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Text consolidated by Tulkošanas un terminoloģijas centrs (Translation and Terminology Centre) with amending laws of:

22 April 2004;

3 March 2005;

25 May 2006;

21 June 2007.

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*<sup>1</sup> has adopted and the President has proclaimed the following Law:

## **Support for Unemployed Persons and Persons Seeking Employment Law**

### **Chapter I General Provisions**

#### **Section 1. Purpose of the Law**

The purpose of this Law is to provide support for unemployed persons, persons seeking employment and persons subject to the risk of unemployment in order to facilitate their ability to compete in the labour market.

[21 June 2007]

#### **Section 2. Scope of Application of this Law**

(1) This Law determines the active employment measures and preventative measures for unemployment reduction intended for unemployed persons, persons seeking employment and persons subject to the risk of unemployment, the competence of the State and local governments in the implementation of these measures, as well as the status, rights and duties of unemployed persons and persons seeking employment.

(2) The following persons have the right to receive the support specified in this Law for unemployed persons, persons seeking employment and persons subject to the risk of unemployment:

1) a Latvian citizen or Latvian non-citizen, or a person who has a permanent residence permit in Latvia or the spouse of the referred to person who has a temporary residence permit in Latvia;

2) a citizen of the Member States of the European Union or a state of the European Economic Zone, or the Swiss Confederation, or a family member of the referred to person who have a European Union citizen family member residence permit or European Union citizen family member permanent residence permit in Latvia;

<sup>1</sup> The Parliament of the Republic of Latvia

3) a person who has a temporary residence permit in relation to the granting of alternative status in Latvia, or a family member of the referred to person who has a temporary residence permit in Latvia;

4) a person who has a permanent residence permit in relation to the granting of refugee status in Latvia, or a family member of the referred to person who has a permanent residence permit in Latvia;

5) a person who has a European Community long-term resident residence permit in relation to the granting of European Community long-term resident status in Latvia, or the spouse of the referred to person who has a temporary residence permit in Latvia;

6) a person who has a temporary residence permit in relation to the granting of temporary protection status in Latvia;

7) a person who has a temporary residence permit in relation to the performance of scientific work in Latvia; and

8) a person who has a temporary residence permit in relation to the granting of victim of traffic of human beings status in Latvia.

[22 April 2004; 21 June 2007]

## **Chapter II**

### **Active Employment and Unemployment Reduction Preventative Measures**

#### **Section 3. Active Employment Measures**

(1) Active employment measures shall be as follows:

1) occupational training, retraining and raising of qualifications;

2) paid temporary works;

3) measures to increase competitiveness, especially measures for the improvement of social and functional skills and psychological support measures, measures for basic skills and abilities necessary for the labour market, as well as the acquisition of work finding techniques, acquisition of informal education, including the acquisition of the official language and the selection of further education, summer holiday employment measures for persons who are acquiring an education in general, special or vocational educational institutions, as well as other measures that facilitate the competitiveness of unemployed persons and persons seeking employment in the labour market;

4) measures for specified groups of persons, in particular for persons of age from 15 to 24 (inclusive) years; for persons for whom the invalidity has been determined; for persons six months after the end of parental leave (period of child care); for persons for whom not more than five years remain until reaching the age necessary for the granting of the State old age pension; for persons who have been in the records of the State Employment Agency for more than one year (hereinafter – long-term unemployed); persons after serving a sentence in institutions of deprivation of liberty, for persons addicted to alcohol, narcotics, psychotropic or toxic substances; for persons who care for a family member; for persons who are without work for longer than one year; other unemployed persons in conformity with the local labour market situation, as well as other target groups specified in policy planning documents;

5) measures to facilitate start-up of commercial activities and self-employment;

6) work practice in the workplace, which provides an opportunity to determine vocational suitability;

7) training with an employer; and

8) complex support measures.

(2) The purpose of active employment measures is to put into effect labour market policy in order to reduce unemployment and to facilitate an increase in the economic activity of inhabitants, in particular to:

- 1) motivate unemployed persons, persons seeking employment and economically inactive inhabitants to seek employment more actively;
- 2) promote the formation of a labour force that is trained and capable of adjusting to the conditions of the labour market;
- 3) promote an increase in the competitiveness of the individual; and
- 4) promote the creation of equal opportunities for persons who wish to enter the labour market.

