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**EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW**

(VENICE COMMISSION)

**DRAFT AMENDMENTS  
TO THE LAW ON THE  
CONSTITUTIONAL COURT  
OF LATVIA**

**(Elaborated by the Justices  
of the Constitutional Court)**

## AMENDMENTS TO THE CONSTITUTIONAL COURT LAW

Wording of the Law in Effect	The draft of the Amendments
	To introduce the following Amendments to the Constitutional Court Law (the bulletin of the Saeima and the Cabinet of Ministers No.14, 1996; No.20, 1997):
	<b>1.</b> To substitute throughout the whole text of the Law the words "institution or official who issued the act which is disputed" with words " institution or official who issued the disputable act"
<p><b>Article 1. The Constitutional Court</b></p> <p>(2) The Constitutional Court shall hear cases pursuant to the Constitution and this Law only.</p>	<p><b>2.</b> To express the second Part of Article 1 in the following wording:  <b>"(2)</b> The Constitutional Court shall hear cases pursuant to the Constitution, this Law and the Procedural Law of the Constitutional Court".</p>
<p><b>Article 7. Term of office of a judge of the Constitutional Court</b></p> <p>(3) One and the same person may not be a judge of the Constitutional Court for more than 10 years concurrently.</p> <p><b>Article 8. Resignation or retirement of a judge of the Constitutional Court before expiry of his/her term of office</b></p> <p>(1) A judge of the Constitutional Court shall retire from office of a judge upon reaching the age of 70.</p>	<p><b>3.</b>To supplement the third Part of Article 7 and the first Part of Article 8 with words "with an exception of cases provided for in the third and fourth Parts of Article 11".</p>

