



THE CONSTITUTIONAL COURT OF THE REPUBLIC OF LATVIA

J U D G E M E N T

On Behalf of the Republic of Latvia

Riga, 14 December 2010

Case No. 2010-39-01

The Constitutional Court of the Republic of Latvia, composed of the Chairman of the Court hearing Gunārs Kūtris, Justices Kaspars Balodis, Aija Branta, Kristīne Krūma, Vineta Muižniece and Viktors Skudra,

having regard to a constitutional complaint of Žanna Zujeva, Ilga Neimane, Ligita Vecauziņa, Liāna Liepiņa, Gita Grišāne, Sandra Berča, Agnese Skulme, Ilze Ieviņa, Ieva Zabarovska, Ilze Ieviņa, Kristīne Ozoliņa, Inese Kazjonova, Irēna Lavrinoviča, Una Melamedā, Baiba Strauta, Smaida Grava, Inese Punte, Dainida Sarma, Ināra Jaunzeme, Ināra Zariņa, Dainis Šaicāns, Mairita Zadiņa, Māra Balode, Everita Ancāne, Antra Tiltiņa and Ināra Zabarovska (hereinafter – the Applicants),

according to Article 85 of the Satversme (Constitution) of the Republic of Latvia (hereinafter – the Satversme), Article 16 1st indent, Article 17 (1), 11th indent, and Article 19.² and Article 28.¹ of the Constitutional Court Law

on 23 November 2010 in writing examined the case

“On Compliance of the Second Sentence of Section 20 of the Law “On the Judicial Power” (Wording of 16 June 2009) and the Third Section thereof (Wording of 1 December 2009) insofar as They Establish Remuneration of Land Registry

Office Judges with Article 1, Article 83 and Article 107 of the Satversme of the Republic of Latvia”.

The Facts

1. The procedure for calculating remuneration of judges was established by 19 June 2003 Law “Amendments to the Law “On Judicial Power”” that came into effect on 1 July 2003. By means of the above mentioned law, judges’ remuneration reform was based on the concept “Remuneration of Judges and Court Employees” that was confirmed by 19 December 2002 Cabinet of Ministers Order No. 706 (hereinafter – the Concept). The main purpose of the Concept was to form a judge remuneration system that would serve as the basis for an independent, professional, and fair court functioning.

Pursuant to Section 119.¹ of the Law “On Judicial Power”, monthly base salary of a judge is calculated by applying a coefficient 4.5 to the average monthly gross remuneration for work for the workforce in the State. A gradual transition to remuneration established in the Law was also established.

Remuneration system of Land Registry Office judges was introduced along with the judge remuneration system by including Section 120.¹ of the Law “On Judicial Power” with the following wording: “A judge of a Land Registry Office shall receive a monthly base salary, which is calculated, applying a coefficient of 2.5 to the average monthly gross remuneration for work for the workforce in the State as published in the official statistical notification of the Central Statistical Bureau of the previous year, and which is rounded to lats.”

1.1. Amendments of 8 November 2007 to the above mentioned Law established the coefficient of 3.5 to be applied when calculating remuneration of the Land Registry Office judges, and the provided transitional period was prolonged up to 1 January 2009.

The coefficient was changed to 4.5 by amendments of 14 November 2008, whilst the transitional period was now extended till the end of 2010.

Amendments of 12 December 2008 changed the procedure for calculating remuneration for Land Registry Office judges in 2010 and established that the calculations shall be based on the average gross wage of 2006 by applying the coefficient

of 2.5. Transitional Provisions were supplemented by Para 20 that provided that remuneration (monthly salary, bonuses, etc) established in the Law “On Judicial Power in 2009 shall be calculated in accordance with the Law “On Remuneration of Officials and Employees of State and Local Government Authorities in 2009”.

1.2. Amendments of 16 June 2009 applied the procedure for calculating the monthly salary in 2009 by applying the coefficient of 2.5 to calculation thereof in 2010, too. However, the established transitional period for transition to application of the coefficient 4.5 was extended to the end of 2011 by establishing that in 2011 the coefficient 3.5 would be applied. Para 20 of Transitional Provisions of the Law was supplemented by another sentence:

“From the date, when Amendments to the Law “On the State Budget of 2009” adopted on June 2009 came into force, to 31 December 2010, salary of judges and Land Registry Office judges shall be calculated at the amount of 85 percent of the labour wage established in accordance with Para 7 and Para 17 of Transitional Provisions” (hereinafter – the contested second sentence of Para 20).

