

# FLEGT Regulation Report

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

## Competent Authority

\* 1 Competent Authority/Authorities (CA) for FLEGT?

Please specify, if different to reporting authority

Ministry of Agriculture of Republic of Latvia

\* 2 Is the customs authority the CA, or one of the CAs for FLEGT?

- ☐ Customs authority is the CA  
☐ Customs authority is one of the CAs  
☒ Customs authority is not the CA or one of the CAs

\* 3 Which national legislation designates the CA?

Please also provide a hyperlink to the document (if available) or upload a PDF

Regulation of Ministry of Agriculture of Republic of Latvia

4 Please upload your file

The maximum file size is 1 MB

Only files of the type pdf are allowed

**695825c9-f3a1-452e-8f9b-1bb2a2d5f5b6/starpresoru\_vienosanas\_VID\_ZM\_16112015.pdf**

## Interaction of Competent Authority and customs

\* 5 Is there an agreement with customs, so that the CA can delegate certain tasks to customs?

- ☒ Yes  
☐ No

\* 6 Please select the option which best describes this arrangement:

- ☒ Based on legislation  
☐ Memorandum of Understanding

- ☐ Informal arrangement
- ☐ Other arrangement

\*9 Please specify the arrangements for the exchange of customs data between the CA(s) and customs. Please select all that apply:

- ☐ CA has free access to customs data
- ☐ CA must request customs data and does so
- ☒ Customs submits customs data to the CA

\*12 Please select frequency for customs data submission:

- ☐ Daily
- ☐ Weekly
- ☐ Monthly
- ☐ Twice a year
- ☐ Annually
- ☐ As needed, in addition to regular submission
- ☒ As needed, exclusively
- ☐ Other (please specify)

\*14 Please specify the arrangements for the exchange of other information (other than customs data) between the CA(s) and the customs department. Please select all that apply:

- ☐ The CA and customs have access to a shared national electronic system
- ☒ The CA informs customs once a FLEGT licence has been validated
- ☐ The CA requests customs to verify specific shipments against FLEGT licences
- ☐ Customs informs the CA of checks they perform
- ☐ Regular meetings between the CA and customs (please specify the frequency)
- ☐ Other (please specify)

\*17 Does your national legislation specify the actions that customs should take when shipments from countries and of products covered by the FLEGT licensing scheme arrive at the border?

- ☒ Yes
- ☐ No

\*18 Please select all the types of actions pertaining to customs that are specified in your national legislation:

Select the types of actions that customs is responsible for, as defined in your legislation

- ☐ Customs are required to assist in enforcing the FLEGT Regulation
- ☒ Customs are required to check FLEGT shipments in the same way they check other shipments
- ☒ Customs are required to suspend release for free circulation of a shipment until the CA has verified the FLEGT licence
- ☐ Customs are required to do certain types of checks for FLEGT shipments
- ☒ Customs are required to inform the CA of any potential non-compliance identified
- ☐ Other (please specify)

20 Does your Member State permit the retrospective submissions of customs declarations for FLEGT licenced shipments by selected importers?

- ☐ Yes
- ☒ No

## FLEGT Licences and shipments

\*21 Does the CA use FLEGIT for the processing of FLEGT licences or a national electronic system?

- ☐ FLEGIT
- ☒ National system

\*24 How are FLEGT licences submitted in your country? Please select all that apply.

- ☒ Paper licences
- ☐ Via FLEGIT
- ☐ Via national electronic system
- ☒ Via email
- ☐ Other electronic system (please specify)

\*26 Have any FLEGT licences or FLEGT-licensed shipments been received by your country in the reporting period?

- ☒ Yes
- ☐ No

27 Please provide details of the FLEGT licences received, their status (validated, pending, rejected) and quantities of timber actually imported under the FLEGT licensing scheme in the reporting year, by using the Excel template provided below and upload the completed file. Further **detailed guidance on how to compile and format this data is provided within the Excel template provided. Please also refer to the 'Preliminary checks' tab** for some guidance for the verification of your data before uploading the completed file.

Please note that this information can be extracted from FLEGIT as an Excel file, in the same format as the template provided below. The reporting authority can then complete and verify the dataset as required, by editing the generated Excel sheet.

