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**LAW**

**"On Public Organizations and Their Associations"**

**PART ONE**

**PROVISIONS FOR THE FOUNDATION, REGISTRATION, ACTIVITIES AND LIQUIDATION OF PUBLIC ORGANIZATIONS AND THEIR ASSOCIATIONS**

**I**

**GENERAL PROVISIONS**

**Article 1**

**Concept of a public organization**

For the purpose of mutually coordinating activity and to reach the goals set forth in the statutes, several physical or legal persons, voluntarily, on the basis of the uniformity of goals through creating a joint management institution, in the procedure stipulated by this law, can found a public organization.

The goals of a public organization may not have as a purpose the acquisition of profits or the character of a business activity.

State administrative institutions and local governments can unite into public organizations only in those cases stipulated by law and in the procedure determined by the Cabinet of Ministers. Local government institutions can unite into public organizations in that procedure which is established by the respective local government.

**Article 2**

**Concept of an association of public organizations**

For the purpose of mutually coordinating activity and to achieve the goals set in the statutes, several public organizations, voluntarily, on the basis of the uniformity of goals through creating a joint management institution, in the procedure stipulated by this law, can found an association of public organizations.

**Article 3**

**Laws on public organizations and their associations**

Regulations for the foundation, registration, activities and liquidation of public organizations and their associations are set in Part one of this law and other laws, as well as in regulatory acts proceeding from the law.

Supplementary regulations and different statutory regulations for the foundation, registration, activities and liquidation of particular public organizations and their associations are set in Part Two of this law.

The provisions of this law do not pertain to trade unions, religious and other organizations whose activities are aimed at a purpose other than generating profit and are ruled by other laws.

## II. FOUNDATION OF PUBLIC ORGANIZATIONS AND THEIR ASSOCIATIONS

### Article 4

#### Prerequisites for the foundation of public organizations and their associations

In order to establish a public organization or public organization association, a general meeting, congress or conference shall be convened, at which persons, who unite in a public organization or public organization association, shall adopt the statutes and a resolution on the foundation of a public organization or public organization association and shall elect a permanently functioning governing body or a leader, as well as a body for auditing business and financial operations. When establishing the public organization association, any public organization participating in this establishing shall pass a decision on the participation in establishing the public organization association in the procedure set in its statutes.

Latvian branches of public organizations which are founded and function abroad may be established in Latvia, if the goals, character and statutes of these organizations do not contradict the Republic of Latvia Constitution and laws. The provisions set in this and other Republic of Latvia laws on the registration, activities and liquidation of public organizations apply to the aforementioned organizations.

### Article 5

#### Leadership of public organizations and their associations

Only persons of age may be leaders of public organizations and their associations whose registered place of residence is Latvia.

Only persons of age may participate in collegial governing bodies of public organizations and their associations, as well as in bodies for auditing the organization's business and financial operations. For at least half of the members of those institutions the place of residence must be registered within Latvia.

### Article 6

#### Members of public organizations

The members of public organizations are:

- 1) persons who have founded the public organization;
- 2) persons who have joined the public organization after its foundation.

A person who has reached the age of 16 years can be a member of a public organization. Persons who are younger than 16 years can join a public organization by

If legal entities are founding a public organization or are becoming its members, in the procedure stipulated in the statutes of those legal entities or in other documents regulating their activity they must authorize their own representatives - physical persons - to participate in the general meeting, congress or conference for the foundation of the public organization and - in the event of election - in the management as well as in the business and financial activity auditing institutions.

Each public organization shall arrange a register of its members in which the name, surname, personal identification code and the address of the place of residence of each member (legal entity's name and address) shall be indicated. Information regarding the address of the place of residence and personal identification code of the members of public organizations shall be accessible only to the members of the respective public organization and control and law enforcement institutions.

## **Article 7**

### **Rights of public organization members**

Members of public organizations, regardless of whether these members founded the respective public organization or have become members after its foundation, and regardless of whether these members are physical or legal persons, have equal rights even if there are different membership fees or entrance fees established for them.

Public organization members have the right to secede from a public organization at any time, upon giving a written notice to the public organization's permanently functioning governing body or leader.

Upon seceding from an organization the membership and entrance fees are not to be reimbursed.

Unpaid entrance fee or membership fee cannot be collected through the court.

## **Article 7.<sup>1</sup>**

### **Persons which may participate in the activity of public organizations**

In the activity of a public organization persons which are not members of the respective public organization may also participate - candidates for membership, honorary members, associated members, fellow members and other persons with a special status, the rights and obligations of which are determined by the statutes of the respective public organization.

## **Article 7.<sup>2</sup>**

### **Civil liability of members of public organizations**

Members of public organizations are not liable for the civil commitments of the respective public organization.