1.3. Amendments of 1 December 2009 extended the transitional period up to the end of 2012 by establishing that the coefficient of 2.9 shall be applied in 2011, and the coefficient of 3.5 shall be applied in 2012. Para 20 of Transitional Provisions was supplemented by the third sentence:

“From 1 January 2010 to 31 December 2011, salary of judges and Land Registry Office judges shall be calculated at the amount of 73 percent of the labour wage established in accordance with Para 7 and Para 17 of the Transitional Provisions; however, the salary shall not exceed the salary of the Prime-Minister established in the Law On Remuneration of Officials and Employees of State and Local Government Authorities” (hereinafter – the contested third sentence of Para 20. The contested second sentence of Para 20 and the contested third sentence of Para 20 together referred to as the Contested Norms).

2. In the Judgment of 18 January 2010 in the case No. 2009-11-01 “On Compliance of the Second Sentence of Paragraph 7 and Paragraph 17 of Transitional Provisions of the Law “On Judicial Power” (Wording of 14 November, 2008 of the Law) with Articles 1, 83 and 107 of the Satversme of the Republic of Latvia” (hereinafter – the

Judgment of 18 January 2010), the Constitutional Court recognized Para 17 of the wording of the Law of 14 November 2008, that of the Law of 16 June 2009 and that of the Law of 1 December 2009 of Transitional Provisions of the Law “On Judicial Power” as non-compliant with Article 83 of the Satversme of the Republic of Latvia; therefore the norm was declared as null and void as from 1 January 2011. Consequently, the norms that established calculating of salary of Land Registry Office judges, in the period up to 2012, by applying the coefficient 2.5, 2.9 and 3.5 were recognized as null and void as from 1 January 2011.

3. In the Judgment of 22 June 2010 in the case No. 2009-111-01 “On Compliance of the Second Sentence of Paragraph 7 and the second sentence of Paragraph 20 (in the wording of 16 June 2009) and the third sentence of Paragraph 20 of the Transitional Provisions of the Law "On Judicial Power" with Articles 1, 83 and 107 of the Satversme of the Republic of Latvia” (hereinafter – the Judgment of 22 June 2010), wherein the Court assessed constitutionality of the second sentence of the contested Para 20 and the third sentence of the same Para insofar as they establish remuneration of judges, the Constitutional Court recognized the second sentence of Para 20 of Transitional Provisions of the Law “On Judicial Power” and the words “salary of judges shall be calculated at the amount of 73 percent of the labour wage established in accordance with Para 7 of the Transitional Provisions” as compliant with Article 1, Article 83 and Article 107 of the Satversme, provided that from 1 January 2011 salaries would be calculated and disbursed in accordance with Section 119.¹ of the Law “On Judicial Power” as ruled in the Judgment of 18 January 2010 by the Constitutional Court.

4. The Applicants hold that the Contested Norms establish a less favourable regulatory framework if compared to the one previously effective one because, before 31 December 2009, remuneration of Land Registry Office judges was established at the amount of 85 percent, whilst it was reduced to 73 percent of the estimated salary after 1 January 2010. Moreover, according to the Applicants, by amending the procedure for calculating remuneration of Land Registry Office judges and by reducing it once again, the principle of legitimate expectations enshrined in Article 1 of the Satversme has been

breached, whilst the principle of solidarity has not been observed when establishing and reducing remuneration for all branches of power.

The Applicants indicate that pursuant to the amendments of the Law “On Judicial Power”, from 1 January 2010, salaries of Land Registry Office judges have been reduced that far that it now constitutes only 38.53 percent of the post salary, upon receipt of which they could count. Consequently, the right to a commensurate remuneration guaranteed in Article 83 and Article 107 of the Satversme has been infringed.

4.1. By referring to the Judgment of 18 January 2010, the Applicants maintain that the Contested Norms restrict independence guarantees of a judge at a considerable extent because remuneration of judges has been reduced to the extent that does not comply with qualification and competence requirements, as well as restrictions set forth for judges.

Article 107 of the Satversme establishes the right of every employed person to receive, for work done, commensurate remuneration. For remuneration to be commensurate, the work to be done, skills necessary for performance, responsibility, and restrictions established, as well as importance of decisions to be adopted must be taken into account when establishing the amount of it. The fact that the principle of independence of courts should be taken into account also follows from the right to receive commensurate remuneration for work done. Namely, remuneration of judges can be regarded as commensurate with their duties fulfilled only if the principle of independence of courts is observed when establishing it.

