

Modified by amendments adopted till 10 April 2014
As in force on 1 January 2015

The Saeima has adopted and
the President of Latvia has proclaimed the following Law:

Law on National Referendums, Initiation of Laws and European Citizens' Initiative*

Chapter I GENERAL PROVISIONS

Article 1

A national referendum shall be held if:

- 1) the Saeima has amended Articles 1, 2, 3, 4, 6 or 77 of the Constitution;
- 2) the President of Latvia has proposed the dissolution of the Saeima;
- 3) the President of Latvia has suspended the proclamation of a law for two months and during this period a petition by not fewer than one-tenth of the electorate has been received to put the suspended law to a national referendum;
- 4) the Saeima has not adopted without changes in its contents a draft law or a draft amendment to the Constitution submitted by not fewer than one-tenth of the electorate;
- 5) Latvia's membership in the European Union must be decided;
- 6) substantial changes in the terms of Latvia's membership in the European Union must be decided and at least one-half of the Members of the Saeima have requested a national referendum on this matter;
- 7) not fewer than one-tenth of the electorate has initiated the recalling of the Saeima.

Article 1¹

This Law shall set provisions regarding the European citizens' initiative unless Regulation (EU) No. 211/2011 of the European Parliament and of the Council of 16 February 2011 on the citizens' initiative states otherwise.

Article 2

All citizens of Latvia who are eligible to vote in the Saeima elections may participate in national referendums and in initiating laws.

Article 3

- (1) National referendums shall be prepared and administered according to a statutory procedure by the Central Election Commission, which shall issue the necessary instructions.
- (2) (Deleted by the 8 November 2012 Law).

Chapter II ORGANISATION OF A NATIONAL REFERENDUM

Article 4

(1) Amendments to Articles 1, 2, 3, 4, 6 or 77 of the Constitution adopted by the Saeima shall enter into force only after approval by a national referendum.

(2) A national referendum on such amendments shall be held not earlier than one month before and not later than two months after the date when these amendments have been adopted by the Saeima.

Article 5

(1) If the President of Latvia has proposed the dissolution of the Saeima, he/she shall notify the Central Election Commission thereof.

(2) A national referendum on such a proposal shall be held not earlier than one month before and not later than two months after the date the President of Latvia has notified the Central Election Commission thereof.

Article 6

(1) If the President of Latvia has suspended the proclamation of a law, the text of the suspended law and the decision on the suspension of its proclamation shall be announced in accordance with the procedure for proclaiming laws not later than on the eleventh day after the adoption of the law by the Saeima.

(2) After such an announcement, the Central Election Commission shall inform all city and county election commissions that the signature collection for initiation of a national referendum can begin, and it shall supply the above commissions with signature sheets.

Article 7

(1) The Central Election Commission shall set a period of 30 days during which signature sheets are available at places designated by city or county councils. The period shall consist of successive days excluding days when the elections of the Saeima, the European Parliament, city or county councils, or national referendums take place and when signature collection for initiation of a national referendum is not permitted.

(2) Signature collection stations shall be set up in each city and county so that there is at least one signature collection station per 10,000 voters.

(3) (Deleted by the 8 November 2012 Law).

(4) Not later than three days prior to the beginning of the signature collection period referred to in Paragraph 1 of this Article, city and county election commissions shall determine the hours during which voters will be able to sign signature sheets at places designated by city or county councils. The working hours of signature collection stations shall not be shorter than four hours a day, including Saturdays, Sundays and public holidays.

(5) The relevant council shall ensure that notifications about the location of signature collection stations and their working hours designated for signature collection are posted at the building of the relevant council (or information centre) and at signature collection stations, as well as published in the local newspaper or municipal newspaper, if available.

(6) Voters who are abroad during signature collection may sign the signature sheets in embassies and other diplomatic missions, consulates general or consulates of the Republic of Latvia. The signature collection stations and their working hours shall be determined by the head of the relevant representative office.

Article 7¹

(1) If a voter is unable to come to a signature collection station for health reasons, the election commission, upon a written request submitted by the voter or his/her proxy, shall collect the signature at a place where the voter is located. The request shall be submitted to the relevant election commission or signature collector not later than by 12 p.m. on the 29th day of signature collection (during the working hours of the election commission). All such requests shall be recorded in a special journal. Signature collection at the places where voters are located shall be conducted by the election commission on the last day of signature collection.

(2) Collection of signatures from persons who are regarded as suspects, who are accused, or who are on trial and thus are in a penitentiary for security reasons shall be conducted in accordance with the procedure prescribed in Paragraph 1 of this Article. Requests by these persons shall be forwarded to the relevant election commission by the administration of the relevant penitentiary.

Article 7²

(1) To ensure for soldiers and national guardsmen participating in international operations the possibility to sign signature sheets, the Central Election Commission not later than seven days prior to the beginning of the signature collection period referred to in Paragraph 1 of Article 7, shall deliver the signature sheets to the National Armed Forces to be transferred to a person authorised by the Commander of the National Armed Forces.

(2) Upon receiving the signature sheets in the operation area, the person authorised by the Commander of the National Armed Forces, having regard to the period of 30 days during which voters can sign signature sheets, set by the Central Election Commission, announces to soldiers and national guardsmen the signature collection time and place in the operation area.

(3) The person authorised by the Commander of the National Armed Forces shall enter in the signature sheets the full name and the ID number of each signatory as well as the date of signing the signature sheet.

(4) When the period for signature collection has expired, the signature sheets shall be immediately delivered to the Joint Headquarters of the National Armed Forces to be forwarded to the Central Election Commission.

Article 8

(1) Signature sheets shall contain the full name and the ID number of each signatory as indicated in his/her Latvian citizen's passport, as well as the date of signing the signature sheet.

(2) If a physical handicap prevents a voter from signing the signature sheet, a member of his/her family or a trusted person shall sign the signature sheet in the voter's presence according to his/her verbal instructions. A special entry to this effect shall be made on the signature sheet.

Article 9

(1) The stamp of the relevant city or county election commission and the signature of the commission's chairperson shall be put at the bottom of each signature sheet to certify that the signature collection has taken place in accordance with the statutory procedure.

