

Republic of Latvia

Cabinet

Regulation No. 468

Adopted 15 July 2016

Procedures for the Execution of International and National Sanctions

*Issued pursuant to
Law On International Sanctions and National Sanctions of the
Republic of Latvia, Section 11, Paragraphs four and five*

I. General Provisions

1. This Regulation prescribes:

- 1.1. the general procedures for the execution of international and national sanctions;
- 1.2. the procedures for the execution of international and national sanctions imposed by the Cabinet to combat international terrorism or manufacture, storage, movement, use, or proliferation of weapons of mass destruction.

2. The actions that in the execution of international and national sanctions are carried out by the competent authorities and authorities which are responsible for the conducting the public registers referred to in Section 6, Paragraph two of the Law On International Sanctions and National Sanctions of the Republic of Latvia (hereinafter – the Law), shall be stipulated by Section 13 of the Law, laws and regulations governing the activity of the competent authorities, this Regulation, and based on Section 11, Paragraph three of the Law, the regulations regarding imposition of national sanctions issued by the Cabinet.

II. Execution of Civil Legal Restrictions

3. Authorities that are responsible for the conducting the public registers referred to in Section 6, Paragraph two of the Law:

- 3.1. the Court Administration as the manager of the State Unified Computerised Land Register;
- 3.2. the Register of Enterprises;
- 3.3. the Patent Office;
- 3.4. the State stock company "Road Traffic Safety Directorate";
- 3.5. the State stock company "Maritime Administration of Latvia" as the maintainer of the Latvian Ship Register database;
- 3.6. the State Technical Supervision Agency as the manager of the State Information System for the Tractor-type Machinery and Drivers Thereof;
- 3.7. the Agricultural Data Centre as the manager of the Agricultural Data Centre Information System.

4. Civil legal restrictions in conformity with Section 6 of the Law shall be imposed to prevent the use of economic resources as an analogue to money or a substitute thereof. Civil legal restrictions shall be applied so as to prevent the possibility of the subject of sanctions to acquire financial or economic benefit (financial resources, goods, services) using economic resources.

5. The Court Administration, upon receiving the information of the Ministry of Foreign Affairs regarding imposing or amending the national or international sanctions, shall verify whether the State Unified Computerised Land Register contains information regarding the subject of the sanctions unambiguously identifiable by the laws and regulations with which the international or national sanctions have been imposed, and if the subject of the sanctions:

5.1. owns an immovable property, shall inform the Land Registry Office of a district (city) court regarding necessity to ensure the execution of international and national sanction;

5.2. does not own an immovable property, shall include the subject of the sanctions in the Index of Persons of the State Unified Computerised Land Register.

6. The Court Administration, upon receiving the information of the Ministry of Foreign Affairs regarding revocation of national or international sanctions shall:

6.1. inform the Land Registry Office of a district (city) court regarding the subjects of the sanctions against whom the Land Registry Office of a district (city) court has executed international or national sanctions;

6.2. delete information on the subject of the sanctions from the Index of Persons of the State Unified Computerised Land Register.

7. The Patent Office, upon receiving the information of the Ministry of Foreign Affairs regarding imposing or amending national or international sanctions shall take a decision:

7.1. to stop registration of trademarks, designs, topographies of semiconductor products applied for in accordance with the procedures of the national procedure or granting of a patent, if a relevant application has been submitted and a civil legal restriction has been applied on its applicant or owner;

7.2. not to approve a European patent in Latvia if a relevant request has been submitted, and a civil legal restriction has been applied on its owner;

7.3. to stop making of a record with regard to the transactions with trademarks, designs, topographies of semiconductor products registered in accordance with the procedures of the national procedure or granting of a patent, and extended or approved European patent, if a relevant submission has been submitted and a civil legal restriction has been applied on its applicant, right holder, successor in title or licensee.

8. The Patent Office, upon receiving the information of the Ministry of Foreign Affairs regarding revocation of national or international sanctions shall:

8.1. resume the procedure for the registration procedure of trademarks, designs, topographies of semiconductor products applied for in accordance with the procedures of the national procedure or granting of a patent;

8.2. resume making of a record with regard to the transactions with trademarks, designs, topographies of semiconductor products registered in accordance with the procedures of the national procedure or granting of a patent and extended or approved European patent.

