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Serving documents (recast)

Latvia

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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 3(1) - Transmitting agencies

The transmission of documents to another country is ensured by district (city) courts (*rajonu (pilsētu) tiesas*), regional courts (*apgabaltiesas*) or the Supreme Court (*Augstākā tiesa*).

Article 3(2) - Receiving agencies

The central body which receives and executes requests for the service of foreign documents is the Council of Sworn Bailiffs of Latvia (*Zvērinātu tiesu izpildītāju padome*).

Council of Sworn Bailiffs

Address: Lāčplēša iela 27-32, Riga, LV-1011, Latvia

Telephone: (+371) 67290005; Fax: +371 67290006

e-mail: documents@lzti.lv

Article 3(4)(c) - Means of receipt of documents

Requests from other Member States for service of documents and certificates of service of documents will be accepted in Latvia if they are submitted by post.

Documents will also be accepted electronically if duly certified.

Article 3(4)(d) - Languages that may be used for the completion of the standard form set out in Annex I

In addition to Latvian, standard forms completed in English are also accepted in Latvia.

Article 4 - Central body

The central body is the Ministry of Justice (*Tieslietu ministrija*).

Address: Brīvības bulvāris 36, Riga, LV-1536

Telephone: +371 67036802

e-mail: pasts@tm.gov.lv

Article 7 – Assistance in address enquiries

Latvia has chosen the mechanism referred to in Article 7(1)(c) of the Regulation, i.e. providing detailed information through the e-Justice Portal on how to find the addresses of persons to be served. In view of the above we would point out that:

1. To find the address of a natural person, an official request may be submitted to the Office of Citizenship and Migration Affairs under the Ministry of the Interior, which keeps a register of natural persons. The request for [an extract from the register of natural persons](#) must state the reasons why the data is needed so that the data processors can decide whether there are grounds for providing data.
2. The address of a company may be obtained free of charge by consulting the information in the Enterprise Register. All entries in the commercial register are published free of charge on the information [website](#) thus ensuring their initial availability to the public online.

Latvian authorities do not submit, on their own initiative, requests for information about addresses to the register of natural persons in cases where the address indicated in the request for service is not correct. The submitting authority or the requesting party is responsible for finding the address of the addressee.

Article 8 – Transmission of documents

In Latvia, a request to serve documents which has been drawn up using the standard form set out in Annex I to the Regulation is accepted if submitted in either Latvian or English.

Article 12 – Refusal to accept a document

In accordance with Article 57 of the Law on Civil Procedure, if the addressee refuses to accept judicial documents, the person delivering them makes a note to this effect on the document, indicating also the reasons for refusal, date and time. Refusal to accept judicial documents does not prevent the court proceedings.

Article 13 – Date of service

Pursuant to Article 56.¹(1) of the Law on Civil Procedure, when judicial documents have been delivered in accordance with the procedure set out in Article 56, with the exception of the event referred to in paragraph (9) thereof, a person is deemed to have been notified of the time and place of a court hearing or procedural action, or the contents of the relevant document, and judicial documents are deemed to have been served:

- 1) on the date when the addressee or another person accepted them in accordance with Article 56(3), (7) or (8) of the Law;
- 2) on the date when the person refused to accept them (Article 57);
- 3) on the seventh day from dispatch of the documents, if they have been sent by post;
- 4) on the third day from dispatch of the documents, if they have been sent electronically.

Pursuant to Paragraph (2) of the Article referred to above, whether the judicial documents are delivered to a declared place of residence of a natural person, an additional address declared, an address the natural person has indicated for communications with the court or a registered office of a legal person, and a notice of delivery is received from the post office or the documents are returned, does not in itself affect the fact of the documents having been notified. The addressee can refute the presumption that documents have been served on the seventh day from the day of dispatch if sent by post or on the third day from dispatch if sent electronically by citing objective circumstances beyond his or her control which prevented him or her from receiving the documents at the address indicated.

Article 14 – Certificate of service and copy of the document served

In Latvia, a certificate of service of documents which has been drawn up using the standard form set out in Annex I to the Regulation is accepted if submitted in either Latvian or English.

Article 15 – Costs of service

In Latvia documents are served in accordance with Article 15(2)(a) of the Regulation, for which a fee of EUR 133.33 (including VAT) is payable for each document service request. Payment must be made by bank transfer and any bank commission is to be borne by the person paying the flat rate for document service.

Bank account details:

Registration No: 90001497619

(From 16 December 2019) Registered address: Lāčplēša iela 27-32, Riga, LV-1011, Latvia

Bank: Swedbank AS

IBAN: LV93HABA0551038096742

SWIFT code: HABALV22

Purpose of payment: details of the addressee

Article 17 – Service by diplomatic agents or consular officers

Latvia is opposed to the service of documents through diplomatic channels, except in cases where the documents are served on nationals of the Member State in question.

Article 19 – Electronic service

Not applicable

Article 20 – Direct service

Under Latvian legislation, documents may not be served under Article 20 of the Regulation.

Article 22 – Defendant not entering an appearance

Notwithstanding the provisions of Article 22(1) of the Regulation, a court or a judge in Latvia may deliver a judgment even if no certificate of service or notice of delivery has been received, provided that the conditions set out Article 22(2) of the Regulation have been complied with. In Latvia, no time frame is defined after which applications for relief from the effects of the expiry of the deadline for appeal are no longer accepted, provided that the conditions set out in Article 22(4) of the Regulation are fulfilled.

Article 29 – Relationship with agreements or arrangements between Member States

The Republic of Latvia maintains two agreements it has concluded:

- 1) Agreement between the Republic of Latvia and the Republic of Poland on legal assistance and legal relations in civil, family and criminal matters;
- 2) Agreement on legal assistance and legal relations between the Republic of Latvia, the Republic of Estonia and the Republic of Lithuania.

Article 33(2) – Notification on the early use of the decentralised IT-system

Not applicable.

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