



## LAW AND REGULATIONS

**PROMULGATED TO GIVE EFFECT TO THE PROVISIONS OF  
THE INTERNATIONAL TREATIES ON NARCOTIC DRUGS AND PSYCHOTROPIC SUBSTANCES**

*In accordance with the relevant articles of the international treaties on narcotic drugs and psychotropic substances,  
the Secretary-General has the honour to communicate the following legislative texts*

## LATVIA

Communicated by the Government of Latvia

## NOTE BY THE SECRETARIAT

- (a) Some editing of texts may be done by the Secretariat in the interest of clarity. In this connection, words in square brackets [ ] have been added or changed by the Secretariat.
- (b) Only passages directly relevant to the control of narcotic drugs or psychotropic substances have been reproduced in this document. Non-relevant parts of laws and regulations have been deleted by the Secretariat; such deletions are indicated by [...].

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\*Note by the Secretariat: These documents are a direct reproduction of the texts communicated to the Secretariat.

Text consolidated by Tulkošanas un terminoloģijas centrs the Translation and Terminology Centre with amending law of 11 June 1998.

If a whole or part of a section has been amended, the date of the amending law appears in square brackets at the end of the section. If a whole section, paragraph or clause has been deleted, the date of the deletion appears in square brackets beside the deleted section, paragraph or clause.

The *Saeima*<sup>1</sup> has adopted and the President has proclaimed the following law:

## On Precursors

### Chapter I General Provisions

#### Section 1.

The following terms are used in this Law:

1) **precursors** – substances which may be utilised for the illicit production of narcotic or psychotropic substances, which have been classified in conformity with the 20 December 1988 U.N. Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances and which are included in Schedule<sup>1</sup> IV of the Schedules of narcotic substances, psychotropic substances and precursors supervised by the Ministry of Welfare<sup>2</sup> (hereinafter - Schedule IV). Depending on the levels of risk from abuse of such substances, they are classified in three categories within Schedule IV. Pharmaceutical preparations and other products shall not be controlled if they contain precursors in such a form as cannot be used for illicit purposes;

2) **trade** - the import, export, transit, production, distribution, research and preparation of precursors;

3) **export** - the physical movement of precursors from the territory of Latvia to the territory of another state, crossing the customs border;

4) **import** - the physical movement of precursors from the territory of another state to the territory of Latvia, crossing the customs border;

5) **transit** - carriage of precursors through the territory of Latvia, if Latvia is neither the exporter nor the importer of such substances;

6) **operator** - any natural or legal person who produces, stores or sells precursors wholesale or retail, or performs their processing, their import, export or transit operations, or broker services or completion of customs declarations related to such; and

7) **the consignee of the cargo** - a natural or legal person to whom a shipment of precursors is delivered. Such person need not be the user of the substances received.

[11 June 1998]

#### Section 2.

This Law regulates the activities of natural and legal persons with precursors in the Republic of Latvia, and its purpose is to prevent the entry of such substances into illicit trade.

Original footnote:

<sup>1</sup> The Parliament of the Republic of Latvia

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<sup>1</sup> Note by the Secretariat: For sake of consistency with E/NL.2002/62 the term “Register” was replaced by the term “Schedule” in E/NL.2002/57, E/NL.2002/58, and E/NL.2002/60.

<sup>2</sup> Note by the Secretariat: E/NL.2002/62

## **Chapter II**

### **Registration and Licensing of Operators**

#### **Section 3.**

The Ministry of Welfare shall register operators, who produce, process, store, import, export or sell precursors wholesale.

[11 June 1998]

#### **Section 4.**

Operators who are engaged only in the completion of customs declarations for 2<sup>nd</sup> and 3<sup>rd</sup> register category precursors, leasing and leasing out of warehouses, and provision of transport services, need not schedule with the Ministry of Welfare. Those operators who are engaged in retail sale of 3<sup>rd</sup> category precursors also need not register.

[11 June 1998]

#### **Section 5.**

Operators who produce, process, store, import, export or sell wholesale 1<sup>st</sup> and 2<sup>nd</sup> category precursors are required to have a licence for work with precursors.

#### **Section 6.**

The Cabinet shall determine the procedures for registering and licensing operators.

## **Chapter III**

### **Documentation of the Trade of Precursors, Accounting and Labeling**

#### **Section 7.**

Documents shall be completed for operations that are related to the import, export or carriage in transit of precursors.