4.2. The Applicants are of the view that the Contested Norms breach the principle of legitimate expectations, that of legal stability, that of legal equality (Article 1 of the Satversme), as well as that of independence of courts (Article 83 of the Satversme).

Trust of Land Registry Office judges into regulatory framework regarding establishment of post salary included in the Law “On Judicial Power” should be protected because it is necessary to take into account several factors related with the post of a judge. Judges have been established high qualification and competence requirements. Career of a judge is a long-term choice; therefore stable guarantees are of great importance. Judges have been established strict provisions regarding combining of offices; consequently, changes in remuneration have a particular impact on judges because they have restricted possibility to obtain extra income. Moreover, by suspending

the office of a judge for a certain time period, the position is not preserved, and a judge has to begin his or her career anew.

The Applicants emphasize that the Contested Norms also breach the principle of legal stability. By amending the procedure for calculating of post salary established in the Law “On Judicial Power”, the Applicants were denied the possibility to plan their future activities in accordance with effective normative acts and to efficiently plan their incomes and expenses.

4.3. The Applicants indicate that reduction of remuneration for Land Registry Office judges is not proportional and fair if compared with cut of wages for employees working in other State institutions because, at the time when remuneration of representatives of other branches of State power was increased, that of Land Registry Office judges was frozen. Moreover, judges’ remuneration system *per se* envisages automatic reduction of remuneration in case of economic recession; therefore the Contested Norms make any repeated reduction unfair and inadmissible.

4.4. After having got acquainted with case materials, **a representative of the Applicants Inese Nikulceva** has also indicated that conclusions made in the Judgment of 22 June 2010 shall also apply to Land Registry Office judges. However, when assessing interests of the society in comparison with ensuring stability of the State budget, on the one hand, and the right of judges to receive commensurate remuneration for work done and interests of the society regarding a fair and independent court, on the other hand, it is also necessary to take into account differences between remuneration of judges and Land Registry Office judges.

Monthly salary received by Land Registry Office judges having no qualification class currently constitutes 79.11 percent of monthly salary of a judge; consequently, it is considerably lower than post salary of a district (city) court judge, which does not comply with the principle of equality. Therefore breach of Article 107 and Article 83 of the Satversme cannot be justified by interests of the society regarding ensuring of stability of the State budget.

Post salary of Land Registry Office judges can be compared with post salaries of other professions only in case if representatives of these professions have been established equal requirements regarding responsibility, their competence, qualification, experience and independence, and other equal requirements. Moreover, at present, post

salary of Land Registry Office judges is considerably lower than that of the majority of representatives of legal professions, including those professions that have lower qualification and experience requirements and less strict restrictions.

Although number of decisions adopted by Land Registry Offices has decreased, the term of review for registration requests has also been shortened, which ensures a proper speed of civil case circulation. Moreover, workload of each Land Registry Office judge has increased not only because cases to be reviewed have become more complicated and they require more time and effort, but also due to the fact that the number of Land Registry Office judges and employees has reduced.

5. The institution that adopted the Contested Norms, the Saeima asks the Court to recognize the Contested Norms as constitutional.

The Saeima substantiates its opinion by the same arguments previously presented in the frameworks of the case No. 2009-111-01.

In the reply, the Saeima indicates that Article 83 of the Satversme envisages only one particular threshold of remuneration that should be ensured to all judges in order to protect the independence of courts and judges and that all judges “would feel equally protected and motivated to fulfil their duty – to administer justice fairly.” The Saeima is of the following opinion: “The Satversme imposes an obligation to the legislator to ensure to all judges at least such irreducible remuneration, which would ensure the independence of courts and judges. However, the legislator enjoys discretion in developing a detailed system of remuneration for judges in conformity with the insights of the management theory of its time”.

The Saeima has no information at its disposal stating “that following the adoption of the contested provision a situation would develop, in which the courts would no longer be able to administer justice independently”. In this respect it can be established that the limits of the legislator’s discretion have not been exceeded.

With regard to consultations with the judiciary, the Saeima Rules of Procedure is binding for the Saeima, which “does not define mandatory consultations with regards to the adoption of the contested provisions with the representatives of the judiciary, it does not grant the veto right to the representatives of the judiciary either.” The written

answer also notes that regular meetings and a dialogue with the representatives of the judiciary had been held.

