

IMPORTANT!

* A victim shall be entitled for the State compensation also in the case, when the person committing the criminal offence has not been established or is not to be held criminally liable, in accordance with the Criminal Law.

* If the victim has received compensation for the harm caused from the person committing the criminal offence, the amount of the State compensation shall be decreased in proportion to the amount of already received compensation.

* A victim shall not be entitled for the State compensation if the criminal offence has been directed towards road traffic safety and the victims are entitled for insurance indemnity, in accordance with regulatory enactments regarding compulsory civil liability insurance of owners of motor vehicles.

* The State compensation shall not be disbursed for criminal offences, which have been committed due to negligence or the set consequences have not occurred (See Section "The right to receive compensation").

* A victim shall have an obligation to notify the LAA on changes in the information specified in the request until the decision on the payment of the State compensation has been executed, but not later than the working day following the day on which person became aware of the details referred to the request (such as the account of the payment institution has changed; compensation for the harm caused as a result of the criminal offence has been received).

* Requesting for and disbursement of the State compensation shall not restrict the rights of the victim to claim for compensation, in accordance with the Criminal Procedure Law and Civil Procedure law.

STATE COMPENSATIONS IN THE CROSS-COUNTRY CASES

The LAA shall make a decision regarding the request of a person, who is a long-term resident of another Member State of the European Union (EU) to pay compensation for a harm, which has occurred as a result of the criminal offence committed in the territory of Latvia.

The victim who is a long-term resident of Latvia and to whom an injury has occurred as a result of a criminal offence in the territory of another European Union Member State has the right to directly or through the Legal Aid Administration submit the request for the State compensation to the competent authority of the relevant European Union Member State. Procedure for the requesting of the State compensation is determined by regulatory enactments of the EU Member State, where the criminal offence has been committed.

A special form of the request is to be completed for receipt of the State compensation in cross-country cases. Information is available at the LAA, as well as on the website of the European e-Justice Portal (<https://e-justice.europa.eu>) in the Section European Judicial Atlas in Civil Matter (Compensation to Crime Victims).

CONTACTS: THE LEGAL AID ADMINISTRATION

Pils laukums 4, Riga, LV-1050

Informative line 80001801

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www.jpa.gov.lv



Legal Aid Administration of the Republic of Latvia

The State Compensation to Victims



LEGAL AID ADMINISTRATION (LAA)

is the authority responsible for disbursement of the State compensation in cases and in accordance with the procedure stipulated by the Law On State Compensation for Victims

THE RIGHT TO RECEIVE COMPENSATION

A person, who has been recognized as a victim in the criminal proceeding is entitled to the State Compensation if:

- the criminal offence has been classified as the one committed with a purpose (intentional);
- the criminal offence has resulted in:
 - 1) the death of the person;
 - 2) severe or moderate bodily injuries to the victim have been caused;
 - 3) morality or sexual inviolability of the person has been violated;
 - 4) the victim is a victim of trafficking in human beings;
 - 5) the victim has been infected with human immunodeficiency virus, Hepatitis B or C.

The rights of the victim of minor age for the State compensation shall be implemented by his or her legal representative (father, mother, and guardian).

Should the victim execute his or her rights for the State compensation through representative, the notarial certified power of attorney shall be prepared. The victim may authorize his or her representative also verbally at the LAA.

TIME PERIOD FOR THE SUBMISSION OF THE REQUEST FOR THE STATE COMPENSATION

The request for the State compensation shall be submitted to the LAA **within three years** since the day when a person has been recognized a victim or has become aware of the facts that give such person the right to be recognized as such.

WHAT IS REQUIRED FOR RECEIPT OF THE STATE COMPENSATION?

The victim shall submit to the LAA a filled-in form of the request, attaching:

- a statement of the person directing the proceedings if the criminal proceeding has not been completed at the time of the request for compensation;
- final adjudication of the person directing the proceedings, which has come into force, if the criminal proceeding is completed at the time of request for compensation, as well as a copy of the execution document if the compensation to the victim regarding the caused injury determined in the final adjudication of the person directing the proceedings is not executed or is executed in part.

A victim shall submit the completed form of the request with the enclosed documents to the LAA personally, send to the LAA via mail or e-mail pasts@jpa.gov.lv, using a safe electronic signature containing a time seal.

WHERE IS IT POSSIBLE TO RECEIVE A FORM OF THE REQUEST AND INFORMATION ON COMPLETION THEREOF?

- on the LAA website – www.jpa.gov.lv
- on the portal – www.latvija.lv
- at the person directing the proceedings in police, prosecutor's office, or court
- informative line 80001801 (during working hours).

EXAMINATION OF THE REQUEST

The LAA shall take the decision to pay the State compensation or refusal to pay it within a month after receipt of the request for the State compensation. In case of need the LAA shall request for additional information, which shall suspend the time period for the taking of the decision until the receipt of all information.

NOTIFICATION OF THE DECISION

The LAA shall notify of the decision in writing by sending it via mail to the address specified by the person or e-mail in the form of an electronic document.

PROCEDURE OF RECEIPT OF THE STATE COMPENSATION*

- a criminal proceeding has been initiated, where the person has been recognized as victim;
- the committed criminal offence has been classified as an offence committed with a purpose (intentional);
- certain consequences have occurred as a result of the criminal offence (See Section "The right to receive compensation");
- a victim has not received compensation from the person committing the criminal offence, the amount of which is exceeding or equal with the amount of the State compensation



Submission of the request

- completed form of the request;
- a statement of the person directing the proceedings or the final adjudication of the person directing the proceedings, which has come into force, has been enclosed.



Decision making and notification

The LAA shall take a decision within a month and notify a person by sending it via mail or e-mail.



Execution of the decision

The LAA shall pay the State compensation within a month by making a wire transfer to the account of the payment authority.

*The scheme is of an informative nature.