

## III.II Penalties

Fields marked with \* need to be filled in before the form can be submitted to the next level.

### III. EUTR Enforcement - context and implementation

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#### III.II Penalties (ref. EUTR Article 19)

The enforcement of the EUTR requires Member States to put in place national measures which provide a robust framework to be able to take effective, dissuasive and proportionate enforcement action and sanction different duty-holders (operators, traders and monitoring organisations) for infringements of the Regulation. The information on the legal frameworks used, the range of potential national penalties and their uppermost levels provide valuable information to assess the consistency of potential enforcement actions across the EU. This section is structured by duty-holders' obligations under the EUTR (prohibition to place illegal timber on the market for operators; due diligence and reporting obligations for operators and monitoring organisations; traceability for traders, and reporting obligation for monitoring organisations) and the provisions for penalties which are applicable to infringements to each obligation.

1 Please specify for which breaches **penalties** (ref. EUTR Article 19) are applied in your country:

	<b>Administrative fines</b> in cases of breaches of:	<b>Criminal fines</b> in cases of breaches of:	<b>Seizure of timber or timber products as a penalty</b> in cases of breaches of:	<b>Suspension of the authorisation to trade/ do business as a penalty</b> in cases of breaches of:	<b>Imprisonment</b> in cases of breaches of:	<b>Other penalties</b> in cases of breaches of:
* Prohibition (operators)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
* DD obligation (operators and monitoring organisations)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
* Traceability obligation (operators/ traders)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
* Reporting obligation (monitoring organisations)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

\* 2 Does the same legislation apply for infringements relating to domestic timber and for imported timber?

☐ Yes ☒ No

4 Which legislation provides for **penalties** for infringements of the EUTR?

Please select all that apply.

	EUTR-specific legislation	Forest (management) law	General Administrative sanctions law	Penal code	Other
* Domestic timber	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
* Imported timber	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

6 Please provide the name(s) and relevant Article numbers for the above-mentioned legislation:

Forest Law  
Criminal Law  
EUTR  
Latvian Administrative Violations Code

## Penalties in cases of breaches of prohibition

### Administrative fines in cases of breaches of prohibition

\* 7 Fine is expressed as:

specific monetary value

\* 8 What is the maximum fine in EUR? (Please convert to EUR if the MS currency is different)

Please enter a whole number. If it is not prescribed use *not set*. Examples: **45000** for 45.000,00 EUR; **not set** if not prescribed.

14000

\* 10 Which authority can impose this penalty?

Please select all that apply.

- ☒ Competent authority/ies
- ☐ Police
- ☐ Court
- ☐ Fine imposing agency
- ☐ Other

### Criminal fines in cases of breaches of prohibition

\* 12 Fine is expressed as:

other unit (e.g. percentage of income)

\* 14 What is the maximum fine?

760000, plus damages done to the nature

\* 15 Which authority can impose this penalty?

Please select all that apply.

- ☐ Competent authority/ies
- ☐ Police
- ☒ Court
- ☐ Fine imposing agency
- ☐ Other

## Seizure of timber or timber products as a penalty in cases of breaches of prohibition

\* 17 Which authority can impose this penalty?

Please select all that apply.

- ☐ Competent authority/ies
- ☐ Prosecutor
- ☐ Police
- ☒ Court
- ☐ Seizure imposing agency
- ☐ Other

\* 19 Which authority/ies is/are responsible for disposal of confiscated timber/timber products?

- ☐ Competent authority/ies
- ☐ Customs
- ☐ Police
- ☐ Court
- ☒ Other

20 Please specify other:

Special authority

## Imprisonment in cases of breaches of prohibition

\* 24 What is the maximum duration of imprisonment?

Please enter a whole number followed by a unit of time without spaces. Use either *d* for days or *y* for years or *m* for months. If it is not prescribed use *not set*. Examples: **45d** for 45 days; **18m** for 18 months; **5y** for 5 years; **not set** if not prescribed.

8y

\* 25 Which authority can impose this penalty?

Please select all that apply.