<p><b>Article 11. Procedure for confirming a new judge of the Constitutional Court if the authority of office of a previous judge has terminated.</b></p> <p>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.</p>	<p><b>4. in Article 11:</b></p> <p>to consider the existing text of the Article as its first Part; to supplement it with the second, the third and the fourth Parts in the following wording:</p> <p>”(2) In cases when authority of office of a judge has terminated because of expiry of his/her term or upon reaching the age established in the first Part of Article 8, the Saeima, not later than a month before termination of authority of office, shall confirm another judge, who takes up his/her duties when the authority of the previous judge has terminated.</p> <p>”(3) If upon termination of authority of office of the Constitutional Court judge- or upon reaching the age established in the first Part of Article 8 of the Law - the Saeima has not confirmed another judge, the authority of the Constitutional Court judge shall be regarded as prolonged to the moment of confirmation by the Saeima of a new judge and he/she has sworn the oath.</p> <p>”(4) The Constitutional Court judge, whose authority has terminated or who has reached the age established in the first Part of Article 8, continues carrying out the duties of the Constitutional Court judge in reviewing the cases, proceedings of which have been commenced in his presence.</p>
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<p><b>Article 17. The right to submit an application</b></p> <p>(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, Article 16), and compliance of resolutions of the Saeima with the Constitution and other laws (Clause 3, Article 16):</p> <ol style="list-style-type: none"> <li>1) the President of State;</li> <li>2) not less than 20 members of the Saeima;</li> <li>3) the Cabinet of Ministers;</li> <li>4) the Plenum of the Supreme Court;</li> <li>5) the Prosecutor General;</li> <li>6) The Council of the State Control.</li> </ol> <p>(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):</p> <ol style="list-style-type: none"> <li>1) the President of State;</li> <li>2) the Saeima;</li> <li>3) not less than 20 members of the Saeima;</li> <li>4) the Plenum of the Supreme Court;</li> <li>5) the Prosecutor General;</li> <li>6) the Dome (Council) of a municipality;</li> <li>7) the Council of the State Control;</li> <li>8) the State Human Rights Bureau.</li> </ol>	<p><b>5. in Article 17 :</b></p> <p>To supplement the first Part with Clauses 7 – 11 in the following wording:</p> <p>” 7) the Dome (Council) of a municipality;</p> <ol style="list-style-type: none"> <li>8) the State Human Rights Bureau;</li> <li>9) a court, when reviewing an administrative, civil or criminal case;</li> <li>10) a judge of the Land Registry, when registering real estate- and thus confirming property rights on it- in the Land Book;</li> <li>11) a person, whose fundamental constitutional rights have been violated.”</li> </ol> <p>To supplement the second Part with Clauses 9 – 11 in the following wording:</p> <p>” 9) a court when reviewing an administrative, civil or criminal case;</p> <ol style="list-style-type: none"> <li>10) a judge of the Land Registry when registering real estate- or thus confirming property rights on it – in the Land Book;</li> <li>11) a person, whose fundamental constitutional rights have been violated.”</li> </ol>
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<p><b>(3)</b> 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):</p> <ul style="list-style-type: none"> <li>1) the President of State;</li> <li>2) the Saeima;</li> <li>3) not less than twenty members of the Saeima;</li> <li>4) the Cabinet of Ministers;</li> <li>5) the Plenum of the Supreme Court ;</li> <li>6) the Prosecutor General;</li> <li>7) the Council of the State Control.</li> </ul> <p><b>(4)</b> 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, Article 16):</p> <ul style="list-style-type: none"> <li>1) the Saeima;</li> <li>2) not less than 20 members of the Saeima;</li> <li>3) the Plenum of the Supreme Court;</li> <li>4) the Prosecutor General;</li> <li>5) the Dome (Council) of a municipality;</li> <li>6) the Council of the State Control;</li> <li>7) the State Human Rights Bureau.</li> </ul>	<p>To supplement the third Part with Clauses 8 – 11 in the following wording:</p> <ul style="list-style-type: none"> <li>” 8) the State Human Rights Bureau;</li> <li>9) a court, when reviewing an administrative, civil or criminal case;</li> <li>10) a judge of the Land Registry when registering real estate – or thus confirming property rights on it – in the Land Book;</li> <li>11) a person, whose fundamental constitutional rights have been violated.”</li> </ul> <p>To supplement the fourth Part with Clauses 8 – 10 in the following wording:</p> <ul style="list-style-type: none"> <li>” 8) a court, when reviewing an administrative, civil or criminal case;</li> <li>9) a judge of the Land Registry when registering real estate – or thus confirming the property rights on it – in the Land Book;</li> <li>10) a person, whose fundamental constitutional rights have been violated.</li> </ul>
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<p>(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, Article 16):</p> <ol style="list-style-type: none"> <li>1) ministers duly authorized by law;</li> <li>2) the Plenum of the Supreme Court;</li> <li>3) the Prosecutor General;</li> <li>4) the Council of the State Control.</li> </ol> <p>(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, Article 16):</p> <ol style="list-style-type: none"> <li>1) the President of State;</li> <li>2) not less than twenty members of the Saeima;</li> <li>3) the Cabinet of Ministers;</li> <li>4) the Plenum of the Supreme Court;</li> <li>5) the Prosecutor General.</li> </ol>	<p>To supplement the fifth Part with Clauses 5 –8 in the following wording:</p> <ol style="list-style-type: none"> <li>”5) the State Human Rights Bureau;</li> <li>6) a court when reviewing an administrative, civil or criminal case;</li> <li>7) a judge of the Land Registry when registering real estate – or thus confirming property rights on it- in the Land Book;</li> <li>8) a person, whose fundamental constitutional rights have been violated.”</li> </ol> <p>To supplement the seventh Part with Clauses 6 – 10 in the following wording:</p> <ol style="list-style-type: none"> <li>6) the Dome (Council) of a municipality;</li> <li>7) the State Human Rights Bureau;</li> <li>8) a court, when reviewing an administrative, civil or criminal case;</li> <li>9) a judge of the Land Registry when registering real estate-or thus confirming property rights on it- in the Land Book;</li> <li>10) a person, whose fundamental constitutional rights have been violated.”</li> </ol>
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### **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:
- n 1) 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, the head of it shall sign 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 shall be accompanied:
- 1) if the application is submitted by a collegial institution- by a decision of the institution;
  - 2) by explanations and documents necessary to determine circumstances of the case.

