



Legislation

Law On Archives

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*N.B. If a whole or part of a section has been amended, the date of the amending law appears in square brackets at the end of the section. If a whole section, paragraph or clause has been deleted, the date of the deletion appears in square brackets beside the deleted section, paragraph or clause.*

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**Expired 31.12.2010.**

The Supreme Council of the  
Republic of Latvia has adopted a

## Law On Archives

The Law of the Republic of Latvia On Archives prescribes the basic principles for the creation, preservation, use and management of the National Archival Fond of Latvia.

The National Archival Fond of Latvia shall consist of the documents which have been created during the process of national, economic, socio-political, social and cultural development of the Latvian people and the national groups that have lived and continue to live in Latvia and which contain information that is valuable to society regardless of the place and time of drawing up of such documents, as well as the type of information recording.

### Terms used in this law:

**ARCHIVAL ADMINISTRATION** – a sector of State and public activity which includes organisation of the storage and use of archival documents.

**ARCHIVAL FOND** – a collection of documents stored in the archives of an institution or State, which has been created during the activities of the institution or a person.

**LEGALISED COPY OF A DOCUMENT** – a copy of a document certified by the State Archives.

**DOCUMENT** – recording of information of objects of objective reality and human thought with the aid of characters, graphic art, photography, sound recording and other means on any information medium (paper, film, floppy disk, etc.).  
[21 October 1993]

### Section 1. National Archival Fond of Latvia

The National Archival Fond of Latvia shall consist of:

1) the State Archival Fond. This Fond shall be formed by documents accumulated in State Archives, other State repositories, highest and local State authorities and administrative bodies, courts, arbitrations, the Prosecutor's Office, other State institutions, undertakings and organisations (regardless of subordination thereof);

2) the Archival Fond of non-governmental, co-operative and denominational organisations and other legal persons. This Fond shall be formed by documents containing valuable information accumulated during the activities of non-governmental, co-operative and denominational organisations, as well as social movements, creative communities and associations, economic undertakings and other legal persons; and

3) the archival fond (documents) of natural persons. This fond shall be formed by documents containing valuable information accumulated during the life and activities of natural persons, their family or kin.

The National Archival Fond of Latvia shall be a national treasure of the Republic of Latvia and within the jurisdiction thereof. Creation and preservation of the National Archival Fond of Latvia is the duty of State institutions and non-governmental organisations, as well as every citizen of the Republic of Latvia.

## **Section 2. Property of the National Archival Fond of Latvia**

The State Archival Fond shall be the property of the Republic of Latvia. Documents of the State Archival Fond may not be an object to be purchased and sold, as well as used in other transactions resulting in the violation of the State ownership rights to these documents.

The Archival Fonds of non-governmental, co-operative and denominational organisations and other legal persons shall be the property of these legal persons. Transfer of the ownership rights of the archives of one legal person to another person shall be co-ordinated with the national supervisory institutions of the National Archival Fond of Latvia.

Archives (documents) of natural persons shall be the private property of these persons. The State Archives may acquire them into their ownership upon an agreement with the owner. If documents of archives or the whole archives of a natural person are being sold in an auction, the State Archives have the pre-emptive rights for a bid price.

If the owner of the archives is unknown or has lost the rights to the property, or the archives have become a property in abeyance, the archives shall become the property of the State in accordance with the procedures specified in the Law.

If archival fonds of a non-governmental, co-operative and denominational organisation and other legal person are not accounted or preservation or use thereof in accordance with the specified procedures is not ensured, such archives may be alienated in accordance with the procedures specified in legislation and transferred into State ownership. Expenditure related to the processing of documents shall be covered by the previous owner of the archives.

## **Section 3. Recovery of Documents of Latvia's Historic Heritage from Foreign States**

The Cabinet and officials of State institutions have a duty to promote, support and finance the recovery of documents of Latvia's historic heritage which have left the Republic of Latvia.

