of these Regulations with the Board of Religious Affairs.

17. If an alien is invited to reside in a cloister registered with the Board of Religious Affairs, the submission referred to in Sub-paragraph 14.2 of these Regulations shall be co-ordinated with the head of the relevant denomination.

18. The inviter shall specify the following information:

18.1. telephone number and other information, which ensures communication possibilities (for example, e-mail address);

18.2. regarding the alien:

18.2.1. given name (names), surname in Roman alphabet transliteration, as it is indicated in the travel document of the alien;

18.2.2. nationality;

18.2.3. date of birth;

18.2.4. place of birth; and

18.2.5. address of his or her place of residence.

19. One invitation application may include several members of one family if they have a common purpose for residence in the Republic of Latvia.

20. Information regarding the inviter and the alien shall be included in the electronic information system – database of invitations. After entering the data in the database of invitations an official of the Office shall print the form of invitation application. The inviter or an authorised representative thereof (if the inviter is a legal person) shall confirm with a signature that the information provided and the data entered is true and that he or she assumes responsibility for departure of the alien from the State at the specified time, as well as, if necessary, ensures the covering of expenses related to health care, residence in the Republic of Latvia and return to the state of domicile.

21. An official of the Office shall take a decision regarding approval of the invitation within a time period of two working days. If additional examination is necessary for taking of the decision, the official shall notify the inviter thereof and take the decision within a time period of 10 working days.

22. An official of the Office shall not approve the invitation if:

22.1. an inviter refuses or fails to submit the documents referred to in Paragraphs 13, 14, 15, 16, 17 and 18 of these Regulations or refuses to provide necessary explanations regarding the purpose of the invitation of the alien, the alien to be invited and the residence thereof in the Republic of Latvia;

22.2. the alien is included in the list of such aliens who are prohibited to enter the Republic of Latvia;

22.3. it has been determined that the inviter provided false information; and

22.4. a negative opinion by a competent State institution has been received regarding approval of the invitation.

23. An official of the Office shall take a decision to revoke an approved invitation if after the approval of the invitation:

23.1. it has been determined that the inviter has withdrawn the invitation;

23.2. it has been determined that the inviter has lost the right to invite an alien;

23.3. it has been determined that the inviter provided false information; and

23.4. a negative opinion by a competent State institution has been received.

24. If an invitation is not approved, revoked or the inviter withdraws the invitation, the documents submitted shall not be issued and the State fee received shall not be reimbursed to the inviter.

III. Basic Documents for Request of Residence Permits

25. An alien who wishes to request a residence permit shall present a valid travel document recognised in the Republic of Latvia and submit the following documents:

25.1. an application on a specific form for the request of a residence permit in conformity with Annexes 1, 2, 3 and 4 of these Regulations;

25.2. two photographs, made in accordance with Annex 5 of these Regulations;

25.3. a statement regarding state of health, which certifies that the alien does not have the health impairments or diseases referred to in the list approved by the Ministry of Health, or a statement issued by the Ministry of Health that it does not have objections that the alien arrives for treatment of the relevant health impairment or disease;

25.4. a statement issued by the competent institution of the state of citizenship or domicile regarding his or her criminal record (for an alien older than 14 years of age);

25.5. a document certifying the provision of necessary subsistence during the residence of the alien in the Republic of Latvia;

25.6. a document certifying the expected place of residence in the Republic of Latvia; and

25.7. a payment document attesting to the payment of the State fee.

26. If an alien is a citizen of such state who does not need a visa to enter the Republic of Latvia, he or she shall present a valid travel document recognised in the Republic of Latvia and submit the documents referred to in Sub-paragraphs 25.1, 25.2, 25.6 and 25.7 of these Regulations and a statement regarding a radiographic or fluorographic examination for the diagnosis of tuberculosis.

27. In conformity with purposes of residence, an alien shall submit the documents specified in Chapters IV, V or VI of these Regulations in addition to the documents referred to in Paragraphs 25 and 26 of these Regulations.

28. A travel document is valid for requesting a residence permit if:

28.1. it includes personal data and a photograph of the alien who requests the residence permit;

28.2. it does not contain any non-approved corrections of the issuer of the document;

28.3. it does not contain indications of falsification; and

28.4. it does not have corrections or stains due to which it is not possible to identify the holder of the document, to read the data or to determine possible falsifications.

29. It is necessary that each alien shall have his or her own travel document when requesting a residence permit.

30. Within the meaning of these Regulations the provision of necessary subsistence shall be:

30.1. an income or cash savings which conform to the full subsistence minimum amount of the basket of goods and services specified by the Central Statistics Bureau in the previous calendar year;

30.2. a salary or income from commercial activities in a double amount of the average work remuneration of persons employed in the Republic of Latvia in the previous calendar year if the aliens referred to in Section 23, Paragraph one, Clauses 2, 3, 4 and 5 of the Immigration Law request a residence permit and the residence thereof is related to employment or commercial activities; and

30.3. a salary in the amount of the average work remuneration of persons employed in the Republic of Latvia in the previous calendar year if the request for a residence permit is related to employment not referred to in Sub-paragraph 30.2 of these Regulations.

