

APPROVED:
LBS BSSI Head

Administrator M. Straume

14.09.2018

(with amendments dated 18.02.2021)

BY-LAW

Regarding the Issue of a Permit to Foreign Construction Specialists for the Short-Term Provision of Services in their Regulated Profession

1. General Provisions

1.1 This by-law stipulates the required documents, conditions and procedure for the issue of a permit to a foreign construction specialist for the short-term provision of services in their regulated profession in conformity with the requirements, which are stipulated in Cabinet Regulations No.47 of 21 January 2021 "Procedures for the Provision of Short-Term Professional Services in a Profession Regulated in the Republic of Latvia" (hereinafter referred to as - the Regulations).

1.2 In order to prove his/her professional compliance with the conditions, which are stipulated by the criteria specified in the Regulations, the Candidate must submit the following documents to the LBS BSSI office:

- 1.2.1. A declaration (an annex to this by-law (Annex 2 to the Regulations)), in conformity with the requirements of the Regulations, which is filled in the official state language;
- 1.2.2. A copy of a personal identity document with a translation into Latvian;
- 1.2.3. A copy of a document certifying the candidate's nationality, enclosing a translation of the document in the official state language, if the candidate's nationality is not specified in his personal identity document;
- 1.2.4. Documents that certify education and professional qualifications (notarially certified copies with translations into Latvian) corresponding to the profession specified in the declaration;
- 1.2.5. Original documents issued by competent institutions in a country with legal standing or notarially certified derivatives with translations into Latvian, which attest to the candidate's right to conduct professional activity in the relevant profession (validity period not exceeding three months);
- 1.2.6. A document issued by a competent institution in a country with legal standing with a translation into Latvian, which attests that the rights of the person concerned to conduct professional activity in the

profession in which the short-term services will be provided have not been rescinded or restricted (validity period not exceeding three months);

- 1.2.7. A document issued by a competent institution in a country with legal standing with a translation into Latvian, which attests that during the past 10 years, the candidate has spent at least one year in total performing professional activity in the relevant profession in the candidate's country with legal standing or in another European Union member state, or in a member state of the European Free Trade Association, if such jobs are regulated in the country with legal standing.

1.3. The documents referred to in Sub-Clause 1.2 shall be presented to the LBS BSSI in the official state language, presenting them in person, sending them by post or electronically (if the electronic document has been prepared in conformity with laws and regulations regarding the layout and circulation of electronic documents).

2 Qualification Recognition Procedures

2.1 The Candidate's compliance with its professional qualifications shall be determined by verifying the compliance of his/her submitted documents to the conditions of the Regulations and this By-law.

2.2 If any of the documents does not meet the requirements of the Regulations and the By-law or if not all the required documents have been submitted, the Candidate shall be informed in order to rectify these shortcomings.

2.3 If necessary, the LBS BSSI will contact the relevant competent foreign institutions in order to verify the authenticity of the documents submitted by the candidate or to clarify other matters that apply to recognition that the candidate meets the professional qualification requirements.

2.4 A decision regarding non-verification of qualifications will be made in cases where the professional education obtained by the candidate and documents issued by competent institutions in a country with legal standing corroborate the candidate's rights to carry out professional activity in the profession in which he wants to provide a short-term service in Latvia.

2.5 A decision to conduct a qualification check will be made in the following instances:

2.5.1. If the education obtained by the Candidate differs in terms of duration or content, but the amount of professional experience is satisfactory.

2.5.2. In case mastering of missing subjects (study courses) is not compensated by the Candidate's further education in a country with legal standing and by the knowledge he/she has acquired in the course of

upgrading his professional education;

2.5.3. If the professional qualification certificate/attestation issued by competent institutions in the Candidate's country with legal standing does not fully encompass requirements of the relevant field according to LR laws and regulations (rights have not been allocated to the full extent to work in the corresponding profession in the regulated field) and thus his professional experience does not fully reflect his compliance with the set requirements.

2.6 The candidate shall be notified of the decision regarding verification of his qualifications in writing within two weeks of the receipt of all the required documents, specifying the information referred to in Clause 17 of the Regulations in the decision.

2.7 Verification of qualifications is conducted in conformity with LBS BSSI By-Law "By-Law regarding Verification of the Competence of Candidates of Construction Specialists."

2.8 A decision regarding permission to provide a short-term service in the realm of activity applied for will be prepared and sent out within five business days of the verification of qualifications.

2.9 A decision regarding permission to provide a short-term service in the realm of activity applied for will be made if the candidate's professional education and qualifications correspond to the requirements stipulated in the Regulations or if the verification of qualifications has been conducted successfully.

2.10 Information about the provider of the short-term service will be registered and the decision regarding recognition of qualifications and permission to provide a short-term service in the realm of activity applied for will be signed with a secure electronic stamp in the Register of Construction Specialists within the Construction Information System. The decision from the Construction Information System will be sent to the addressee automatically to his specified e-mail address.

2.11 If the Declaration submitter has provided short-term services in Latvia during a previous period and he/she wishes to continue to provide services subsequently, the quality of his previous service will be evaluated within one month, in order to verify its compatibility with the criteria for professional activity of a short-term or permanent nature, and in the event of the short-term activity not being compliant, the Declaration submitter will be informed accordingly, recommending that within three months of the date of the receipt of the evaluation, he/she should commence the process of recognition (certification) of his/her professional qualifications for independent professional activity in the regulated profession.

3. Disputing and Appealing the LBS BSSI Decision

3.1. The decision by the LBS BSSI Head Administrator may be appealed within

one month of the decision coming into force at the Ministry of Economics in accordance with the procedures stipulated in the Administrative Procedure Law.

3.2. The decision by the Ministry of Economics may be appealed in court within one month of the decision coming into force in accordance with the procedures stipulated in the Administrative Procedure Law.