The maximum file size is 1 MB

Only files of the type xls,xlsx are allowed

**138a28af-315e-4fc7-987a-d4cc9de2b789/FLEGT licences\_and\_actual\_imports\_data\_2020.xlsx**

28 Download template:

[FLEGT licences\\_and\\_actual\\_imports\\_data\\_template\\_v2.xlsx](#)

## Provision for penalties

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\*29 Are there provisions for administrative fines?

- ☒ Yes
- ☐ No

## Provisions for administrative fines

\*30 Minimum level of penalty:

100 EUR for private person and 700 EUR to legal entity

\*31 Maximum level of penalty:

700EUR for private person and 14 000 EUR for legal entity

\*32 Legal basis

Administrative violations code starting from paragraph 201.12 till paragraph 201.25, including penalties for declaration of false type of goods or declaration of goods with incorrect code, provision of incorrect or false information and documents to customs, smuggling etc.

33 Comments:

The penalties for infringement of FLEGT regulation are not applied.  
There are both administrative and criminal sanctions foreseen. The general sanctions for smuggling can be applied - there are no specific sanctions for FLEGT.

\*34 Are there provisions for criminal fines?

- ☒ Yes  
☐ No

### Provisions for criminal fines

\*35 Minimum level of penalty:

Imprisonment to 3 years or forced labor or fine of 100 minimal salaries, with or without confiscation of goods

\*36 Maximum level of penalty:

Imprisonment to 15 years with confiscation of goods, with police control to 3 years

\*37 Legal basis

The Criminal law - paragraph 190 about smuggling and paragraph 191 about illegal activities with customs goods

38 Comments:

The general sanctions for smuggling can be applied - there are no specific sanctions for FLEGT

\*39 Are there provisions for imprisonment?

- ☒ Yes  
☐ No

### Provisions for imprisonment

\*40 Minimum level of penalty:

Imprisonment to 3 years

\*41 Maximum level of penalty:

Imprisonment to 15 years

\*42 Legal basis

The Criminal law - paragraph 190 about smuggling and paragraph 191 about illegal activities with customs goods

43 Comments:

The general sanctions for smuggling can be applied - there are no specific sanctions for FLEGT.

\*44 Are there provisions for suspension of the authority to trade?

☐ Yes

☒ No

\*49 Are there provisions for notices of remedial action or warning letters?

☒ Yes

☐ No

## Provisions for notices of remedial action or warning letters

50 Minimum level of penalty:

Warning letter with request to provide correct information

51 Maximum level of penalty:

700 EUR to private person or 7 000 EUR to legal entity

\*52 Legal basis

Administrative violations code paragraph 155.19 provision of incorrect information of country of origin at legality check-ups

53 Comments:

The general sanctions can be applied - there are no specific sanctions for FLEGT.

\*54 Are there provisions for other types of penalties?

- ☐ Yes  
☒ No

\*56 Do penalties include seizure or confiscation of timber shipments?

- ☒ Yes  
☐ No

\*57 Is disposal of the confiscated timber foreseen in the national legislation?

- ☒ Yes  
☐ No

\*58 Which institution is responsible for disposal of confiscated timber?

- ☐ Customs  
☐ CA  
☐ Court  
☐ Police  
☒ Other

\*59 Please specify other:

Provision State Agency

## Penalties applied

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\*60 How many FLEGT licences were rejected?

0

\*61 Has Article 6(1)[1] been applied for any shipments in the reporting period, i.e. were there any penalties or seizures in in the reporting period?

[1] Article 6.1: If competent authorities establish that the requirement laid down in Article 4(1) is not fulfilled, they shall act in accordance with national legislation in force.

- ☐ Yes  
☒ No

63 Download template:

[Penalties applied template.XLSX](#)

\*64 Has Article 6(2)[1] been applied for any shipments in the reporting period?

[1] Article 6.2: Member States shall notify the Commission of any information suggesting that the provisions of this Regulation are being, or have been, circumvented.

- ☐ Yes

☒ No

## Provisions for additional verification of FLEGT licences and shipments

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\*66 Does your country carry out additional verification checks on FLEGT licences?

'Additional' verification of FLEGT licences is understood as the Competent Authority requesting additional information from the licensing authority of the partner country.