6. To supplement Article 18 with the fifth Part in the following wording:

”(5) Application on a claim already reviewed at the Constitutional Court shall not be submitted.”

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

7. To change the title of Article 19 and its first Part to read as follows:

**" Article 19. An application by the Dome (Council) of a municipality**

(1) The application by the Dome (Council) of a municipality in accordance with Clause 1, Paragraph 2 ; Clause 2, Paragraph 6, Clause 4, Paragraph 5 and Clause 7, Paragraph 6 may be submitted only if the debatable act violates the rights of the respective municipality.

To supplement Article 19 with 19<sup>1</sup> and 19<sup>2</sup> in the following wording:

**" Article 19<sup>1</sup>. Application by a court (a judge of the Land Registry)**

(1) The application of a court ( a judge of the Land Registry) shall be submitted to the Constitutional Court by the Chamber or Senate of the Supreme Court, the Regional court, the District (City) court as well as the judge of the Land Registry.

(2) The application may be submitted if:

- 1) a court, which - when reviewing a civil, criminal or administrative case in the first instance, under the procedure of cassation or appeal- holds that the norm to be applied to the case does not comply with the legal norm of higher force;



	<p>2) a judge of the Land Registry, when registering the real estate and confirming the right to the property in the Land Book, is of the opinion that the norm to be applied does not comply with the legal norm (act) of higher force.”</p> <p><b>(3)</b> The application shall be expressed in the form of a motivated decision. The decision is adopted and signed by the court, which is reviewing the respective civil, criminal or administrative case or by the judge of the Land Registry registering real estate or confirming the right to it in the Land Register.</p> <p><b>(4)</b> Documents, substantiating the decision of the court (a judge of the Land Registry) shall be added to it. When necessary, the respective civil, criminal or administrative case may be added to the decision as well.</p> <p><b>(5)</b> Contesting of several acts in the decision of the court (a judge of the Land Book Register) is admissible if during the review of a civil, criminal or administrative case or a request to confirm property rights it is necessary to apply all the acts.</p>
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**Article 19<sup>2</sup>. Constitutional Claim ( application)**

(1) Any person who holds that his/her fundamental constitutional rights have been violated by applying a normative act, which is not in compliance with the legal norm of higher force, may submit a claim (application) to the Constitutional Court.

(2) The constitutional claim shall be submitted only after exhausting all the possibilities of protecting the above rights with other legal means (a claim to a higher institution or official, a claim or application to a general court etc.).

(3) A constitutional claim may be submitted to the Constitutional Court within 6 months from the date of the decision of the last institution becoming effective.

(4) Submitting of the constitutional claim does not suspend the execution of the court decision.

(5) In addition to contents of the constitutional claim (application), mentioned in the first Part of Article 18 of this law, it must substantiate that:

- 1) the fundamental constitutional rights of the applicant have been violated;
- 2) all the other legal means of protection have been exhausted or there are no other means.

(6) One shall add to the constitutional claim:

- 1) explanations and documents necessary to size up the conditions of the case;
- 2) documents confirming the fact that all the other legal means of protection have been exhausted.

**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.

8. To express Articles **20** and **21** in the following wording:

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

(1) The Constitutional Court judge, appointed by the Chairperson, examines the application and adopts a decision to initiate a case or to refuse to initiate a case if the application is submitted by:

- 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 Council of the State Control;
- 7) the State Human Rights Bureau;
- 8) the Dome (Council) of a municipality;
- 9) a minister authorized by the Cabinet of Ministers.

(2) The judge, reviewing the applications by the persons named in the first Part of the Article, experiences the right of refusing to initiate a case when:

- 1) the case is not within the jurisdiction of the Constitutional Court;
- 2) the applicant is not entitled to submit the application;
- 3) the application does not comply with the requirements of Articles 18 or 19 of this Law.