(2) When the period for signature collection prescribed by the Central Election Commission has expired, the city and county election commissions shall send the signature sheets to the Central Election Commission in accordance with the procedure prescribed by the Commission.

Article 10

(1) When the period for signature collection has expired, the Central Election Commission shall count the signatures, record the results, notify the President of Latvia of the results and publish them in the official publication **Latvijas Vēstnesis**. If during signature collection for initiation of a national referendum signatures have been collected from not fewer than one-tenth of the citizens of Latvia eligible to vote in the previous Saeima elections, the Central Election Commission shall declare a national referendum within three days.

(2) A national referendum on repealing a suspended law shall be held not earlier than one month before and not later than two months after the day the referendum has been declared.

Article 11

(1) If the Saeima has not adopted without changes in its contents a draft law or a draft amendment to the Constitution submitted by not fewer than one-tenth of the electorate, this draft law or draft amendment to the Constitution shall be put to a national referendum.

(2) A national referendum on a draft law or a draft amendment to the Constitution submitted by the electorate shall be held not earlier than one month before and not later than two months after the day the draft law or draft amendment to the Constitution has been rejected or has been adopted with changes in its contents.

(3) Latvia's membership in the European Union shall be decided in a national referendum.

(4) The Saeima, upon a request by at least one-half of its Members, shall propose a national referendum on fundamental changes in the terms of Latvia's membership in the European Union;

(5) A national referendum shall be held if pursuant to Chapter IV² of this Law not fewer than one-tenth of the electorate has proposed recalling of the Saeima.

Article 12

(1) The date of a national referendum shall be set and announced by the Central Election Commission except in cases referred to in Paragraphs 1, 3, 4 and 5 of Article 11 of this Law; in those cases it is the responsibility of the Saeima.

(2) A national referendum shall be held on a Saturday.

Chapter III

VOTING AT A NATIONAL REFERENDUM AND COUNTING OF VOTES

Article 13

(1) Voting shall take place by secret ballot with ballot papers and in accordance with the procedure prescribed by the Central Election Commission.

(2) The ballot papers shall be prepared by the Central Election Commission.

Article 14

(1) In a matter put to a national referendum (Article 1 of this Law), the words “for” and “against” shall be written on each ballot paper. When a national referendum is held on matters referred to in Paragraphs 5 and 6 of Article 1 of this Law, the wording of the relevant question shall be drafted by the Saeima.

(2) If a national referendum is held on more than one matter referred to in Article 1 of this Law, separate ballot papers must be issued for each matter.

Article 15

(1) Voting at a national referendum shall take place from 7 a.m. to 8 p.m. local time. The Central Election Commission may designate one polling station in each city, except Rīga, Daugavpils and Liepāja, and the local election commission may designate one polling station in each county where voting shall take place until 10 p.m. The Rīga City Election Commission may designate four such polling stations, whereas the Daugavpils City Election Commission and the Liepāja City Election Commission may designate two such polling stations.

(2) At 7 a.m. the chairperson or the secretary of the polling station commission, in the presence of the commission, shall ascertain whether the ballot boxes into which the ballot papers will be inserted are empty. Then the ballot boxes shall be sealed.

(3) Without interfering with the work of the polling station commission, up to two authorised observers from each political party or alliance of political parties, as well as members of the Central Election Commission, members of the relevant city or county election commission, individuals authorised by these commissions and media representatives, may simultaneously observe the voting process at a polling station.

Article 16

(1) Each voter shall cast a vote in person. If a physical handicap prevents a voter from voting or signing the list of voters, a member of his/her family or a trusted person shall make marks in the ballot paper or sign the list of voters in the voter’s presence according to his/her verbal instructions. A special entry to this effect shall be made in the list of voters. A member of the relevant polling station commission may not act as a trusted person.

(2) A voter is free to cast his/her vote at any polling station.

(3) On the day of a national referendum, soldiers shall be given a leave of absence for the time required for voting.

Article 17

(1) Inside the polling station, the polling station commission, having checked that the person is an eligible voter and that his/her passport does not already contain a stamp attesting to participation in the given referendum, shall issue the person a ballot paper bearing the stamp of the relevant polling station commission. After the ballot paper has been issued, the voter’s full name and ID number shall be written in the list of voters, and the voter’s passport shall be stamped indicating that he/she has participated in the given referendum. The voter shall sign the list of voters confirming the receipt of the ballot paper.

(2) A separate room or compartment shall be provided inside the polling station for the voter to make his/her choice in privacy by putting a “+” mark opposite the words “for” or “against”.

(3) After the voter has marked the ballot paper, he/she shall fold the ballot paper and insert it into the ballot box in the presence of a member of the polling station commission.

(4) On referendum day, only those voters who have entered the polling station before 8 p.m. shall be allowed to cast their votes after 8 p.m. At 8 p.m. the polling station shall be closed.

Article 18

(1) If a voter is unable to come to a polling station for health reasons, the polling station commission, upon a written request submitted by the voter or his/her proxy and registered in a special journal, shall conduct voting by secret ballot at a place where the voter is located. Specially authorised observers shall have the right to supervise such voting.

(2) Voting at a place where the voter is located shall also be arranged for the caregivers of persons referred to in Paragraph 1 of this Article as well as for the caregivers of another ill persons, provided they have submitted a relevant written request in due time.

(3) (Deleted by the 26 February 2009 Law).

(4) Other voters are not permitted to vote outside polling stations.

(5) On referendum day, the polling station commission shall continue to accept written requests to conduct voting at a place where a voter is located. Requests received after 12 p.m. shall be fulfilled if it is possible to arrive before 10 p.m. at the place where the voter is located.

(6) Names of the voters who vote at the place where they are located as prescribed in Paragraphs 1, 2 and 3 of this Article shall be entered in a separate list of voters, and their ballot papers shall be inserted into a separate sealed ballot box.

(7) Information about the number of ballot papers issued at places where voters are located and unused ballot papers, including damaged ones, shall be entered into the minutes of the voting process.

Article 19

(1) (Deleted by the 8 May 2003 Law).

(2) Votes shall be counted in an open sitting of a polling station commission in accordance with the procedure prescribed by the Central Election Commission.