31. The subsistence provisions necessary for a child under the trusteeship of a Latvian citizen, Latvian non-citizen or an alien who has received a permanent residence permit, or for a minor of his or her spouse shall be in the amount of 60 percent from the provision of subsistence referred to in Sub-paragraph 30.1 of these Regulations.

32. An alien shall present a valid travel document recognised in the Republic of Latvia and submit the documents referred to in Sub-paragraphs 25.1, 25.2 and 25.7 of these Regulations if:

32.1. the alien has been a Latvian citizen or a Latvian non-citizen and requests a permanent residence permit in accordance with Section 24, Paragraph one, Clause 8 of the Immigration Law;

32.2. the alien is a composer, a musician, a singer, a choreographer, a dancer, a director or an actor of cinema, theatre or another institution of art, a circus artist or a technical worker involved in provision of concerts or performance whose expected period of residence in the Republic of Latvia is from 15 to 90 days when requesting a residence permit in conformity with Section 23, Paragraph one, Clause 6 of the Immigration Law; and

32.3. the alien is a teacher of an accredited educational institution whose expected period of residence in the Republic of Latvia is from 15 to 90 days when requesting a residence permit in conformity with Section 23, Paragraph one, Clause 6 of the Immigration Law.

33. Documents issued abroad shall be accepted if legalised in accordance with specified procedures or certified in accordance with the 5 October 1961 Hague Convention Abolishing the Requirements of Legalisation for Foreign Public Documents if other procedures have not been provided for in international agreements.

34. Documents to be submitted for the request of a residence permit shall be a valid:

34.1. invitation:

34.1.1. six months after the approval thereof if an alien requests a permanent residence permit or the documents for the request of a temporary residence permit shall be submitted to the Mission; and

34.1.2. three months after the approval thereof – in other cases;

34.2. document attesting to the necessary provision of subsistence and a statement of the State Revenue Service – three months after issuance thereof; and

34.3. statement, letters and other documents, except for General Registry office documents, court adjudications, archive inquiries and education documents – six months after the issuance thereof.

IV. Additional Documents for a Request of a Residence Permit if Residence is related to Reunion of a Family

35. An alien shall submit documents certifying kinship or affinity if:

35.1. he or she wishes to stay with relatives in conformity with Section 23, Paragraph one, Clause 1 of the Immigration Law;

35.2. he or she wishes to stay with his or her child who has reached legal age – a Latvian citizen or a Latvian non-citizen, in conformity with Section 30 of the Immigration Law; and

35.3. he or she wishes to stay with one of his or her parents who is a Latvian citizen, in conformity with Section 30 of the Immigration Law.

36. If an alien in conformity with Section 25 or 26 of the Immigration Law wishes to stay with his or her spouse, he or she shall submit a document certifying the marriage.

37. If a minor child of a Latvian citizen, Latvian non-citizen or of an alien who has received a permanent residence permit or his or her spouse wishes to stay in conformity with Section 23, Paragraph four of the Immigration Law or Section 24, Paragraph one, Clause 1 or 2 of the Immigration Law, the child shall submit:

37.1. documents certifying kinship;

37.2. a notarised consent regarding the travel of the child to the Republic of Latvia of the parent who does not enter together with the child. If the day-to-day trusteeship is implemented by the parent with whom the child enters the Republic of Latvia and restrictions for change of the place of residence without the consent of the other parent have not been determined – an adjudication of the relevant court.

38. If an alien wishes to stay in conformity with Section 23, Paragraph one, Clause 17 of the Immigration Law, because guardianship or trusteeship has been established over the alien, he or she shall submit a court adjudication regarding the establishment of the guardianship or trusteeship.

39. If together with an alien his or her spouse and minor children or dependent children wish to enter the Republic of Latvia, the spouse and the children shall submit documents certifying

the marriage and kinship. If a child enters with one of the parents, the alien shall submit the notarised permission of the other parent for residence in the Republic of Latvia.

40. If a minor alien whose parents are not staying with him or her in the Republic of Latvia wishes to receive a residence permit, the alien shall submit the notarised permission of his or her parents for residence in the Republic of Latvia.

V. Additional Documents for a Request of a Residence Permit if Residence is related to Employment

41. If in conformity with Section 23, Paragraph one, Clause 2 of the Immigration Law an alien wishes to reside as an individual merchant registered in the commercial register or as the sole founder of a commercial company, he or she shall submit:

41.1. documents certifying the necessary education or qualifications for the performance of the work;

41.2. a business plan verified by a sworn auditor for the expected period of activity;

41.3. documents certifying that he or she has adequate personal financial resources for commencing the activities specified in the business plan;

41.4. a permit (licence, certificate) if such work is performed for the performance of which a permit is necessary;

41.5. a statement issued by the State Revenue Service regarding being entered in the record of tax payers (in the first year of activity) or a statement that he or she does not have tax payment debts administered by the State Revenue Service (starting with the second year of activity);

41.6. an annual report examined by a sworn auditor and an opinion regarding that the objectives and tasks provided for in the business plan have been achieved (starting with the second year of activity);

41.7. a business plan examined by a sworn auditor if the previous business plan has been fulfilled (starting with the second year of activity) and

41.8. a statement issued by the State Revenue Service regarding the payment of the enterprise income tax and the amount thereof (starting with the second year of activity).

