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EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW

(VENICE COMMISSION)

**L A W
ON THE CONSTITUTIONAL COURT
OF LATVIA**

adopted by the Saeima on 5 June 1996

The Saeima has adopted and the President of State promulgates the following law:

Constitutional Court Law

Chapter I GENERAL PROVISIONS

Article 1. The Constitutional Court

1. The Constitutional Court is an independent institution of judicial power, which within the jurisdiction set forth in the Constitution of the Republic of Latvia (hereinafter — the Constitution) and in this Law, shall review cases concerning the compliance of laws and other legal norms with the Constitution, as well as other cases placed under its jurisdiction by this Law.
2. The Constitutional Court shall hear cases pursuant to the Constitution and this Law only.
3. The Constitutional Court shall be a juridical person.

Article 2. Independence of the Constitutional Court

Direct or indirect interference with the actions of the Constitutional Court in relation to judging shall not be permissible.

Article 3. Composition of the Constitutional Court

The Constitutional Court shall have seven judges.

Article 4. Confirmation of a judge of the Constitutional Court

1. Judges of the Constitutional Court shall be confirmed by the Saeima. Three judges of the Constitutional Court shall be confirmed upon the recommendation of not less than ten members of the Saeima, two — upon the recommendation of the Cabinet of Ministers, but two judges of the Constitutional Court — upon the recommendation of the Plenum of the Supreme Court. The Plenum of the Supreme Court may select candidates for the office of a judge of the Constitutional Court only from among Republic of Latvia judges.
2. Any citizen of Latvia who has a university level legal education and at least five years' working experience in a legal profession or in a scientific or educational field in a judicial specialty in a research or higher educational establishment, may be confirmed a judge of the Constitutional Court. A person who may not be nominated for the office of a judge under Article 55 of the Law "On Judicial Power", must not be appointed as a judge of the Constitutional Court.
3. The application for the office of a judge of the Constitutional Court shall be accompanied by the following documents signed by the nominee:
 1. the consent to be nominated for the office of a judge of the Constitutional Court;
 2. the statement that the restrictions under Article 55 of the Law "On Judicial Power" do not apply to the nominee.
4. Lists of nominees for the office of judges of the Constitutional Court shall be published in the newspaper "Latvijas Vēstnesis" not later than five days after their submission to the Saeima Presidium, indicating:
 1. the submitter of the nominees;
 2. the following information concerning each nominee for the office of a judge of the Constitutional Court;
 - a. full name;
 - b. year and place of birth;
 - c. place of residence (district or city);

- d. higher educational establishments (year of graduation, specialty);
- e. former places of employment and positions.

Article 5. The oath of a judge of the Constitutional Court

1. After confirmation by the Saeima, the judge of the Constitutional Court shall swear before the President of State the oath prescribed in the Law "On Judicial Power".
2. A judge of the Constitutional Court shall take up his/her duties of office after swearing the oath.
3. In the event a judge of another court, who has already sworn the oath, is confirmed a judge of the Constitutional Court, he/she shall not swear the oath again, and shall take up the duties of his/her office immediately after confirmation.

Article 6. The Robe and Badge of Office of a judge of the Constitutional Court

A judge of the Constitutional Court shall perform his/her duties of office at Court sessions wearing the Robe and Badge of Office.

Article 7. Term of office of a judge of the Constitutional Court

1. The term of office of a judge of the Constitutional Court shall be ten years as of the day when he/she took up his/her duties of office pursuant to Article 5 of this Law.
2. A judge of the Constitutional Court may not be removed from office during his/her term except in cases provided for in Article 10 of this Law.
3. One and the same person may not be a judge of the Constitutional Court for more than 10 years concurrently.
4. If a person, who pursuant to the Law "On Judicial Power" has been approved to the office of a judge for an unlimited term, is confirmed a judge of the Constitutional Court, he/she, after the expiry of the term of office of a judge of the Constitutional Court, shall have the right to return to his/her previous position, unless he/she has reached the age-limit allowed for a judge to hold office.

Article 8. Resignation or retirement of a judge of the Constitutional Court before expiry of his/her term of office

1. A judge of the Constitutional Court shall retire from the office of a judge upon reaching the age of 70.
2. A judge of the Constitutional Court may resign from office before expiry of his/her term at his/her own discretion, notifying the Constitutional Court in writing.