- ☐ Competent authority/ies
- ☐ Police
- ☒ Court
- ☐ Other

## Other penalties in cases of breaches of prohibition

27 Please describe the penalty:

Community service

28 What is the maximum level of this penalty?

29 Which authority can impose this penalty?

Please select all that apply.

- ☐ Competent authority/ies
- ☐ Police
- ☒ Court
- ☐ Business inspectorate
- ☐ Other

## Penalties in cases of breaches of DD obligation

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### Administrative fines in cases of breaches of DD obligation

\* 31 Fine is expressed as:

specific monetary value

\* 32 What is the maximum fine in EUR? (Please convert to EUR if the MS currency is different)

Please enter a whole number. If it is not prescribed use *not set*. Examples: **45000** for 45.000,00 EUR; **not set** if not prescribed.

7000

\* 34 Which authority can impose this penalty?

Please select all that apply.

- ☒ Competent authority/ies
- ☐ Police
- ☐ Court
- ☐ Fine imposing agency
- ☐ Other

## Penalties in cases of breaches of traceability obligation

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### Administrative fines in cases of breaches of traceability obligation

\* 55 Fine is expressed as:

specific monetary value

\* 56 What is the maximum fine in EUR? (Please convert to EUR if the MS currency is different)

Please enter a whole number. If it is not prescribed use *not set*. Examples: **45000** for 45.000,00 EUR; **not set** if not prescribed.

4300

\* 58 Which authority can impose this penalty?

Please select all that apply.

- ☐ Competent authority/ies
- ☐ Police
- ☐ Court
- ☐ Fine imposing agency
- ☒ Other

59 Please specify other:

State Revenue Service

## Penalties in cases of breaches of reporting obligation (monitoring organisations)

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### Other penalties in cases of breaches of reporting obligation

95 Please describe the penalty:

Penalties for MOs are not foreseen in the EUTR.

96 What is the maximum level of this penalty?

Penalties for MOs are not foreseen in the EUTR.

97 Which authority can impose this penalty?

Please select all that apply.

- ☐ Competent authority/ies
- ☐ Police
- ☐ Court

- ☐ Business inspectorate
- ☐ Other

## Comments

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99 Comments:

Question 1:

Penalties for MOs are not foreseen in the EUTR.

Question 2:

Answer is both 'yes' and 'no'

Domestic timber operators, as needed, can be sanctioned by both EUTR-specific sanctions as well as sanctions envisaged for illegal/unwarranted logging.

Questions 55-59:

Reply applies only to traders. (Traceability for operators is within DD obligation.)

## Submission info

100 Reporting period:

2019

101 Country:

- |                                |                               |   |                                       |
|--------------------------------|-------------------------------|---|---------------------------------------|
| <input type="radio"/> Austria  | <input type="radio"/> Finland | <input checked="" type="radio"/> Latvia | <input type="radio"/> Portugal        |
| <input type="radio"/> Belgium  | <input type="radio"/> France  | <input type="radio"/> Liechtenstein     | <input type="radio"/> Romania         |
| <input type="radio"/> Bulgaria | <input type="radio"/> Germany | <input type="radio"/> Lithuania         | <input type="radio"/> Slovak Republic |
| <input type="radio"/> Croatia  | <input type="radio"/> Greece  | <input type="radio"/> Luxembourg        | <input type="radio"/> Slovenia        |
| <input type="radio"/> Cyprus   | <input type="radio"/> Hungary | <input type="radio"/> Malta             | <input type="radio"/> Spain           |
| <input type="radio"/> Czechia  | <input type="radio"/> Iceland | <input type="radio"/> Netherlands       | <input type="radio"/> Sweden          |
| <input type="radio"/> Denmark  | <input type="radio"/> Ireland | <input type="radio"/> Norway            | <input type="radio"/> United Kingdom  |
| <input type="radio"/> Estonia  | <input type="radio"/> Italy   | <input type="radio"/> Poland            |                                       |

102 Location:

Latvia

103 Organisation name:

State Forest Service

104 Reference number:

105 Submission ID:

32618

106 Submission status:

SUBMITTED\_TO\_EC

## Contact

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