42. If in conformity with Section 23, Paragraph one, Clause 3 of the Immigration Law an alien wishes to reside as an official of a partnership whose representation rights have been registered in the commercial register, he or she shall submit a contract of employment or a work-performance contract, or a draft thereof.

43. If in conformity with Section 23, Paragraph one, Clause 4 of the Immigration Law an alien wishes to reside as a self-employed person he or she shall submit:

43.1. documents certifying the necessary education or qualifications for the performance of the work;

43.2. a business plan examined by a sworn auditor for the expected period of activity;

43.3. documents certifying that he or she has adequate personal financial resources for commencing the activities specified in the business plan;

43.4. a permit (licence, certificate) if such work is performed for the performance of which a permit is necessary;

43.5. a statement issued by the State Revenue Service regarding being entered in the record of tax payers (in the first year of activity) or a statement that he or she does not have tax payment debts administered by the State Revenue Service (starting with the second year of activity);

43.6. an annual report examined by a sworn auditor and an opinion regarding that the objectives and tasks provided for in the business plan have been achieved (starting with the second year of activity);

43.7. a business plan examined by a sworn auditor if the previous business plan has been fulfilled (starting with the second year of activity); and

43.8. a statement issued by the State Revenue Service regarding the payment of the enterprise income tax and the amount thereof (starting with the second year of activity).

44. If in conformity with Section 23, Paragraph one, Clause 5 of the Immigration Law an alien wishes to reside as a member of the council or the board of directors of a capital company registered in the commercial register, he or she shall submit:

44.1. a contract of employment or a work-performance contract, or a draft thereof; and

44.2. documents certifying the necessary education or qualifications for the performance of the work.

45. If in conformity with Section 23, Paragraph one, Clause 6 of the Immigration Law an alien wishes to reside on the basis of a contract of employment or a work-performance contract, he or she shall submit a work invitation approved in accordance with the procedures specified in regulatory enactments.

46. If the alien is a composer, a musician, a singer, a choreographer, a dancer, a director or an actor of cinema, theatre or another institution of art, a circus artist or a technical worker involved in provision of concerts or performance whose expected period of residence in the Republic of Latvia is from 15 to 90 days when requesting a residence permit in conformity with Section 23, Paragraph one, Clause 6 of the Immigration Law, he or she shall submit the contract or the draft thereof.

47. If the alien is a teacher of an accredited educational institution whose expected period of residence in the Republic of Latvia is from 15 to 90 days when requesting a residence permit in conformity with Section 23, Paragraph one, Clause 6 of the Immigration Law, he or she shall submit a contract of employment, a work performance contract entered into with the accredited educational institution or a draft thereof.

48. If in conformity with Section 23, Paragraph one, Clause 14 or 15 of the Immigration Law an alien wishes to reside in the Republic of Latvia in order to implement an international contract or project in which the Republic of Latvia participates, or to provide assistance to State or local government institutions of the Republic of Latvia, he or she shall submit the co-operation project or a contract.

49. If in conformity with Section 23, Paragraph one, Clause 9 of the Immigration Law an alien wishes to reside on the basis of mutual scientific co-operation, he or she shall submit the co-operation plan and the contract of employment or the draft thereof, if residence in the Republic of Latvia is related to employment relationships.

VI. Additional Documents for a Request of a Residence Permit if Residence is related to Other Purposes

50. If in conformity with Section 23, Paragraph one, Clause 10 of the Immigration Law an alien wishes to reside in order to study in an accredited institution of higher education or study programme, he or she shall submit:

- 50.1. a contract regarding studies in the Republic of Latvia;
- 50.2. a receipt of the tuition fee paid for the current study period;
- 50.3. documents certifying that the necessary education has been acquired for commencing the studies; and
- 50.4. documents certifying a knowledge of the language of study.

51. If in conformity with Section 23, Paragraph one, Clause 10 of the Immigration Law an alien wishes to reside in order to study in an accredited educational institution or programme he or she shall submit:

- 51.1. a contract regarding studies in the Republic of Latvia; and
- 51.2. a receipt of the tuition fee paid for the current study period;

52. If in conformity with Section 23, Paragraph one, Clause 19 of the Immigration Law an alien wishes to reside in order to study or learn in an accredited educational institution or programme on the basis of an exchange agreement, he or she shall submit the exchange agreement.

53. If in conformity with Section 23, Paragraph one, Clause 19 of the Immigration Law an alien wishes to reside as a pupil of an educational institution in connection with practical experience or apprenticeship in an accredited educational institution of the Republic of Latvia or a commercial company registered in the commercial register, he or she shall submit a co-operation contract with the relevant educational institution and the forwarding authority or organisation, and a contract of employment if the residence in the Republic of Latvia is related to employment relationships.

54. If in conformity with Section 23, Paragraph one, Clause 11 of the Immigration Law an alien wishes to reside for medical treatment he or she shall submit:

- 54.1. a contract regarding medical treatment in a hospital or a rehabilitation institution; and
- 54.2. a receipt regarding the payment of the costs of the medical treatment and a document which certifies that the alien has a valid policy of health and life insurance which provides for the payment for health care services in full, and a guarantee letter from the insurer regarding the covering of the costs of the medical treatment (it shall be submitted before the receipt of a residence permit).