*[22 April 2004; 3 March 2005; 25 May 2006; 21 June 2007]*

### **Section 3.<sup>1</sup> Preventative Unemployment Reduction Measures**

(1) The following are preventative unemployment reduction measures:

- 1) career consultations;
- 2) increasing the qualifications, retraining and further education of persons employed by merchants and self-employed;
- 3) facilitating the regional mobility of persons employed by merchants; and
- 4) facilitating the acquisition of the official language.

(2) Career consultations include assistance with the planning of careers, determination of vocational suitability, as well as the acquisition of employment seeking and preservation skills.

(3) Career consultations shall be provided to persons in order to assist them to better ascertain their vocational direction, increase in depth the understanding of such persons regarding education and opportunities in the labour market and to ascertain the best appropriate vocational direction for the personality, value system and goals of a specific person. Both individual career consultations, which include also the provision of services in electronic form and group career consultations shall be implemented.

(4) Measures, which are associated with increasing the qualifications of persons employed by merchants and self-employed, retraining and further education, shall be organised in order to maintain the ability of the referred to persons to be competitive in the labour market and to reduce the risk of unemployment setting in.

(5) Measures for the facilitating the regional mobility of persons employed by merchants shall be organised in order to reduce the risk of unemployment setting in, which is associated with the movement of employed persons between place of residence and the workplace.

*[21 June 2007]*

### **Section 4. Competence of the Cabinet**

(1) *[21 June 2007]*

(2) The Cabinet shall determine the procedures for the organisation and financing of active employment measures, as well as the principles for the selection of the implementing bodies of such measures.

(3) The Cabinet shall determine the procedures by which an allowance and compensation for rent and transport expenditures are to be granted during the occupational training, retraining and raising of the qualifications of unemployed persons, and the amount of such allowance and compensation, and the procedures by which an allowance shall be granted during the period of acquisition of informal education, as well as the amount of the allowance.

(4) The Cabinet shall determine the procedures for granting the status of unemployed person and the status of person seeking employment and the necessary documents for the granting of such status.

(5) The Cabinet shall determine the procedures by which workplaces shall be established for persons for whom invalidity has been specified.

(6) The Cabinet shall determine the licensing and supervision procedures of the merchants who provide work placement services, the procedures for the suspension and cancellation of the operation of licences, the duties and rights of licence recipients, as well as regarding the amount of State fee to be paid for receipt of a licence and the procedures for payment thereof.

(7) The Cabinet shall determine the criteria for the involvement of persons employed by merchants and self-employed in raising of qualifications, retraining and further education measures, financing regulations and the procedures for implementation of such measures.

(8) The Cabinet shall determine the criteria for measures for the involvement of persons employed by merchants in regional mobility promotion measures, and the financing regulations and the procedures for the implementation of such measures.

*[3 March 2005; 25 May 2006; 21 June 2007]*

## **Section 5. Competence of Ministries**

(1) The Ministry of Economics shall co-ordinate the labour market medium-term and long-term forecasting process in the State.

(2) The Ministry of Welfare shall develop State policy for the reduction of unemployment, participate in the development of employment policy and the improvement of the career development support system, as well as co-ordinate the development of proposals for active employment measures and the organisation, financing and implementation of preventative unemployment reduction measures.

(3) The Ministry of Welfare in co-operation with the Ministry of Education and Science shall ensure the occupational training, retraining and raising of qualifications of unemployed persons, the acquisition of informal education of unemployed persons and persons seeking employment, the retraining, raising of qualifications and further education of persons employed by merchants and self-employed, as well as the organisation of career consultations.

(4) Ministries in conformity with their competence shall prepare proposals for the development of State policy in the field of employment promotion and unemployment reduction, as well as provide for the involvement of unemployed persons, persons seeking employment, persons employed by merchants and self-employed in State and foreign financed programme projects, including foreign technical assistance projects and European Union structural fund projects.

*[22 April 2004; 21 June 2007]*

## **Section 6. State Employment Agency**

(1) The State policy in the field of unemployment reduction, and in the field of support for unemployed persons, persons seeking employment and persons subject to the risk of unemployment shall be implemented by the State Employment Agency. The State Employment Agency is a State administration institution under the supervision of the Minister for Welfare.