## Statutes of public organizations and their associations

The statutes of a public organization or public organization association must indicate the following:

- 1) the goals, objectives and methods of its activities;
- 2) name and its abbreviation, symbols (their description or picture) if such exist, the territory of its activities and the address of the permanently functioning governing institution or the leader (city or rural district);
- 3) the structure, composition, procedure for election, competence, procedure for the adoption of resolutions and the authorized term of the permanently functioning governing body and auditing body;
- 4) the legal relationships with territorial and other subdivisions;
- 5) the regulations for admitting and expelling members;
- 6) the member's rights and obligations;
- 7) an institution or an official entitled to pass the decisions on obtaining and alienation of movable property and real property;
- 8) the procedure for the acquisition and utilization of financial resources;
- 9) procedure for self-liquidation or reorganization;
- 10) the procedure for the utilization of property and financial resources if the public organization or public organization association is liquidated with a resolution of the general meeting, congress or conference; and
- 11) other regulations which also would be necessary for the activities of a public organization or public organization association.

### Article 9

#### Names and symbols of public organizations and their associations

The name of public organizations and their associations, the abbreviation of the name and symbols must distinctly differ from the names, abbreviations of the names and symbols of state and local government institutions, means of mass communications, enterprises (entrepreneurial associations) and public organizations and their associations already registered within Latvia (regardless of the continuation of their activities). The use of a name, its abbreviation or symbols of an already-registered public organization is permitted in those cases which are anticipated in Articles 32, 32<sup>1</sup> and 32<sup>2</sup> of this law.

Prohibited are those names, the abbreviations of names and symbols of public organizations and their associations which:

1) are coinciding with the names, the abbreviations of the names and symbols of such organizations or groups which, in accordance with the decision of the Nuremberg International War Crimes Tribunal are recognized as criminal, or those which reproduce the name, the abbreviation of the name and symbols of such organization or group;

2) are coinciding with the name, the abbreviation of the name and symbols of such foreign organization the goals or the activities of which are oriented against the independence, sovereignty or safety of Latvia or those which are reproducing the name, the abbreviation of the name and symbols of such organization;

3) are coinciding with the names, the abbreviations of the names and symbols or elements characterizing them of the military formations of another country, including a country no longer existing, or are reproducing the names, the abbreviations of the names and symbols or elements of such formations;

4) are creating a positive attitude to violence or criminal offenses;

5) are coinciding with the names, the abbreviations of the names and symbols of such public organizations or associations of public organizations the activity of which were declared anti-constitutional or were interdicted or are reproducing the names, the abbreviations of the names and symbols or elements of those public organizations or their associations.

### III. REGISTRATION OF PUBLIC ORGANIZATIONS AND THEIR ASSOCIATIONS

#### Article 10

#### Registration applications

A registration application must be submitted for the registration of a public organization or an association of public organizations.

The registration application must be submitted no later than within one month from the day when by the general meeting, congress or conference for the foundation of the public organization or association of public organizations the decision on founding the public organization or association of public organizations was adopted, the statutes were approved and the management institutions as well as the auditing institutions of the business and financial activity were elected.

To the registration application must be attached:

1) the statutes, certified by the authorized person;

2) an excerpt from the minutes of the general meeting, congress or conference on the foundation of the public organization or association of public organizations, on the adoption of statutes, election of permanently functioning management and auditing institutions certified by the authorized person and the authorization of the respective person to represent the public organization or association of public organizations during the registration process;

3) a receipt for the payment of the state duty;

4) for the registration of an association of public organizations - also, the decision on the foundation of the association of public organizations adopted in the procedure prescribed in the statutes by each public organization included in the aforementioned association.

To the registration application for the Latvian branch of public organizations founded and functioning abroad shall be also attached the statutes of the respective organization and evidence in writing regarding the fact that such foreign organization recognizes the branch formed within Latvia as their structural unit.

## Article 11

### Registration

Public organizations as well as associations of public organizations, except for political organizations (parties) and their associations, shall be registered in the Public Organizations' Register. Political organizations (parties) and their associations shall be registered in the Political Parties' Register.

When a public organization or an association of public organizations is registered, a registration certificate shall be issued or sent by mail to the authorized person.

## Article 12

### Suspension of registration

Registration may be suspended for a term of no more than three months:

1) if complaints from physical or legal persons or documents from state or local government institutions regarding violations of the foundation procedure determined in this law for the founding of public organizations and their associations are received;

2) if when drafting the statutes, the requirements of this law and other laws are not observed.

The resolution on the suspension of the registration shall indicate the reasons for which the registration of the public organization or public organization association is suspended.

No later than three days from the resolution's adoption, it shall be issued or delivered by mail to the authorized person

## **Article 13**

### **Refusal to register**

Public organizations and their associations shall not be registered if:

1) the statutes and program documents submitted testify that the goals or activities of the public organization or association of public organizations are in conflict with the Constitution of the Republic of Latvia or laws or international agreements binding upon Latvia;

2) the procedure set by this law for the foundation of public organizations or their associations is violated;

3) after postponement of the registration, the flaws (imperfections) within the statutes, the name, the abbreviation of the name or symbols of the public organization or an association of public organizations are not eliminated.

The resolution on registration denial shall indicate the reasons for which the public organization or public organization association shall not be registered.

No later than three days from the resolution's adoption, it shall be issued or delivered by mail to the authorized person.

## **Article 14**

### **Appeal against the decisions**

A decision on the postponement of registration or denial of registration can be appealed to the courts.

A complaint shall be signed by the authorized person of the public organization or association of public organizations.