Article 20

(1) Voters who are abroad at the time of a national referendum shall vote at polling stations established by the Central Election Commission in the diplomatic missions or consulates of the Republic of Latvia as recommended by the Ministry of Foreign Affairs, or they shall vote by mail. Upon consultation with the Ministry of Foreign Affairs, the Central Election Commission may also establish polling stations in other premises suitable for this purpose.

(2) If a national referendum is held simultaneously with the election of the Saeima or the European Parliament, voting abroad shall take place in all polling stations set up in accordance with the statutory procedure.

(3) Voters who are abroad during a national referendum may also vote by mail. Voting by mail shall take place in accordance with the procedure prescribed by the Saeima Election Law.

(4) For persons who are in a penitentiary for security reasons or who are serving a sentence in a penitentiary, voting shall be conducted in accordance with the procedure for participation of such persons in the Saeima elections prescribed by the Saeima Election Law.

(5) Soldiers and national guardsmen participating in international missions shall participate in a national referendum in their respective place of deployment provided that compliance with the provisions of this Law can be ensured. Not later than on the 12th day before the referendum day, the Central Election Commission shall deliver forms of the lists of voters, ballot papers, the polling station commission's stamp and a ballot box to the National Armed Forces to be transferred to a person authorised by the Commander of the National Armed Forces. Voting shall take place in accordance with the procedure for participation in the Saeima elections of soldiers and national guardsmen participating in international missions, prescribed by the Saeima Election Law.

Article 20¹

(1) A ballot paper shall be regarded as invalid if it:

1) is torn;

2) does not bear the stamp of the relevant polling station commission;

3) bears a "+" mark opposite both "for" and "against";

4) does not bear a "+" mark opposite neither "for" nor "against".

(2) The polling station commission shall resolve differences of opinion concerning the validity of ballot papers by majority vote. In case of a tie vote, the chairperson of the commission shall have the deciding vote.

Article 21

During a national referendum, the maintenance of order at a polling station shall be the responsibility of the chairperson of the relevant polling station commission. He/she shall ensure that there is no infringement of voting rights, no public disturbance and no campaigning inside the polling station or within 50 meters from the entrance to the building in which the polling station is located.

Chapter IV INITIATION OF LAWS

Article 22

(1) Not fewer than one-tenth of Latvian citizens eligible to vote, upon indicating their full name and ID number, shall have the right to submit to the Central Election Commission a fully elaborated draft law or draft amendment to the Constitution. A draft law or a draft amendment to the Constitution may be submitted within 12 months from the day the draft law or the draft amendment to the Constitution is registered at the Central Election Commission.

(2) In the course of these 12 months, each signature shall be certified by a notary public, local government institution at the registered place of residence, orphans' court which fulfils the function of notary public, or a chairperson of a parish or a city council of the respective county. Certified signatures shall be collected on a signature sheet approved by the Central Election Commission.

(3) The fee for certification of signatures collected in support of a draft law or a draft amendment to the Constitution performed by an orphans' court or local government institution, is established by taking into account administrative expenses for signature certification which shall not exceed half of the statutory sum required for certifying authenticity of a signature in an orphan's court.

(4) If identification of signatories and protection of natural persons' data are ensured, signatures can be collected online via the Single State and Local Government Service Portal (www.latvija.lv) or other online system chosen by the initiative group for the respective purpose. The owner (administrator) of the Single State and Local Government Service Portal shall not collect payment from signatories.

(5) The Cabinet of Ministers shall set the safety and technical requirements that have to be met if the Single State and Local Government Service Portal (www.latvija.lv) or other online system is used for signature collection, and the Cabinet of Ministers shall appoint an institution that evaluates compliance of the respective online system with these safety and technical requirements. Certification of compliance shall not be carried out for the signature collection system of the Single State and Local Government Service Portal.

(6) Refusal of the institution appointed by the Cabinet of Ministers to issue a certificate confirming the compliance of the online system with the requirements provided by laws and regulations can be appealed in accordance with the Administrative Procedure Law.

Article 23

(1) An initiative group shall be formed to collect signatures in support of a draft law or a draft amendment to the Constitution.

(2) The initiative group may be:

1) a political party or alliance of political parties;

2) an association of at least 10 electors formed and registered in accordance with the procedure prescribed by the Associations and Foundations Law.

(3) The initiative group shall submit to the Central Election Commission a submission and the draft law or the draft amendment to the Constitution in support of which signature collection will be carried out.

(4) The Central Election Commission shall make one of the following decisions within 45 days:

1) to register the draft law or the draft amendment to the Constitution;

2) to set a term for correcting any faults in the submission and the draft law or the draft amendment to the Constitution;

3) to reject registration of the draft law or the draft amendment to the Constitution in cases referred to in Paragraph 5 of this Article;

(5) The Central Election Commission shall reject registration of the draft law or the draft amendment to the Constitution if:

1) the initiative group does not comply with the requirements prescribed in Paragraph 2 of this Article;

2) the draft law or the draft amendment to the Constitution is incomplete in form or content.

(6) When deciding upon a draft law or a draft amendment to the Constitution submitted by the initiative group, the Central Election Commission may request state and local government institutions to provide additional information, explanations and conclusions, and the Commission may also consult with experts.

Article 23¹

(1) The initiative group may appeal to the Department of Administrative Cases of the Senate of the Supreme Court if it disagrees with the decision of the Central Election Commission to reject registration of a draft law or a draft amendment to the Constitution.

(2) The Court shall be the court of first instance in considering the case. The case shall be considered by a panel of three judges.

(3) The Court shall consider the case and adjudicate it within one month from the day of receiving the appeal. If necessary, the Court can extend the adjudication period for a maximum of one month.

(4) The appellant shall indicate the grounds of an appeal. The burden of proof shall lie with the participants in the administrative proceedings.

(5) If a procedural action has to be performed within a certain statutory term whereby compliance with provisions of Paragraph 3 of this Article is not ensured, the judge (the Court) shall set a term for performance of the relevant procedural action.

(6) The Court's judgement and any other decision taken upon performance of procedural actions during consideration of an application or initiated proceedings shall not be appealed.

