

CODE OF ADMINISTRATIVE VIOLATIONS OF THE REPUBLIC OF LATVIA

PART I GENERAL RULES

Chapter three Administrative penalty

Article 22. The objective of the **administrative** penalty
The administrative penalty is a means of responsibility that is put into practice to stimulate the individuals who have violated the administrative rules to observe the law and social regulations and to prevent both the violator and other persons from committing new transgressions of the rules.
(Including amendments made by the law from July 11., 1992)

Chapter seven Administrative violations of environmental, historical and cultural monument protection rules

Article 77. Violation of animal protection rules
For violation of the rules of animal protection stated in normative regulations penalty from twenty up to five hundred lats is applied to physical persons and from hundred up to eight hundred lats to juridical persons.
(the law wording from June 12, 2003)

Article 78. Violation of the species and habitat protection regulations
For violation of the rules of protection of species and habitats stated in normative regulations penalty from ten up to five hundred lats with confiscation of the plants/animals of the especially protected species or their parts obtained illegally is applied to physical persons, and from fifty up to a thousand lats with confiscation of the plants/animals of the especially protected species or their parts obtained illegally.
For actions committed without a permission that is required according to normative regulations concerning species and habitat protection or creating collections of wild animals or infringement of the conditions stated in the corresponding permission – a fine from twenty up to five hundred lats is applied to physical persons and from fifty up to one thousand lats to juridical persons.
(the law wording from June 12, 2003, including amendments made by the law from September 9, 2004)

Article 78.¹ Violation of the rules of the use and distribution of genetically modified organisms
For violation of the rules of the use and distribution of genetically modified organism- a fine from twenty up to five hundred lats is applied to physical persons and from one hundred up to one thousand lats to juridical persons.
(wording of the law from June 12, 2003)

Article 79. Violation of the normative regulations of international trading of rare or endangered species of plants and animals and their parts
For violation of the normative regulations of international trading of rare or endangered species of plants and animals and their parts-

a fine from fifty up to five hundred lats with confiscation of illegally obtained rare or endangered species of plants and animals and their parts is applied to physical persons, and from one hundred up to one thousand lats with confiscation of illegally obtained rare or endangered species of plants and animals and their parts to juridical persons.

(wording of the law from June 12, 2003)

Chapter fourteen „b”

Administrative violations of customs regulations

(wording of the law from September 25, 1991)

Article 201.¹⁰ Violation of customs regulations

For violation of the customs regime, except the cases when the violation had taken place because of a technical mistake or accident/coincidence and a customs debt cannot arise as a result –

a notification is given or a fine up to one hundred lats is applied for physical persons and up to five hundred lats for juridical persons with or without confiscation of the goods.

For actions of the same character if repeated in a year's time after imposing an administrative punishment-

a fine up to two hundred lats is applied for physical persons and up to one thousand lats for juridical persons with or without confiscation of the goods.

For the application of customs regime regarding infringement copies or piratical goods or temporary storing of such goods-

a fine from fifty up to two hundred fifty lats is applied for physical persons and from five hundred lats up to five thousand lats for juridical persons with confiscation of the goods.

For violation of the rules of importing, exporting or transition of strategic goods-

a fine from five thousand up to ten thousand lats is applied for juridical persons with confiscation of the corresponding goods.

(wording of the law from March 17, 2005)

Article 201.¹¹ Transportation of goods and other valuables out of the customs zone without a permission given by customs authorities

For transportation of goods and other valuables out of the customs zone without a permission given by customs authorities-

a fine up to two hundred fifty lats is applied for physical persons and up to two thousand and five hundred lats for juridical persons with or without confiscation of the goods.

(wording of the law from March 17, 2005)

Article 201.¹² Contraband/smuggled goods transportation

For importing or exporting goods that have to be placed under a customs procedure into or out of the customs territory of the Republic of Latvia, without passing the customs procedures or hiding these goods or other valuables from the customs control, or not declaring them, or using counterfeited customs or other documentation or in any other illegal way (smuggling),-

a fine from fifty lats up to two hundred fifty lats is applied for physical persons and from five hundred lats up to five thousand lats for juridical persons with confiscation of the goods or other valuables.

