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If a whole or part of a paragraph has been amended, the date of the amending regulation appears in square brackets at the end of the paragraph. If a whole paragraph or sub-paragraph has been deleted, the date of the deletion appears in square brackets beside the deleted paragraph or sub-paragraph.

Republic of Latvia

Cabinet

Regulation No. 970

Adopted 25 August 2009

Procedures for the Public Participation in the Development Planning Process

*Issued pursuant to
Section 11, Paragraph five of the Development Planning System Law*

I. General Provisions

1. The Regulation prescribes the procedures for the public participation in the development planning process of the *Saeima*, the Cabinet, State institutions of direct administration, State administrative institutions which are not subordinated to the Cabinet, planning regions and local governments (hereinafter – institutions) (hereinafter – public participation procedures).
2. The purpose of the Regulation is to promote efficient, open, inclusive, timely and responsible public participation in the development planning process, thus increasing the quality of the planning process and the conformity of the planning results with the public needs and interests.
3. Public participation shall be implemented by formal (for example, associations, foundations, trade unions, employers' organisations, religious organisations) and informal (unregistered initiative groups, interest associations) groups of the public, as well as individual natural persons (hereinafter – public representatives).
4. The public participation procedures shall not be applied:
 - 4.1. in the planning process of the management documents of institutions;
 - 4.2. if public participation in the development planning process is governed by another external regulatory enactment;
 - 4.3. if the document to be drawn up contains information of restricted access or a State secret.
5. An institution shall apply the public participation procedures also in drawing up of such draft legal acts, which substantially change the current regulation or provide for introduction of new political initiatives. Public participation in drawing up of draft legal acts shall be organised in accordance with the stages and types of development planning process laid down in Chapter II of this Regulation and the principles laid down in Chapter III.
[30 April 2013]

II. Types of Public Participation

5.¹ Public participation in drawing up of draft legal acts shall be reflected in the report on initial impact assessment of a legal act (abstract) in accordance with the laws and regulations regarding the procedures for the preparation of reports on initial (*ex-ante*) impact assessment and in the statement regarding objections expressed in opinions in accordance with the laws and regulations regarding the issues of internal procedures and activities of the Cabinet.
[30 April 2013]

6. Public participation is possible in the following stages of the development planning process:

- 6.1. the proposing of a development planning process (including detecting of problems and determination of policy alternatives);
- 6.2. the drawing up of a development planning document;
- 6.3. the decision-making process according to the procedures stipulated by the decision-making institution;
- 6.4. the introduction of a development planning document;
- 6.5. the supervision and evaluation of introduction of a development planning document;
- 6.6. the updating of a development planning document.

7. Public representatives may participate in the development planning:

- 7.1. by participating in interinstitutional working groups and advisory councils;
- 7.2. by participating in public discussion;
- 7.3. by getting involved in public consultation;
- 7.4. by getting involved in discussion groups, forums and other participation activities (for example, video conferences and public opinion polls);
- 7.4.¹ by submitting in writing an opinion on a development planning document during its drafting stage;
- 7.5. by preparing an opinion on a development planning document prior to taking of a decision according to the procedures stipulated by the decision-making institution:
 - 7.5.1. in an institution of direct administration – for a draft development planning document announced in the meeting of State Secretaries in accordance with the laws and regulations governing the internal procedures and activities of the Cabinet;
 - 7.5.2. in local governments and other institutions – in accordance with the procedures laid down in their laws and regulations;
- 7.6. by providing objections and proposals according to the procedures stipulated by the decision-making institution during the decision-making process:
 - 7.6.1. in an institution of direct administration – at a meeting of a Cabinet committee and the Cabinet in accordance with the laws and regulations governing the internal procedures and activities of the Cabinet;
 - 7.6.2. in local governments – at council meetings, committees and commissions according to the by-law of the local government;
 - 7.6.3. in other institutions – according to the internal decision-making procedures laid down therein;
- 7.7. by participating in the introduction of policy in accordance with the procedures laid down in the State Administration Structure Law.