In the documents (invoices, transport manifests and customs declarations) shall be indicated precise names of the precursors and the mass and volume of such substances, but if the substances are included in mixtures - their percentage content, the importer, the exporter and their addresses, as well as the consignee of the cargo and their address.

#### **Section 8.**

In labeling precursor shipments, the operators shall indicate on the labels not only the accepted trade names of these substances, but also the names given in Schedule IV.

#### **Section 9.**

Operators, who process, store, import, export or sell precursors wholesale shall perform a precise accounting of these operations.

#### **Section 10.**

The documentation mentioned in Sections 7 and 9 of this Law shall be preserved for three years after the end of the calendar year in which the relevant operations were performed.

## **Chapter IV Obligations of Operators**

### **Section 11.**

Operators are prohibited from transferring or selling 1<sup>st</sup> and 2<sup>nd</sup> category precursors to such operators as do not have a licence for work with precursors.

### **Section 12.**

Operators are prohibited from engaging in retail sale of 1<sup>st</sup> and 2<sup>nd</sup> category precursors.

### **Section 13.**

Operators who have registered with the Ministry of Welfare for the performance of operations with precursors have an obligation to:

1) inform without delay the Drug Control Office of the Ministry of the Interior and the Ministry of Welfare regarding such orders for or operations with precursors which provide cause to conclude that these substances may be diverted into the illicit production of narcotic or psychotropic substances;

2) submit a report once a year to the Ministry of Welfare regarding all operations which are related to precursors; and

3) allow, without objections, the Drug Control Office of the Ministry of the Interior and other competent authorities and their officials to inspect documents without restriction in respect of any operation that is related to precursors, as well as to freely access any object which may be related to such substances.

[11 June 1998]

## **Chapter V Control of External Trade**

### **Section 14.**

The import and export of all precursors, as well as the transit of 1<sup>st</sup> and 2<sup>nd</sup> category precursors is permitted only if a single-use permit issued by the State Drug Agency has been received. A transit permit is not required for carriage of 3<sup>rd</sup> category precursors.

[11 June 1998]

### **Section 15.**

In an application, which is addressed to the State Drug Agency, to receive a permit for the import, export or transit of precursors there shall be set out:

1) the exporter and their address, the importer and their address, every operator who participates in export, import or carriage in transit operations and the consignee of the cargo;

2) the names of the precursors given in Schedule IV;

3) the mass and volume of the precursors, but if the substances are included in mixtures - their percentage content; and

4) the anticipated term for dispatching the cargo, the name and address of the customs authority in which customs formalities will be handled, information regarding the carrier and the route, the anticipated border crossing points, if such are known - also the customs crossing points of other states, the customs codes for the precursors, the number and date of the invoice, the name, surname and signature of the submitter or their authorised representative, and the date of submission.

[11 June 1998]

**Section 16.**

If any state requests, in accordance with Article 12, Paragraph 10 of the Convention mentioned in Section 1 of this Law, that it be informed in advance regarding the anticipated importation of precursors, the request for an export or transit permit shall be accompanied by a copy of the import permit issued by a competent authority of the importing state.

**Section 17.**

A decision regarding the issuance of an import or export permit shall be taken by the State Drug Agency within 15 working days from the day of acceptance of the application. A decision regarding the issuance of a transit permit shall be taken within two working days from the day of acceptance of the application. This term may be extended if the State Drug Agency must verify the import permit specified in Section 16 of this Law.

[11 June 1998]

**Section 18.**

A permit shall not be issued if there is cause to believe that the information which has been submitted in the application addressed to the State Drug Agency is incorrect or that the precursors may be diverted into illicit production of narcotic or psychotropic substances. In such cases, suspension or revocation of a permit already issued is also possible.

[11 June 1998]

**Section 19.**

An export permit shall be submitted to customs together with a customs export declaration. One copy of this permit shall be submitted at the customs office at the point of exit and shall be sent with the customs notations provided for on the form, from the customs office at the point of exit to the State Drug Agency.

[11 June 1998]

**Section 20.**

An import permit shall be submitted to the customs office at the point of entry. One copy of this permit shall be sent with the customs notations provided for on the form, from the customs office at the point of entry to the State Drug Agency.

[11 June 1998]

**Section 21.**

The import, export and transit permits provided for in this Law need not be received in respect of drugs and household chemical goods in the composition of which there are precursors, if such are imported, exported or carried in transit in such amounts as do not exceed the personal consumption norms set out in regulatory enactments.

## **Chapter VI**

### **Liability for Violations of this Law**

**Section 22.**

For violations of this Law, persons shall be subject to liability as prescribed by law.