(wording of the law from March 17, 2005)

Article 201.¹³ Submitting documentation that contain false information to customs authorities

For submitting documentation that contain false information of any kind to customs authorities-

a fine up to two hundred fifty lats is applied for physical persons and up to six thousand lats for juridical persons with or without confiscation of the corresponding goods.

(wording of the law from March 17, 2005)

Article 201.¹⁴ Declaration of the goods submitting a wrong denomination or code

For declaration of the goods submitting a wrong denomination or a wrong code of the united European Union nomenclature, except the cases when the violation had taken place because of a technical mistake or accident/coincidence and a customs debt cannot arise as a result –

a notification is given or a fine up to seventy five lats is applied for physical persons and up to one thousand lats for juridical persons with or without confiscation of the corresponding goods.

For actions of the same character if repeated in a year's time after imposing an administrative punishment-

a fine up to one hundred and fifty lats is applied for physical persons and up to two thousand lats for juridical persons with or without confiscation of the corresponding goods

(wording of the law from March 17, 2005)

Article 201.¹⁵ Illegal operations with goods and other valuables to be placed under a customs procedure

For storing, transportation, forwarding or realisation of goods or other valuables that are to be placed under a customs procedure without a permission from customs authorities in the territory of customs of the Republic of Latvia-

a fine up to one hundred lats is applied for physical persons and up to one thousand lats for juridical persons with or without confiscation of the corresponding goods.

For removing, changing or destroying of customs warranties without a permission from customs authorities-

a fine up to one hundred lats is applied for physical persons and up to one thousand lats for juridical persons with or without confiscation of the corresponding goods.

(wording of the law from March 17, 2005)

Article 201.¹⁶ Using goods that are subject to reduction of customs taxes and other customs payments for purposes other than stated without a permission from customs authorities

For using goods that are subject to reduction of customs taxes and other customs payments for purposes other than stated without a permission from customs authorities-

a fine up to one hundred fifty lats is applied for physical persons and up to three thousand lats for juridical persons.

(wording of the law from June 17, 1998 with amendments made with law from March 17, 2005)

Article 201.¹⁷ Actions that have resulted in customs taxes and other payments not aid in full amount

For not paying customs taxes or other customs payments in terms stated and for other actions that have resulted in not paying customs taxes and other customs payments in full amount-

a fine up to one hundred lats is applied for physical persons and up to one thousand lats for juridical persons.

(wording of the law from March 17, 2005)

Article 201.¹⁸ Getting moored to a vessel that is under customs control

For getting moored to a vessel that is under customs control with other vessels or floating devices without a permission from customs authorities of the republic of Latvia-

a fine up to two hundred lats is applied for physical persons and up to one hundred lats for juridical persons.

(wording of the law from June 17, 1998)

Article 201.¹⁹ Not submitting goods and other objects as well as documentation to customs authorities of the Republic of Latvia

(excluded according to the law from June17, 1998)

Article 201.²⁰ Not observing obligations of reexportation and reimportation

(excluded according to the law from June17, 1998)

Article 201.²¹ Using goods that are subject to reduction of customs taxes for purposes other than stated without a permission from customs authorities of the Republic of Latvia

(excluded according to the law from June17, 1998)

Article 201.²² Transporting goods and other objects over the customs border of the republic of Latvia evading customs control

(excluded according to the law from June17, 1998)

Article 201.²³ Handing out goods and other objects without a permission from the customs authorities of the Republic of Latvia or losing the goods or other objects

(excluded according to the law from June17, 1998)

Article 201.²⁴ Storing or transporting goods or other objects imported to the Republic of Latvia evading the customs control or hiding the goods or other objects

(excluded according to the law from June17, 1998)

Article 201.²⁵ Transporting goods and other objects over the customs border of the Republic of Latvia, hiding them from customs control

(excluded according to the law from June17, 1998)

