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Maintenance obligations

Latvia

Latvia

FINDING COMPETENT COURTS/AUTHORITIES

The search tool below will help you to identify court(s)/authority(ies) competent for a specific European legal instrument. Please note that although every effort has been made to ascertain the accuracy of the results, there may be some exceptional cases concerning the determination of competence that are not necessarily covered.

Article 71 1. (a) - Courts for application for a declaration of enforceability and courts for appeal against decisions on such applications

In Latvia, the courts with competence to deal with applications for a declaration of enforceability in accordance with Article 27(1) are courts of general jurisdiction, i.e. district (city district) courts (rajona (pilsētas) tiesas).

In Latvia, the courts with competence to deal with appeals against decisions on applications for a declaration of enforceability in accordance with Article 32(2) are the relevant regional courts (apgabaltiesas) through the intermediation of the relevant district (city district) court. In other words, an application must be addressed to the relevant regional court and submitted to the relevant district (city district) court.

Article 71 1. (b) - Redress procedure

A decision given on appeal pursuant to Article 33 of the Regulation may be contested before the Supreme Court, the Senate, through the intermediation of the relevant regional court. In other words, an application must be addressed to the Supreme Court and submitted to the relevant regional court.

Contact details:

[Supreme Court](#)

Brīvības bulvāris 36

Riga, LV-1511

Latvia

Tel.: +371 670 203 50

Fax: +371 670 203 51

E-mail: at@at.gov.lv

Article 71 1. (c) - Review procedure

Re-examination of a case in connection with the review of a decision can be initiated by the defendant on the basis of Article 19 of the Regulation by submitting an application:

- 1) for the review of a judgment or decision by a district or city court – to the corresponding regional court;
- 2) for the review of a judgment or decision by a regional court – to the Supreme Court;
- 3) for the review of a judgment or decision by a chamber of the Supreme Court – to the Department of Civil Cases of the Supreme Court.

An application may not be submitted if the period during which the enforcement document concerning the relevant ruling may be submitted for enforcement has expired.

An application that does not indicate the grounds that may be deemed grounds for review under the European Union legislation referred to in paragraph (1) of this Article will not be admitted and will be returned to the applicant. The judge will also decline to consider an application for re-examination of a case in connection with the review of a decision, where it is a repeat application, unless it appears that the grounds cited for the review of the decision have changed. The judge's decision can be challenged by lodging an ancillary complaint (*blakus sūdzība*).

Article 71 1. (d) - Central Authorities

Administration of the Maintenance Guarantee Fund (Uzturlīdzekļu garantiju fonda administrācija)

Address: Raiņa bulvāris 15, Rīga, LV-1050, Latvia

e-mail: maintenance@ugf.gov.lv

Tel.: +371 67830626

Fax: (+371) 67830636

Article 71 1. (e) – Public bodies

In Latvia, the specific functions of central authorities referred to in Article 51 of the Regulation are discharged by the Administration of the Maintenance Guarantee Fund. This point refers to *public bodies*, and within the meaning of Article 64 of the Regulation these are public bodies that ensure the payment of maintenance and, accordingly, may submit a cross-border application as creditors. In Latvia, this body is still the UGFA (the Administration of the Maintenance Guarantee Fund). The reason for the reference to Article 51 is that in other countries the Central Authority and the *public body* are separate, but the *public body* is entitled to send a cross-border application directly to another country without the need for its own Central Authority to intervene.

Article 71 1. (f) – Competent authorities for enforcement

In Latvia, the authorities with competence to refuse or suspend enforcement of a ruling for the purposes of Article 21 of the Regulation are the district (city district) courts in whose area of jurisdiction the ruling by a foreign court is enforceable.

Article 71(1)(f) of the Regulation refers to the enforcement authority, and in Latvia this means [sworn bailiffs](#). Reference to Article 21 in turn concerns the right of Latvian sworn bailiffs to refuse to enforce a case on the grounds of time-barring, suspend enforcement proceedings if another court decision exists etc. In addition, Article 21 concerns cases where *exequatur* has been abolished and therefore the court does not assess enforceability, except where a request for review has been submitted under Article 19.

Article 71 1. (g) - Accepted languages for translations of documents

Latvia only accepts translations of the documents referred to in Articles 20, 28 and 40 of the Regulation in the national language, i.e. Latvian.

Article 71 1. (h) - Languages accepted by Central Authorities for communication with other Central Authorities

Latvia only accepts the applications referred to in Article 56 of the Regulation (Annexes VI and VII to the

Regulation) in the national language, i.e. Latvian.

Latvia accepts requests for specific measures (Annex V to the Regulation), in Latvian or in English.

For other communications, the Central Authority accepts Latvian or English on request.

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