## **Article 15**

### **Legal consequences of registration**

The public organization or public organization association obtains the rights of a legal entity as of the date of its registration and become a subject of private rights.

Public organizations and their associations may commence the activities which are set in the laws and in their statutes as of their registration date.

## **Article 15.<sup>1</sup>**

Amendments to the statutes or change of address of a public organization or an association of public organizations



Amendments to the statutes of a public organization or an association of public organizations shall take effect as of the moment of their adoption, but with regard to third parties - only after the registration of the new wording (with amendments) in the respective register. Amendments to the statutes can not be retroactive.

The application regarding the registration of amendments to the statutes must be submitted and reviewed in the procedure determined in Articles 10-14 of this law. An application, and if necessary also a complaint, must be signed by the person authorized by the administrative institution of the public organization or association of public organizations or by a manager.

In addition to the issue determined in Articles 12 and 13 of this law, the registration of amendments to the statutes can be postponed if the decision on amending the statutes was reached through the violation of that procedure set within the statutes, but the registration can be denied - if the violation of the statutes is not eliminated.

A public organization or an association of public organizations, within 15 days, must inform the respective register on the change of the place of location of the permanently-functioning governing institution or the leader.

#### **IV. ACTIVITIES OF PUBLIC ORGANIZATIONS AND THEIR ASSOCIATIONS**

##### **Article 16**

##### **Public activities**

Public organizations and their associations, in order to reach those goals anticipated in the statutes, hold the right to perform public activities which are not in contradiction with regulatory acts.

For this purpose they can:

- 1) freely distribute information on their activities;
- 2) create their press publications and other means of mass communication;
- 3) organize meetings, demonstrations, street processions and gatherings at public places;
- 4) maintain relations with public organizations of other countries;
- 5) create public opinion;
- 6) perform other public activities.

On those issues which are related to the goals and tasks of the activity of the respective public organization or association of public organizations, they may apply to state and local government institutions and, if so anticipated in the statutes, - also to the courts

In those cases anticipated in the laws or Cabinet of Ministers regulations, public organizations and their associations can become the subjects of public rights and carry out individual state functions assigned to them.

If a public organization or an association of public organizations is carrying out state functions it holds the following rights:

1) to receive from state and local government institutions that information which is necessary for the carrying out of those state functions assigned to the respective public organization or association of public organizations;

2) to be present at the sittings of state and local government institutions and to express their opinion when issues which are related to those state functions assigned to the respective public organization or association of public organizations are reviewed.

If a public organization or association of public organizations is carrying out state functions it has the following obligations:

1) upon a request from the state or local government institutions to provide conclusions on issues which are related to the state functions assigned to the respective public organization or association of public organizations;

2) to review applications, complaints and proposals of physical and legal persons in that procedure which is set by the law "On the Procedure for the Review of Applications, Complaints and Proposals by State and Local Government Institutions".

## Article 17

### Prohibition to form armed or military units

Public organizations and their associations are prohibited to arm their members, to organize military training for them and to create military units.

Public organization members may only wear military uniforms, if the organization has received the Minister of Justice's permission. As a military uniform shall be considered a uniform which:

1) is coinciding with the uniforms of military formations of Latvia or other countries, including countries no longer existing, or which is similar to those uniforms;

2) is coinciding with the uniforms of the Latvian State Police or local government police, or which is similar to those uniforms.

## Article 18

### Entrepreneurial and business activity

In order to reach the goals set in the statutes, public organizations and their associations, in the procedure stipulated by laws, have the right:

- 1) to acquire movable property and real estate;
- 2) to found entrepreneurial associations, to purchase parts or shares in entrepreneurial associations;
- 3) to carry out business activity related to the maintenance and utilization of their property as well as other business activity which is not systematic and which does not have as its goal and character the acquisition of profit.

The legal and financial relations between a public organization or public organization association and the established entrepreneurial associations (enterprises) are set by law and by the statutes or agreements between the public organization or public organization association and the entrepreneurial association (enterprise).

#### **Article 19**

##### **Restrictions in entrepreneurial and other business activities**

A public organization or association of public organizations is a nonprofit organization and the income resulting from its business activities, as well as other income permitted in this law, must be used for the purposes anticipated in the statutes of the public organization or association of public organizations and they may not be distributed among the members of the public organization or association of public organizations. The surplus of income over expenditures shall be included in the reserve fund which transfers to the next business year and it shall not be imposed with income tax.

In the event of a public organization's or public organization association's self-liquidation, the property and financial resources must not be distributed among the public organization members.

#### **Article 20**

##### **Financial resources**

The financial resources of public organizations and their associations can be created from:

- 1) membership fees and entrance fees;
- 2) donations from physical persons and legal entities;
- 3) income from entrepreneurial and other business activities; and
- 4) other income from financial sources which are not prohibited by law or other regulatory acts.

It is prohibited to local government and state or local governments enterprises to finance any political activities of public organizations. The local governments, state or local government enterprises may only finance the target programs of public organizations or their associations (excluding political target programs). These financial resources may not be utilized for paying the salaries for the staff of the public organizations or their associations.