Article 9. Suspension of the authority of a judge of the Constitutional Court

1. If the Saeima has agreed to criminal prosecution of a judge of the Constitutional Court, the authority of this judge shall be suspended until the time the verdict in the relevant case comes into legal effect or the relevant criminal case is dismissed.
2. If a judge of the Constitutional Court is charged with disciplinary liability because he/she has committed an act incompatible with the status of a judge, the Constitutional Court may suspend the authority of this judge until completion of the investigation, but not longer than for one month.

Article 10. Releasing or discharging from office a judge of the Constitutional Court

1. A judge of the Constitutional Court may be released from office by the Saeima following a ruling of the Constitutional Court, if he/she is unable to continue working because of reasons of health.
2. A judge of the Constitutional Court is removed from office, if he/she is convicted of a crime and the verdict has come into legal effect.
3. A judge of the Constitutional Court may be released from office by the Saeima following a ruling of the Constitutional Court, if he/she is in breach of the requirements of Article 35 of this Law, has committed a shameful act which is incompatible with the status of a judge, or regularly fails to perform his/her duties of office and has been charged with disciplinary liability in this regard.

Article 11. Procedure for confirming a new judge of the Constitutional Court if the authority of office of a previous judge has terminated

Upon termination of authority of office of a judge of the Constitutional Court, the Saeima shall confirm another judge upon recommendation of the institution which recommended the confirmation of the judge whose authority of office has terminated.

Article 12. Chairperson of the Constitutional Court and his/her Deputy

The Chairperson of the Constitutional Court and his/her deputy shall be elected for a period of three years from among the members of the Constitutional Court by an absolute majority vote of the entire total of the judges. The voting shall be by secret ballot.

Article 13. Obligations and rights of the Chairperson of the Constitutional Court and his/her Deputy

1. The Chairperson of the Constitutional Court shall preside at the sessions of the Constitutional Court, organize the work of the Court and represent the Constitutional Court.
2. The Deputy Chairperson of the Constitutional Court shall assist the Chairperson of the Constitutional Court in performing the duties of the Chairperson indicated in Paragraph 1 of this Article and shall substitute for the Chairperson of the Constitutional Court in his/her absence.
3. The Chairperson of the Constitutional Court may delegate some of his/her duties to a judge.
4. The Chairperson of the Constitutional Court and his/her Deputy may give orders to judges of the Constitutional Court in matters of performing organizational duties of office only.

Article 14. Rules of the Constitutional Court

The structure and work procedures of the Constitutional Court shall be set out in the Rules of the Constitutional Court which shall be adopted by an absolute majority vote of the entire total of the judges.

Article 15. The seal of the Constitutional Court

The Constitutional Court shall have a seal bearing the large coat-of-arms of the Republic of Latvia and the name of the Court.

Chapter II AUTHORITY OF THE CONSTITUTIONAL COURT

Article 16. Cases to be reviewed by the Constitutional Court

The Constitutional Court shall review cases regarding:

1. compliance of laws with the Constitution;
2. compliance with the Constitution of international agreements signed or entered into by Latvia;
3. compliance of resolutions of the Saeima with the Constitution and other laws;
4. compliance with the Constitution and other laws of acts of the Cabinet of Ministers, also compliance with the Constitution, other laws and regulations of the Cabinet of Ministers, of normative acts issued by institutions or officials subordinated to the Cabinet of Ministers;
5. compliance of acts of the President of State, Chairperson of the Saeima and the Prime Minister with the Constitution and other laws;
6. compliance with the Constitution and other laws of other normative acts issued by institutions or officials confirmed, appointed or elected by the Saeima;
7. compliance with the Constitution, other laws and regulations of the Cabinet of Ministers, of binding regulations and other normative acts issued by the Dome (Council) of municipalities;
8. compliance of regulations by which the minister, authorized by the Cabinet of Ministers has rescinded binding regulations issued by the Dome (Council) of a municipality with the law;
9. compliance of the national legal norms of Latvia with the international agreements entered into by Latvia, which are not contrary to the Constitution.

