

Cabinet

Regulation No 397
Adopted 24 May 2011

Procedure by which a Record Included in the National Documentary Heritage may be Temporarily taken out of the Republic of Latvia, as well Security Copies of the Record shall be made and the Number Thereof shall be Determined

*Issued pursuant to
Section 16, Paragraph one of the Archives Law*

1. This Regulation prescribes the procedure by which a record included in the national documentary heritage may be temporarily taken out of the Republic of Latvia, as well security copies of the record shall be made and the number thereof shall be determined.
2. The National Archives of Latvia shall take a decision regarding the taking out (including sending by post) of a record included in the national documentary heritage and issue a permit to take it out temporarily of the Republic of Latvia (hereinafter ó permit).
3. In order to acquire a permit, a private person or authority (hereinafter ó applicant), or a person authorised by the applicant shall submit an application to the National Archives of Latvia for the receipt of a permit (Annex 1) and insure the record included in the national documentary heritage.
4. The following documents shall be attached to the application attesting the information indicated in the application:
 - 4.1. a power of attorney or another document attesting the authority if the application is submitted by an authorised person of the applicant;
 - 4.2. written approval of the owner of the record included in the national documentary heritage for the taking out thereof if the record is not in the possession of the applicant or the National Archives of Latvia;
 - 4.3. certification of the owner of the record included in the national documentary heritage regarding the existence of the security copies in accordance with the requirements of the regulatory enactments regulating the area of archives if the record is not in the possession of the National Archives of Latvia;
 - 4.4. a copy of the insurance policy for the record included in the national documentary heritage;
 - 4.5. a copy of the document certifying the aim for the taking out (for example, an invitation, a co-operation agreement).
5. The National Archives of Latvia shall take a decision regarding the issue of the permit or refusal to issue the permit.
6. The National Archives of Latvia shall take a decision regarding the refusal to issue the permit in the following cases:
 - 6.1. the information specified in an application is false;
 - 6.2. the applicant has not submitted the documents referred to in Paragraph 4 of this Regulation;

6.3. the physical state of the record included in the national documentary heritage is unsatisfactory and the taking out thereof may endanger the preservation of the record;

6.4. due to technical reasons it is not possible to prepare security copies of the record included in the national documentary heritage, so that in case it is lost or damaged the original record may be substituted;

6.5. in accordance with the Archives Law use or accessibility restrictions have been specified for a record included in the national documentary heritage;

6.6. the owner of a record included in the national documentary heritage does not agree to the taking out.

7. If a decision is taken to allow the taking out of a record included in the national documentary heritage, the National Archives of Latvia shall prepare the permit (Annex 2) in two copies. One copy together with the application shall be kept at the National Archives of Latvia but the other one shall be issued to the applicant for presenting upon the request of the relevant officials or institutions.

8. A record included in the national documentary heritage shall be insured in accordance with its value in monetary terms. The value of the record shall be specified by the owner of the record. A representative of the National Archives of Latvia shall participate in the valuation process.

9. An applicant may contest a decision of the National Archives of Latvia at the Ministry of Culture in accordance with the procedure specified in the Administrative Procedure Law.

10. If an owner of a record included in the national documentary heritage does not have security copies thereof or the existing security copies do not comply with the requirements of the regulatory enactments regulating the area of archives, the applicant shall organise the making of two digital security copies in various media. The making of the security copies shall be harmonised with the owner of the record. The security copies of the record made shall be kept by the owner of the record who shall issue a certification regarding the existence of the security copies to the applicant in accordance with the requirements of the regulatory enactments regulating the area of archives.

11. The applicant shall submit a written application regarding the bringing back of a record included in the national documentary heritage into the Republic of Latvia or the non-utilisation of the permit in the specified time period to the National Archives of Latvia within a period of seven days following the end of the taking out period specified in the permit.

12. The applicant shall attach the written certification of the owner of the record included in the national documentary heritage to the application referred to in Paragraph 11 of this Regulation that the same record included in the national documentary heritage has been returned for the taking out of which the permit was issued (except for the case if the owner thereof is the National Archives of Latvia).

Prime Minister

V. Dombrovskis

Minister for Culture

S. Ierte

Application for Obtaining a Permit to Take a Record (Records) Included in the National Documentary Heritage out of the Republic of Latvia

1. Applicant:	
1.1. Natural person	
Given name, surname	_____
Personal identity number	_____
Address of the declared place of residence	_____
Telephone, fax, e-mail address	_____
1.2. Legal person	
Name (firm)	_____
Registration number	_____
Legal address	_____
Contact telephone, fax, e-mail address	_____
2. Description of the record:	
Name	_____
Date and number	_____
Owner of the record (name, address)	_____
Archive fund, sub-fund, series, stored unit, sheet or page number	_____
Amount (number of pages or metres), size, format	_____

Material	_____
Type of special packaging	_____
Characteristics of the design	_____
Other characteristic features of the physical state of the record	_____
3. Final destination for the taking out: Institution, event, other	_____
State, city	_____
Street, postal code	_____
4. Time period during which the record will be taken out of the Republic of Latvia from _____._____._____	
until _____._____._____	
5. Aim for the taking out	_____
6. Mode of transportation of the record	_____
7. Value of the record	_____
8. Attached documents (indicate the appropriate answer)	
8.1. Power of attorney or another document attesting the authority if the application is submitted by an authorised person of the applicant:	
<input type="checkbox"/> attached on _____pp.	
<input type="checkbox"/> not attached	
8.2. Certification regarding the existence of security copies of the record:	
<input type="checkbox"/> attached on _____pp.	
<input type="checkbox"/> not attached	
8.3. Copy of the insurance policy for the record:	
<input type="checkbox"/> attached on _____pp.	
<input type="checkbox"/> not attached	

8.4. A copy of the document certifying the aim for the taking out (for example, an invitation, a co-operation agreement):

attached on _____pp.

not attached

8.5. Written approval of the owner of the record for the taking out the record:

attached on _____pp.

not attached

8.6. Other documents:

I hereby certify that the information indicated in the application and the documents attached thereto is true.

Place		Date
Position Place for a seal*	Signature*	Given name, surname of the applicant

Note. The details of the document "Signature" and "Place for a seal" shall not be completed if the electronic document has been drafted in compliance with the regulatory enactments regarding the drawing up of electronic documents.

Minister for Culture

S. lerte

(Form of the National Archives of Latvia)

Permit
For Taking a Record (Records) of the National Documentary Heritage out
of the Republic of Latvia

R ga

No _____

(date)

On the basis of the Decision No ____ of __ _ 20__ by the Director of the National Archives of Latvia regarding the issue of the permit for taking the record included in the national documentary heritage out of the Republic of Latvia

(given name, surname or name, personal identity number or registration number of the applicant)

is allowed to take the following record (records) out of the Republic of Latvia:

1. Description of the record	
2. Final destination for the taking out	
3. Aim for the taking out	
4. Value of the record and the insurance value	
5. Time period during which the record will be taken out of the Republic of Latvia	from ____ . ____ . ____ until ____ . ____ . ____

Issued by _____
(position, signature, given name, surname)

Place for a seal

Minister for Culture

S. Ierte