☒ Yes

☐ No

\*67 Which agency carries out these additional FLEGT licence verification checks?

☐ Customs

☐ CA

☒ Customs or CA

☐ Customs and CA

☐ Other

\*69 What criteria are used to determine whether additional verification of a FLEGT licence is required? Please select all that apply:

☒ Species

☐ Operator

☒ Volume/weight of shipment

☒ HS codes

☐ Country of origin

☒ Mismatch of information on FLEGT licence and other shipment documents

☒ Mismatch with information in SILK database

☒ Licence is missing a stamp and/or signature

☒ Licence is no longer valid

☐ Other issues with FLEGT licence (please specify)

☐ Other (please specify)

\*72 Does your country carry out additional verification checks on FLEGT-licensed shipments?

☒ Yes

☐ No

\*73 Which agency carries out these additional shipment verification checks?

☒ Customs

☐ CA

☐ Customs or CA

☐ Customs and CA

☐ Other (please specify)

\*75 What criteria are used to determine whether additional verification of a FLEGT shipment is required? Please select all that apply:

☒ Species

☐ Operator

☒ Volume/weight of shipment

☒ HS codes

☐ Country of origin

☒ Mismatch of information on FLEGT licence and other shipment documents

☐ Other issues with FLEGT licence (please specify)

☒ Random spot-checks

☐ Other (please specify)

\*78 How does the CA obtain information to verify that a shipment declared for release for free circulation matches the information provided in the FLEGT licence (e.g. HS codes, volume etc.)? Please select all that apply.

- ☐ Customs checks shipment documentation (where customs is also the CA)
- ☐ The CA requests shipment documents directly from customs for every shipment
- ☐ The CA requests shipment documents from importer for every FLEGT licence he/she submits
- ☐ The CA uses FLEGIT to check customs documents
- ☒ The CA can request customs to perform physical checks on the shipment
- ☒ Customs informs the CA if there are any mismatches between the FLEGT licence and customs data, on a case-by case basis
- ☒ Other (please specify)

\*79 Please specify other:

Custom sends necessary documents from every shipment directly to CA, CA checks legality of shipment documents

## Verifications of FLEGT licences and shipments carried out

\*80 Did you carry out any additional verification checks of FLEGT licences or shipments (including exchange of information with e.g. Indonesia's Licence Information Units (LIU), physical inspections etc.) in the reporting period?

- ☒ Yes
- ☐ No

\*81 For how many FLEGT licences were additional verification checks carried out in the reporting period?

4

\*82 Are FLEGT licences checked against the FLEGT licence information in SILK?

- ☒ Yes
- ☐ No
- ☐ Sometimes

83 Please provide feedback on your communication with the competent authority(ies) in each VPA partner county (e.g. Indonesia's Licence Information Units (LIU))

\*84 How many physical inspections of shipments were carried out in the reporting period? Please specify how many.

0

\*85 Where physical inspection was performed, how many shipments did not match the details on the FLEGT licence? Please specify how many.

0

86 Please provide details of the additional verification checks of FLEGT licences or/and shipments. Please use the Excel template provided below and upload the completed file.

The maximum file size is 1 MB

Only files of the type xls,xlsx are allowed

87 Download template:

[FLEGT\\_additional\\_verification\\_checks.xlsx](#)

## Fees for the processing of the FLEGT licences

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\*88 Do importers need to pay fees for the processing of the FLEGT licences?

☐ Yes

☒ No

## Other Implementing measures

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92 Please provide feedback on your collaboration with other CAs and the European Commission.

So far we haven't met any problems that required involving other CAs or European Commission

93 Please provide any other information, implementing measures or open issues that you consider that may be of interest to other Member States and/or the Commission.

Users can attach files and URLs to this question.

No other information

94 Please upload your file related to the previous question, if applicable.

The maximum file size is 1 MB

95 Please indicate if there are specific issues that proved, or are proving, difficult when developing and/or applying national legislation to implement the FLEGT Regulation.

Users can attach files and URLs to this question.

No other information

96 Please upload your file related to the previous question, if applicable.

The maximum file size is 1 MB

97 Any other relevant information?

Users can attach files and URLs to this question.

No other information

98 Please upload your file related to the previous question, if applicable.

The maximum file size is 1 MB

## Contact

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