<p><b>(4)</b> 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.</p> <p><b>(5)</b> If a decision is adopted to initiate a case, within three days of adopting the decision:</p> <ol style="list-style-type: none"> <li>1) a copy of the application shall be forwarded to participants in the case;</li> <li>2) a copy of the application shall be forwarded to the institution or official who issued the act which is disputed;</li> <li>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;</li> <li>4) a copy of the decision shall be forwarded for publication in the newspaper "Latvijas Vēstnesis".</li> </ol> <p><b>(6)</b> 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.</p>	<p><b>(3)</b> The Constitutional Court consisting of three judges shall review the application and adopt a decision to initiate a case or refuse to initiate a case if the application has been submitted by:</p> <ol style="list-style-type: none"> <li>1) a court ( a judge of the Land Registry);</li> <li>2) a person whose fundamental constitutional rights have been violated.</li> </ol> <p><b>(4)</b> The Constitutional Court establishes (with the absolute majority of vote) one or several panels, consisting of three judges, to review the cases mentioned in the third Part of this Article. The Rules of Procedure of the Constitutional Court establish the procedure of replacing a judge who is excused from participating in the Panel session because of health or other justified reasons.</p> <p><b>(5)</b> When reviewing an application by a court (a judge of the Land Registry), the Panel has the right of refusing to initiate a case if:</p> <ol style="list-style-type: none"> <li>1) the case is not within jurisdiction of the Constitutional Court;</li> <li>2) the applicant is not entitled to submit the application;</li> <li>3) the application does not comply with the requirements of Articles 18 and 19 of this Law.</li> </ol> <p><b>(6)</b> When reviewing the constitutional claim the Panel has the right of refusing to initiate a case if:</p> <ol style="list-style-type: none"> <li>1) the case is not within jurisdiction of the Constitutional Court;</li> <li>2) the applicant is not entitled to submit the application;</li> </ol>
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	<p>3) the application does not comply with the requirements of Articles 18 and 19 of this Law;</p> <p>4) the legal justification of the claim is evidently insufficient to satisfy the appeal.</p> <p><b>(7)</b> The judge or the Panel adopts a decision to initiate a case or to refuse to initiate a case within a month of receiving the submitted application. In complicated cases the Constitutional Court may adopt a decision to extend this term to two months.</p> <p><b>(8)</b> The decision of the Panel on initiating a case or refusing to initiate a case is allowing of no appeal.</p> <p><b>(9)</b> If a decision is adopted to initiate a case, within three days of adopting the decision:</p> <ol style="list-style-type: none"> <li>1) a copy of the decision shall be forwarded to the participants in the case;</li> <li>2) a copy of the application is forwarded to the institution or official who issued the disputable act;</li> <li>3) the institution or official who issued the disputable act is 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;</li> <li>4) a copy of the substantive provisions of the decision is forwarded for publication in the newspaper "Latvijas Vēstnesis".</li> </ol> <p><b>(10)</b> 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 case when the application is submitted by not less than one third of the Saeima deputies – to their authorized representative.</p>
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**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".
- (5) 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 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 of a Constitutional Court judge to initiate a case or to refuse to initiate a case is appealed**

- (1) A decision of the Constitutional Court judge 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 institution or official who issued the disputable act may appeal to the Constitutional Court within two weeks of receiving the decision of the Constitutional Court judge to initiate a case.
- (3) The Panel reviews a complaint on the decision of the Constitutional Court judge to initiate a case or to refuse to initiate a case.
- (4) The complaint shall be reviewed within a month of receiving it.
- (5) If a decision is adopted to satisfy the complaint and initiate a case, within three days of its adoption:
  - 1) a copy of the decision shall be forwarded to the participants in the case;
  - 2) a copy of the decision shall be forwarded to the institution or official who issued the disputable act;
  - 3) the institution or official who issued the disputable act 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".