It is forbidden for public organizations and their associations to collect duties, as well as other payments which are binding to legal entities or physical persons, except for membership and entrance fees. If, in accordance with laws and regulatory acts adopted by the Cabinet of Ministers, the public organizations and their associations are delegated to implement State functions, payment for the execution of these functions is determined by the Cabinet of Ministers or, under its authorization, by the respective ministry.

#### **Article 21**

##### **Publicity of public organizations activity**

No later than March 31 of each year public organizations and their associations shall submit a report on their income and expenses during the previous year in accordance with the procedure set by the State Income Service. All members of the corresponding public organization, as well as journalists of mass media resources can access to this report.

Any member of the corresponding public organization can participate in meetings of institutions of the public organization. Rights and obligations of members present are determined by the statutes.

Journalists of mass media resources can present in the meetings of higher decision-making institutions of public organizations - in the general meetings, congresses and conferences.

Members of public organizations and journalists of mass media resources can access to the decisions adopted by the public organization and its officials.

#### **Article 21.<sup>1</sup>**

##### **Regulations for bookkeeping accounts**

Public organizations and their associations shall arrange bookkeeping accounts in accordance with the regulatory acts in force.

#### **Article 22**

##### **Taxes**

Public organizations and their associations shall pay taxes, in accordance with the procedures and amounts set by law.

#### **Article 23**

## **Audit of entrepreneurial and other business and financial activities**

No less than once a year, the auditing body of the public organization or public organization association audits the bookkeeping and the entrepreneurial and other business and financial activities of the public organization or public organization association.

## **V. SUPERVISION AND CONTROL OVER THE ACTIVITIES OF PUBLIC ORGANIZATIONS AND THEIR ASSOCIATIONS**

### **Article 24**

#### **Supervision and control over activities**

Within the jurisdiction set in regulatory acts, state institutions supervise and control the activities of public organizations and their associations.

Within their authority, the officials of these state institutions shall control whether public organizations and their associations observe the rules and other regulatory acts and whether their activities comply with their statutes. The officials have the right to participate in the meetings of public organizations and to have access to the documents of public organizations and to impose with penalty the guilty persons for violation of this law in the procedure stipulated by law.

Any other interference in the activities of public organizations and their associations is prohibited.

### **Article 25**

#### **Control over entrepreneurial and other business and financial activities**

Within its jurisdiction, the State Income Service shall control the entrepreneurial and other business and financial activities of public organizations and their associations.

### **Article 26**

#### **Notice concerning the termination of illegal activities**

If state institutions ascertain that a public organization (public organization subdivision) or social organization association is not observing the laws or other regulatory acts, the institutions deliver a written notice to the permanently functioning governing body or leader of the public organization or public organization association and request the termination of the illegal activity.

If a public organization's territorial subdivision does not observe the laws or other legislative acts, the notice shall be delivered to the territorial subdivision and to the public organization's permanently functioning governing body or leader.

### **Article 27**

**Complaints on activities of public organizations or associations of public organizations,**  
~~which are considered illegal or do not comply with the organization statutes~~

Complaints on the illegal foundation, liquidation or re-organization of public organizations or associations of public organizations, as well as on activities considered illegal or not complying with the organization statutes, are reviewed by court upon request from the respective public organization members or upon an official complaint from the Minister of Justice. If upon reviewing the complaint, the court ascertains violations of the law or the organization statutes, the court may:

- 1) revoke the resolutions which are adopted by the governing bodies or officials of public organization or association of public organizations, and which are considered illegal or do not comply with the statutes;
- 2) dismiss officials and governing bodies the election of which does not comply with the statutes; or
- 3) assign the public organization or association of public organizations to eliminate and further prevent other illegal activities or violations of the statutes.

## VI. SELF-LIQUIDATION AND RE-ORGANIZATION OF A PUBLIC ORGANIZATION

### Article 28

#### Decision on the self-liquidation or reorganization of a public organization

The activity of a public organization or a public organization association is terminated, if the highest legislative body of it adopts a resolution on the self-liquidation of the organization or reorganization by amalgamation with another organization, by dividing or joining another organization, in accordance with the procedure set in the statutes.

The custodian of the respective register within three days shall be notified about the decision on self-liquidation or reorganization of the public organization or the public organization association.

### Article 29

#### Division of a public organization

If a public organization divides into several new public organizations, its property and financial resources are distributed, in accordance with the procedure set in the statutes. If this issue is not regulated by the statutes of the former public organization or if the newly-created public organizations have not reached an agreement, the property and financial resources are retained by the public organization for the creation of which the majority of the delegates at the liquidation general meeting, congress or conference have voted. In this case none of the newly-established organizations have the right to maintain the name, acronymic name and symbols of former public organization, and they must be registered with the Public Organizations Register or Political Parties Register accordingly, in compliance with the provisions of Article 10 of this law.

When dividing the public organization, the newly-created organizations shall be liable for the commitments of the previous public organization in proportion to the received shares of property.

### **Article 30**

#### **Separation of a group of members from the public organization**

If a group of members separates (is expelled) from the public organization and establishes a new public organization, this group may receive a part of the property and financial resources, if such rights are provided for in the statutes or if the public organization's highest legislative body adopts a resolution to transfer part of the property and financial resources to the newly-established organization. In this case, the newly-established public organization must not maintain the name, acronymic name and symbols of the public organization from which the group of members have separated (have been expelled), and the new organization in accordance with the procedure set in this law shall register with the Public Organizations Register or Political Parties Register accordingly, in compliance with the provisions of Article 10 of this law .