Article 17. The right to submit an application

1. The following shall have the right to submit an application to initiate a case regarding compliance of laws with the Constitution (Clause 1 of Article 16), compliance with the Constitution of international agreements signed or entered into by Latvia (Clause 2 of Article 16), and compliance of resolutions of the Saeima with the Constitution and other laws (Clause 3 of Article 16):
 1. the President of State;
 2. not less than twenty members of the Saeima;
 3. the Cabinet of Ministers;
 4. the Plenum of the Supreme Court;
 5. Prosecutor General;
 6. the Council of the State Control.
2. The following shall have the right to submit an application to initiate a case regarding compliance of acts of the Cabinet of Ministers with the Constitution and other laws, and compliance with the Constitution, other laws and regulations of the Cabinet of Ministers, of normative acts issued by institutions or officials subordinated to the Cabinet of Ministers (Clause 4 of Article 16):
 1. the President of State;
 2. the Saeima;
 3. not less than twenty members of the Saeima;
 4. the Plenum of the Supreme Court;
 5. the Prosecutor General;
 6. the Dome (Council) of a municipality;
 7. the Council of the State Control;
 8. the State Human Rights Bureau.

3. The following shall have the right to submit an application to initiate a case regarding compliance of acts of the President of State, the Chairperson of the Saeima and the Prime Minister with the Constitution and other laws (Clause 5 of Article 16):
 1. the President of State;
 2. the Saeima;
 3. not less than twenty members of the Saeima;
 4. the Cabinet of Ministers;
 5. the Plenum of the Supreme Court;
 6. the Prosecutor General;
 7. the Council of the State Control.
4. The following shall have the right to submit an application to initiate a case regarding compliance with the Constitution and other laws of normative acts issued by other institutions or officials confirmed, appointed or elected by the Saeima (Clause 6 of Article 16):
 1. the Saeima;
 2. not less than twenty members of the Saeima;
 3. the Plenum of the Supreme Court;
 4. the Prosecutor General;
 5. the Dome (Council) of a municipality;
 6. the Council of the State Control;
 7. the State Human Rights Bureau.
5. The following shall have the right to submit an application to initiate a case regarding compliance with the Constitution, other laws and regulations of the Cabinet of Ministers, of binding regulations and other normative acts of the Dome (Council) of municipalities (Clause 7 of Article 16):
 1. ministers duly authorized by law;
 2. the Plenum of the Supreme Court;
 3. the Prosecutor General;
 4. the Council of the State Control.
6. The right to submit an application to initiate a case regarding compliance with the law of an order by which a minister, duly authorized by the Cabinet of Ministers, has rescinded the binding regulations, issued by the Dome (Council) of a municipality (Clause 8 of Article 16) shall belong to the relevant Dome (Council).
7. The following shall have the right to submit an application to initiate a case regarding compliance of the national legal norms of Latvia to those international agreements entered into by Latvia, which are not contrary to the Constitution (Clause 9 of Article 16):
 1. the President of State;
 2. not less than twenty members of the Saeima;
 3. the Cabinet of Ministers;
 4. the Plenum of the Supreme Court;
 5. the Prosecutor General.

Chapter III PROCEEDINGS

Article 18. Submission of application

1. An application to the Constitutional Court to initiate a case (hereinafter — the application) shall be made in writing. The application must indicate:
 1. the applicant's name;
 2. the institution or official who issued the act which is disputed;
 3. an account of the true circumstances of the case;

4. the legal justification of the application;
5. the claim presented to the Constitutional Court.
2. Disputing several acts in one application shall be permissible only if:
 1. a normative act or a part thereof and legal norms of lesser legal force issued pursuant to same are disputed;
 2. the acts issued by an institution (official) are disputed because the establishment of the institution, or election, confirmation or appointment of the official did not take place as prescribed by law, or the institution or official has violated the law in a manner which renders the said acts invalid.
3. The application shall be signed by the applicant. If the application is submitted by an institution, it shall be signed by the head of it. If the application is submitted by not less than twenty members of the Saeima, it shall be signed by each of these members.
4. The application must be accompanied:
 1. if the application is submitted by an institution — by a decision of the institution;
 2. by explanations and documents necessary to determine circumstances of the case.

Article 19. Special provisions for accepting an
application by the Dome (Council) of a
municipality

1. The application by the Dome (Council) of a municipality pursuant to Clause 6, Paragraph 2 and Clause 5, Paragraph 4 of Article 17 of this Law shall be accepted only if the municipality is of the opinion that the regulations of the Cabinet of Ministers or other normative acts regulating municipal operations are contrary to the Constitution, the Law “On Municipalities” or other laws.
2. The application by the Dome (Council) of a municipality pursuant to Paragraph 6 of Article 17 of this Law shall be accepted as provided for in Article 49 of the Law “On Municipalities”.