55. If in conformity with Section 23, Paragraph one, Clause 16 of the Immigration Law an alien wishes to reside in order to perform religious activities he or she shall submit:

- 55.1. a referral letter from the foreign religious organisation;
- 55.2. a copy of an ordination document or of a document comparable thereto; and
- 55.3. a copy of the registration certificate of such religious organisation registered in the Republic of Latvia with which the relevant clergy or missionary co-operates.

56. If in conformity with Section 23, Paragraph one, Clause 16 of the Immigration Law an alien wishes to reside in the Republic of Latvia because he or she has acquired a complete

programme of general secondary education in the official language, he or she shall submit a statement issued by the educational institution or school administration which certifies that the alien has acquired a complete programme of general secondary education in the official language.

57. If an alien who has been a Latvian citizen wishes to receive a permanent residence permit in accordance with Section 24, Paragraph one, Clause 8 of the Immigration Law, he or she shall submit confirmation that he or she has renounced Latvian citizenship.

58. If an alien who has been a Latvian non-citizen wishes to receive a permanent residence permit in accordance with Section 24, Paragraph one, Clause 8 of the Immigration Law, he or she shall submit a submission regarding renunciation of the status of the Latvian non-citizen.

59. If an alien wishes to reside in conformity with Section 31 of the Immigration Law because he or she was a Latvian citizen on 17 June 1940, he or she shall submit documents certifying Latvian citizenship.

60. If an alien requests a residence permit on the basis of a court adjudication, he or she shall submit the court adjudication.

61. If a temporary residence permit or a permanent residence permit is granted to an alien in accordance with Section 23, Paragraph three of the Immigration Law or Section 24, Paragraph two of the Immigration Law:

61.1. due to humanitarian considerations – he or she shall submit documents which certify that the alien needs to reside in the Republic of Latvia and he or she does not have a possibility to return and reside in his or her state of citizenship or domicile; and

61.2. on the basis of international legal provisions and the interests of the State of Latvia – he or she shall submit a submission of a legal person, which certifies the necessity for the alien to reside in the Republic of Latvia.

62. The Office shall submit an opinion regarding the conformity of the documents referred to in Paragraph 61 of these Regulations and possibility of the alien to request a residence permit in accordance with general procedures, as well as additional information at the disposal of the Office to the Minister for the Interior.

63. If an alien has received a reimbursement (compensation) for departure for permanent residence to foreign states (hereinafter – reimbursement), upon submission of documents for the request of a residence permit he or she shall submit a statement regarding the amount of the reimbursement from the State or local government institution of the Republic of Latvia or from an international (foreign) fund or institution which has paid out such reimbursement or from the local government institution referred to in Paragraph 80 of these Regulations, or another competent institution. The alien shall submit a statement regarding repayment of the reimbursement upon receipt of a residence permit.

64. If an alien has served in a foreign military service, except for mandatory military service, or in such civil service, he or she shall submit a document regarding retirement from the service or termination of the service.

65. If an alien requests a permanent residence permit in accordance with Section 24, Paragraph one, Clauses 2, 3, 6 and 7 of the Immigration Law, he or she shall present a

certificate which attests to acquiring of the official language at the level determined in the regulatory enactments.

66. If the reason for residence has not changed when requesting repeatedly a residence permit within the term of validity of the previous residence permit, the alien shall present a travel document recognised in the Republic of Latvia and submit the documents referred to in Sub-paragraphs 25.1, 25.2, 25.5, 25.6 and 25.7, as well as, taking into account the reason of residence, the documents referred to in Paragraph 38, Sub-paragraphs 41.4, 41.5, 41.6, 41.7 and 41.8; Paragraph 42, Sub-paragraphs 43.4, 43.5, 43.6, 43.7, 43.8, 44.1; Paragraphs 45, 48, 49, Sub-paragraphs 50.1, 50.2, Paragraphs 51, 52, 53 and 54 of these Regulations, a statement regarding the radiographic or fluorographic examination for diagnosis of tuberculosis and a statement regarding the making of State social insurance contributions and the amount thereof, if the request for a residence permit is related to commercial activities, employment or the alien is a self-employed person.

VII. Procedures for Issuance of Residence Permits

67. The Office has the right to request and receive information related to the residence of the alien in the Republic of Latvia from State and local government institutions and courts.

68. The Office shall take a decision regarding the issuance of a residence permit after examination of the documents submitted, interviews and verification of other information. The Office shall send the referred to decision to the alien who requests a residence permit and to such Mission in which the documents were submitted or which was indicated by the alien.

69. After entry into the Republic of Latvia, an alien shall within a time period of seven days attend at the Office in person in order to receive a residence permit:

- 69.1. according to the address of a legal person if the inviter is a legal person; or
- 69.2. according to a place of residence if the inviter is a natural person.

70. The document certifying that the alien has a valid policy of health and life insurance shall be presented upon receipt of a residence permit.

71. If the term of validity of the travel document of the alien is shorter than the term of validity of the temporary residence permit requested, the Office shall take a decision regarding the issuance of the residence permit for the time period requested, but the residence permit shall be issued for a time period that is three months shorter than the term of validity of the travel document.

72. A decision regarding the issuance of a residence permit shall be valid for three months. If the residence permit is not received during such time period, the alien shall submit the documents for a request of a residence permit again.