[30 April 2013]

8. Upon involving public representatives in interinstitutional working groups and advisory councils, an institution:

8.1. shall select public representatives via an open procedure by posting information on the creation of a working group or advisory council and the possibilities of applying therein (Annex 1) on the website section “Public Participation” of the institution, as well as, where possible, by distributing it in other ways accessible to the public;

8.2. may determine the criteria (by justifying their necessity) to which the public representatives to be involved must conform;

8.3. shall ensure that also such public representatives are heard who have expressed an interest in participating in a working group or advisory council, however, have not been included in the composition thereof.

8.¹ The drafting stage of a development planning document means that an institution has a conceptual idea regarding the potential solution for a problem or an initial draft development planning document has been drawn up. Public participation during the drafting stage of a draft development planning document or legal act shall be evaluated and reflected in the development planning document or the report on the initial impact assessment of the legal act (abstract).

[30 April 2013]

9. Public discussion is a meeting, in which public representatives participate and provide their objections and proposals. Upon organising a public discussion, an institution:

9.1. shall inform regarding the place and time of the meeting and the responsible official;

9.2. shall ensure that all the information related to the meeting is available on the website of the institution no less than 14 days before the public discussion. If necessary, information may also be distributed in other ways accessible to the public;

9.3. upon request of the direct target group, if possible, shall ensure access to and comprehensibility of the meeting and the documents related thereto in the format necessary to the direct target group within the scope of the budget of the institution;

9.4. not later than within 14 days after the meeting shall post the summary thereof (Annex 2) and the list of participants on the website section “Public Participation” of the institution, as well as, where possible, distribute in other ways accessible to the public. If a draft development planning document is advanced for approval at the Cabinet, the objections expressed by public representatives shall be included in the statement regarding objections expressed in opinions in accordance with the laws and regulations governing the internal procedures and activities of the Cabinet. The statement shall be posted on the website section “Public Participation” of the institution, concurrently sending the updated document to the participants of co-ordination.

[30 April 2013]

10. Public consultation is a time period laid down by an external regulatory enactment or institution, during which public representatives provide their objections and proposals or participate in other public participation activities organised by the institution (for example, public discussions and public opinion polls). Upon organising a public consultation, the institution:

10.1. shall determine a time period of public consultation not less than 30 days in length, unless it has been laid down otherwise in laws and regulations;

10.2. shall ensure public access to the documents to be discussed on the website throughout the duration of public consultation. If necessary, information may also be distributed in other ways accessible to the public;

10.3. upon request of the direct target group, if possible, shall ensure access to and comprehensibility of information in the format necessary to the direct target group within the scope of the budget of the institution;

10.4. shall indicate the responsible official in the notification on public consultation, to whom opinions should be submitted;

10.5. not later than within 30 days after the end of the public consultation shall post the summary thereof (Annex 2) and the list of participants on the website section "Public Consultation" of the institution, as well as, where possible, distribute in other ways accessible to the public. If a draft development planning document is advanced for approval at the Cabinet, the objections expressed by public representatives shall be included in the statement regarding objections expressed in opinions in accordance with the laws and regulations governing the internal procedures and activities of the Cabinet. The statement shall be posted on the website section "Public Consultation" of the institution, concurrently sending the updated document to the participants of co-ordination.

[30 April 2013]

III. Organising Public Participation

11. Upon deciding on commencing development planning in a field or sector of policy, or territory, an institution shall determine an official who is responsible for ensuring the public participation in the commenced development planning process.

12. The responsible official shall plan public participation:

12.1. shall survey and involve public target groups, which will be directly affected by the development planning document;

12.2. shall select the most appropriate types of public participation, promoting efficient, open, inclusive, timely and responsible public involvement in the development planning process.

13. The responsible official shall prepare and post a notification on the participation process (Annex 1) on the website section "Public Participation" of the institution not later than 14 days before submitting the development planning document to the decision-making body for taking of a decision, unless another time period is laid down in laws and regulations, in accordance with the laws and regulations regarding the procedures by which institutions post information on the Internet, as well as, upon evaluating the necessity, shall distribute it in other ways accessible to the public in order to reach the target audience as best as possible.