(2) The State Employment Agency shall:

1) in conformity with its competence prepare proposals for the development and implementation of State policy in the field of employment;

- 2) perform short-term forecasts of the labour market;
  - 3) register and record unemployed persons and persons seeking employment;
  - 4) assist unemployed persons and persons seeking employment, as well as economically inactive inhabitants to become involved in the labour market;
  - 5) organise co-operation and mutual information exchange between the State Employment Agency and employers, as well as record vacant workplaces submitted by employers;
  - 6) inform free of charge regarding vacant workplaces submitted by employers, as well as regarding unemployed persons and persons seeking employment rights and duties;
  - 7) organise dialogue between unemployed persons, persons seeking employment and employers in order to reduce unemployment;
  - 8) organise and implement active employment measures and preventative unemployment reduction measures;
  - 9) provide free of charge career consultations to unemployed persons, persons seeking employment and other persons, and in this way assisting them to orientate themselves in issues of occupational suitability, as well as retraining;
  - 10) compile necessary information for career consultations, as well as information regarding educational opportunities;
  - 11) develop new and improve existing career consultation methods, as well as provide assistance in the implementation thereof;
  - 12) approve work invitations for employment according to the procedures specified in regulatory enactments;
  - 13) license and supervise merchants who provide work placement services (except work placement of persons on ships);
  - 14) ensure the preparation and provision of information conforming to the requirements of European Union regulatory enactments reflecting the situation of unemployment in the State;
  - 15) co-operate with the State and local government institutions, non-government organisations, as well as natural persons and legal persons;
  - 16) participate in the development and implementation of draft international co-operation agreements, as well as other co-operation projects in the field of unemployment reduction, promotion of employment, career consultation, as well as the movement of work force; and
  - 17) perform other tasks provided for in regulatory enactments.
- (3) The State Employment Agency has the right to request and receive free of charge information necessary for the implementation of its specified functions from the Central Statistics Bureau, State Data Inspection, Office of Citizenship and Migration Matters, Enterprise Register, State Revenue Service, local government city councils (parish councils) and other State and local government institutions, as well as according to the procedures specified in regulatory enactments from natural persons and legal persons.
- (4) For ensuring the request and receipt of information, the institutions referred to in Paragraph three of this Section shall enter into co-operation contracts or interdepartmental agreements.
- (5) The State Employment Agency shall be financed from the State basic budget, income from paid services, gifts and donations, as well as other funds in accordance with regulatory enactments.
- (6) Administrative acts issued by the State Employment Agency and actual actions may be disputed according to the procedures specified in regulatory enactments to the director of the State Employment Agency, but the administrative acts issued by the director of the State Employment Agency may be appealed to a court.

*[22 April 2004; 3 March 2005; 21 June 2007]*

**Section 7. Preventative Measures for Unemployment Reduction** [21 June 2007]

*[22 April 2004; 25 May 2006; 21 June 2007]*

**Section 8. Competence of Local Governments**

(1) Local governments when performing the functions related to the promotion of commercial activities and unemployment reduction shall co-operate with the State Employment Agency.

(2) Local governments have a duty in the field of employment:

1) to develop an employment promotion measures plan for the relevant territory in co-operation with the State Employment Agency, employers and non-governmental organisations, including trade unions and employers' organisations;

2) to co-operate with the State Employment Agency in organising and implementing active employment measures and unemployment reduction preventative measures;

3) to provide the State Employment Agency with the information necessary for the implementation of their tasks; and

4) to make provisions for the involvement of unemployed persons, persons seeking employment, persons employed by merchants and self-employed in State and foreign financed programme projects, including foreign technical assistance projects and European Union structural fund projects.

(3) [21 June 2007]

*[22 April 2004; 3 March 2005; 21 June 2007]*

**Section 9. Financing of Active Employment Measures, Preventative Measures for Unemployment Reduction and Projects**

(1) For the financing of active employment measures, preventive measures for unemployment reduction and the projects referred to in Section 5, Paragraph four and Section 8, Paragraph two, Clause 4 of this Law, the resources of the project implementing body or the recipient of the assistance are also to be utilised in addition to the resources assigned by the State or local governments, or foreign states, or international organisations.

(2) Active employment measures shall be financed, as well as the allowances, rent and transport expenditures during occupational training, retraining and raising of the qualifications and the allowance during the acquisition of information education of unemployed persons shall be paid from the State basic budget and the special employment budget.

(3) Unemployment reduction preventative measures shall be financed from the State basic budget.