73. If a residence permit is refused, cancelled or the alien does not receive a residence permit during the term of validity of the decision referred to in Paragraph 72 of these Regulations, the documents submitted shall not be issued and the State fee received shall not be reimbursed to the alien.

74. The Office shall inform the Orphan's Court of the local government regarding each minor alien who has received a residence permit in the Republic of Latvia if guardianship has been

established over him or her in foreign states and his or her guardian is a Latvian citizen, a Latvian non-citizen or an alien who has a residence permit in the Republic of Latvia.

VIII. Procedures for Registration of Residence Permits

75. An alien who has a valid temporary residence permit or a permanent residence permit shall submit the documents referred to in these Regulations for the registration of a residence permit to the Office in person not later than 30 days before the end of the time period for registration of the residence permit.

75.1. according to the address of a legal person if the inviter is a legal person;

75.2. according to the place of residence if the inviter is a natural person.

76. In order to register a temporary residence permit or a permanent residence permit, an alien shall present:

76.1. a valid travel document recognised in the Republic of Latvia; and

76.2. a document which certifies that the alien has a valid policy of health and life insurance.

77. Taking into account the reason for residence, in addition to the documents referred to in Paragraph 76 of these Regulations, the alien shall submit documents which certify the justification of the temporary residence permit previously issued if the alien wishes to reside:

77.1. due to reasons related to employment or commercial activities or as a self-employed person – a statement issued by the State Revenue Service regarding the making of mandatory contributions of State social insurance; or

77.2. for medical treatment – a document which attests to the payment of the costs of medical treatment for the previous and following period.

78. The Office shall take a decision regarding the registration of a residence permit after the examination of the documents submitted, an interview and verification of other information.

IX. Procedures for Repayment of Reimbursement (Compensation) for Departure for Permanent Residence to Foreign States

79. An alien who has received a reimbursement for departure for permanent residence to foreign states (hereinafter – reimbursement) and wishes to request a residence permit in the Republic of Latvia shall repay the reimbursement received:

79.1. to such State or local government institution of the Republic of Latvia or international (foreign) fund or institution which has paid the reimbursement; or

79.2. to the Repatriation Fund if the institution or fund referred to in Sub-paragraph 79.1 of these Regulations has been liquidated or refuses to accept the reimbursement paid.

80. If living space has been granted as a reimbursement, the amount of the reimbursement shall be determined according to the current market value in conformity with the location of the living space and it shall be evaluated by the relevant local government or other competent institution (authority).

81. If several persons received reimbursement and any of the aliens who have received the reimbursement requests a residence permit in the Republic of Latvia, he or she shall repay the part thereof in proportion to the number of persons who received the reimbursement.

X. Procedures for Declaration of Long-term Absence

82. An alien who needs to reside in foreign states longer than six months within a calendar year if he or she has received a permanent residence permit, or for three months within a calendar year if he or she has received a temporary residence permit, shall notify the Office regarding the planned absence submitting a substantiated submission.

83. The Office shall examine the circumstances indicated in the submission and issue a statement to the alien with an indication that the Office has been notified regarding the necessity of the alien to reside for a long period in foreign states, and the date by which the alien is entitled to return to the Republic of Latvia.

84. If the alien does not arrive in the Republic of Latvia within the specified time period or has not declared his or her absence before departure from the Republic of Latvia, he or she shall submit documents justifying the absence to the Mission.

85. The Mission shall forward the documents to the Office which shall assess the reasons for a long-term absence and take a decision regarding permission to enter the Republic of Latvia or regarding the cancellation of the residence permit, and notify the Mission regarding the decision taken.

86. The Mission on the basis of the decision of the Office shall issue to the alien a visa or a statement regarding permission to enter the Republic of Latvia.

87. Upon entering the Republic of Latvia an alien shall present the document referred to in Paragraphs 83 and 86 of these Regulations to the State Border Guard.

88. If an alien presents a travel document with a valid residence permit at a State border crossing point, but he or she has exceeded the time of absence specified in Section 35, Clause 13 or Section 36, Paragraph one, Clause 4 of the Immigration Law and does not present the document referred to in Paragraphs 83 or 86 of these Regulations, the State Border Guard shall take a decision regarding refusing the alien entry into the Republic of Latvia.

XI. Cancellation of Residence Permits

89. The Office shall take a decision regarding the cancellation of a residence permit. The State Border Guard or Mission shall cancel a residence permit only upon the request of the Office.

90. If the term of validity of a residence permit has expired or the residence permit is cancelled, the Office shall make a note in the travel document of an alien indicating a time period not exceeding 45 days during which the alien must leave the Republic of Latvia. A time period for departure which is longer than 45 days shall be determined by the Head of the Office or his or her authorised official in assessing the circumstances of the matter.

