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Republic of Latvia

Cabinet

Regulation No. 818

Adopted 27 November 2007

## **Procedures by Which the Commission Shall Be Established to Evaluate Reasons for the Dismissal of the Head of the Corruption Prevention and Combating Bureau**

*Issued pursuant to  
Section 5, Paragraph seven  
of the Law On Corruption Prevention and Combating Bureau*

### **I. General Provisions**

1. These Regulations prescribe the procedures by which the Commission shall be established (hereinafter – Commission) to evaluate the reasons referred to in Section 5, Paragraph six, Clauses 5, 8 and 12 of the Law On Corruption Prevention and Combating Bureau (hereinafter – Law) for the dismissal of the Head of the Corruption Prevention and Combating Bureau (hereinafter – Head of the Bureau).
2. The Commission shall be established by the Cabinet, taking into account the information provided by the Prosecutor General or the Prime Minister, which justifies the reasons referred to in Section 5, Paragraph six, Clauses 5, 8 or 12 of the Law for the dismissal of the Head of the Bureau.

### **II. Composition of the Commission**

3. The Commission is a collegial advisory authority which provides an opinion to the Cabinet whether there is a basis for the dismissal of the Head of the Bureau in accordance with Section 5, Paragraph six, Clauses 5, 8 or 12 of the Law.
4. The Commission shall include:
  - 4.1. Prosecutor General or Chief Prosecutor specially authorised by him or her;
  - 4.2. Director of the Constitution Protection Bureau;
  - 4.3. Chief of the Security Police;
  - 4.4. a minister authorised by the Cabinet; and
  - 4.5. the Chair of the National Security Committee of the *Saeima*.
5. The term of office of the Commission shall end on the day of approval of the recommendation by the Cabinet referred to in Section 4, Paragraph one of the Law, if the Cabinet has not decided otherwise.

6. The Commission is managed by the Prosecutor General or Chief Prosecutor specially authorised by him or her. The Deputy of the Head of the Commission shall be elected in the first session of the Commission by members of the Commission by a simple majority vote.

### **III. Principles of Operation of the Commission and the Taking of Decisions**

7. The Head of Commission shall convene Commission meetings. The Head of the Commission shall notify the members of the Commission regarding the current Commission meeting at least one working day before the meeting.

8. Meeting is chaired by the Head of Commission. During the absence of the Head of Commission, his or her duties shall be fulfilled by the Deputy Head of the Commission.

9. The Commission meetings shall be closed. Commission meetings shall be opened if not less than two thirds of the members of the Commission vote in favour and the observance of the requirements specified in the regulatory enactments, related to the protection of the data of natural persons and State secret, is ensured.

10. The Commission shall have a quorum if more than one half of the Commission members are present at a Commission meeting.

11. If necessary, specialists of the relevant field may be invited to the meeting. Invited specialists have no right to vote in the taking of a decision by the Commission.

12. The Head of Commission is entitled to request any information from State administrative authorities and the Head of the Bureau, which is necessary for the evaluation of the reasons referred to in Section 5, Paragraph six, Clauses 5, 8 or 12 of the Law.

13. Decisions of the Commission shall be taken by a simple majority vote by open ballot. In the event of a tied vote, the vote of the Head of the Commission shall be decisive.

14. The Commission shall evaluate the submitted information and documents justifying the reasons referred to in Section 5, Paragraph six, Clauses 5, 8 or 12 of the Law for dismissal of the Head of the Bureau and, if necessary, shall hear the Head of the Bureau, as well as take a decision on whether there is a basis for the dismissal of the Head of the Bureau.

15. The Commission shall draw up a decision in the form of a written opinion. A decision and justification thereof shall be included in the opinion. The Commission shall submit the opinion to the President within two working days after taking of the decision.

16. If in the opinion the Commission indicates that the reasons referred to in Section 5, Paragraph six, Clauses 5, 8 or 12 of the Law have been detected, the President shall, within five working days, submit to the Cabinet a draft recommendation regarding the dismissal of the Head of the Bureau in accordance with the procedures specified in regulatory enactments.

17. A Commission member who disagrees with the justification of a decision indicated in the Commission opinion shall submit reasoned objections in writing. The minute taker shall make the relevant notation regarding the referred to fact in the minutes of the Commission meeting.