This Law has been adopted by the *Saeima* on 9 May 1996.

Acting for the President

The Chairperson of the *Saeima*

I. Kreituse

Riga, 23 May 1996

Text consolidated by the Translation and Terminology Centre with amending law of 11 June 1998.

If a whole or part of a section has been amended, the date of the amending law appears in square brackets at the end of the section. If a whole section, paragraph or clause has been deleted, the date of the deletion appears in square brackets beside the deleted section, paragraph or clause.

The *Saeima*<sup>1</sup> has adopted and the President has proclaimed the following law:

## **On Procedures for the Legal Trade of Narcotic and Psychotropic Substances and Drugs**

### **Chapter I General Provisions**

#### **Section 1.**

Terms Used in this Law:

- 1) **trade** - the import, export, transit, production, distribution, research and preparation of narcotic and psychotropic substances and drugs;
- 2) **export** - the physical movement of narcotic and psychotropic substances and drugs from the territory of Latvia to the territory of another state, by crossing of the customs border;
- 3) **import** - the physical movement of narcotic and psychotropic substances and drugs from the territory of another state to the territory of Latvia, crossing the customs border;
- 4) **distribution** - the keeping in stock, sale, or transfer for use without charge, of narcotic and psychotropic substances and drugs;
- 5) **the consignee of the cargo** - a natural or legal person to whom a shipment of plants, substances or drugs, which are included in the Schedules of narcotic substances, psychotropic substances and precursors supervised by the Ministry of Welfare<sup>1</sup>, is delivered. Such person need not be the user of the plants, substances or drugs received;
- 6) **narcotic and psychotropic drugs** - drugs, in the composition of which, are included narcotic and psychotropic substances that are permitted to be used for medical or scientific purposes in accordance with laws and other regulatory enactments regulating pharmaceutical activities;
- 7) **narcotic substances** - substances, which are classified in accordance with the 30 March 1961 Single Convention on Narcotic Drugs and with the 1972 Protocol on Amendments to the 30 March 1961 Single Convention on Narcotic Drugs, and included in the Schedules of narcotic substances, psychotropic substances and precursors, which are supervised by the Ministry of Welfare;
- 8) **illicit trade (illicit traffic)** - any operations with narcotic and psychotropic substances and drugs that are not in compliance with the provisions of this Law;
- 9) **precursors** - substances, which may be utilised for illicit production of narcotic or psychotropic substances, which have been classified in conformity with the 20 December 1988 U. N. Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances and included in Schedule IV of the Schedules of narcotic substances, psychotropic substances and precursors supervised by the Ministry of Welfare;
- 10) **psychotropic substances** – substances, which have been classified in accordance with the 21 February 1971 Convention on Psychotropic Substances and included in the Schedules of narcotic substances, psychotropic substances and precursors supervised by the Ministry of Welfare; and
- 11) **transit** - carriage of narcotic or psychotropic substances and drugs through the territory of Latvia, if Latvia is neither the exporter nor the importer of such substances and drugs.

[11 June 1998]

#### **Section 2.**

The purpose of this Law is to prescribe the procedures for the trade of narcotic and psychotropic substances and drugs, and to prevent such substances and drugs entering into illicit trade, as well as to prescribe liability for violations of this Law.

[11 June 1998]

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<sup>1</sup> Note by the Secretariat: E/NL.2002/62

## **Chapter II**

### **Classification of Narcotic and Psychotropic Substances and Drugs**

#### **Section 3.**

(1) Plants, substances and drugs, which have been classified by or in accordance with international conventions, as narcotic or psychotropic substances or drugs, or which may be used for the illicit acquisition of such substances or drugs, as well as any other plants, substances or drugs, the abuse of which may endanger health, shall be included in the Schedules of narcotic substances, psychotropic substances and precursors supervised by the Ministry of Welfare. Depending on the degree of risk from the abuse of such plants, substances and drugs, they shall be classified in four Schedules.

(2) The Cabinet shall approve the Schedules of narcotic substances, psychotropic substances and precursors supervised by the Ministry of Welfare. Schedule I shall include prohibited, especially dangerous narcotic substances and psychotropic substances and plants that are their equivalent. Schedule II shall include very dangerous narcotic substances and psychotropic substances and drugs that are their equivalent, which are permitted to be used for medical and scientific purposes. Schedule III shall include dangerous psychotropic substances and drugs, which are subject to abuse. Schedule IV shall include precursors, which are subject to use in the illicit manufacture of narcotic or psychotropic substances and the trade of which is regulated by the Law on Precursors.<sup>21</sup>

(3) The botanical names of plants shall be indicated; for substances and drugs – their international non-patented names – or, if such do not exist - their chemical names. If a mixture of substances and drugs or the composition of a drug contains one substance or drugs included in Schedules II or III or several such substances and drugs, the conditions which are applicable to the more strictly controlled substances and drugs contained in such mixture or in the composition of the drug, shall be applied.