XII. Amount of Information to be included in the Database of Invitations and the Register of Aliens, and Procedures for Utilisation of the Information

91. Invitations shall be registered in the database of invitations, which shall include the following information:

91.1. regarding the inviter – a natural person:

- 91.1.1. given name (names), surname, father's name;
- 91.1.2. personal identity number;
- 91.1.3. nationality;
- 91.1.4. type, series, number, place and date of issue of the personal identification document presented;
- 91.1.5. address of the place of residence.
- 91.1.6. telephone number;
- 91.1.7. e-mail address (if any);
- 91.2. regarding the inviter – a legal person:
 - 91.2.1. registration number,
 - 91.2.2. name;
 - 91.2.3. person who signs the submission (given name (names), surname, personal identity number and position);
 - 91.2.4. legal address;
 - 91.2.5. telephone number;
 - 91.2.6. e-mail address (if any);
- 91.3. regarding the person to be invited:
 - 91.3.1. given name (names), surname of a person;
 - 91.3.2. nationality;
 - 91.3.3. date of birth;
 - 91.3.4. place of birth;
 - 91.3.5. address of the place of residence.
 - 91.3.6. purpose of entry;
 - 91.3.7. expected place of residence in the Republic of Latvia;
- 91.4. type and term of the residence permit requested;
- 91.5. information regarding payment of the State fee;
- 91.6. invitation registration number;
- 91.7. notes, which include the information provided for in the submission of a legal person, or the information provided for additionally by the natural person;
- 91.8. service notes in order to provide additional information to the official who will accept the documents for the request of a residence permit or take a decision regarding the issuance of a residence permit;
- 91.9. official (given name, surname) of the Office who has taken the decision;
- 91.10. date of the decision; and
- 91.11. invitation status.

92. The register of aliens shall include the following information regarding an alien who has requested or received a residence permit:

- 92.1. regarding an alien:
 - 92.1.1. given name (names), surname;
 - 92.1.2. nationality;
 - 92.1.3. date and place of birth;
 - 92.1.4. assigned personal identity number;
 - 92.1.5. place of birth;
 - 92.1.6. address of the place of residence.
 - 92.1.7. type, series, number, date and place of issuance of the travel document;
 - 92.1.8. address of the place of residence in the Republic of Latvia;
 - 92.1.9. photograph;
- 92.2. personal identity number of the inviter if the inviter is a natural person;
- 92.3. name and registration number of the inviter if the inviter is a legal person;

- 92.4. regarding a residence permit:
 - 92.4.1. form, type, status
 - 92.4.2. expiry date;
 - 92.4.3. registration date;
- 92.5. decision and date of taking thereof;
- 92.6. date by which the alien is entitled to return to the Republic of Latvia after a long-term absence in foreign states; and
- 92.7. service notes, which specify the location of documents (file) submitted by the alien and process of the matter.

93. The Office shall ensure utilisation and maintenance of the register of aliens from the resources allocated in the State budget.

94. The Office, State Border Guard, State Police, Missions and State security institutions shall utilise the information included in the register of aliens for the performance of tasks thereof.

95. The information to be included in the register of aliens shall have the status of restricted access information.

96. A person, as well as the lawful representatives of persons under guardianship or trusteeship have the right to receive information regarding persons included in the register of aliens only regarding himself or herself and his or her children younger than 16 years, in accordance with the procedures specified in regulatory enactments if the information regarding them is included in the referred to information system.

97. The information shall be kept continuously in the register of aliens.

XIII. Closing Provisions

98. Invitations which in accordance with Cabinet Regulation No. 193 of 15 May 2001, Procedures for Issuance and Cancellation of Residence Permits have been drawn up by 30 April 2003 shall be valid for six months.

99. These Regulations shall come into force on 1 May 2003.

Prime Minister

E. Repše

Minister for the Interior

M. Gulbis

Application Requesting a Residence Permit

(Application shall be completed in block letters)

I. Purpose of Your entry

1. Reason of residence
2. Preferred duration of stay
 - a) permanently
 - b) for a time period to (date)
3. If the purpose of Your entry is employment, specify your occupation/speciality

II. Personal data

1. Given name (names)
2. Surname
3. Surname at birth
4. Previous given names, surnames if changed
5. Date of birth (day-month-year)
6. If the date of birth has been changed, specify the previous date of birth
7. Place of birth
 - a) state
 - b) province, state, area
 - c) district, town, populated area

Complete Paragraphs 8 and 9 of this Section if your expected stay is related to family reunion and a birth certificate is necessary to prove kinship.

8. Birth registration
 - a) entry number in the register
 - b) date
 - c) state
 - d) institution
9. Birth certificate
 - a) number
 - b) date of issue
 - c) issuing state
 - d) issuing authority
10. Sex
 - a) male
 - b) female
11. Citizenship (citizenships) (nationality)

If you are a stateless person, specify the state of residence.

12. Legal status in the state of residence if you do not live in your state of citizenship
 - a) refugee
 - b) permanent residence permit
 - c) temporary residence permit
 - d) visa
13. Nationality
14. Address of the place of residence in foreign states, telephone
15. Address of expected place of residence in Latvia
 - a) district
 - b) rural area
 - c) town
 - d) suburb, urban district
 - e) parish
 - f) village
 - g) street
 - h) name of the house/individual farm
 - i) house number
 - j) block number
 - k) apartment number
 - l) telephone

III. Travel document valid for receipt of a residence permit

1. Type and number of the travel document
2. Issuing state, issuing authority
3. Date of issue
4. Term of validity

IV. Do you have a permission to stay in any other state (in addition to information indicated in Paragraph 12, Section II)?

- a) yes
- b) no

If the answer is “yes”, specify the state and the type and term of validity of the residence permit.