The Saeima believes that “the legal regulation on the monthly salary of Land Registry Office judges was not characterised by sufficient stability to give judges legal trust that Article 120.¹ of the Law “On Judicial Power” would be applied in a particular year. The legislator’s actions in extending the transitional period and in setting the monthly salary of judges does not ensure legitimate expectations to the extent that persons would have relied upon inchangeability of the legal regulation”.

It should be taken into account that the Contested Norms were adopted in the frameworks of the draft law package for the budget 2010 with the purpose to balance incomes and expenses of the State budget and to correct consequences caused by economic recession. Likewise, institutions of direct administration and independent institutions, in which remuneration has decreased in average by 25 percent in March 2010 and March 2008 is compared, also underwent cut of wages.

In addition to arguments presented in the reply, the Saeima asks to take into account arguments of the Saeima, the Ministry of Justice, the Ministry of Finance and those of the Ombudsman presented in the Constitutional Court hearing for the case No. 2009-111-01. These arguments provide in-depth substantiation of compliance of the Contested Norms with legal norms of a higher legal force.

The Constitutional Court has established

6. The application contains a request to assess whether the reduction of wages of Land Registry Office judges established in the Contested Norms comply with Article 1, Article 83, and Article 107 of the Satversme of the Republic of Latvia. Consequently, in the frameworks of the case under review, it is necessary to assess the contested second sentence of Para 20 and the contested third sentence of Para 20 insofar as they apply to Land Registry Office judges.

The Applicants have contested the same norms that the Constitutional Court has already assessed in the Judgment of 22 June 2010. In the above mentioned judgment, the Contested Norms were assessed insofar as they establish remuneration of judges.

In the judgment of 22 June 2010, the Constitutional Court recognized the second sentence of Para 20 of Transitional Provisions and words “from 1 January 2010 till 31 December 2011 judges’ remuneration shall be set in amount of 73% percent of the remuneration for work, which has been set in accordance with Paragraph 7 of these Transitional Provisions” of Para 20 of Transitional Provisions as compliant with Article 1, Article 83, and Article 107 of the Satversme if after 1 January 2011 the remuneration is established and paid in accordance with Article 119¹ of the Law “On Judicial Power”, i.e., in compliance with Judgment of 18 January 2010 by the Constitutional Court. The following was also concluded in the Judgment of 22 June 2010:

- 1) the right of judges to receive commensurate remuneration for the work done included in Article 107 of the Satversme, when assessing it in conjunction with the requirement of independence included in Article 83 of the Satversme, is restricted;
- 2) remuneration for work, upon which judges could lawfully and justifiably rely upon, actually is decreased by 62 percent; thus, the decrease in percentage of judges’ remuneration established by the contested provisions, even though is of temporary character, cannot be regarded as proportional and does not comply with the principle of legitimate expectations;
- 3) the reduction of wages has not been effected solitarily because neither the legislator, nor the executive power evaluated or substantiated the amount of decrease for each group of employees working in the public sector;
- 4) procedure for adopting the contested norms show that the legislator has failed to observe the principle of separation of powers and independence of branches of powers included therein;
- 5) the legislator has failed to observe the limits of freedom of action conferred to it because the general contested reduction (in percentage) of remuneration of judges is not proportional; it neither complies with Article 107 of the Satversme if assessed in conjunction with Article 83 of the Satversme.

The Contested Norms regarding both, judges and Land Registry Office judges have been adopted simultaneously by applying one and the same procedure. When

substantiating compliance of the norms with norms of the Satversme, the Saeima has presented one and the same argumentation. However, in the case under review, the Applicants have asked to recognize the Contested Norms as null and void as from the date of adoption thereof because the instant remuneration of Land Registry Office judges is not only considerably lower than that of the majority of representatives of legal professions, but also lower than that of district (city) court judges, and such remuneration does not comply with the principle of proportionality.

Consequently, the Constitutional Court must assess whether the different remuneration of judges and Land Registry Office judges may serve as the grounds for a different case adjudication.

7. The judge's remuneration system was founded in 2003. It establishes procedure for calculation of monthly salary of both, judges and Land Registry Office judges, the salary being attached to average gross wage of employees of the State, which is then applied a particular coefficient.

Consequently, remuneration of judges and Land Registry Office judges is calculated based on the same principles.

8. To calculate post salary of judges, the coefficient 4.5 was initially applied and the term within which the system would start functioning was precisely established.