### **Article 31**

#### **Separation of a territorial subdivision from the public organization**

If a territorial subdivision which has the right of a legal entity in accordance with the statutes, separates (is expelled) from the public organization, then the subdivision loses the former name, acronymic name and symbols, but it maintains the property and financial resources which have been obtained through its own endeavor if such rights are provided for in the statutes of the public organization. In this case, the separated territorial subdivision is considered to be a newly-established organization and it, in accordance with the procedure set in this law, shall register with the Public Organizations Register or Political Parties Register accordingly, in compliance with the provisions of Article 10 of this law.

### **Article 32**

#### **Amalgamation of public organizations**

If two or more organizations amalgamate to form a new public organization the newly-created organization shall be registered with the Public Organizations Register or Political Parties Register accordingly, in compliance with the procedure set in this law.

The newly-created public organization shall indicate in its statutes that it was created through the reorganization by amalgamation of the relevant public organizations, and that it is a successor of the rights and commitments of these public organizations.

### **Article 32.<sup>1</sup>**

#### **Transforming of public organization into political organization (party)**

In order to transform the public organization into the political organization (party), the higher decision-making institution of the mentioned public organization - the general meeting, congress or conference - shall be convened in compliance with statutes of the respective public organization, where the decision on transforming of public organization into political organization (party) shall be adopted. The mentioned decision can be passed if no less than 200 members of the relevant public organization - the citizens of Latvia - have voted for it in the procedure stipulated by statutes of the public organization.

When transforming the public organization into the political organization (party), all the provisions of this law, regulating the foundation of political organizations (parties) shall be observed.

When transforming the public organization into the political organization (party), it shall be allowed to keep the name, abbreviation and symbols of the respective public organization.

The newly-created political organization (party) shall indicate in its statutes that it is a successor of rights and liabilities of the public organization.

#### **Article 32.<sup>2</sup>**

##### **Transforming of political organization into public organization**

In order to transform the political organization (party) into the public organization, the higher decision-making institution of the mentioned political organization (party) - the general meeting, congress or conference - shall be convened in compliance with statutes of the respective political organization (party) where the decision on transforming of political organization (party) into public organization shall be adopted.

When transforming the political organization (party) into the public organizations all the provisions of this law, regulating the foundation of public organization, shall be observed.

When transforming the political organization (party) into the public organization it shall be allowed to keep the name, abbreviation and symbols of the respective political organization (party).

The newly-created public organization shall indicate in its statutes that it is a successor of rights and liabilities of the political organization (party).

#### **Article 33**

##### **Annulment of a public organization's registration**

[Deleted by the law of November 25, 1999]

#### **Article 33.<sup>1</sup>**

##### **Maintenance of archive documents (funds) of public organizations**



The higher decision-making institution of the public organization or the association of public organizations shall determine the procedure for making a decision on self-liquidation or reorganization of the public organization or the association of public organizations on arranging and preserving the archive documents (funds) of the public organization or the association of public organizations.

Destroying the archive documents (funds) of public organizations or associations of public organizations shall be coordinated with the state monitoring institutions of the Latvian National Archive Fund.

## **VII. SUSPENSION AND TERMINATION OF A PUBLIC ORGANIZATION'S OR PUBLIC ORGANIZATION ASSOCIATION'S ACTIVITIES THROUGH COURT PROCEEDINGS**

### **Article 34**

#### **A lawsuit for the suspension or termination of activities**

The court may suspend or terminate the activities of a public organization or public organization association.

The following persons have the right to initiate court proceedings on the suspension or termination of a public organization's or public organization association's activities:

- 1) the Procurator General;
- 2) the Minister of Justice; and
- 3) the Minister of the Interior;
- 4) the Minister of Finance.

The application for the suspension or termination of the public organization's or public organization association's activities is submitted to the court in whose jurisdiction the permanently functioning governing body of the respective organization is located. In an application for ceasing of the activity of a public organization or an association of public organizations a candidate for the liquidator must be indicated.

### **Article 35**

#### **Suspension of activities by court proceedings**

The court may suspend the activities of a public organization or public organization association for a term of up to six months, if the public organization or its subdivision:

- 1) continues illegal activities after a notice on the termination of such activities has been received; or

2) within one year from the day when it received a notice on the termination of illegal activities, the organization repeatedly violates the Republic of Latvia Constitution, laws or other regulatory acts.

The public organization or public organization association must be notified of the court judgment on the suspension of the activities of the public organization or public organization association within three days following the adoption of the judgment. The court judgment may be appealed in accordance with the procedure and terms set in the laws on civil proceedings.

After the judgment has taken effect, it shall be delivered to the custodian of the respective register and published in the newspaper "Latvijas Vēstnesis".

### **Article 36**

#### **Consequences for the suspension of activities**

If the court suspends the activities of a public organization or public organization association, the public organization or public organization association and its territorial subdivisions shall suspend all public activities within the suspension term set in the court judgment.