PART III

INSTITUTIONS ENTITLED TO PROCEED

ADMINISTRATIVE INFRINGEMENTS

Chapter sixteen

Basic regulations

Article 205. Institutions (authorities) that are entitled to proceed administrative infringements

Administrative infringements are proceeded by:

- 1) administrative commissions of local authorities;
- 2) chairpersons, deputy chairpersons and executive directors of local municipality councils;
- 3) officials of the local authorities that are entitled by the regulations issued by those authorities to apply punishment for the violation of those regulations;
- 4) judges of district (town) courts;
- 5) the police and other state institutions entitled by this code;

6) institutions (officials), that are entitled by the municipality council to deal with issues of administrative infringements of regulations of stopping and parking of vehicles.

(wording of the law from May 28,1997 with amendments made with laws from March 23, 2000 and October 16, 2003)

Chapter seventeen

Subordination of the issues of administrative infringements / trespasses / violations

Article 215.¹ State Revenue Service

State Revenue Service deals with issues of administrative infringements specified in the following articles :149³³ (part twenty of the article), 155(part three and art four of the article), 155¹, 155², 155³, 155⁵, 155⁶, 155¹³, 156, 156¹, 156², 156³, 156⁴ (part one of the article), 159, 159⁴, 160¹ (part one of the article), 165², 166, 166², 166⁶ , 166⁹ (part two of the article), 166¹² (part three of the article), 166¹⁴ , 166¹⁵ (parts two, three and four of the article), 166²⁰, 166²⁷, 166³², 169³, 190⁷ and articles 201¹⁰-201¹⁸. Exceptions take place when the control was carried out and administrative report has been written by officials of other institution, that are entitled to proceed corresponding contraventions of administrative regulations).

The following officials are entitled to proceed the issues of administrative infringements and to apply penalties:

- 1) Director general of the State Revenue Service and their deputies, directors of the territorial offices of the State Revenue Service and their deputies, the headpersons of the structural parts of the State Revenue Service and their deputies if entitled by the director general- for all administrative that are subject to the first part of this article,-infringements
a fine up to ten thousand lats and application of cofiscation;
- 2) the director of the main customs department of the State Revenue Service and their deputies, the chairpersons of the territorial customs departments of the State Revenue Service and their deputies – for administrative infringements that are subject to articles 190⁷ and 201.¹⁰-201.¹⁸ –
a fine up to six thousand lats and confiscation;
- 3) the other officials entitled by the Director general of the State Revenue Service or directors of the territorial offices of the State Revenue Service -
a fine up to two hundred and fifty lats.

(wording of the law from March 23,2000 with amendments made with laws from June 14, 2001; June 19, 2003; October 16, 2003; December 11,2003; March 25, 2004 and March 17, 2005)

Article 231. State institutions of environment protection.

State institutions of environment protection deal with issues of administrative infringements that are subject to articles 47, 48, 51-53, 53²-69, 71, 72-88¹, 88⁴-88⁶, 88⁷ of this code.

The following officials are entitled to deal with administrative infringements on behalf of state environmental protection institutions:

- 1) the chairperson of State Environmental Service and their depuies-
to apply fines up to maximal amount stated in the articles mentioned before, to take away fishing licences and to apply confiscation;

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- 2) the headpersons of the structural parts of the State Environmental Service and headpersons of their departments as well as chairpersons of especially protected natural territories and their deputies-
to apply fines up to five hundred lats and confiscation;
- 3) the state environmental inspectors of the State Environmental Service and of especially protected natural territories-
to apply fines up to two hundred lats and confiscation.

For the infringement of regulations that are subject to articles 61, 82, 82¹ and 82², if they are committed by captains of floating vessels or members of their commanding staff:

- 1) officials mentioned in paragraphs 1 and 2 of part two of this article apply fine up to maximum stated in these articles;
- 2) officials mentioned in paragraph 3 of part two of this article apply fines up to two thousand lats. A fine up to twenty lats can be cashed on the spot if the person who committed the violation of the regulation agrees with the fine applied.

(wording of the law from June 27, 2003 with amendments of the law from October 16, 2003; September 9, 2004 and March 17, 2005)