However, to calculate post salary of Land Registry Office judges, the coefficient 2.5 was initially stipulated. Before 1 January 2008 when 8 November 2007 amendments to the Law "On Judicial Power" came into force, the above mentioned coefficient was applied. Consequently, up to now, judges were disbursed full post salary established by law.

After introducing 8 November 2007 amendments to the Law, the coefficient to be applied to remuneration of Land Registry Office judges was changed to 3.5, and the transitional period now constituted the term up to 1 January 2009.

It has been indicated in the annotation of the draft law that the effective "remuneration of Land Registry Office judges is non-competitive" and increase of remuneration is necessary "in order to prevent passing of qualified and experienced Land Registry Office judges to district (city) courts, free legal professions or private

institutions that guarantee more competitive remuneration”. The following is concluded in the Annotation: “The effective legal regulation provides that status of Land Registry Office judges is the same as that of district (city) court judges. Consequently, criteria for establishing remuneration for Land Registry Office judges should be the same as those for district (city) court judges” (*see: case materials, pp. 146*). Consequently, the legislator admitted that application of the coefficient of 2.5 when establishing remuneration of Land Registry Office judges is an inadequate solution because the established remuneration for work is non-competitive and does not comply with the position of a judge.

A similar substantiation, namely, the necessity “to establish a single method for calculating monthly salary for judges and Land Registry Office judges” has also been included in the annotation of 14 November 2008 amendments to the law that provide for the change of the coefficient to be applied to remuneration of Land Registry Office judges to that of 4.5. The transitional period for introduction of the remuneration system established in the law was prolonged till the end of 2010 by also reducing post salary in 2009; namely, by extending the period of application of the coefficient 2.5 and taking into account the average gross monthly wage in 2006.

As to remuneration of judges, the Saeima has indicated in its reply in the present case, like in that in the case No. 2009-111-01, that “normative regulatory framework regulating remuneration of Land Registry Office judges was not stable enough for it to be able to give legitimate trust in application of Section 120.¹ of the Law “On Judicial Power” in a particular year. Activities carried out by the legislator when consistently prolonging the transitional period when establishing remuneration of Land Registry Office judges could not give legitimate trust at the extent that a person could have counted on unchangeability of normative regulatory framework”.

In the Judgment of 18 January 2010, the Constitutional Court had already recognized that the system of judges’ remuneration should be stable in the long term (*see: Judgment of 18 January 2010 by the Constitutional Court in the case No. 2009-11-01, Para 11.5*). The Court also concluded that the legislator has amended legal regulatory framework for several times by changing the coefficient for calculating post salary and postponing the date of coming into force of Land Registry Office judges’ remuneration system, which has thus affected the current amount of remuneration. Based on the

conclusions made in the Judgment of 18 January 2010, it can be admitted that activities of the legislator have restricted the principle of independence of courts. Therefore it cannot serve as justification for the legislator to act in the same way, in the result of which the principle of legitimate expectations has not been observed.

Consequently, the legislator has established that remuneration that is by 4.5 times higher than the average monthly gross remuneration for work for the workforce in the State as published in the official statistical notification of the Central Statistical Bureau of the previous year shall be regarded as remuneration commensurate with work done by Land Registry Office judge.

However, Land Registry Office judges could count on the fact that in 2009 and 2010 their post salary would be calculated by applying the coefficient 3.5, whilst, in 2011 – the coefficient 4.5.

9. Reduction in percentage of remuneration of Land Registry Office judges has been established:

1) in the contested second sentence of Para 20 by providing that from 1 July 2009 to 31 December 2010 (in amendments of 1 December 2009 the latter date was substituted by 31 December 2009), remuneration shall be established at the amount of 85 percent of the estimate wage amount;

2) in the contested third sentence of Para 20 by providing that from 1 January 2010 to 31 December 2011 remuneration shall be established at the amount of 73 percent of the estimate wage amount;

The reduction in percentage is of a temporary character, namely, the restriction would be effective up to 31 December 2011. Restrictions established to remuneration of Land Registry Office judges are applied to labour wage that, in the Judgment of 18 January 2010 by the Constitutional Court was recognized as non-compliant with Article 83 of the Satversme.