If the activities of the public organization are suspended, the public organization association, of which the respective organization was a member, is not required to terminate its activity.

If the activity of a public organization association is suspended, the affiliated public organizations are not required to terminate their activities.

### **Article 37**

#### **Ceasing of activity through court proceedings**

The court can cease the activity of a public organization or association of public organizations if the public organization or its territorial structural unit permits the following violations of law:

1) it does not comply with a court decision regarding interruption of activity or within that period set by the court does not eliminate those violations of law in accordance with which its activity was interrupted;

2) it knowingly permits criminal offenses;

3) it encourages residents of Latvia or its members to not fulfill (violate) laws and other regulatory acts or to commit criminal offenses;

4) is using the names, the abbreviations of the names or symbols mentioned in Article 9 of this law;

5) in public places, press or other printed materials anticipated for distribution to the public, other means of mass communication or public meetings are propagating ideas of racial, national or religious hatred, praising or supporting criminal offenses or expressing a positive attitude to them.

When adopting a decision on ceasing the activity of a public organization or an association of public organizations the court shall decide on the following issues:

1) on the necessity of a liquidation process, and appointment of a liquidator (liquidation commission);

2) on the alienation of the property of the public organization or association of public organizations in the benefit of the state, unless the law or the statutes determine otherwise;

3) for which assets, and under which procedure the documents of the public organization or association of public organizations shall be arranged and given to the state archives for safekeeping.

#### **Article 38**

##### **Execution of court decisions**

A copy of the decision regarding the ceasing of the activity of a public organization or association of public organizations must be sent to the Public Organizations' Register in which a notification on the commencing of the liquidation must be made.

If for the satisfaction of creditors' claims there is not a sufficient amount of monetary assets, the liquidator shall sell the property of the public organization or association of public organizations at an auction, in compliance with the provisions of the Law of Civil Procedure regarding the execution of court decisions. The act for a real estate auction shall be approved by the court.

From the assets of the public organization or association of public organizations to be liquidated those expenses connected with liquidation must be paid off first. Claims of the members of administrative institutions of the public organization or association of public organizations to be liquidated regarding payment for labor shall be satisfied after the satisfaction of other creditors' claims, if sufficient funds exist.

The provisions regarding an administrator's activity in the case of the insolvency of enterprises and entrepreneurial associations must be applied to the activity of the liquidator.

After the completion of liquidation and delivering of documents for safekeeping by the state archives, the court shall adopt a decision on the removal of the public organization or association of public organizations from the register.

#### **Article 39**

##### **Consequences of the termination of activities**

Beginning from the day when the court decision on the termination of the public organization or public organization association takes effect, the terminated public organization or public organization association and its territorial subdivisions lose all rights provided for in this law and other laws.

The Cabinet of Ministers or its authorized institution resolves the issue on the utilization of the terminated public organization's or public organization association's real estate.

## **VIII. REGULATIONS FOR THE FOUNDATION, ACTIVITIES AND LIQUIDATION OF PUBLIC ORGANIZATIONS' TERRITORIAL SUBDIVISIONS**

### **Article 40**

#### **Territorial subdivisions**

Public organizations have the right to establish territorial subdivisions.

The statutes of the public organization specify the procedure for the foundation of a public organization's territorial subdivision and the legal, economic and financial relations with the respective public organization.

The provisions for the activity of a public organization's territorial subdivision are set in this law and other laws and regulatory acts adopted on their basis.

### **Article 41**

#### **Notification of a territorial subdivision's foundation**

Within two weeks, the permanently functioning governing body of a public organization notifies the custodian of the respective register and the respective local government of the foundation of the public organization's territorial subdivision.

### **Article 42**

#### **Activities of territorial subdivisions**

The public organization is fully responsible for the activities of its territorial subdivision unless otherwise set in other laws.

If a territorial structural unit of a public organization has the rights of a legal entity, the respective public organization and the territorial structural unit are jointly liable for its business and financial activities.

## **PART TWO**

## **SUPPLEMENTARY REGULATIONS FOR THE FOUNDATION, REGISTRATION, ACTIVITIES AND LIQUIDATION OF PARTICULAR PUBLIC ORGANIZATIONS AND THEIR ASSOCIATIONS**

## **IX. SUPPLEMENTARY REGULATIONS FOR THE FOUNDATION, REGISTRATION AND ACTIVITY OF POLITICAL ORGANIZATIONS (PARTIES)**

### **Article 43**

#### **Concept and basic goals of the activity of political organizations (parties)**

Political organizations (parties) are organizations which are founded by no less than 200 Latvian citizens, so that on the basis of the uniformity of political goals to perform political activity, participate in election campaigns, nominate candidates for deputies, manage the activities of their deputies within the Saeima and local governments and through the mediation of the deputies implement their programs and to engage in the forming of state administrative institutions.

### **Article 44**

#### **Laws on political organizations (parties)**

Regulations for the foundation, registration, activity and liquidation of political organizations (parties) are set in Articles 2-5, Articles 7-15, the first and second Parts of Article 16, and Articles 17-19, in the second, the third and the fourth parts of Article 21, Articles 22-42, in this Chapter, as well as in other laws and regulatory acts adopted on their basis.