*[22 April 2004; 3 March 2005; 25 May 2006; 21 June 2007]*

**Part III  
Unemployed Person Status**

**Section 10. Acquisition of Unemployed Person Status**

(1) A person referred to in Section 2, Paragraph two of this Law has the right to unemployed person status after registration with the State Employment Agency who:

1) [21 June 2007]

2) does not work (is not considered to be an employee or a self-employed person) in accordance with the Law On State Social Insurance);

- 3) is seeking employment;
  - 4) is able to work and ready to enter into labour relations immediately;
  - 5) has reached 15 years of age;
  - 6) has not reached the age necessary for the granting of the State old age pension;
  - 7) is not acquiring an education by being present at a general secondary or vocational secondary education institution, except for night school;
  - 8) does not perform commercial activities or his or her commercial activities have been suspended in accordance with regulatory enactments; and
  - 9) is not completely State supported.
- (2) Within the meaning of this Law, a person for whom invalidity has been determined shall also be considered to be able to work except in cases where the Medical Commission for Expert-examination of Health and Working Ability has determined a loss of ability to work of 100 per cent.
- (3) If a person on the day of registration has a temporary illness, the State Employment Agency shall grant such person unemployed person status after the end of the temporary illness.

*[22 April 2004; 3 March 2005; 25 May 2006; 21 June 2007]*

### **Section 11. Taking Decisions on Granting Unemployed Person Status**

The State Employment Agency shall take a decision on granting unemployed person status within a time period of one working day if a person conforms with all the criteria specified in Section 10, Paragraph one of this Law and has presented the documents specified in regulatory enactments.

### **Section 12. Loss of Unemployed Person Status and Re-acquisition Thereof**

- (1) The basis for the loss of unemployed person status shall be:
- 1) the acquisition of status of the employee or self-employed person for an indefinite period of time or for a time period longer than two months in accordance with the Law On State Social Insurance, except engaging in the active employment measures;
  - 2) reaching the age necessary for the granting of the State old age pension;
  - 3) coming under complete State support
  - 4) commencing the acquisition of education by being present at a general secondary or vocational secondary education institution, except night school;
  - 5) refusal of an appropriate offer of employment twice;
  - 6) failure to fulfil the duties of an unemployed person without a justified reason;
  - 7) provision of false information in order to acquire and retain unemployed person status;
  - 8) moving for permanent residence outside the European Union if not specified otherwise in international agreements binding upon Latvia;
  - 9) [25 May 2005]
  - 10) the loss of work ability of 100 per cent;
  - 11) renewal of employment through a court judgment;
  - 12) death of the unemployed person; or
  - 13) waiver of unemployed person status by submitting a relevant notification to the State Employment Agency.
- (2) Appropriate employment within the meaning of this Law is be an employment, which conforms to:

1) the occupational preparedness of the unemployed person and his or her previous occupational activities, as well as the official language fluency level;  
2) the state of health of the unemployed person;  
3) accessibility of the offered workplace (a place the travelling to of which by means of public transport from the declared place of residence of the unemployed person shall take not more than one hour in one direction); and

4) average remuneration in an appropriate occupation in a concrete sector (on the basis of the latest official data published by the Central Statistics Bureau), which is offered to the unemployed person.

(3) The State Employment Agency shall take a decision regarding the loss of unemployed person status within a time period of one working day after the determination of conditions for the loss of unemployed person status referred to in Paragraph one of this Section. In such case the person shall lose his or her unemployed person status on the day when the relevant condition for the loss of unemployed person status comes into effect.

(4) A person, who has lost unemployed person status due to the reasons referred to in Paragraph one, Clause 5, 6, 7 or 13 of this Section, has the right to re-acquire unemployed person status not earlier than three months from the day when the decision regarding the loss of unemployed person status was taken.

*[22 April 2004; 3 March 2005; 25 May 2006; 21 June 2007]*

## **Chapter IV Rights and Duties of Unemployed Persons**

### **Section 13. Rights of Unemployed Persons**

Unemployed persons have the right to:

1) participate in the active employment measures provided for in the individual employment seeking plan, as well as other services of the State Employment Agency;

2) receive unemployment insurance services in accordance with the Law On Insurance In Case of Unemployment.