Article 24

Upon receiving a draft law or a draft amendment to the Constitution submitted by voters and signature sheets attached, the Central Election Commission shall count the signatures and verify whether signatories are eligible voters. If a draft law or the draft amendment to the Constitution is signed by not fewer than one-tenth of the citizens of Latvia who are eligible to vote, the Central Election Commission within three days shall notify the President of Latvia and send the President of Latvia the draft law or the draft amendment to the Constitution submitted by the electorate.

Article 25

(1) The President of Latvia shall submit to the Saeima the draft law or the draft amendment to the Constitution.

(2) The Saeima shall consider the draft law or the draft amendment to the Constitution during the session when it was submitted. If the draft law or the draft amendment to the Constitution is submitted during a recess or at an extraordinary session, it shall be considered during the next regular session or at a special extraordinary session convened to consider the said draft law or the draft amendment to the Constitution.

Chapter IV¹

EUROPEAN CITIZENS' INITIATIVE

Article 25¹

(1) If statements of support are to be collected online, the initiators shall submit an application to the Information Technology Security Incident Response Institution with a request to issue a certificate confirming compliance of the relevant online system with the security and technical requirements

prescribed by Regulation (EU) No. 211/2011 of the European Parliament and of the Council of 16 February 2011 on the citizens' initiative.

(2) The Information Technology Security Incident Response Institution shall consider the application and within a month shall issue a certificate or refuse its issuance.

(3) The decision of the Information Technology Security Incident Response Institution to refuse issuance of a certificate confirming compliance of an online system with security and technical requirements may be appealed to a court in accordance with the Administrative Procedure Law.

(4) This Article shall not apply to cases when a competent authority of another member state of the European Union has issued to the initiators a certificate confirming compliance of the online system with security and technical requirements.

Article 25²

Pursuant to Regulation (EU) No. 211/2011 of the European Parliament and of the Council of 16 February 2011 on the citizens' initiative, initiators shall submit statements of support to the Central Election Commission.

Article 25³

(1) Within two months after receiving statements of support submitted by initiators, the Central Election Commission shall count the signatures, record the results and send a certificate confirming the total number of valid statements to initiators to the e-mail address indicated in the form.

(2) If the Central Election Commission realises that verification of statements of support is outside its purview, it shall return the statements of support to initiators within two weeks.

Article 25⁴

The Central Election Commission shall develop instructions for verification of statements of support.

Chapter IV² **INITIATION OF RECALLING OF THE SAEIMA**

Article 25⁵

(1) Not fewer than one-tenth of the electorate, upon indicating their full name, surname, ID number, and the date of signing, shall have the right to submit to the Central Election Commission an initiative to hold a national referendum on recalling of the Saeima. An initiative to hold a national referendum on recalling of the Saeima can be submitted within 12 months after the day when the Central Election Commission has registered the initiative group unless the terms prescribed in Article 14 of the Constitution prohibiting initiation of a national referendum on recalling of the Saeima are in effect.

(2) In the course of these 12 months, each signature has to be certified by a notary public, local government institution at the registered place of residence, orphans' court which fulfils the functions of notary public, or a chairperson of a parish or a city council of the respective council.

(3) The fee for certification of signatures collected in support of an initiative to hold a national referendum on recalling of the Saeima performed by an orphans' court or a local government institution, is established by taking into account direct administrative expenses related to signature certification, but the total fee shall not exceed a half of the total statutory fee for signature certification by the orphans' court.

(4) If identification of signatories and protection of natural persons' data are ensured, signatures can be collected online via the Single State and Local Government Service Portal (www.latvija.lv) or other online system chosen by the initiative group for the respective purpose.

(5) The online system used for signature collection shall be subjected to provisions set forth in Paragraphs 5 and 6 of Article 22.

Article 25⁶

(1) An initiative group which complies with the requirements provided in Paragraph 2 of Article 23 shall be formed to collect signatures for an initiative to hold a national referendum on recalling of the Saeima.

(2) The initiative group shall submit to the Central Election Commission an application for registration.

(3) Central Election Commission shall make one of the following decisions within 10 days:

1) to register an initiative group if it complies with the requirements of Paragraph 2 of Article 23 of this Law and unless the terms prescribed in Article 14 of the Constitution prohibiting initiation of a national referendum on recalling of the Saeima are in effect on the day when the application for registration is filed;

2) to reject registration of an initiative group if it fails to comply with the requirements provided in Paragraph 2 of Article 23 of this Law or the terms prescribed in Article 14 of the Constitution prohibiting initiation of a national referendum on recalling of the Saeima are in effect on the day when the application for registration is filed.

Article 25⁷

(1) The Central Election Commission shall count the signatures collected for an initiative to hold a national referendum on recalling of the Saeima and shall record the result.

(2) The Central Election Commission shall decide to hold a national referendum on recalling of the Saeima if not fewer than one-tenth of the electorate has signed the initiative to hold a national referendum on recalling of the Saeima and if the terms prescribed in Article 14 of the Constitution prohibiting initiation of a national referendum on recalling of the Saeima are not in effect on the day when the application for registration is filed.

Article 25⁸

(1) The Central Election Commission announces the number of electors who have signed the initiative to hold a national referendum on recalling of the Saeima, as well as publishes the decision to hold or not to hold a national referendum on recalling of the Saeima in the official publication Latvijas Vēstnesis.

(2) The date of a national referendum on recalling of the Saeima shall be set in accordance with Article 12 of this Law, but not earlier than one month and not later than two months from the day when the decision of the Central Election Commission to hold a national referendum on recalling of the Saeima is published in the official publication Latvijas Vēstnesis.

**Chapter V
FINANCING A NATIONAL REFERENDUM**

Article 26

Costs arising from holding a national referendum shall be covered by the state. The Central Election Commission shall apportion the funds among city, county and polling station election commissions.

**Chapter VI
CAMPAIGNING BEFORE A NATIONAL REFERENDUM, CAMPAIGNING ON INITIATION OF A
LAW AND CAMPAIGNING ON INITIATION OF RECALLING OF THE SAEIMA**

Article 27

(1) Within the scope of this Law, campaigning before a national referendum, campaigning on initiation of a law and campaigning on initiation of recalling of the Saeima shall mean any deliberate statement, event or activity of any form or type, provided that it includes a direct or indirect invitation to vote in favour of or against a matter put to a national referendum and any direct or indirect invitation to take or not to take part in a national referendum, or collection of signatures for initiation of a law or initiation of recalling of the Saeima.

