



Latvia

## Succession - Latvia

[Article 78 \(a\) - the names and contact details of the courts or authorities with competence to deal with applications for a declaration of enforceability in accordance with Article 45\(1\) and with appeals against decisions on such applications in accordance with Article 50\(2\)](#)

[Article 78 \(b\) - the procedures to contest the decision given on appeal referred to in Article 51](#)

[Article 78 \(c\) - the relevant information regarding the authorities competent to issue the Certificate pursuant to Article 64](#)

[Article 78 \(d\) - the redress procedures referred to in Article 72](#)

[Article 79 - Establishment and subsequent amendment of the list containing the information referred to in Article 3\(2\)](#)

**Article 78 (a) - the names and contact details of the courts or authorities with competence to deal with applications for a declaration of enforceability in accordance with Article 45(1) and with appeals against decisions on such applications in accordance with Article 50(2)**

A decision of a foreign court that is enforceable in the country in which it is given is enforceable in Latvia once it has been recognised in Latvia in accordance with the procedure in force.

Except where the relevant convention and regulations provide otherwise, the procedure for securing a declaration of enforceability of the kind provided for in Regulation (EU) No 650/2012 is laid down by Chapter 77 of the Civil Procedure Law (*Civilprocesa likuma*), which deals with the recognition of decisions of foreign courts. The court with jurisdiction to hear applications for a declaration of enforceability in accordance with Article 45(1) is therefore the district or city court (*rajona (pilsētas) tiesa*) of the place where the decision is to be enforced or the declared place of residence of the defendant, or failing any such place, the defendant's actual place of residence or registered office.

A decision of the district or city court recognising or refusing to recognise a decision of a foreign court may be contested by lodging an ancillary complaint (*blakus sūdzība*) with the regional court (*apgabaltiesa*), and the regional court's decision may be contested by lodging an ancillary complaint with the Supreme Court (*Augstākā tiesa*).

A list of district or city courts and regional courts can be found here: [☞ Latvian courts portal](#)

**Article 78 (b) - the procedures to contest the decision given on appeal referred to in Article 51**

A decision of the district or city court recognising or refusing to recognise a decision of a foreign court may be contested by lodging an ancillary complaint with the regional court, and the regional court's decision may be contested by lodging an ancillary complaint with the Supreme Court.

A party to the case whose declared place of residence is in Latvia, or failing that whose actual place of residence or registered office is in Latvia, may lodge an ancillary complaint within 30 days of receipt of a copy of the decision; a party to the case whose declared place of residence or actual place of residence or registered office is not in Latvia may lodge an ancillary complaint within 60 days of receipt of a copy of the decision.

A list of Latvian courts can be found here: [☞ Latvian courts portal](#)

**Article 78 (c) - the relevant information regarding the authorities competent to issue the Certificate pursuant to Article 64**

Provided Latvia has jurisdiction in a cross-border succession under Articles 4, 7, 10 and 11 of [☞ Regulation \(EU\) No 650/2012](#), a European certificate of succession can be issued by any certified notary (*zvērināts notārs*).

Lists of certified notaries can be found here: [☞ Notaries website](#)

**Article 78 (d) - the redress procedures referred to in Article 72**

At the request of an interested party the certified notary who drew up the European certificate of succession may rectify, modify or withdraw the certificate in accordance with Article 71 of [Regulation \(EU\) No 650/2012](#), and may also suspend the effects of the certificate in accordance with Article 73 of the Regulation.

To do so the notary must draw up a notarial deed (*notariāls akts*) rectifying, modifying, withdrawing or suspending the certificate, and without delay inform all persons to whom certified copies of the certificate or extracts from the certificate have been issued.

#### **Article 79 - Establishment and subsequent amendment of the list containing the information referred to in Article 3(2)**

In accordance with Article 3(2) of Regulation (EU) No 650/2012 and Section 324.<sup>1</sup> of the Notaries Law (*Notariāta likums*), a notary dealing with a case of crossborder succession will apply the rules of the Notaries Law except where otherwise provided by European Union law that is directly applicable in Latvia.

An application for succession (*mantošanas iesniegums*) has to be submitted to a notary practising within the area referred to in Section 252 of the Notaries Law, but if the deceased's last declared place of residence or the location of the estate or the greater part of it is not known, the application may be submitted to any certified notary.

Proceedings for securing a declaration of enforceability of a judgment should be brought before the district or city court.

Lists of certified notaries can be found here: [Notaries website](#).

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