	<p>(6) If a decision is adopted to satisfy the complaint and repeal the decision to initiate a case, within three days of its adoption a copy of the decision shall be forwarded to the submitter of the complaint, but in the case when the application is submitted by not less than twenty deputies of the Saeima - to its authorized representative. A copy of the decision shall be forwarded for publication in the newspaper "Latvijas Vēstnesis".</p> <p>(7) If a decision is adopted to dismiss the complaint, within three days of adopting it, a copy of the decision shall be forwarded to the submitter of the complaint , but in the case when the application is submitted by not less than twenty deputies of the Saeima – to their authorized representative.</p>
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<p><b>Article 25. Composition of the Court</b></p> <p>(1) The entire Constitutional Court shall review cases concerning:</p> <ol style="list-style-type: none"> <li>1) compliance of laws with the Constitution;</li> <li>2) compliance with the Constitution of international agreements signed or entered into by Latvia;</li> <li>3) compliance of resolutions of the Saeima with the Constitution and other laws;</li> <li>4) compliance with the Constitution and other laws of regulations and other normative acts of the Cabinet of Ministers;</li> <li>5) compliance of acts of the President of State, Chairperson of the Saeima and the Prime Minister with the Constitution and other laws.</li> </ol>	<p><b>10.</b> To supplement the first Part of Article <b>25</b> with Clause 6 in the following wording:</p> <p>”6) Compliance of the legal norms of national rights of Latvia with those international agreements entered into by Latvia , which are not at variance with the Satversme (Constitution).</p> <hr/> <p><b>11.</b> To supplement Article <b>28</b> with Article <b>28<sup>1</sup></b> in the following wording:</p> <p><b>” Article 28<sup>1</sup>. Court proceedings in writing</b></p> <p>(1) In cases when the documents submitted together with the application suffice, it is possible to hold court proceedings in writing, without the participants in case attending the court session. The Chairperson of the Court shall make the decision to prepare the case for review in writing.</p> <p>.</p> <p>(2) Proceedings, initiated after receiving applications by persons named in the first part of Article 20 and if the applicant or the institution or official who issued the disputable act requests</p>
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<p><b>Article 29. Closing of proceedings</b></p> <p>(1) Proceedings in the case may be closed before the verdict is announced by a decision of the Constitutional Court:</p> <ol style="list-style-type: none"> <li>1) upon a written request of the applicant;</li> <li>2) if the disputed legal norm (act) is no longer in effect;</li> <li>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.</li> </ol>	<p>reviewing the case in the presence of the participants, shall not be held in writing.</p> <p>(3) Court proceedings in writing shall be held and the decision shall be reached in the conference chamber.</p> <hr/> <p><b>12. In Article 29:</b></p> <p>To delete Clause 3 of the first Part;  To supplement the Article –after its first Part -with a new Part in the following wording:  ” (2) Proceedings in the case may be closed before announcing the decision by a ruling of the Constitutional Court if:</p> <ol style="list-style-type: none"> <li>1) the Constitutional Court establishes that the decision to initiate a case does not comply with the requirements of Article 20;</li> <li>2) a decision on the same issue has been declared in another case.”</li> </ol> <p>To regard the existing second Part as the third one.</p>
<p><b>Article 30. Reaching the verdict of the Constitutional Court</b></p> <p>(5) The verdict shall be signed by all the judges participating in the session of the Constitutional Court.</p>	<p><b>13. To express the fifth Part of Article 30 in the following wording:</b></p> <p>” (5) The decision shall be signed by the Chairperson and the secretary of the Court session.</p>

### **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 from 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.

**14.** To supplement Article **31** with Clause 12 in a new wording:

” 12) other rulings, if necessary;”

To consider Clause 12 of the Article as Clause 13.

### **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.

#### **14. In Article 32:**

To supplement the second Part with the second sentence in the following wording:

” (2) If the proceedings have been held in writing , the 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 publishing the decision in the newspaper ”Latvijas Vēstnesis”, unless the Constitutional Court has ruled otherwise;”

To supplement the Article with the fifth Part in the following wording:

”(5) In cases when the constitutional claim has been reviewed and the Court has ruled that the disputable legal norm (act), as regards the applicant of the case on which the constitutional complaint was submitted, was incompatible with the legal norm of higher force, the disputable legal norm shall be considered invalid as of the date of it taking effect.”