

In what cases may the rp issued to you be annulled?

Published: 11.10.2020.

A temporary residence permit issued to a third country citizen shall be annulled if:

- a foreigner or his or her inviter has provided false information or the documents submitted have been obtained unlawfully or have been forged;
- a foreigner does not have the necessary financial resources for residence in the Republic of Latvia;
- a foreigner has been included in the list of persons for whom entering the Republic of Latvia is prohibited, or it has been established that he or she is prohibited from entering the Schengen territory;
- a foreigner has been found guilty by a court judgment of committing a criminal offence in the Republic of Latvia or outside it, for which a sentence is provided for by the laws of the Republic of Latvia – deprivation of liberty for a period exceeding two years;
- a foreigner has joined a foreign military service;
- there is reason to believe that the foreigner has entered into a marriage of convenience in order to receive a residence permit in the Republic of Latvia;
- an inviter withdraws a letter of invitation in writing;
- the inviter has lost the legal status or the right to reside in the Republic of Latvia;
- a foreigner has not fulfilled all the conditions provided for by the decision on the issue of a residence permit;
- the circumstances, on the basis of which a foreigner has received a temporary residence permit, no longer exist or they have changed. If a holder of a European Union Blue Card has become an unemployed person and the period of unemployment does not exceed three consecutive months, the European Union Blue Card shall only be annulled in the case where the Card holder has not notified the Office thereof or the period of unemployment has occurred repeatedly during the validity period of the European Union Blue Card;
- a foreigner has moved for permanent residence in another country;
- a foreigner has provided another foreigner residing illegally in the Republic of Latvia with a place of residence;
- it has been established by a court judgment that the foreigner has helped another foreigner to enter into the Republic of Latvia illegally;
- the inviter resides outside of the Republic of Latvia for a time period longer than six months within a year, except in the case where the inviter is a seafarer or fulfils military service in the National Armed Forces of the Republic of Latvia or civil service outside of the Republic of Latvia or a residence permit is issued to the spouse of the inviter and there is a joint child in their family;
- a foreigner has resided in the Republic of Latvia in accordance with Paragraph 2, 3, 4 or 7 of Part One of Section 23 of the Immigration Law and taxes have not been paid for him or her during the last year or he or she has a tax debt as provided for in legal acts;
- the spouses do not comply with the conditions of Part Three of Section 26 of the Immigration Law or there is reason to believe that the marriage does not exist in fact;
- the temporary residence permit has been refused registration or a foreigner has not submitted the documents for the registration of a residence permit within three months from the day of registration of the residence permit specified in this Law;
- the person directing the proceedings has informed the institution which has issued the temporary residence permit in writing, that the foreigner who is not a Union citizen as well as the minor children accompanied by him or her, who is residing in the Republic of Latvia in accordance with Part Six of Section 23 of the Immigration Law, no longer needs to reside in the Republic of Latvia in the status of a victim of trafficking in human beings;
- competent governmental institutions have provided information that constitutes grounds for prohibiting a foreigner from

residing in the territory of the Republic of Latvia or another Schengen Agreement Member State;

a foreigner has received a residence permit in accordance with Paragraph 2 of Part One of Section 23 of the Immigration Law as an individual merchant and he or she has not performed active economic activity and has not provided economic benefit for the Republic of Latvia during the last year;

a foreigner has received a residence permit in accordance with Paragraph 3 of Part One of Section 23 of the Immigration Law and a commercial company or a branch of a foreign merchant, in which he or she is employed, has not performed active economic activity and has not provided economic benefit for the Republic of Latvia during the last year;

a foreigner has received a residence permit in accordance with Paragraph 8 of Part One of Section 23 of the Immigration Law and a representative office of a foreign merchant, which is operating in the Republic of Latvia and in which a foreigner is employed, has not performed active operations during the last year;

there is reason to believe that the real reason for a foreigner applying for a residence permit does not comply with that which has been indicated in the filed documents;

a foreigner has been employed during the last year, but he or she has not had the right to employment;

during the last year the foreigner has employed another foreigner who has no right to employment;

a foreigner has received a temporary residence permit in accordance with Section 23, Paragraph one, sub-paragraph 33 of this Law and the capital company has failed to fulfil the provisions of Section 23, Paragraph one sub-paragraph 33 (a) or (b);

32) a foreigner has received a temporary residence permit in accordance with Section 23, Paragraph one, sub-paragraph 33 of this Law and fails to comply with the provisions set in Section 23, Paragraph twelve or thirteen of this Law;

33) a foreigner has received a temporary residence permit in accordance with Section 23, Paragraph one, sub-paragraph 2, 3, 6, 28 or 33 of this Law and the individual merchant or capital company, where he or she is employed or performs commercial activities, has a registered debt of taxes set by regulatory enactments, exceeding 150 euro."