Article 20. Initiating a case or refusal to initiate a
case

1. Upon receiving an application, the Chairperson of the Constitutional Court or a judge authorized by him/her, shall determine whether:
 1. the case comes under the jurisdiction of the Constitutional Court (Article 16);
 2. the applicant is entitled to submit an application (Article 17);
 3. the application complies with the general (Article 18) and specific (Article 19) requirements for accepting an application.
2. If the case comes under the jurisdiction of the Constitutional Court, if the applicant is entitled to submit the application and the application complies with the general and specific requirements for accepting an application, the judge shall adopt a decision to initiate the case.
3. If the case does not come under the jurisdiction of the Constitutional Court, or the applicant is not entitled to submit the application, or the application does not comply with the general and specific requirements for accepting an application, the judge shall adopt a decision to refuse to initiate the case. The judge may adopt a decision to refuse to initiate a case if the legal norm (act) which is disputed is no longer in effect.
4. The decision to initiate or to refuse to initiate a case shall be adopted by the judge within one month from the date the application was submitted. In complicated cases the Constitutional Court organizational session consisting of three judges may adopt a decision to extend this term to two months.
5. If a decision is adopted to initiate a case, within three days of adopting the decision:
 1. a copy of the decision shall be forwarded to participants in the case;

2. a copy of the application shall be forwarded to the institution or official who issued the act which is disputed;
 3. the institution or official who issued the act which is disputed shall be requested to submit a written reply describing the true circumstances and legal justification of the case by the date set by the judge of the Constitutional Court;
 4. a copy of the decision shall be forwarded for publication in the newspaper "Latvijas Vēstnesis".
6. If a decision is adopted to refuse to initiate a case, a copy of the decision shall be forwarded to the applicant within three days of its adoption, but in a case when the application is submitted by not less than twenty members of the Saeima — to their authorized representative.

Article 21. Procedure by which a decision to refuse
to initiate a case is appealed

1. A decision to refuse to initiate a case may be appealed to the Constitutional Court by the applicant within two weeks of receiving a copy of the decision.
2. The Constitutional Court consisting of three judges shall review at the organizational session the appeal within a month of receiving the appeal and adopt a decision to satisfy it and initiate the case, or dismiss the appeal.
3. If a decision is adopted to satisfy the appeal and initiate the case, within three days of its adoption:
 1. a copy of the decision shall be forwarded to participants in the case;
 2. a copy of the application shall be forwarded to the institution or official who issued the act which is disputed;
 3. the institution or official who issued the act which is disputed is requested to submit a written reply describing the true circumstances and legal justification of the case by the date set by the Constitutional Court;
 4. a copy of the decision shall be forwarded for publication in the newspaper "Latvijas Vēstnesis".
4. If a decision is adopted to dismiss the appeal, a copy of the decision shall be forwarded to the applicant within three days of adopting it, but in the case when the application is submitted by not less than twenty members of the Saeima — to their authorized representative.

Article 22. Preparing a case for review

1. After the case is initiated, the Chairperson of the Constitutional Court shall ask one of the judges to prepare it for review.
2. In preparing the case, if necessary, the judge shall:
 1. request additional explanations and documents from the applicant, the institution or official who issued the act which is disputed, or any state or municipal institution, office or official;
 2. invite specialists (experts) to give their opinion.
3. The case shall be prepared within not more than three months. In especially complicated cases the Constitutional Court at the organizational session consisting of three judges may adopt a decision to extend this term but not more than by two months.
4. The preparation of the case shall be completed by a decision of the Chairperson of the Constitutional Court to forward the case for review, setting the time and place for the session of the Constitutional Court.
5. The Court session shall be set down not later than three months after the adoption of the decision to forward the case for review.
6. Not later than 15 days before the session:
 1. participants in the case shall be notified of the time and place of the session;

2. notice of the time and place of the session shall be forwarded for publication in the newspaper "Latvijas Vēstnesis".