3) receive a grant and compensation for rent and transport expenditures during occupational training, retraining or raising of qualifications and to receive an allowance during the acquisition of informal education;

4) receive information regarding vacant workplaces and qualification requirements and other requirements related thereto; and

5) receive career consultations;

6) [22 April 2004]

7) [21 June 2007]

*[22 April 2004; 25 May 2006; 21 June 2007]*

### **Section 14. Duties of Unemployed Persons**

(1) Unemployed persons have a duty to:

1) actively seek employment independently and with the assistance of the State Employment Agency and after the acquisition of unemployed person status provide without delay proposals to the State Employment Agency for the development of an individual employment seeking plan;

2) on the day specified in the individual employment seeking plan attend the State Employment Agency and present the documents specified in regulatory enactments;



- 3) attend the State Employment Agency within a time period of three days from the day of receipt of an invitation;
- 4) participate in measures provided for in the individual employment seeking plan;
- 5) notify the State Employment Agency:
- a) within a time period of three working days – if the person no longer conforms to the unemployed person status acquisition conditions referred to in Section 10, Paragraph one, Clauses 2, 4, 6, 7, 8 and 9 of this Law,
  - b) within a time period of three working days – if employee status has been acquired for a period up to two months in accordance with the Law On State Social Insurance, and
  - c) [21 June 2007]
  - d) within a time period of three weeks of the beginning of a temporary work disability – of the period of temporary work disability if such has been longer than two weeks.
- (2) Active seeking of employment within the meaning of this Law is the active purposeful activities of a person with an intention to find paid employment – participation in competitions for vacant workplaces, and other activities the purpose of which is to find employment.
- (3) Non-appearance in the State Employment Agency in the cases referred to in Paragraph one, Clauses 2 and 3 of this Section shall be considered justified if:
- 1) the unemployed person has a temporary work disability;
  - 2) the unemployed person is taking care of a sick child;
  - 3) on the basis of a summons, the unemployed person appears in an investigatory institution, Office of the Prosecutor, a court, or is participating in a sitting of a court as a lay judge;
  - 4) the reason is the death of the first degree relative or the spouse and if the day of the visit to the State Employment Agency has been determined earlier than the seventh day after the day of death of such a relative or spouse;
  - 5) attendance is impossible due to participation in the active employment measures or the implementation of other measures provided for in the individual employment seeking plan; and
  - 6) other objective conditions exist, which are not dependent on the will of the unemployed person.
- (4) The unemployed person must appear at the State Employment Agency on the first working day after the termination of the justifiable reasons referred to in Paragraph three of this Section presenting a document confirming the justifiable reasons.
- (5) [21 June 2007]  
*[22 April 2004; 3 March 2005; 25 May 2006; 21 June 2007]*

## **Chapter V**

### **Persons Seeking Employment**

#### **Section 15. Status of Persons Seeking Employment**

- (1) Persons referred to in Section 2, Paragraph two of this Law have a right to a person seeking employment status after registration with the State Employment Agency and:
- 1) who are not working (are not deemed to be employees or self-employed in accordance with the Law On Social Insurance);
  - 2) who are seeking employment;
  - 3) who are capable of work and are ready to enter into work relations without delay;

- 4) who reached the age of 15 years; and
  - 5) who do not perform commercial activities or for whom commercial activities have been suspended in accordance with regulatory enactments.
- (2) A decision regarding the granting of person seeking employment status if a person conforms to all the criteria specified in Paragraph one of this Section and have presented the documents specified in regulatory enactments, shall be taken by the State Employment Agency within a period of one working day.
- (3) The basis for the loss of person seeking employment status shall be:
- 1) the acquisition of unemployed person status;
  - 2) the acquisition of status of the employee or self-employed person for an indefinite period of time or for a time period longer than two months in accordance with the Law On State Social Insurance;
  - 3) failure to fulfil the duties of a person seeking employment without a justified reason;
  - 4) provision of false information in order to acquire and retain person seeking employment status;
  - 5) moving for permanent residence outside the European Union if not specified otherwise in international agreements binding upon Latvia;
  - 6) the loss of work ability of 100 per cent;
  - 7) renewal of employment through a court judgment;
  - 8) waiver of person seeking employment status by submitting a relevant notification to the State Employment Agency; and
  - 9) death of the person seeking employment.
- (4) The State Employment Agency shall take a decision regarding the loss of person seeking employment status within a time period of one working day after the determination of conditions for the loss of person seeking employment status referred to in Paragraph three of this Section. In such case the person shall lose his or her person seeking employment status on the day when the relevant condition for the loss of person seeking employment status comes into effect.
- (5) A person, who has lost person seeking employment status due to the reasons referred to in Paragraph three, Clauses 3, 4 and 8 of this Section, has the right to re-acquire person seeking employment status not earlier than three months from the day when the decision regarding the loss of person seeking employment status was taken.
- (6) If a person on the day of registration has a temporary illness, the State Employment Agency shall grant such person, person seeking employment status after the end of the temporary illness.
- [22 April 2004; 3 March 2005; 21 June 2007]*