V. Marital status

1. Specify marital status
 - a) single
 - b) married
 - c) divorced
 - d) widow(er)
2. If you are married:
 - a) given name, surname of the spouse
 - b) date of birth,
 - c) place of birth
 - d) citizenship

- e) address of the place of residence;
- f) marriage was entered into (date)
- g) state and place of marriage

Complete Sub-paragraphs “h-j” of Paragraph 2 of this Section if your expected stay is related to family reunion and a marriage certificate is necessary to prove kinship.

- h) entry number in the marriage register;
- i) marriage certificate number; and
- j) date of issue of the marriage certificate

3. If you are divorced or have married again, answer Sub-paragraphs “a-g” of this Paragraph.

If your spouse is dead, answer Sub-paragraphs “a-d” and “h” of this Paragraph.

If any of the marriages have been annulled, answer Sub-paragraphs “a-d” and “i” of this Paragraph.

Complete Paragraph 3, Sub-paragraphs “g-i” of this Section if your expected stay is related to marriage.

- a) given name(s), surname of ex-spouse
- b) date of birth,
- c) citizenship
- d) date of entering into marriage
- e) state of current residence
- f) date of divorce
- g) number of the document regarding the divorce, the authority that has taken the decision and state
- h) date of death of the spouse; and
- i) date of annulment of marriage, number of the civil matter, authority that has taken the decision

VI. Information regarding your relatives

1. Your and your spouse’s children (including children who have reached legal age)

- a) given name (names), surname
- b) date of birth,
- c) sex
- d) citizenship
- e) marital status
- f) address of the place of residence;

2. Your parents

- a) given name (names), surname
- b) date of birth,
- c) sex
- d) citizenship
- e) marital status and
- f) address of the place of residence;

If any of the parents is dead, specify the date of death.

3. Your sisters and brothers

- a) given name (names), surname
- b) date of birth,
- c) sex
- d) citizenship
- e) marital status and
- f) address of the place of residence;

If any of the sisters, brothers is dead, specify the date of death.

4. Your guardian or trustee

- a) given name (names), surname
- b) date of birth,
- c) sex
- d) citizenship
- e) marital status
- f) address of the place of residence;
- g) date of establishment of the guardianship or trusteeship
- h) state and institution of establishment of the guardianship or trusteeship
- i) registration number in the register regarding establishment of the guardianship or trusteeship and
- j) time period for which the guardianship or trusteeship has been established

5. Persons under your guardianship or trusteeship

- a) given name (names), surname
- b) date of birth,
- c) sex
- d) citizenship
- e) marital status
- f) address of the place of residence;
- g) date of establishment of the guardianship or trusteeship
- h) state and institution of establishment of guardianship or trusteeship
- i) registration number in the register regarding the establishment of the guardianship or trusteeship and
- j) time period for which the guardianship or trusteeship has been established

VII. Knowledge of language

1. Specify the level of knowledge of the Latvian language and other foreign languages

- a) fluently
- b) adequately for social contacts
- c) none

2. Your native language

3. Everyday language in your family

VIII. Employment

1. Your places of employment within the last five years

- a) period of time
- b) employer and the location thereof (in Latvia – address)

- c) type of employment (occupation/position)
- 2. If you have not worked for a longer period of time, specify the reason

IX. Education

- a) primary
- b) secondary
- c) vocational education
- d) higher

X. Your former residence in the territory of Latvia

- 1. Have you previously resided in Latvia?

- a) yes
- b) no

If the answer is “yes”, specify

- a) period of time
- b) place of residence (address)
- c) reason for residence

- 2. Has entry into Latvia ever been denied to you?

- a) yes
- b) no

- 3. Have you been expelled from Latvia?

- a) yes
- b) no

- 4. Have you or your parents received a compensation (reimbursement) for departure from Latvia for permanent residence to foreign states?

- a) yes
- b) no

If the answer is “yes”, indicate the paying authority or fund and the date of receipt of compensation (reimbursement).

If the answer is “yes” in relation to Question 2 or 3 of this Section, complete Annex 1 of the application.

XI. Residence in foreign states

- 1. Specify your registered places of residence outside the territory of the Republic of Latvia starting with 1991.

Complete Paragraph 1 of this Section if you reside permanently in the Republic of Latvia and you were a Latvian non-citizen before the acquisition of the citizenship of another state.

- a) from
- b) to
- c) state

- d) address of the place of residence
- 2. Have you been refused entry into any other state?
 - a) yes
 - b) no
- 3. Have you been deported from any other state?
 - a) yes
 - b) no

If the answer is “yes” in relation to Paragraph 2 or 3 of this Section, complete Annex 1 to the Application.

XII. Have you served or do you serve in the military service (except mandatory service) or other civil service of another state?

- a) yes
- b) no

If the answer is “yes”, complete Annex 2 of the Application.

XIII. Criminal record

Have you been sentenced for a crime or criminal offence?

- a) yes
- b) no

If the answer is “yes”, complete Annex 3 to the Application.