(2) Within the scope of this Law, the period of campaigning before a national referendum shall be a period from the day of announcing a national referendum until the referendum day. Within the scope of this Law, the period of campaigning on initiation of a law shall be a period from the day when the Central Election Commission announces registration of a draft law until the last day of signature collection. Within the scope of this Law, the period of campaigning on initiation of recalling of the Saeima shall be a period from the day when the Central Election Commission announces registration of an initiative group (formed to collect signatures on initiation of recalling of the Saeima) until the last day of signature collection.

Article 28

(1) Campaigning before a national referendum, campaigning on initiation of a law and campaigning on initiation of recalling of the Saeima may be carried out by any natural person, legal entity, registered

association of natural persons or legal entities, or a registered initiative group (hereinafter – campaigner).

(2) Campaigning before a national referendum, campaigning on initiation of a law and campaigning on initiation of recalling of the Saeima may not be carried out by the state, any derived public person, a member of an election commission, or a capital company in which more than one per cent of capital shares (stocks) belongs to the state or a derived public person.

Article 29

(1) On the day of a national referendum and on a day before a national referendum, campaigning shall be prohibited in electronic mass media, namely, radio and television, in public spaces, in print media, on the Internet and at the institutions and capital companies referred to in Paragraph 1 of Article 33 of this Law.

(2) Campaigning before a national referendum and on initiation of a draft law shall be prohibited in places referred to in Paragraph 2 of Article 7, as well as at polling stations and within 50 metres from an entrance of a building in which a polling station is located.

Article 30

(1) Broadcasts on campaigning before a national referendum, campaigning on initiation of a law and campaigning on initiation of recalling of the Saeima shall not be included in news broadcasts of electronic mass media as an advertisement.

(2) Until 10 p.m. on referendum day, electronic mass media, namely, radio and television, shall be prohibited from providing information about the results of public opinion polls on the matter put to a national referendum in any programmes or broadcasts.

(3) Electronic mass media shall neither edit the content and form nor in any other way modify broadcasts or other materials pertinent to campaigning before a national referendum, campaigning on initiation of a law or campaigning on initiation of recalling of the Saeima without the consent of people participating in the respective broadcasts. Electronic mass media shall not bear responsibility for the accuracy of data contained in ready-made campaign materials which have been submitted to them.

(4) A provision prohibiting the presence of any campaign material in the programmes rebroadcast during a period of campaigning before a national referendum, campaigning on initiation of a law or campaigning on initiation of recalling of the Saeima shall be included in the contract between the electronic mass medium which rebroadcasts foreign mass medium programmes in Latvia and the respective foreign electronic mass medium.

(5) Provisions of this Law shall not apply to the factual reports in news broadcasts and live broadcasts.

Article 31

(1) All campaign material which is used during campaigning before a national referendum, campaigning on initiation of a law or campaigning on initiation of recalling of the Saeima shall reveal information on the payer before or right after it is presented in a programme or broadcast of an electronic mass medium, namely, radio and television, or it should contain this information if it is published in a print medium, posted on the Internet, or displayed at a public space.

(2) If payment is received for campaigning referred to in Paragraph 1 of Article 27 of this Law and, if contrary to provisions of this Law, the payer has not been revealed, campaigning shall be considered hidden campaigning. Within the scope of this Law, payment shall mean any remuneration, including but not limited to material benefits, services, assignment of rights, release from obligations, and waiver of rights in favour of a third person.

(3) Hidden campaigning before a national referendum, hidden campaigning on initiation of a law or hidden campaigning on initiation of recalling of the Saeima shall be forbidden.

Article 32

(1) By giving not less than a three-day notice to the local government, a person campaigning before a national referendum, campaigning on initiation of a law or campaigning on initiation of recalling of the Saeima shall be entitled to display campaign materials at public spaces, set up stands and tables, as well as portable tents which do not exceed the dimensions permitted by the local government. The state and local governments may indicate public spaces where campaign materials shall not be placed.

(2) The Cabinet of Ministers shall establish a procedure whereby local governments calculate and collect a fee for placing campaign materials during campaigning before a national referendum, campaigning on initiation of a law and campaigning on initiation of recalling of the Saeima.

(3) A campaigner shall be responsible for disposing of campaign materials in accordance with the procedure prescribed by the respective local government.

(4) Provisions of Paragraphs 1, 2 and 3 of this Article shall not apply if campaigning before a national referendum, campaigning on initiation of a law or campaigning on initiation of recalling of the Saeima is carried out as a part of a festive, commemorative, entertainment, sports, or recreational event organised by the campaigner. All matters related to the coordination and course of such events shall be subject to the Law on Safety during Public Entertainment Events and Festivals.

(5) The state and derived public persons shall be prohibited from giving any single campaigner special advantages in or setting restrictions for any single campaigner on displaying campaign materials at public spaces during campaigning before a national referendum, campaigning on initiation of a law or campaigning on initiation of recalling of the Saeima.

Article 33

(1) During campaigning before a national referendum, campaigning on initiation of a law or campaigning on initiation of recalling of the Saeima, it shall be forbidden to display and disseminate campaign materials at public spaces of institutions and capital companies if more than 50% of their capital shares (stocks) are held by the state or derived public persons.

(2) The prohibition referred to in Paragraph 1 of this Article shall not apply to informative materials issued by the Central Election Commission and related to a national referendum, initiation of a law or initiation of recalling of the Saeima, nor shall it apply to the cases referred to in Paragraph 3 of this Article.

(3) If the state or derived public persons hold more than 50% of an institution's or capital company's capital shares (stocks), such an institution or company may allocate premises to a campaigner for holding meetings with the electorate free of charge or for a fee that does not exceed actual maintenance costs of these premises, provided that these premises are also made available to other people for holding meetings with the electorate on the same conditions.

Article 34

(1) During campaigning before a national referendum, campaigning on initiation of a law and campaigning on initiation of recalling of the Saeima, expenses incurred by a natural person, a legal entity or a registered association of natural persons or legal entities per one voter who voted in previous Saeima elections shall not exceed the average gross monthly salary determined by the Central Statistical Bureau of Latvia for the year before the last rounded off to full euros by multiplying it with a ratio of 0.00007. This provision shall not apply to the case referred to in Paragraph 2 of this Article.