If a temporary residence permit of a foreigner is annulled then the temporary residence permit is also annulled for his/her spouse, minor children and persons under his/her guardianship or trusteeship, the residence of which in the Republic of Latvia is related to residence in the Republic of Latvia of the above foreigner.

A permanent residence permit issued to a third country citizen shall be annulled if:

a foreigner has provided false information;

a foreigner has been included in the list of persons for whom entering the Republic of Latvia is prohibited;

a foreigner has been found guilty by a court judgment of committing a serious or especially serious criminal offence in the Republic of Latvia;

a foreigner resides continuously outside of the Republic of Latvia for more than 12 months, except in the case where the absence has been declared in accordance with the procedures set forth by the Cabinet of Ministers and he or she has a documentarily certified justified reason (circumstances independent of a person or acquiring education);

a foreigner moves or has moved for permanent residence in another country;

there is a reason to believe that the established adoption is fictitious and established in order for a foreigner to receive a residence permit in the Republic of Latvia;

a foreigner has lost a refugee or repatriate status or it has been removed from him or her;

a foreigner is a family member of the person, who has lost the refugee or repatriate status;

a permanent residence permit has been issued in accordance with Paragraph 8 of Part One of Section 24 of the Immigration Law and there have been grounds to withdraw the status of a Latvian citizen or non-citizen of Latvia in accordance with the Law on Citizenship or the Law On the Status of Those Former USSR Citizens who do not have Citizenship of Latvia or that of any Other State;

a foreigner has been granted the status of a long-term resident of the European Community in the Republic of Latvia;

a foreigner has acquired Latvian citizenship;

a foreigner has not filed the documents for the registration of a residence permit within six months after the day of registration specified for a permit;

for a foreigner who has received a permanent residence permit in accordance with Paragraph 8 of Part One of Section 24 of the Immigration Law, it may only be annulled in the following events:

- a foreigner has provided false information;
- a foreigner has been included in the list of persons for whom entering the Republic of Latvia is prohibited;
- a foreigner resides continuously outside of the Republic of Latvia for more than 12 months, except in the case where the absence has been declared in accordance with the procedures set forth by the Cabinet of Ministers and he or she has a documentarily certified justified reason (circumstances independent of a person or acquiring education);
- a foreigner moves or has moved for permanent residence in another country;
- a permanent residence permit has been issued in accordance with Paragraph 8 of Part One of Section 24 of the Immigration Law and there have been grounds to withdraw the status of a Latvian citizen or non-citizen of Latvia in accordance with the Law on Citizenship or the Law On the Status of Those Former USSR Citizens who do not have the Citizenship of Latvia or that of any Other State;
- a foreigner has been granted the status of long-term resident of the European Community in the Republic of Latvia;
- a foreigner has acquired Latvian citizenship;
- a foreigner has not filed the documents for the registration of a residence permit within six months after the day of registration specified for a permit.
- a foreigner who has received a temporary residence permit in accordance with Section 23, Paragraph one, Clause 2, 3, 4, 8, 28, 29, 30 or 31 of this Law, has tax (fee) debts which are administered by the State Revenue Service, which exceeds in total EUR 150 euro, except tax payments, payment of which has been extended in accordance with the procedures specified in Section 24, Paragraph one and , Paragraph 1.³ to the Law On Taxes and Fees.

!!! If a permanent residence permit of a foreigner is annulled then the permanent residence permit is annulled for his/her minor children as well, except for the event when the other parent of the child is a citizen of Latvia, non-citizen of Latvia or of the foreigner who has received a permanent residence permit in the Republic of Latvia, or the child has received a permanent residence permit independent of the parent the permanent residence permit of whom is annulled, or he/ she has been delivered for foster care. The permanent residence permit is also annulled for the person under guardianship or trusteeship who has received a permit to reside in the Republic of Latvia.

<https://www.pmlp.gov.lv/en/what-cases-may-rp-issued-you-be-annulled>