Article 23. Representation at the Constitutional Court

1. Participant in the case — the applicant as well as the institution or official who issued the act which is disputed — may perform procedural actions at the Constitutional Court himself/herself or be represented by his/her respective representative.
2. If the application is submitted by not less than twenty members of the Saeima, they shall be considered one procedural person. They may perform procedural actions by the agency of one authorized representative only. The first person, who has signed the application is considered to be the authorised representative, if the members of the Saeima have not decided it otherwise.
3. Participants in the case may employ the assistance of a sworn advocate. The sworn advocate has all the rights of the participant in the case with an exception of closing of proceedings. The authorisation of the sworn advocate shall be confirmed by an order (warrant). The participant in the case may entrust the sworn advocate with the responsibility of the authorised representative. This authorisation shall be confirmed by a written warrant.

Article 24. Rights of the participants in the case to examine case material

Following adoption of the decision to forward the case for review, participants in the case — the applicant and the institution or official who issued the act which is disputed — may examine the case material.

Article 25. Composition of the Court

1. The entire Constitutional Court shall review cases concerning:
 1. compliance of laws with the Constitution;
 2. compliance with the Constitution of international agreements signed or entered into by Latvia;
 3. compliance of resolutions of the Saeima with the Constitution and other laws;
 4. compliance with the Constitution and other laws of regulations and other normative acts of the Cabinet of Ministers;
 5. compliance of acts of the President of State, Chairperson of the Saeima and the Prime Minister with the Constitution and other laws.
2. Matters not mentioned in Paragraph 1 of this Article shall be reviewed by three judges of the Constitutional Court.
3. If the entire Constitutional Court reviews a case, it shall include all the judges of the Constitutional Court who are not excused from participating in the Court session because of health or other justified reasons. In this case there may not be less than five judges of the Constitutional Court. The session shall be chaired by the Chairperson of the Constitutional Court or his/her deputy.
4. If a case is reviewed by three judges of the Constitutional Court, the participating judges are selected by the Chairperson of the Constitutional Court, and these judges shall elect the Chairperson of the session from their midst.
5. No judge of the Constitutional Court shall get refusal to take part in the Court session.

Article 26. The procedure for reviewing cases

The procedure for reviewing cases is provided for by this Law and the law on the procedures of the Constitutional Court.

Article 27. Openness of Constitutional Court sessions

1. Sessions of the Constitutional Court shall be open except in cases when this is contrary to the interests of protecting state secrets. The decision to review a case in a closed session shall be adopted by the Constitutional Court.
2. A case shall be reviewed at a closed session observing all the provisions for proceedings. The Court verdict shall be announced publicly in all events.
3. Persons younger than sixteen years of age shall not be admitted to the court-room unless they are witnesses in the case under review.

Article 28. Sessions of the Constitutional Court

1. A session of the Constitutional Court is opened by the chairperson of the Court session. He/she shall announce the members of the Court, participants in the case and other persons involved in the case, and check their identity and authorizations.
2. The review of the case in essence begins with the report of a judge.
3. After the report, participants in the case describe the true circumstances of the case and the legal justification. The applicant is given the floor first.
4. Afterwards, if necessary, opinions of experts are heard and witnesses are questioned.
5. Next follow Court debates.
6. The session of the Constitutional Court ends with the announcement by the Chairperson of the Court session of the time the verdict will be announced.
7. The process of the Constitutional Court session shall be recorded on audio tape, and from it a stenographic report shall be prepared. The stenographic report shall be attached to the court record. The court record shall be signed by all the judges of the Constitutional Court participating in the case.

Article 29. Closing of proceedings

1. Proceedings in the case may be closed before the verdict is announced by a decision of the Constitutional Court:
 1. upon a written request of the applicant;
 2. if the disputed legal norm (act) is no longer in effect;
 3. if the Constitutional Court finds that the decision to initiate the case does not comply with the provisions of Paragraph 1, Article 21 of this Law.
2. If the decision to close proceedings is adopted, the copy of the decision shall be forwarded to the participants in the case and to the newspaper "Latvijas Vēstnesis" for publication not later than three days after adopting the decision.

Article 30. Reaching the verdict of the Constitutional Court

1. Following the session of the Constitutional Court, the judges shall meet to reach a verdict in the name of the Republic of Latvia.
2. The verdict shall be reached by a majority vote. The judges may vote only "for" or "against".
3. In the event of a tie vote the Court shall reach a verdict that the disputed legal norm (act) complies with the legal norm of higher force.
4. The verdict shall be announced not later than 15 days after the session of the Constitutional Court. The verdict shall be forwarded to the participants in the case not later than three days after the verdict is announced.
5. The verdict shall be signed by all the judges participating in the session of the Constitutional Court.