(2) During campaigning before a national referendum, campaigning on initiation of a law and campaigning on initiation of recalling of the Saeima expenses incurred by an initiative group per one voter who voted in previous Saeima elections shall not exceed the average gross monthly salary determined by the Central Statistical Bureau of Latvia for the year before the last, rounded off to full euros and multiplied by a ratio of 0.00007.

(3) Campaigning-related expenses incurred by each political party belonging to a registered alliance of political parties shall be considered a part of total expenses incurred by the alliance during campaigning before a national referendum, campaigning on initiation of a law and campaigning on initiation of recalling of the Saeima.

(4) Campaigning-related expenses incurred by a member of parliament, candidate for the position of a member of parliament, member of a political party or member of an initiative group during personal campaigning before a national referendum, personal campaigning on initiation of a law and personal campaigning on initiation of recalling of the Saeima shall be considered a part of total expenses incurred by an initiative group.

(5) Expenses referred to in Paragraph 1 of this Article which may be incurred by a person for campaigning shall consist of expenses of the respective person during campaigning before a national referendum, campaigning on initiation of a law or campaigning on initiation of recalling of the Saeima regardless of the date when proof of the transaction (invoice, contract or other document) is issued and the payment is received or made for the following:

1) advertising:

a) in a programme or broadcast of a public electronic mass medium (television);

b) in a programme or broadcast of a public electronic mass medium (radio);

c) in a programme or broadcast of a commercial electronic mass medium (television);

d) in a programme or broadcast of a commercial electronic mass medium (radio);

e) in a newspaper, magazine, newsletter or any other periodical that is registered in accordance with the statutory procedure, printed and broadly distributed in the entire territory of Latvia;

f) in a newspaper, magazine, newsletter or any other periodical that is registered in accordance with the statutory procedure, printed and distributed mainly in the territory of a particular city or county;

g) on the Internet except the website of a political party, alliance of political parties or initiative group;

h) inside premises and at public spaces (in squares and parks, on streets and bridges and at other similar places) regardless of their ownership;

2) using postal services (including electronic mail) for sending campaign materials before a national referendum, campaign materials on initiation of a law or campaign materials on initiation of recalling of the Saeima;

3) financing and sponsoring charity events with allowances and contributions (donations).

(6) The Corruption Prevention and Combating Bureau shall annually publish on its website an informative statement indicating the amount of funds referred to in Paragraphs 1 and 2 of this Article that can be spent per one voter during campaigning before a national referendum, campaigning on initiation of a law or campaigning on initiation of recalling of the Saeima.

Article 35

(1) If campaigning before a national referendum or campaigning on initiation of a law is carried out by a political party or alliance of political parties which has submitted its list of candidates for the Saeima elections in three, four or five constituencies and if the period of campaigning before a national referendum or campaigning on initiation of a law fully or partly coincides with the period of campaigning before the Saeima elections, funds spent for campaigning before a national referendum or campaigning on initiation of a law and for campaigning before the Saeima elections shall not exceed the amount that can be spent for campaigning before the Saeima elections in accordance with the Law on Financing of Political Organisations (Parties).

(2) If campaigning before a national referendum or campaigning on initiation of a law is carried out by a political party or alliance of political parties which has submitted its list of candidates for the Saeima elections in one or two constituencies and if the period of campaigning before a national referendum or campaigning on initiation of a law fully or partly coincides with the period of campaigning before the Saeima elections, funds spent for campaigning before a national referendum or campaigning on initiation of a law and for campaigning before the Saeima elections shall not exceed the amount of that can be spent in accordance with Paragraphs 1 or 2 of Article 34 of this Law.

(3) The total amount of funds spent on any combination of two or more fully or partially coinciding periods of campaigning before a national referendum, campaigning on initiation of a law or campaigning on initiation of recalling of the Saeima shall not exceed the amount of that can be spent in accordance with Paragraphs 1 or 2 of Article 34 of this Law.

(4) A campaigner may finance campaigning before a national referendum, campaigning on initiation of a law and campaigning on initiation of recalling of the Saeima, as well as make contributions (donations) from his/her lawfully gained income.

(5) Campaigning before a national referendum, campaigning on initiation of a law and campaigning on initiation of recalling of the Saeima shall not be financed from the funds that are:

1) directly or indirectly obtained from foreign citizens or legal entities registered abroad;

2) obtained from an anonymous payer. An anonymous payer shall mean a person or entity that cannot be identified (full name, ID number and place of residence of a natural person or name, registration number and legal address of a legal entity are not specified);

3) obtained through an intermediary. Financing of campaigning before a national referendum, campaigning on initiation of a law or campaigning on initiation of recalling of the Saeima through an intermediary shall mean that a person in his/her personal interests to finance campaigning before a national referendum, campaigning on initiation of a law or campaigning on initiation of recalling of the Saeima uses another person's identification data or that a donation for campaigning before a national referendum, campaigning on initiation of a law or campaigning on initiation of recalling of the Saeima is transferred through an intermediary. Within the scope of this Law, an act in which an authorised intermediary makes a donation on behalf of an authoriser on the basis of an authorisation which indicates the exact amount of the donation or property and its value and which is certified by a notary public shall not be regarded as intermediation. Such an authorisation shall not be assigned to another person.

(6) All financial means that are intended or used for campaigning before a national referendum, campaigning on initiation of a law or campaigning on initiation of recalling of the Saeima and that exceed one minimum monthly salary shall be directly transferred to the recipient's bank account. If the total amount of financial means that are intended or used for campaigning before a national referendum, campaigning on initiation of a law or campaigning on initiation of recalling of the Saeima has reached one minimum monthly salary, any financial means in excess of one minimum monthly salary shall be transferred directly to the recipient's bank account.

(7) Within the scope of this Law, a contribution (donation) shall be any material or other free-of-charge benefit, including services, assignment of rights, release from obligations, and waiver of rights in favour of the person concerned, as well as other activities which constitute a benefit to the person concerned. Within the scope of this Law, a contribution (donation) shall also be the transfer of ownership of any movable or immovable property to the person concerned and provision of services to the person concerned for a price that is lower than market value of the respective movable or immovable property or service.