Remuneration of Land Registry Office judges in 2010, like that in 2008 and 2009, is calculated based on the average monthly gross wage of employees in 2006. The coefficient 2.5 is applied to remuneration in 2008 and 2009, whilst the coefficient 2.9 is applied to remuneration in 2010. In 2010, after coming into force of the Contested Norm, remuneration is again reduced by 27 percent. Consequently, reduction of remuneration is

caused by a reduced coefficient and the reduction in percentage, as well as the fact that post salary of judges in 2010 is being calculated by applying the coefficient to the average gross monthly wage of employees in 2006 rather than to the wage of the previous year, namely, year 2008. Consequently, the amount of post salary of Land Registry Office judge is of the same amount as it being calculated based on the average gross monthly wage established in accordance with law by applying the coefficient 1.33 in 2010 and the coefficient of 1.39 in 2011. Labour wage, upon which judges could legitimately and justly count, was, in fact, reduced by 62 percent in 2010 and by 69.2 percent in 2011.

Consequently, when calculating remuneration of Land Registry Office judges, the same coefficient is, in fact, applied in 2010, which is threefold less than the coefficient to be applied to properly calculate post salary, as established by the legislator.

10. The present remuneration of Land Registry Office judges is lower than that of district (city) court judges because the legislator has initially established a different regulatory framework regarding the procedure of calculation of remuneration and the transitional period to be applied to district (city) court judges. No legal norms that provided for application of a different coefficient for calculation of remuneration of judges and Land Registry Office judges have ever been contested before the Constitutional Court. It can be concluded from the case materials that, having established the ungrounded difference, the legislator has introduced proper amendments into the Law “On Judicial Power”. In 2010, Land Registry Office judges and district (city) court judges could not count on post salary of equal amount.

Consequently, the different remuneration of Land Registry Office judges does not serve as grounds for different adjudication, and there is no reason to suggest that recognition of the contested reduction in percentage of remuneration of Land Registry Office judges as from the date of coming into force of it and disbursement of post salary for Land Registry Office judges at full extent, as well as compensation of withdrawn sums would be proportional with the risk that could be caused to stability of the State basic budget and thus welfare of the entire society, the Applicants included.

11. The Constitutional Court has already concluded that the Contested Norms regarding both, judges and Land Registry Office judges, were adopted simultaneously by applying one and the same procedure. When substantiating their constitutionality, the Saeima has also presented one and the same argumentation. The different remuneration of Land Registry Office judges gives no ground for different adjudication of the case under review. Consequently, when assessing compliance of the Contested Norms with Article 1, Article 83, and Article 107 of the Satversme, conclusions made in the Judgment of 22 June 2010 shall be applicable.

Since the legislator has failed to observe limits of freedom of action conferred to it, the contested reduction in percentage of remuneration of Land Registry Office judges shall be regarded as non-proportional and non-compliant with Article 107 of the Satversme when assessed in conjunction with Article 83 of the Satversme.

12. In the Judgment of 22 June 2010, the Constitutional Court has indicated that it is necessary to give time to the legislator to eliminate all violations established in the judgment. The Constitutional Court also ruled that reduction of remuneration is of temporary character. Moreover, when assessing legal consequences of the Judgment, it is necessary to take into account conclusions made in the Judgment of 18 January 2010.

The Constitutional Court draws attention to the fact that this already is the third judgment regarding reduction of remuneration of judges in this year; however, the legislator has failed to consider possible introduction of amendments up to now. This has strengthened trust of judges into receipt of the stipulated remuneration.

The Constitutional Court also takes into account the fact that, in this year, post salaries of groups of employees working in other branches of power and the public sector have not been reduced.

Consequently, reduction in percentage of remuneration of Land Registry Office judges established in the law shall be regarded as admissible and solitary in case if it is temporary and is applied to the stipulated remuneration, upon which Land Registry Office judges could count in accordance with the conclusions of the Judgment of 18 January 2010 by the Constitutional Court.

The Constitutional Court

Based on Articles 30 – 32 of the Constitutional Court Law,

h o l d s :

The second sentence of Para 20 of Transitional Provisions of the Law “On Judicial Power” and the words “salary of judges shall be calculated at the amount of 73 percent of the labour wage established in accordance with Para 17 of the Transitional Provisions” insofar as they establish remuneration of Land Registry Office judges, do comply with Article 1, Article 83 and Article 107 of the Satversme provided that from 1 January 2011 salaries would be calculated and disbursed in accordance with Section120.¹ of the Law “On Judicial Power” as ruled in the Judgment of 18 January 2010 by the Constitutional Court in the case No. 2009-11-01.

The Judgment is final and not subject to appeal.

The Judgment shall come into force on the date of publishing of it.

Presiding judge

G. Kūtris