## **Section 16. Rights and Duties of Persons Seeking Employment**

*[21 June 2007]*

- (1) Persons seeking employment have the right to:
  - 1) participate in measures for increase of competitiveness;
  - 2) receive information regarding vacant workplaces and qualification requirements and other requirements related thereto; and
  - 3) receive career consultations.
- (2) The rights specified in Paragraph one of this Section and the right to become involved in the preventative unemployment reduction measures referred to in Section 3.<sup>1</sup>, Paragraph one of this Law are also for persons who are capable of work and persons subject to the risk of

unemployment who conform to the requirements of Section 2, Paragraph two and Section 15, Paragraph one, Clauses 4 and 5 of this Law and at least one of the following prerequisites:

1) who have been given a notice of termination of contract of employment on the basis of circumstances, which are associated with the performance of urgent economic, organisational, technological measures or measures of a similar nature;

2) who are persons employed by merchants or self-employed and for whom raising of qualifications, retraining and further education is necessary in order to maintain their capacity to compete in the labour market and to reduce the risk of unemployment coming into effect; or

3) who are persons employed by merchants and for whom measures for the facilitation of regional mobility are necessary in order to reduce the risk of unemployment coming into effect, which is associated with the movement of the person between his or her place of residence and the workplace.

(3) The rights specified in Paragraph one, Clauses 2 and 3 of this Section and the right to become involved in employment measures referred to in Section 3, Paragraph one, Clause 3 of this Law during the summer holidays are also for persons who have reached the age of 13 years and who conform to the requirements of Section 2, Paragraph two and Section 15, Paragraph one, Clauses 1, 2 and 5 of this Law, and who are acquiring an education in general, special or vocational educational institutions.

(4) Persons seeking employment have a duty to:

1) independently and with the assistance of the State Employment Agency to actively seek employment;

2) In a time period specified by the State Employment Agency, but not later than after three months from the day when he or her has previously attended the State Employment Agency, attend the State Employment Agency and to present the documents specified by regulatory enactments; and

3) within a period of three working days, notify the State Employment Agency regarding the fact that he or she does no longer conform to the acquisition of person seeking employment status conditions referred to in Section 15, Paragraph one, Clauses 1, 3 and 5 of this Law.

[3 March 2005; 21 June 2007]

## Chapter VI

### Restrictions on the Provision of Work Placement Services

#### Section 17. Restrictions on the Provision of Work Placement Services

(1) Work placement services are:

1) mediation services in work placement:

a) services within the scope of which the work placement service provider ensures for the person establishment of employment legal relationships or civil service relations, as well as work for remuneration in international youth cultural, educational, employment and exchange of experience programmes (international *au pair* exchange programmes, educational and employment programmes, employment and travel and holiday employment programmes and other programmes),

b) work-finding services, understanding by this consultation with respect to work placement issues, informing regarding free work places and other equivalent services, which are provided for in order to offer or relieve a person in founding employment legal relations, and

c) services to employers in the recruitment of potential employees, except for services, which are associated with the placement of employment advertisements and

advertising save as the purpose of such advertising is not the provision of work placement services; and

2) services regarding securing a workforce within the scope of which the work placement service provider as an employer sends employees for a specified time period to a person for whose benefit and under whose management work shall be performed.

(2) The provision of work placement services (except work placement of persons on ships) shall be permitted to merchants whom the State Employment Agency has issued a relevant licence.

(3) Merchants whom the Ministry of Transport has issued a relevant licence shall be permitted to engage in the work placement of persons on ships.

(4) If a merchant registered in another Member State of the European Union has the right to provide work placement services in accordance with the regulatory enactments of the relevant state, the referred to merchant, prior to commencing the provision of such services in Latvia, has a duty to inform in writing the State Employment Agency regarding this.

(5) An administrative act regarding the issuing of a licence, as well as regarding the suspension of the operation of a licence or the cancellation of a licence shall be issued by a licensing commission established by the State Employment Agency.