Article 36

(1) If expenses related to advertising materials pertaining to campaigning before a national referendum, campaigning on initiation of a law or campaigning on initiation of recalling of the Saeima in a particular electronic mass medium or print medium exceed the amount referred to in Paragraphs 1 or 2 of Article 34 or Paragraphs 1, 2 or 3 of Article 35 of this Law, the respective electronic mass medium or print medium shall refuse to sign the contract.

(2) A campaigner shall sign a contract on advertising materials pertaining to campaigning before a national referendum, campaigning on initiation of a law or campaigning on initiation of recalling of the Saeima with a particular electronic mass medium or print medium directly, without a proxy.

Article 37

(1) An electronic mass medium or print medium which comes to an agreement with the campaigner on placing materials pertaining to campaigning before a national referendum, campaigning on initiation of a law or campaigning on initiation of recalling of the Saeima, not later than on the next business day after signing the contract or amending the signed contract shall send notification to the Corruption Prevention and Combating Bureau on placing materials pertaining to campaigning before a national referendum, campaigning on initiation of a law or campaigning on initiation of recalling of the Saeima during the broadcasting time designated by the electronic mass medium or in the print medium.

(2) A campaigner who comes to an agreement with a service provider on placing materials pertaining to campaigning before a national referendum, campaigning on initiation of a law or campaigning on initiation of recalling of the Saeima online for a fee, in premises or at public spaces, regardless of their ownership, or on the use of postal services (including electronic mail) during campaigning before a national referendum, campaigning on initiation of a law or campaigning on initiation of recalling of the Saeima, not later than on the next business day after signing the contract or amending the signed contract shall send notification to the Corruption Prevention and Combating Bureau on placing materials pertaining to campaigning before a national referendum, campaigning on initiation of legislation or campaigning on initiation of recalling of the Saeima.

(3) The following information shall be indicated in the notification referred to in Paragraphs 1 and 2 of this Article:

1) date of the contract;

2) information about the contractors:

- a) name, registration number and legal address of the client which is a legal entity, including a political organisation, alliance of political organisations or association;
 - b) full name, ID number and registered address of a client who is a natural person;
 - c) name, registration number and legal address of a client that is a registered association of persons;
 - d) name of the client that is an initiative group, as well as full name, ID number and registered address of the contracting party which is a representative of the initiative group;
- 3) full name, ID number and registered address of a natural person who has placed campaign material or provided a service;
 - 4) name, registration number and legal address of a legal entity or a registered association of legal entities or natural persons that have placed campaign material or provided a service;
 - 5) depending on where the campaign materials are placed, the following shall be indicated:
 - a) date and time when each campaign material is to be placed in programmes and broadcasts of an electronic mass medium, namely, radio and television, and the duration of each campaign material;
 - b) date when each campaign material is to be placed in a print medium and size of each campaign material;
 - c) date and time when each campaign material is to be placed online for a fee, as well as duration and size of each campaign material;
 - d) date when each campaign material is to be placed in premises or at public spaces, size of each campaign material and period during which each campaign material is to be placed in premises or at public spaces;
 - e) date when campaign material is to be sent by mail (including electronic mail) and amount of the campaign material;
 - 6) contract value (including value added tax);
 - 7) discount applied and justification for its application, as well as contract value (including value added tax) without the discount;
 - 8) payment procedure and term of payment (including a reference to the fact whether the payment is to be made in cash or by bank transfer);
 - 9) any other information considered relevant by the advertiser or a person who has agreed with a service provider on placing or sending campaign material.

(4) In the cases referred to in Paragraphs 1 and 2 of Article 35 of this Law and in accordance with laws and regulations prescribing supervision of expenses incurred during campaigning before the Saeima elections, the political party or alliance of political parties shall submit to the Corruption Prevention and Combating Bureau documents reflecting expenses incurred during campaigning before a national referendum or campaigning on initiation of a law by indicating the total amount of expenses incurred during both campaigns.

Article 38

(1) A person who has violated the restrictions regarding campaigning before a national referendum or campaigning on initiation of a law, or who has violated the procedure for placing campaign materials or in any other way failed to comply with provisions of this Law shall be held accountable.

(2) If after campaigning before a national referendum, campaigning on initiation of a law or campaigning on initiation of recalling of the Saeima, the Corruption Prevention and Combating Bureau discovers that a person, a registered association of persons or an initiative group has overspent the total amount of funds permissible for campaigning as referred to in Paragraphs 1 or 2 of Article 34 or Paragraphs 2 or 3 of Article 35 of this Law or has failed to comply with restrictions on financing referred to in Paragraphs 4 and 5 of Article 35 of this Law, the Director of the Corruption Prevention and Combating Bureau shall request the respective campaigner to transfer funds that are equal to the amount overspent during campaigning before a national referendum, campaigning on initiation of a law and campaigning on initiation of recalling of the Saeima to the state budget within 30 days. Upon a justified request of the respective campaigner, the Director of the Corruption Prevention and Combating Bureau may allow a transfer in several instalments within a maximum of 90 days.

(3) If the Corruption Prevention and Combating Bureau during campaigning before a national referendum, campaigning on initiation of a law or campaigning on initiation of recalling of the Saeima discovers that a person, a registered association of persons or an initiative group has overspent the total amount of funds permissible for campaigning as referred to in Paragraphs 1 or 2 of Article 34 or Paragraphs 2 or 3 of Article 35 of this Law, the Director of the Corruption Prevention and Combating Bureau shall decide to prohibit any further campaigning.

(4) The Director of the Corruption Prevention and Combating Bureau shall make the decision referred to in Paragraph 2 of this Article on transferring funds to the state budget not later than five years after the end of campaigning before a national referendum, campaigning on initiation of a law or campaigning on initiation of recalling of the Saeima.

(5) If a political party or an alliance of political parties overspends the total amount of funds permissible for campaigning before a national referendum, campaigning on initiation of a law or campaigning on initiation of recalling of the Saeima as referred to in Paragraph 1 of Article 35 of this Law, the political party or the alliance of political parties shall be held accountable in accordance with laws and regulations that prescribe liability for overspending funds permissible for campaigning before the Saeima elections.

