

	<p>Personal Identification Documents Law, entered into force on 15.02.2012./ Personu apliecināšanu dokumentu likums, stājies spēkā 15.02.2012.;</p> <p>Law On the Prevention of Money Laundering, lost power on 12.08.2008. (now - Law On the Prevention of Money Laundering and Terrorism Finnsing, entered into force on 13.08.2008.)/ likums "Par noziedzīgi iegūtu līdzekļu legalizācijas novēršanu, zaudējis spēku 12.08.2008. (šobrīd - Noziedzīgi iegūtu līdzekļu legalizācijas un terorisma finansēšanas novēršanas likums, stājies spēkā 13.08.2008.)</p>
Key facts of the case (max. 500 chars)	<p>The defendant blocked the plaintiff's current account and, hence access to funds. The reason why the current account was blocked - validity expiration of the passport of the applicant - a citizen of the Republic of Bulgaria. The defendant did not accept the plaintiff's ID card considering that it is not valid for entry into the Republic of Latvia.</p> <p>The plaintiff brought a claim in court about the compensation of financial losses and moral damages. The court of first instance satisfied the claim in part, recovering damages from the defendant in favour of the plaintiff. The court concluded that due to the Bank's unlawful action, blocking the plaintiff's account without legal grounds, damages have been inflicted to the plaintiff.</p> <p>The defendant submitted a notice of appeal. The court of the second instance dismissed the claim.</p> <p>The plaintiff submitted a cassation complaint. The Senate of the Supreme Court revoked the judgment of the second instance court in part regarding the recovery of financial losses and referred the case for re-examination in the appellate instance court.</p> <p>The Senate pointed that the ID card of the plaintiff conforms with the criteria of the validity of the travel document, and together with residence permit it gives the right to the plaintiff to enter and stay in Republic of Latvia. The defendant, upon identifying the customer, who produced a residence permit had no right to refuse the plaintiff's identity card.</p>
Main reasoning / argumentation (max. 500 chars)	<p>According to the Article 5 of the Directive 2004/38/EC of the European Parliament and of the Council of 29 April 2004 on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States an ID card of a citizen of Republic of Bulgaria is a valid document for crossing the border of Republic of Latvia, there is no reason to consider that this document cannot confirm the identity of person in court.</p> <p>The Civil Procedural Law does not anticipate that a person can prove his or her identity by only presenting a document with the assigned personal identification number of the Population Register. According to the Article 2 of the Personal Identification Documents Law a personal identification document is a document issued by a State administration institution authorised by legal acts, which certifies the identity and legal status of its holder.</p>
Key issues (concepts, interpretations) clarified by the case (max. 500	<p>The key issues clarified by the case were: whether the non-acceptance of the plaintiff's ID card was considered as a legitimate action and whether the financial losses and moral damages have been caused in causal relationship with defendant's action.</p>

chars)	
Results (e.g. sanctions) and key consequences or implications of the case (max. 500 chars)	<p>Riga Regional Court, after the second re-examination of the case, decided to satisfy the claim in part regarding the recovery of losses because it was established that losses have been caused in causal relationship with the defendant's action.</p> <p>The court also established that the non-acceptance of the plaintiff's ID card was considered as unlawful action.</p>
Key quotations in original language and translated into English with reference details (max. 500 chars)	<p>"[6] [..]</p> <p><i>Senāts norādījis, ka Prasītāja identifikācijas karte atbilst visiem ceļošanas dokumenta derīguma kritērijiem, kas noteikti Imigrācijas likuma 4.panta pirmās daļas 1 punktā, tādejādi kopā ar Pārvaldes izsniegtu derīgu uzturēšanās atļauju (minētā likuma panta pirmās daļas 2.punkts) tā dod tiesības Prasītājam ieceļot un uzturēties Latvijas Republikā atbilstoši Imigrācijas likuma 4.panta pirmajai daļai."</i></p> <p>"[6] [..]</p> <p>The Senate pointed that the ID card of plaintiff conforms with all the criteria of the validity of the travel document, which are provided in Article 4, first paragraph, first sub-clause of Immigration Law, thus, together with the Office issued valid residence permit (Article 4 first paragraph's second sub-clause) it gives the right to the plaintiff to enter and stay in Republic of Latvia in conformity with Article 4, first paragraph of the Immigration Law."</p> <p>"[9.2.] [..]</p> <p><i>Tā kā Eiropas Parlamenta un Padomes direktīvas 2004/38/EK [..] 5.pantam Bulgārijas Republikas pilsoņa identifikācijas karte ir derīgs Latvijas Republikas valsts robežas šķērsošanas dokuments, nav pamata uzskatam, ka šis dokuments nevar apliecināt personas identitāti tiesā."</i></p> <p>"[9.2.] [..]</p> <p>According to the Article 5 of the Directive 2004/38/EC [..] an ID card of a citizen of Republic of Bulgaria is a valid document for crossing the border of Republic of Latvia, there is no reason to consider that this document cannot confirm the identity of a person in court."</p>
Has the deciding body refer to the Charter of Fundamental Rights. If yes, to which specific Article.	No.