6. A judge who had voted against the opinion given in the verdict shall present his/her individual opinion in writing, which is attached to the case file, but is not announced at the Court session.

Article 31. Contents of the verdict of the
Constitutional Court

The verdict of the Constitutional Court shall indicate:

1. time and place of reaching the verdict;
2. membership of the Constitutional Court and secretary of the Court session;
3. participants in the case (indicating the applicant);
4. provision of this Law pursuant to which the Constitutional Court has reviewed the case;
5. the disputed legal norm (act);
6. circumstances established by the Constitutional Court;
7. arguments and proof justifying the conclusions of the Constitutional Court;
8. arguments and proof by which the Constitutional Court rejects this or other proof;
9. provision of the Constitution or other law pursuant to which the Constitutional Court considered whether the disputed legal norm (act) complies with the legal norm of higher force;
10. ruling of the Constitutional Court whether or not the disputed legal norm (act) complies with the legal norm of higher force;
11. the time by which the disputed legal norm (act) is no longer in effect, if the Constitutional Court has declared that the norm (act) does not comply with the legal norm of higher force;
12. a statement that the verdict of the Constitutional Court is final and may not be appealed.

Article 32. Force of a verdict of the Constitutional
Court

1. The verdict of the Constitutional Court is final. It shall come into legal effect at the time of announcement.
2. A verdict of the Constitutional Court shall be binding on all state and municipal institutions, offices and officials, including the courts, also natural and juridical persons.
3. Any legal norm (act) which the Constitutional Court has determined as incompatible with the legal norm of higher force shall be considered invalid as of the date of announcing the verdict of the Constitutional Court, unless the Constitutional Court has ruled otherwise.
4. If the Constitutional Court has recognized any international agreement signed or entered into by Latvia as incompatible with the Constitution, the Cabinet of Ministers is immediately obliged to see that the agreement is amended, denounced, suspended or the accession to that agreement is recalled.

Article 33. Publication of the verdict of the
Constitutional Court

1. The verdict of the Constitutional Court shall be published in the newspaper "Latvijas Vēstnesis" not later than within five days of being announced. The deciding part of the verdict shall also be published in the gazette "Latvijas Republikas Saeimas un Ministru Kabineta Ziņotājs".
2. Once a year the Constitutional Court shall publish a collection of verdicts of the Constitutional Court, including all verdicts in full and individual opinions of judges attached to cases.

Chapter IV
STATUS OF A JUDGE OF THE CONSTITUTIONAL COURT

Article 34. Restrictions concerning other paid
employment and participation in public affairs

1. A judge of the Constitutional Court may not fill another office or have other paid employment except in a teaching, scientific and creative capacity. He/she may not be a member of the Saeima or the Dome (Council) of a municipality.
2. The office of a judge of the Constitutional Court is incompatible with membership in a political organization (party) or the association of same. A judge of the Constitutional Court may be a member of other public organization or the association of same, however, he/she must use this right so as not to harm the dignity and reputation of a judge, the independence of the Court, and impartiality.

Article 35. Immunity of a judge of the
Constitutional Court

1. A judge of the Constitutional Court may not be criminally prosecuted or arrested without the consent of the Saeima.
2. A judge of the Constitutional Court may be detained, forcibly brought in and subjected to a search with the consent of the Constitutional Court only. These matters shall be reviewed by three judges of the Constitutional Court.
3. A judge of the Constitutional Court may be charged with disciplinary liability in case of administrative violations.

Article 36. Disciplinary liability of a judge of the
Constitutional Court

1. A judge of the Constitutional Court may be charged with disciplinary liability for:
 1. violating the restrictions provided for in Article 35 of this Law;
 2. failure to perform his/her duties of office;
 3. unbecoming conduct;
 4. an administrative violation.
2. A disciplinary case may be initiated by the Chairperson of the Constitutional Court, his/her deputy or not less than three judges of the Constitutional Court.
3. A disciplinary case shall be prepared for review by a judge appointed by the Chairperson of the Constitutional Court or his/her deputy.
4. A disciplinary case shall be reviewed by the entire Constitutional Court with all the judges of the Constitutional Court who are not excused for health or other justified reasons, participating. The judge against whom the disciplinary case is initiated, is not part of the court. In this case the court must consist of not less than four judges. The session shall be chaired by the Chairperson of the Constitutional Court or his/her deputy.
5. The Constitutional Court shall adopt a decision on a disciplinary case by a majority vote. In the event of a tie vote the case shall be dismissed.
6. When reviewing a disciplinary case, the Constitutional Court may:
 1. impose disciplinary punishment;
 2. recommend the removal of the judge of the Constitutional Court from office pursuant to Paragraph 3, Article 10 of this Law;
 3. dismiss the disciplinary case.
7. Disciplinary punishment which the Constitutional Court may impose on a judge shall be:
 1. reproof;
 2. admonition;
 3. reduction of basic salary for a period of one year, withholding up to 20% of the basic salary.