(6) Within six months after the entire period of campaigning before a national referendum, campaigning on initiation of a law or campaigning on initiation of recalling of the Saeima, the Corruption Prevention and Combating Bureau shall inform the public about failures to comply with campaigning regulations.

(7) The Corruption Prevention and Combating Bureau shall control and supervise compliance with restrictions set on financing and provisions for funds permissible for campaigning before a national referendum, campaigning on initiation of a law and campaigning on initiation of recalling of the Saeima in accordance with the procedure prescribed by this Law.

(8) Within two weeks after the entire period of campaigning before a national referendum, campaigning on initiation of a law or campaigning on initiation of recalling of the Saeima, an initiative group shall prepare and submit to the Corruption Prevention and Combating Bureau a campaign report that indicates the sources of financing and expenses incurred for each type of services referred to in Paragraph 5 of Article 34 of this Law.

TRANSITIONAL PROVISIONS

1. Until 1 January 2004, voters who are abroad and by the day of voting have not been issued a Latvian citizen's passport shall present or mail to the polling station commission a registration document issued by the Office of Citizenship and Migration Affairs bearing the voter's ID number.

2. The new wording of Articles 22 and 24, amendments to Article 25 that set forth changes in the procedure for initiation of a draft law or a draft amendment to Constitution, as well as Chapter IV², shall enter into force on 1 January 2015.

3. In order to enable collection of signatures online, the Cabinet of Ministers shall ensure compliance of the online system of the Single State and Local Government Service Portal with the technical and security requirements by 1 September 2014.

4. Until 1 January 2015, not fewer than 30,000 voters, upon indicating their full name, ID number and date of signing, shall have the right to submit to the Central Election Commission a fully elaborated draft law or draft amendment to the Constitution. A draft law or a draft amendment to the Constitution can be submitted within 12 months from the day when a draft law or a draft amendment to the Constitution is registered with the Central Election Commission. Within these 12 months each signature must be certified by a sworn notary public or an orphans' court that performs notarial functions. If the signatures collected for initiation of a draft law or a draft amendment to the Constitution are certified by the orphans' court, the fee for certification shall be established by taking into account direct administrative expenses related to signature certification, but the total fee shall not exceed a half of the total statutory fee for signature certification by the orphans' court.

5. If until 1 January 2015 not fewer than 30,000 voters, upon indicating their full name, ID number and date of signing, submit to the Central Election Commission a fully elaborated draft law or draft amendment to the Constitution, the Central Election Commission shall set a term of 21 days during which signature sheets are made available for signing at places designated by city or county councils.

6. Until 1 January 2015, an announcement about the beginning of a signature collection for initiation of a law, together with the proposed draft law or draft amendment to the Constitution, shall be published in the official publication *Latvijas Vēstnesis*.

7. Articles 27, 28, 30, 31, 32 and 33 of this Law shall also apply to a national referendum or initiation of a law, as well as to signature collection which has started before and continues after these amendments have entered into force.

8. The second sentence of Paragraph 2 of Article 29 of this Law shall no longer be in effect as of 1 January 2015.

9. Until 1 January 2015, not fewer than 10,000 citizens of Latvia eligible to vote, upon indicating their full name, ID number and date of signing, shall have the right to submit to the Central Election Commission an initiative to hold a national referendum on recalling of the Saeima. In order to begin signature collection for initiation of a national referendum on recalling of the Saeima, an initiative group that conforms to the requirements prescribed in Paragraph 2 of Article 23 of this Law shall be formed. The initiative group shall submit to the Central Election Commission an application for registration.

10. If according to Paragraph 7 of the Transitional Provisions an application for registration of an initiative group is submitted, the Central Election Commission shall make one of the following decisions within 10 days:

1) to register an initiative group, provided that it conforms to the requirements prescribed in Paragraph 2 of Article 23 of this Law and the terms prescribed in Article 14 of the Constitution prohibiting initiation of a national referendum on recalling of the Saeima are not in effect on the day when application for registration is filed;

2) to reject registration of an initiative group, provided that it does not conform to the requirements prescribed in Paragraph 2 of Article 23 of this Law or the terms prescribed in Article 14 of the Constitution prohibiting initiation of a national referendum on recalling of the Saeima are in effect on the day when application for registration is filed.

11. Until 1 January 2015, an initiative to hold a national referendum on recalling of the Saeima can be submitted within 12 months from the day when the Central Election Commission has registered the initiative group unless the terms prescribed in Article 14 of the Constitution prohibiting initiation of a national referendum on recalling of the Saeima are in effect. Within these 12 months each signature shall be certified by a sworn notary public or an orphans' court that performs notarial functions. If the signatures collected for recalling of the Saeima are certified by the orphans' court, the fee for certification shall be established by taking into account direct administrative expenses related to signature certification, but the total fee shall not exceed a half of the total statutory fee for signature certification by the orphans' court.

12. Until 1 January 2015, the Central Election Commission, upon recognising that an initiative to hold a national referendum on recalling of the Saeima has been signed by not fewer than 10,000 citizens of Latvia eligible to vote, shall announce the beginning of signature collection. Announcement on an initiative to hold a national referendum on recalling of the Saeima shall be published in the official publication *Latvijas Vēstnesis*. Signatures shall be collected in accordance with the procedure prescribed in Articles 7 – 9 of this Law. Citizens who have signed the initiative to hold a national referendum on recalling of the Saeima in accordance with the procedure prescribed in Article 22 of this Law shall be regarded as a part of the total number of initiators. If these citizens have also signed the signature sheets in accordance with the procedure prescribed in Paragraph 1 of Article 24 of this Law, their signatures on signature sheets shall not be taken into account. The Central Election Commission shall count the signatures and record the results.

This Law was adopted by the Saeima on 31 March 1994.

The President of Latvia G. Ulmanis

Riga, 20 April 1994

** With amendments adopted on 26 July 1995, 3 September 1998, 8 May 2003, 4 September 2003, 18 September 2003, 6 April 2006, 21 February 2008, 17 July 2008, 26 February 2009, 20 September 2012, 8 November 2012, 12 September 2013 and 10 April 2014.*