*[21 October 1993]*

## **Section 4. National Supervision of the National Archival Fond of Latvia**

National supervisory institutions of the National Archival Fond of Latvia shall be the Directorate General of the State Archives of Latvia and the State Archives. Regulatory enactments which have been issued thereby and which apply to the National Archival Fond of Latvia, shall be binding to State and local government institutions, as well as undertakings and organisations of all types. National supervisory institutions of the National Archival Fond of Latvia shall control the provision of creation, accounting, preservation and use of archival fond.

*[21 October 1993]*

## **Section 5. State Archival System**

The State Archival System shall be formed by the state archival institutions, the State Archive of Personnel Records, as well as archival units. The state archival institutions shall be legal persons. The State Archival System shall be managed by the Directorate General of the State Archives. The Directorate General of the State Archives shall be supervised by the Ministry of Culture. The by-laws of the Directorate General of the State Archives shall be approved by the Cabinet.

*[23 November 2000]*

## **Section 6. Director General of the State Archives**

The State Archival System of the Republic of Latvia shall be managed by the Director General of the State Archives, which shall be approved by the Cabinet upon recommendation of the Minister for Culture. The Director General of the State Archives shall be responsible to the Minister for Culture for the operation of the State Archival System at large. The Director General of the State Archives shall submit a report on the operation of the State Archival System and the Directorate General of the State Archives to the Cabinet not less than once a year.

The Director General of the State Archives shall appoint his or her deputy.

To assist in the implementation of his or her functions, The Director General of the State Archives shall establish a Directorate General of the State Archives, appoint directors of the State Archives and managers of units directly subordinate to him or her, approve the by-laws of units of the State Archival System.

The Director General of the State Archives shall issue instructional and other documents on issues related to the

organisation of work of archives and national supervision of the Latvian National Archival Fond, and they shall be binding to officials of State institutions, as well as undertakings and organisations of all types.

[21 October 1993; 23 November 2000]

### **Section 7. Council of the State Archives**

[21 October 1993]

### **Section 8. State Archives**

The State Archives shall accumulate documents, ensure preservation, as well as operative use thereof in the interests of State, society and citizens. For this purpose the State Archives shall organise and perform scientific work, publish informative issues and prepare publications of documents, provide methodological assistance to legal and natural persons in control, preservation and use of documents.

The State Archives may take over archival fonds of legal and natural persons in paid or free of charge storage on the basis of a contract.

The State Archives upon agreement with natural or legal persons have the right to ask for or make copies of important documents owned by them.

### **Section 9. Archives of State Institutions, Undertakings and Organisations**

State authorities and administrative bodies, institutions, undertakings and organisations shall ensure the accumulation, accounting, preservation and use of documents containing valuable information pursuant to the requirements of national supervisory institutions of the National Archival Fond of Latvia.

Managers of State authorities and administrative bodies, institutions, undertakings and organisations shall be responsible for the accumulation, accounting, preservation and use of documents.

Archives shall be transferred for storage to the State Archives within the time periods specified by the national supervisory institutions of the National Archival Fond of Latvia.

The State Archives are entitled to freely use the documents transferred to the fonds thereof if it is not in contradiction with this Law and other laws of the Republic of Latvia.

### **Section 10. Other State repositories**

Upon proposal of State administration or local government institutions the Director General of the State Archives may also approve the rights of the State repository to such institutions in which documents of the National Archival Fond of Latvia have historically been created and accumulated. Fonds of such repositories shall not be supplemented with the accounting documents to be transferred to the State Archives.

[21 October 1993]

### **Section 11. Archival Fonds of Non-governmental, Co-operative and Denominational Organisations and Other Legal Persons**

Accumulation, accounting and preservation of documents of non-governmental, co-operative and denominational organisations and other legal persons shall be ensured by the holder of documents, taking into account the requirements of the national supervisory institutions of the National Archival Fond of Latvia.

Non-governmental, co-operative and denominational organisations and other legal persons may transfer their archival fonds to the State Archives in permanent or depository storage.

### **Section 12. Transfer of Archival Fonds of State Authorities and Administrative Bodies, Undertakings, Organisations, as well as Non-governmental, Co-operative and Denominational Organisations and Other Legal Persons to be Liquidated or Reorganised**

If State authorities and administrative bodies, undertakings, organisations, as well as non-governmental, co-operative and denominational organisations and other legal persons are being liquidated or reorganised, the transfer of archival fonds thereof for further preservation shall be co-ordinated with the national supervisory institutions of the National Archival Fond of Latvia.