### **Article 45**

#### **Membership of political organizations (parties)**

The members of a political organization (party) can be only citizens of Latvia who have reached the age of 18 years and persons to whom in accordance with the law "On the Status of those Citizens of the Former USSR who do not have the Citizenship of Latvia or Another Country" are entitled to receive a non-resident's passport issued by the Republic of Latvia and who have joined a political organization (party) individually observing the provisions of the statutes.

Persons who have reached the age of 16 years can be candidates for members of a political organization (party).

Only such political organizations (parties) where no less than half of all the members are Latvian citizens may be registered and may operate within Latvia.

Legal entities may not be members of a political organization (party).

### **Article 46**

#### **Supplementary foundation regulations**

The political platform of a political organization (party) must be adopted at the political organization's (parties) foundation meeting, congress or conference.

### **Article 47**

To the registration application shall also be attached the program documents of the political organization (party) and a list of no less than 200 founders of the respective political organization (party). Opposite to the name, surname and personal identification code of each founder of the political organization (party) must be the signature of the respective founder certified under the bearers procedure by a sworn notary.

The higher decisive institution of a political organization (party) - a general meeting, congress or conference - must be convened no less often than once during a calendar year.

On the general meeting, congress or conference of the political organization (party), its governing institution (prior to the registration - founders) must place a paid announcement in the newspaper "Latvijas Vēstnesis" no later than 15 days prior to its assembly by stating the place (address), time (year, month, date and hour), a draft of the agenda as well as the name, surname and telephone number of the responsible person.

The procedure for the financing of political organizations (parties) is regulated by a specific law.

If the number of members of a political organization (party) has become less than the minimum number of members determined in the law, the Minister of Justice shall adopt a decision on the annulment of the registration of that political organization (party). The decision shall be published in the newspaper "Latvijas Vēstnesis".

#### **Article 48**

##### **Publication of the statutes**

The statutes of the registered political organization (party) are submitted for publication in the newspaper "Latvijas Vēstnesis" by the Custodian of the Political Parties Register.

#### **Article 49**

##### **Restrictions of political activities**

Restrictions on the activity of state officials in political organizations (parties) are determined by other laws.

### **X. SUPPLEMENTARY REGULATIONS FOR THE FOUNDATION AND ACTIVITY OF PUBLIC FOUNDATIONS**

#### **Article 50**

##### **Concept of public foundations**

Public foundations are public organizations which are founded in order that money donated by legal entities and physical persons, as well as other financial resources and assets of public foundations be utilized for public needs.

The procedure, according to which the financial resources and assets of public foundations are utilized for the designated goals, is set in each public foundation's statutes.

Physical persons or legal entities may establish foundations with limited number of members. The provisions for the foundation, activity and liquidation of such foundations are specified by a specific law.

#### **Article 51**

##### **Laws on public foundations**

The basic regulations for the foundation, registration, activity and liquidation of public foundations are provided for in Articles 1-5, the third part of Article 6, Articles 7-42, and Chapter X of this law, in other laws, as well as in regulatory acts adopted on their basis.

#### **Article 52**

##### **Public foundation members**

Only the following persons have the right to become public foundation members:

- 1) persons who have reached 18 years of age and have individually joined the foundation by observing the statute provisions; and
- 2) legal entities except for state administration and local government institutions (establishments).

#### **Article 53**

##### **Tax exemption for public foundations**

The legislative body may partially or fully exempt particular public foundations and their entrepreneurial associations (enterprises), as well as foundation donators from taxes, in accordance with tax laws. Public foundations may be exempt from paying taxes no sooner than one year from their registration date. The legislative body may adopt the aforementioned decision, if the public foundations and their entrepreneurial associations (enterprises) have utilized their financial resources and assets purposefully and to their fullest extent for the goals designated in the statutes and for public needs. If it is necessary to finance public events of national significance, the legislative body may adopt a resolution on tax exemption for the public foundation, thereby disregarding the time specification of this Article.

Proceeding from public foundation's report on the previous year's income and expenses and the State Income Service conclusion on the previous year's financial activity of the public foundation and its entrepreneurial companies (enterprises), the legislative body may adopt a resolution on tax exemption for the public foundation for a period of less than one year.

The resolutions on repeated tax exemptions for public foundations and their entrepreneurial associations (enterprises) are adopted, in accordance with the procedure set by the second part of this Article.

## **XI. SUPPLEMENTARY REGULATIONS FOR THE FOUNDATION AND ACTIVITY OF FRATERNITIES AND SORORITIES (PROFESSIONAL SOCIETIES)**

### **Article 54**

**Concept of fraternities and sororities (professional societies) and the goals of their activities**

Fraternities and sororities (professional societies) are public organizations which unite physical persons according to their professions, on the basis of their common interests, in order to facilitate their professional development, perfect their creative abilities, promote their professional reputations and acquire the most valuable experience.

### **Article 55**

**Laws on fraternities and sororities (professional societies)**

The regulations for the foundation, activity and liquidation of fraternities and sororities (professional societies) are set in the first paragraph of Article 1, Articles 2-5, 7-42, and Chapter XI of this law, in other laws, as well as in regulatory acts adopted on their basis.