[30 April 2013]

14. State institutions of direct administration shall submit electronically prepared notifications on the participation process to the State Chancellery for posting on its website. Local governments shall submit electronically prepared notifications on the participation process to the planning region to which the relevant local government belongs, for posting on its website. Planning regions shall submit electronically prepared notifications on the participation process to the Ministry of Environmental Protection and Regional Development for posting on its website. The State Chancellery, planning regions and the Ministry of Environmental Protection and Regional Development shall post the referred-to notifications on their websites not later than three working days after receipt thereof.

[30 April 2013]

15. A public representative has a duty to inform an institution regarding his or her interest to get involved in the development planning process within the time period and using the means laid down in the notification of the institution, indicating the information requested in the

notification, as well as to conform to the time periods stipulated by the institution in the subsequent participation process.

16. An institution shall post information regarding individual public involvement initiatives (discussions, public discussions and other public involvement activities), which are not previously planned and indicated in the notification, on its website section “Public Participation” not later than seven days before the beginning of the course of the initiative and distribute according to the procedures laid down in the notification, as well as, if necessary, in other ways accessible to the public.

17. Upon submitting a draft development planning document to the decision-making institution for taking of a decision in accordance with the laws and regulations regarding development planning and internal procedures and activities of the relevant institutions, the opinions expressed by public representatives during the planning process in accordance with Annex 2 to this Regulation shall be appended thereto and they shall be posted on the website section “Public Participation” of the institution. If a draft development planning document is advanced for approval at the Cabinet, the objections expressed by public representatives shall be included in the statement regarding objections expressed in opinions in accordance with the laws and regulations governing the internal procedures and activities of the Cabinet. The statement shall be posted on the website section “Public Participation” of the institution, concurrently sending the documents to the State Chancellery for examination at a meeting of State Secretaries, a meeting of a Cabinet committee or a Cabinet meeting.

[30 April 2013]

IV. Closing Provision

18. Chapter III of this Regulation shall come into force six months after the day of coming into force of this Regulation.

Prime Minister

V. Dombrovskis

Minister for Justice

M. Segliņš

Notification on Participation Possibilities during the Drawing-up Process of a Development Planning Document or Legal Act

[30 April 2013]

1.	Type of the document	Indicate the type of the document – development planning document (policy planning document or spatial planning document) or legal act
2.	Title of the document	Indicate the current or potential title of the document, if applicable, indicate also the planned term of validity of the document
3.	Policy field and sector or territory	Indicate in what field and sector of policy in accordance with the laws and regulations regarding the issues of internal procedures and activities of the Cabinet or in what territory the document is drawn up
4.	Target groups of the document	Indicate all target groups of the public whose interests are concerned by the drawing up of the document and whose opinion the institution would like to receive
5.	Objective of the document and the essence of the initially identified problem	Indicate the objective of the document, characterising the current problems and justifying the necessity of drawing up the document (not more than 300 words)
6.	The drawing-up term and planned progress of the document	Indicate the progress of the document planned by the institution and the time period in which it is planned to draw up the document
7.	Documents	Append all files applicable to the document in electronic form (development planning document, legal act and its abstract, other documents providing additional information, for example, studies)
8.	Participation possibilities of public representatives	Indicate the types of public participation, which are planned to be used in the drawing up of the document, in accordance with Paragraph 7 of Cabinet Regulation No. 970 of 25 August 2009, Procedures for the Public Participation in the Development Planning Process
9.	Applying participation for	Indicate the type and deadline for applying, until which the institution is expecting applications for participation. In this box it may be indicated that public representatives are asked to apply indicating contact information (given name, surname, address, telephone number and e-mail address) and the preferable type of participation, if the institution has planned several participation possibilities in the box “Participation possibilities of public representatives”

10.	Other information	Indicate any other information, which is at the disposal of the institution and might be useful to public representatives in planning participation
11.	Responsible official	Indicate the given name, surname, telephone number and e-mail address of the official responsible for the drawing up of the document

Public Objections and Proposals Regarding the Development Planning Document

No.	Submitter of the objection/proposal	Essence of the objection/proposal submitted	Taken into account/not taken into account	Justification if the objection/proposal is not taken into account

Date* _____
(dd/mm/yyyy)

Responsible official _____
(given name, surname, signature*)

Note. * The details of the document “date” and “signature” shall not be completed if the electronic document has been prepared in accordance with the laws and regulations regarding the drawing up of electronic documents.

Minister for Justice

M. Segliņš