Managers of an institution, undertaking or organisation and other legal persons shall be responsible for the preservation of the archival fonds of the respective institution, undertaking or organisation and other legal persons to be liquidated or reorganised.

[21 October 1993]

### **Section 13. Accounting of the National Archival Fond of Latvia**

National supervisory institutions of the National Archival Fond of Latvia shall keep an account of archival fonds of State institutions, undertakings and organisations, as well as non-governmental, co-operative and denominational organisations and other legal persons in the Central Catalogue of the National Archival Fond of Latvia. The referred to organisations shall submit specific samples of accounting documents to the national supervisory institutions of the National Archival Fond of Latvia each year.

Fonds and collections of natural persons, which have a specific significance in the history and culture of Latvia, may be listed in the Central Catalogue if the keeper of the fond agrees to that.

### **Section 14. Financing of the National Archival Fond of Latvia**

The Cabinet shall ensure and finance the activity of the State Archives and the establishment of material and technical facilities thereof. Resources of the State Archives may be supplemented by voluntary donations, as well as other income. Local governments shall promote the provision of material and technical facilities of the State Archives.

Other State repositories, as well as State institutions, undertakings and organisations shall maintain their archival fonds from their own resources.

Archival fonds of non-governmental, co-operative and denominational organisations and other legal persons shall be maintained from the resources of the fond keepers.

The State may aid the keepers of archival (document) fonds of legal and natural persons from resources thereof.  
*[21 October 1993]*

### **Section 15. Use of Documents of the National Archival Fond of Latvia**

Citizens of Latvia and other states, institutions, undertakings and organisations are entitled to use documents of the State Archival Fonds of Latvia in accordance with prescribed procedures.

All archival material shall be used in reading rooms free of charge, except for the supplementary services provided.

Documents belonging to non-governmental, co-operative and denominational organisations and other legal and natural persons may only be used with the consent thereof.

Citizens may request statements regarding themselves, persons under their care and deceased relatives from the State Archives, State institutions, undertakings and organisations and other legal persons.

The State Archives shall issue archival statements upon the request of citizens and institutions on the basis of all documents at the disposal thereof.

Archival statements shall be issued to State institutions, undertakings and organisations, as well as non-governmental, co-operative and denominational organisations and other legal persons on the basis of documents created during the operation of such institutions. Such archives shall store personnel documents for 75 years until their transfer to the State Archives.

Documents containing secret information may be used in accordance with the procedures specified in the laws of the Republic of Latvia.

### **Section 16. Prohibition to Destroy Documents of the National Archival Fond of Latvia**

It is prohibited to destroy the documents of the State Archival Fonds, documents of the archives (fonds) of non-governmental, co-operative and denominational organisations and other legal persons without the permission of the national supervisory institutions of the National Archival Fond of Latvia. National supervisory institutions of the National Archival Fond of Latvia shall prescribe the procedures for the disposal of documents.

### **Section 17. Exportation of Documents from the Republic of Latvia**

Documents of the State Archival Fond, except those referred to in Paragraph two of this Section, may be temporarily exported from the Republic of Latvia in accordance with the procedures specified by the Cabinet.

Documents of the State Archival Fond, which are cultural monuments, may be temporarily exported from the Republic of Latvia if a permit of the Directorate General of the State Archives has been secured and the procedures for exportation of art and antique articles specified in the Law on Protection of Cultural Monuments have been complied with.

Exchange or transfer of documents created in the territory of another state, which are in the State Archival Fond, shall take place in accordance with the procedures specified in international contracts.

[16 June 2005]

**Section 18. Liability for Violations of this Law**

Officials and other persons who have violated the requirements included in the Law of the Republic of Latvia On Archives, shall be held liable in accordance with the procedures specified in the legal acts of the Republic of Latvia.

Chairperson of the Supreme Council of the Republic of Latvia

A. Gorbunovs

Secretary of the Supreme Council of the Republic of Latvia

I. Daudišs

Riga, 26 March 1991

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