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National legislation

Lituânia

This page provides you with information on the Lithuanian legal system and an overview of Lithuanian law.

#### Sources of law

Sources of law are the official means by which legal provisions are conveyed and laid down.

A **legal act** is an official written document adopted by the competent state institution in which legal provisions are laid down and explained or in which the basis on which legal provisions are applicable in an individual case is indicated. Depending on the nature of the legal information laid down therein, legal acts comprise the following:

**Legislative instruments** – these are decisions of state institutions expressed in written form laying down, amending or repealing rules of a general nature applicable to an indeterminate group of addressees and approved by the state. Legislative instruments are divided into two categories:

**Laws**, the highest-ranking of all legal acts, which are adopted by the Parliament of the Republic of Lithuania [*Seimas*] or by national referendum, setting out general legal provisions intended to regulate the main areas of human interaction and having overriding legal force. Laws are regarded as being the principal source of law.

**Subordinate instruments**, which are legislative instruments adopted on the basis of a law intended to give it concrete form and ensure its implementation.

Subordinate instruments may not be inconsistent with laws. They comprise the following:

Parliamentary resolutions,  
Government resolutions,  
instructions and orders of ministerial departments,  
resolutions and decisions of local authorities and public administrations,  
other instruments.

**Interpretative acts**, which are adopted in order to shed light on the meaning and content of applicable legal provisions. These are adopted by an institution which has competence for interpreting the law.

**Individual implementing acts**, in which the requirements laid down by legal acts, are put into effect. In the same way as legislative instruments, individual implementing acts produce legal effects but do not have the status of a source of law because they do not create general rules of universal application but are addressed in terms of their prescriptive content to specific persons in specific circumstances and are of a one-off nature in the sense that they are no longer applicable when the social relation in question (recruitment, notice, pension award, etc.) ceases to exist.

#### Other sources of law

In addition to legislative instruments, the following are also deemed to be sources of primary law:

**General legal principles (good faith, equity, individual responsibility, reasonableness)** are considered to be an integral part of the Lithuanian legal system both for interpreting statutory provisions and filling legal gaps. In addition, under Article 135(1) of the Constitution of the Republic of Lithuania, universally recognised principles of international law are also considered to form an integral part of the Lithuanian legal system, and Lithuanian courts are therefore required to apply and be guided by them.

**Legal customs**, i.e. rules of conduct approved by the state established in society as being of repeated and long-term effect. The Civil Code of the Republic of Lithuania establishes customs as a direct source of law. They may be applied when a law or contract directly provides for their application or if there is a gap in legal regulation. Customs which contradict general legal principles or imperative legal provisions may not be applied.

#### The following are recognised as secondary sources of law:

**Judicial precedent**, i.e. a court ruling in a specific case which has become a guide for courts of the same or a lower instance when examining analogous cases. Precedents are more of an advisory nature within the Lithuanian legal system.

#### Legal doctrine.

#### Hierarchy of norms

The hierarchy of legal acts is as follows:

the Constitution,  
constitutional laws,  
ratified treaties,  
laws,  
other legal acts implementing laws (acts of the President, Government, Constitutional Court, etc.).

#### Institutional set-up:

The **Lithuanian Parliament** [*Seimas*] is the only institution entitled to adopt laws. Legal acts adopted by any other state institution must be consistent with the Constitution of the Republic of Lithuania and other laws.

Other legislative instruments may be adopted by:

the Lithuanian Parliament (resolutions),  
the President (decrees),  
the Government (resolutions),  
ministries and other Government bodies (orders),  
local authorities (decisions, orders).

#### Legal databases

The **Lithuanian database of legal acts** (*Lietuvos teisės aktų duomenų bazė*) is owned and maintained by the **Parliament of the Republic of Lithuania**.

It contains the following:

adopted legal acts,  
draft legal acts,

resolutions,  
conclusions,  
other types of legislative instruments.

The documents in this database are neither official nor legally binding.

You can search the database in both English and Lithuanian. You can access the various types of legislative documents by clicking on the drop-down menu alongside 'Type'.

You can also find legislation and other legal documents in the [Register of legal acts of Lithuania](#) (*Lietuvos teisės aktų registras*). This site is maintained by the **state enterprise Centre of Registers** (*valstybė įmonė Registrų centras*) and is supervised by the **Ministry of Justice**. From 31 August 2013 the Register will be maintained by the Chancellery of the Parliament of the Republic of Lithuania.

**Is access to the database free of charge?**

Yes, access to both the register and database of legal acts of Lithuania is **free of charge**.

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