XIV. Inviter

- 1. If the inviter is a natural person
 - a) given name(s), surname
 - b) personal identity number
- 2. If the inviter is a legal person
 - a) name
 - b) registration number
 - c) legal address

XV. Additional Information

Indicate a person in the foreign state and Latvia (relatives or friends who shall be notified in case of an accident)

- a) given name (names), surname
- b) birth data
- c) address and telephone of the place of residence

XVI. Declaration

Please read and certify with your signature the text with the following content:
I certify with my signature that:

1. I have provided complete and true information in all the Application Requesting a Residence Permit.
2. I am aware that:
 - a) in accordance with Section 34 of the Immigration Law the issuance of a residence permit may be refused to me;
 - b) in accordance with Sections 35 and 36 of the Immigration Law the residence permit may be cancelled;
 - c) it may be prohibited for me to enter the Republic of Latvia or I may be deported from the Republic of Latvia in accordance with the procedures prescribed by the Immigration Law.
3. I undertake within a time period of three days to notify in writing the Office of Citizenship and Migration Affairs regarding the fact that the circumstances do not exist or circumstances have changed on the basis of which I received a residence permit, I have engaged in military service or other civil service of another state or I have departed for permanent residence to a foreign state.
4. I recognise the right of the Office of Citizenship and Migration Affairs to interview my inviter, and me and to request explanations, as well as to verify the information provided by the inviter and me.
5. I do not have impairments of health or diseases (in conformity with the list approved by the Ministry of Health of the Republic of Latvia) due to which I am not allowed to receive a residence permit.
6. I have the necessary means of subsistence for residence in the Republic of Latvia (specify the type and amount thereof):
7. I understand all the questions asked in this Application and the Annexes thereto or I have received the relevant explanations in a language that I can understand or through an interpreter.

Signature

Date

Service notes

Orthography of given name (names) and surname in the Latvian language in conformity with the pronunciation in the original language

Recipient of documents:

Position of the official

Given name (names),
surname;

date, signature

Notes

File number

Decision (term of residence permit, form, type, status of residence permit)

Personal identity number

Decision prepared by:

Position of the official

given name (names), surname;

date, signature

Minister for the Interior

M. Gulbis

Annex 1 to Application Requesting a Residence Permit

Given name (names),
surname _____

1. If entry into any state (including Latvia) has been refused to you, please provide the following information:

1.1. date of refusal (day/month/year) _____

1.2. prohibition of entry up to (day/month/year) _____

1.3. state _____

1.4. reason of refusal _____

2. If you have been deported from any state (including Latvia), please provide the following information:

2.1. date of deportation (day/month/year) _____

2.2. prohibition of entry up to (day/month/year) _____

2.3. state _____

2.4. reason for deportation _____

Signature _____

Date _____

Minister for the Interior

M. Gulbis

Annex 2 to Application Requesting a Residence Permit

Given name (names),
surname _____

1. If you have served in military service or other civil service of a state: _____

1.1. state _____

1.2. time period of service (month/year) _____

1.3. type of service _____

1.4. position _____

2. Have you participated in combat activities?

a) yes

b) no

3. If the answer to the question 2 is “yes”, please specify the place and time _____

Signature _____

Date _____

Minister for the Interior

M. Gulbis

Annex 3 to Application Requesting a Residence Permit

Given name (names),
surname _____

If you have been sentenced for a crime or a criminal offence, provide the following information:

1. nature of the violation _____
2. State _____
3. Section of the Law _____
4. type of penalty imposed _____
5. Time period of imprisonment (from-to) _____

Signature _____

Date _____

Minister for the Interior

M. Gulbis

Instructions regarding Photographs for the Application Requesting a Residence Permit

In order to ensure qualitative issuance and registration of residence permits, a photograph must conform to the following requirements:

1. The dimensions of photographs shall be $-45 \times 35 \text{ mm} \pm 1 \text{ mm}$. The photograph shall be made without a white corner.
2. Dimensions of face on photographs - distance between the pupils of the eyes shall be $6 \pm 3 \text{ mm}$, distance between the centre line of the eyes to the chin line (extreme points) shall be $15 \pm 2 \text{ mm}$. Distance from the head to the upper edge of the photograph shall be $6 \pm 2 \text{ mm}$.
3. The photograph may be black and white or in colour.
4. Photographic paper shall be smooth, bright or semi-matt, without a surface raster or relief.
5. Background of the photographs shall be homogeneous, the background of black and white photographs shall be white, and the background of colour photographs shall be white or light grey. If the background of a photograph is in another colour or dark, such photograph shall be invalid.
6. Position of the head - front view.
7. Natural facial expression (smile permissible).
8. Clothing everyday, correct. It is prohibited to be photographed in outdoor clothes (for example, coats, jackets) and with a headgear, as well as with an uncovered upper part of the body.
9. Lighting shall be equal for both sides of the face. If the luminous effects (for example, overhead lighting) intended for artistic photography are utilised when taking a photograph, such photograph shall not be valid.
10. Changes in a photograph as compared to the photo-negative are not permissible.
11. Any of the colours that have been created as a result of technologies for the making of photographs may not prevail in a colour photograph.
12. The picture shall be in high quality - sharp, without scratches and defects.
13. If a person wears glasses, he or she may be photographed with glasses. Being photographed with dark glasses or glasses that have slipped on the nose is not permitted. Reflections in the lenses of glasses may not cover up the eyes.

14. Photographs shall be made not earlier than three months prior to submitting the documents for the request of a residence permit.

Minister for the Interior

M. Gulbis