8. Disciplinary punishment does not exclude criminal and material liability of the judge of the Constitutional Court.

Chapter V
FINANCING OF THE CONSTITUTIONAL COURT,
REMUNERATION OF AND SOCIAL GUARANTEES FOR JUDGES

Article 37. Financing of the Constitutional Court

The Constitutional Court shall be financed from the state budget.

Article 38. Remuneration of judges of the
Constitutional Court

1. The salary of a judge of the Constitutional Court, the Chairperson of the Constitutional Court and his/her deputy shall be equal to the salary of a judge of the Supreme Court, the Chairperson of the Supreme Court and his/her deputy, respectively.
2. The Chairperson of the Constitutional Court shall receive additional remuneration for performing the duties of a chairperson, equal to the additional remuneration set for the Chairperson of the Supreme Court for performing the duties of Chairperson; the deputy Chairperson of the Constitutional Court for performing the duties of a deputy Chairperson shall receive an additional remuneration equal to the additional remuneration set for the deputy Chairperson of the Supreme Court for performing the duties of a deputy chairperson.
3. In addition to their basic salary, judges of the Constitutional Court shall receive additional remuneration provided for in legislative acts currently in effect for judges of the Supreme Court with the first class of qualification.

Article 39. Social guarantees for judges of the
Constitutional Court

All social guarantees and relief provided for judges in normative acts currently in effect shall also apply to judges of the Constitutional Court.

Chapter VI
OFFICIALS AND EMPLOYEES OF THE CONSTITUTIONAL COURT

Article 40. Officials and employees of the
Constitutional Court

1. The list of positions of officials and employees of the Constitutional Court shall be established by the Chairperson of the Constitutional Court within the limits of the Court's budget.
2. The employment relations between the Constitutional Court and its officials and employees shall be regulated by the Latvian Labour Code.
3. All benefits and social guarantees provided for officials and employees of the judiciary by the Law "On Judicial Power" and other normative acts currently in effect shall apply to the officials and employees of the Constitutional Court.

TRANSITIONAL PROVISIONS

1. Until the day when the law on the procedures of the Constitutional Court is enforced, the procedure for reviewing the cases shall be regulated by this Law and the Rules of the Constitutional Court.
2. The first session of the first Constitutional Court shall be called by the Minister of Justice within three days as of the day when at least five judges of the Constitutional Court have assumed their office. The Minister of Justice shall chair the sessions of the

first Constitutional Court until the Acting Chairperson of the Constitutional Court is elected, but if all the judges of the Constitutional Court have assumed office at the time when the session of the first Constitutional Court is convened, the Minister of Justice shall chair the session until the Chairperson of the Constitutional Court is elected.

3. If, at the time when the first session of the first Constitutional Court is convened, all the judges of the Constitutional Court have assumed office, the Constitutional Court shall elect the Chairperson of the Constitutional Court according to the procedure set in Article 12 of this Law. If not all the judges of the Constitutional Court have assumed office at this time, the Constitutional Court shall, by a simple majority vote, elect the Acting Chairperson of the Constitutional Court from among the judges which have assumed office. Only a judge of the Constitutional Court who has assumed office may be elected the Acting Chairperson of the Constitutional Court.
4. The Acting Chairperson of the Constitutional Court shall have full powers of the Chairperson of the Constitutional Court until the time when the Chairperson of the Constitutional Court is elected.
5. The Cabinet of Ministers shall give all the required support for the Constitutional Court to start its work. The Constitutional Court shall be provided with premises within one month as of the day when this Law takes effect.

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This Law was adopted by the Saeima on June 5, 1996.

The President of State G.Ulmanis

Riga, June 14, 1996

For purposes of interpretation, the original Latvian text is to be regarded as official.