### **Article 56**

**Fraternity and sorority (professional society) membership**

Persons who have reached 18 years of age, who have acquired the education and the level of professional qualifications stipulated in the statutes of the fraternity and sorority (professional society), and who have been accepted individually, in accordance with the procedure set by the statutes, may become members of the fraternity or sorority (professional society).

### **Article 57**

**Rights of fraternities and sororities (professional societies)**

In accordance with the procedure set by law, fraternities and sororities (professional societies) have the right:

1) to conduct the attestation of the employees of the respective profession and grant them licenses for professional activity;

2) in addition to state pensions and benefits, to establish social security and benefit funds and to pay the organization members the pensions and benefits specified in the statutes of fraternities and sororities (professional societies); and

3) to conduct other types of activity, in accordance with the procedure set by the statutes and regulatory acts



The levels of professional qualifications and the names of the occupations which are granted to the fraternity and sorority (professional society) members provide additional rights to them only in the cases set by Republic of Latvia laws.

## XI1

### SUPPLEMENTARY REGULATIONS FOR FOUNDATION, REGISTRATION AND OPERATION OF PROFESSIONAL CREATIVE ORGANIZATIONS

#### Article 57.<sup>1</sup>

##### Concept and goals of activities of professional creative organizations

Professional creative organizations are public organizations where physical persons are joined according to principles of artist or scientific creative work in order to create, preserve and popularize the results of the activities of members of the corresponding public organization and to promote the development of the Latvian mental and material culture.

#### Article 57.<sup>2</sup>

##### Laws on professional creative organizations

Regulations for foundation, registration, operation and liquidation of professional creative organizations are set in Articles 1-5, 7-17, in the first part of Article 18, Articles 19-42, Article 57, in this Chapter, as well as in other laws and regulatory acts adopted on their basis.

#### Article 57.<sup>3</sup>

##### Associations of professional creative organizations

An association of professional creative organizations where more than one half of registered according to the procedure stipulated by law professional creative organizations have joined, can become the subject of public rights and fulfill separate state functions in cases anticipated by laws.

#### Article 57.<sup>4</sup>

##### Membership of professional creative organizations

Only physical persons who have reached 18 years of age, who have acquired education and professional qualifications determined in the statutes of the corresponding professional creative organization, who have reached the certain level of creative development, may become the members of the professional creative organization. The statutes can determine also other requirements for the candidate to membership of the corresponding creative organization.

#### Article 57.<sup>5</sup>

##### Supplementary regulations for financing

The professional creative organization or association of professional creative organizations after registering in the Public Organizations Register can register itself also in the Ministry of Culture, thus acquiring the rights for receiving financial resources from the state budget for the implementation of specific projects or programs, fulfillment of separate state functions or other purposes connected with the state culture policy. If finances from the state budget are granted to the professional creative organization, it shall be coordinated with the association of professional creative organizations formed in the procedure anticipated in Article 57<sup>3</sup> of this law.

Local governments are entitled to finance target programs or specific undertakings of professional creative organizations, as well as to exempt these organizations from taxes, duties and other payments, or to reduce them in the frame of their competence.

#### **Article 57.<sup>6</sup>**

##### **Supplementary regulations for entrepreneurial activity**

[Deleted by the law of November 25, 1999]

## **XII. SUPPLEMENTARY REGULATIONS FOR THE FOUNDATION, REGISTRATION AND ACTIVITY OF SPORTS ORGANIZATIONS AND THEIR ASSOCIATIONS**

#### **Article 58**

##### **Concept of sports organizations and their associations**

A public sports organization is an organization which is created for the organizing of healthy leisure time, the restoring and increasing of physical and spiritual abilities and achieving of outstanding results in sports.

An association of public sports organizations shall be founded by two or more public sports organizations or their associations.

Only one public sports organization of a particular type of sport or an association of public sports organizations (sports federation, sports union, sports association, sports society, etc.) may manage and coordinate activities in the specific types of sports or the fields of activity within the entire Latvian state or represent Latvia in international sports organizations. The aforementioned rights shall be granted by the leading state sports institution if the respective public sports organization or the association of public sports organizations corresponds to the criteria approved by the National Sports Council.

Within the composition of the associations of public sports organizations along with public sports organizations or their associations may also be other legal entities the activity of which is related to sports.

One public sports organization may be in the composition of several associations of public sports organizations associations.

#### **Article 59**

##### **Laws on sports organizations and their associations**

The regulations for the foundation, registration, activity and liquidation of sports organizations are set in Articles 1-19, the second part of Article 20, Articles 21-42, Chapter XII of this law, in other Republic of Latvia laws, as well as in regulatory acts adopted on their basis.

**Article 60**

**Supplementary regulations for financing**

Following registration with the Public Organizations Register, the sports organization or sports organization association may be registered with the leading State sports institution, which grants the organization or association the rights to receive financial resources from the state budget.

Local governments have the right to finance sports organizations and their associations from their budgets.

**Article 61**

**Supplementary regulations for entrepreneurial activity**

[Deleted by the law of November 25, 1999]

Chairman, Supreme Council  
Republic of Latvia  
A. Gorbunovs

Secretary, Supreme Council  
Republic of Latvia  
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