III. Procedures for the Application of Exceptions

9. In the execution of sanctions the exceptions and conditions for the application thereof provided for in the European Union regulations, and also in the Cabinet regulations introducing the international sanctions or laying down national sanctions shall be complied with.

10. If the Ministry of Foreign Affairs or another authority has information that a person, in relation to whom a restriction on admission in the Republic of Latvia is in force, is planning to enter in the Republic of Latvia in conformity with the exceptions provided for in the

international or national sanctions, the Ministry of Foreign Affairs or the relevant authority shall immediately inform the State Border Guard thereof.

11. For taking of the decision referred to in Section 10, Paragraph one of the Law, the competent authority may request the Ministry of Foreign Affairs to collect opinions of the State security institutions or other authorities referred to in Section 10, Paragraph two of the Law. In such case the Ministry of Foreign Affairs based on the abovementioned opinions shall, within 10 days inform the competent authority regarding the application of the permitted exceptions to the subject of the sanctions.

12. If international sanctions have been imposed by a legal act issued by the United Nations Organization, the European Union, or another international organisation, where Latvia is a member state (hereinafter - another international organisation), the Ministry of Foreign Affairs shall, in accordance with the provisions of the relevant legal act:

12.1. based on the information provided by the competent authority, inform the United Nations Organization, the European Union, or another international organisation and, if it is provided for in the relevant legal acts, request a consent of other member states for the application of an exception, indicating the reason thereof;

12.2. after the conditions for the application of the exceptions indicated in the legal act of the United Nations Organization, the European Union, or another international organisation have set in, draw up a relevant certification and send it to the competent authority.

13. The subject of the sanctions upon submitting a request for the application of an exception to the Land Registry Office of a district (city) court shall attach to it the information of the Ministry of Foreign Affairs regarding application of the permitted exceptions, but if legal acts of the United Nations Organization, the European Union or another international organisation provide for special conditions in the application of exceptions, also the certification referred to in Sub-paragraph 12.2 of this Regulation.

IV. Execution of National Sanctions to Combat International Terrorism or Manufacture, Storage, Movement, Use, or Proliferation of Weapons of Mass Destruction

14. In order to combat international terrorism or manufacture, storage, movement, use, or proliferation of weapons of mass destruction, the Cabinet may impose financial, civil legal, admission restrictions and restrictions on circulation of goods of strategic significance and other goods.

15. The Office for Prevention of Laundering of Proceeds Derived from Criminal Activity (hereinafter – the Control Service) shall be the competent authority for the execution of financial sanctions to combat international terrorism or manufacture, storage, movement, use, or proliferation of weapons of mass destruction.

16. The Control Service shall execute financial sanctions to combat international terrorism or manufacture, storage, movement, use, or proliferation of weapons of mass destruction, regardless of whether an investigatory records case or the criminal proceedings have been commenced.

17. The Control Service shall execute financial sanctions to combat international terrorism or manufacture, storage, movement, use, or proliferation of weapons of mass destruction in accordance with the Law On the Prevention of Money Laundering and Terrorism Financing and laws and regulations regarding unusual transaction indicator list and procedures for reporting unusual and suspicious transactions.

18. If the Cabinet has imposed sanctions to combat international terrorism or manufacture, storage, movement, use, or proliferation of weapons of mass destruction, the Ministry of Foreign Affairs shall submit a list of the relevant sanctions to the United Nations Organization, the European Union, or, where necessary, also to another international organisation, and request these international organisations to assess the necessity to include the abovementioned sanctions to the international lists of sanctions.

V. Exchange of Information

19. The Ministry of Foreign Affairs shall, in addition to the obligation laid down in Section 12, Paragraph one, Clause 3 of the Law to inform the competent authorities, also publish information regarding the international and national sanctions in force on the website of the Ministry. Only those international sanctions that have been published in the Official Journal of the European Union, and national sanctions that have been published in *Latvijas Vēstnesis* [the official Gazette of the Government of Latvia] shall be legally binding.

20. If the competent authorities or authorities which are responsible for conducting the public registers referred to in Section 6, Paragraph two of the Law, in the course of execution of international sanctions require additional information or interpretation on the application of the sanctions, the authority with the intermediation of the Ministry of Foreign Affairs shall request the relevant information from the international organisation which has imposed the sanctions.

Prime Minister

Māris Kučinskis

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