(6) A dispute or appeal of an administrative act regarding the issuing of a licence, as well as regarding the suspension of the operation of a licence or the cancellation of a licence shall not suspend the operation thereof.

[3 March 2005; 25 May 2006; 21 June 2007]

### **Transitional Provisions**

1. Until the establishment of the State Employment Agency its functions shall be performed by the non-profit-making organisation, State stock company “*Nodarbinātības valsts dienests*” [State Employment Service] which is overseen by the Ministry of Welfare.

2. Until the establishment of the State Career Choice Agency its functions shall be performed by the State non-profit-making organisation “*Profesionālās karjeras izvēles centrs*” [Occupational Career Choice Centre] which is overseen by the Ministry of Welfare.

3. With the coming into force of this Law, the Law On Employment (*Latvijas Republikas Augstākās Padomes un Ministru Padomes Ziņotājs*, No. 4/5, 1992; No. 20/21, 1993; *Latvijas Republikas Saeimas un Ministru Kabineta Ziņotājs*, 1994, No. 2; 1995, No. 13; 1997, No. 13, 22; 1998, No. 19) is repealed.

4. The Cabinet shall issue the regulation referred to in Section 4, Paragraph four (9 May 2002 text) of this Law by 30 September 2002.

5. Until the day of coming into force of new Cabinet regulations, but not longer than by 30 September 2002, Cabinet Regulation No. 407 of 22 October 1996, Regulation On Unemployed person status shall be applied, insofar as it is not in contradiction with this Law.

6. Up to the day of the coming into force of new Cabinet regulations, but not longer than up to 30 June 2005, Cabinet Regulation No. 26 of 20 January 2003, Procedures for Licensing and Supervision of Legal Persons for the Provision of Work Placement Services for a Charge shall be applicable insofar as it is not in contradiction with this Law.

7. The amendments to Section 4, Paragraph three; Section 9, Paragraph two and Section 13, Clause 3 of this Law relating to the allowance during the acquisition of information education shall come into force on 1 July 2006.

8. Amendments to Section 7, Paragraph four regarding the financing from the State basic budget of the State Occupational Career Choice Agency and Section 9, Paragraph three regarding financing from the State basic budget of unemployment reduction preventative measures of this Law shall come into force on 1 January 2007.

9. Up to the reorganisation of the State Occupational Career Choice Agency and merger with the State Employment Agency, the unemployment reduction preventative measures specified in Section 6, Paragraph two, Clauses 8, 9, 10 and 11 of this Law, except for the measures referred to in Section 3.1, Paragraph one, Clauses 2, 3 and 4; Paragraphs four and five of this Law, the organisational and implementation functions shall be performed by the State Occupational Career Choice Agency, which is a State administration institution under the supervision of the Minister for Welfare.

10. Section 4, Paragraphs seven and eight of this Law shall come into force on 1 January 2008.

11. The Cabinet shall by 1 January 2008 issue the regulations referred to in Section 4, Paragraph four of this Law.

12. Until the day of coming into force of new Cabinet regulations, but not longer than by 1 January 2008, Cabinet Regulation No. 24 of 20 January 2003, Procedures for Granting Unemployment Status shall be applied, insofar as it is not in contradiction with this Law [3 March 2005; 25 May 2006; 21 June 2007]

### **Informative Reference to European Union Directives**

In this Law legal norms, which arise from the following have been included:

1) Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof;

2) Council Directive 2003/109/EC of 25 November 2003 concerning the status of third-country nationals who are long-term residents;

3) Directive 2004/38/EC of the European Parliament and of the Council of 29 April 2004 on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States amending Regulation (EEC) No 1612/68 and repealing Directives 64/221/EEC, 68/360/EEC, 72/194/EEC, 73/148/EEC, 75/34/EEC, 75/35/EEC, 90/364/EEC, 90/365/EEC and 93/96/EEC;

4) Council Directive 2004/83/EC of 29 April 2004 on minimum standards for the qualification and status of third country nationals or stateless persons as refugees or as persons who otherwise need international protection and the content of the protection granted; and

5) Council Directive 2005/71/EC of 12 October 2005 on a specific procedure for admitting third-country nationals for the purposes of scientific research.

[21 June 2007]

This Law comes into force on 1 July 2002.

This Law has been adopted by the *Saeima* on 9 May 2002.

President

V. Vīķe-Freiberga

Rīga, 29 May 2002