[11 June 1998]

#### **Section 4.**

Drugs or other mixtures which contain a substance included in Schedules II or III, but do not create any, or create a minimal possibility for their abuse, because the substances in their composition are not readily separable in such quantities as are subject to abuse, may be exempted, pursuant to an order of the Minister for Welfare, from specific control measures provided for by this Law. This order shall specify the control measures from which the drugs or other mixtures are exempted.

[11 June 1998]

## **Chapter III**

### **Prohibited Plants, Substances and Drugs Included in Schedule I**

#### **Section 5.**

It is prohibited to cultivate, produce, import, export, distribute, transport, store, transfer for a charge or free of charge, acquire and use, as well as to send through the territory of Latvia, the plants, substances and drugs included in Schedule I.

#### **Section 6.**

(1) It is prohibited to grow opium poppies, oil poppies, coca bushes and cannabis plants in Latvia. It shall be the duty of the owners or lessees of land usable for agricultural or other purposes to destroy opium poppies, oil poppies and coca bushes growing on their land.

(2) Procedures for the cultivation, for restricted industrial and horticultural purposes, of cannabis plants (the acquisition of fibers and seeds) and poppies shall be determined by the Cabinet.

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<sup>21</sup> Note by the Secretariat: E/NL.2002/57

**Section 7.**

Natural and legal persons may, in accordance with procedures prescribed by the Cabinet, receive a permit from the Ministry of Welfare for the cultivation of plants, production or importing substances and drugs included in Schedule I, as well as II or III, and for their use and storage in such quantities as do not exceed those necessary for medical and scientific research or for educational purposes. A person who has received such a permit shall record, in an inventory record to be preserved for ten years, the types and quantities of plants, substances and drugs they have acquired, produced, imported, used and destroyed, indicating the date when the respective operations were performed, as well as the name of the supplier. The person who has received such a permit shall have a duty to submit annually to the Ministry of Welfare a report regarding the quantity of substances used or destroyed, and in stock.

[11 June 1998]

**Chapter IV**  
**Licensing of Operations with Substances**  
**and Drugs Included in Schedules II and III**

**Section 8.**

In respect of substances and drugs included in Schedules II and III, the same conditions shall apply as are prescribed for substances and drugs used in medicine and veterinary medicine, to the extent they are not in contradiction to this Law.

**Section 9.**

(1) The trade of substances and drugs included in Schedules II and III may be performed only by such legal persons as have received a licence issued by the Pharmaceutical Activity Licensing Commission of the Ministry of Welfare.

(2) Operations provided for in the licence, shall be performed only on the premises specified in the licence.

**Section 10.**

The licences mentioned in Section 9 of this Law shall be issued only if the respective substances are intended for medical or scientific purposes. Substances included in Schedules II and III are permitted to be used for other purposes also, if the applicant for a licence can prove that these substances will not be used illegally. An applicant for a licence has a duty to ensure that the products produced are not used wrongfully, in order that they do not cause adverse consequences and that the narcotic and psychotropic substances they contain are not easily extracted. The above-mentioned production shall not be subject to control measures for substances included in Schedules II and III.

**Section 11.**

The licences mentioned in Section 9 of this Law shall be issued only to legal persons as have received a licence for pharmaceutical activity and have appointed an official (with relevant education) to be responsible for the trade of narcotic and psychotropic substances.

[11 June 1998]

**Section 12.**

In order to make changes in the name of a licensed legal person, or changes of a pharmaceutical nature in the form of its activity, as well as in order to change the nomenclature, methods of production, substances produced and the form or composition of ready-made drugs of the substances or drugs traded and included in Schedules II and III, a permit from the Pharmaceutical Activities Licensing Commission of the Ministry of Welfare is required. The permit shall be issued or denied within 30 days from the day of submission of the application.

**Section 13.**

Operations of a licensed legal person with substances or drugs included in Schedules II and III may be performed in the territory of Latvia only by such natural or legal persons as have a licence or permit issued for the relevant activities.



**Section 14.**

A decision regarding the denial, suspension or annulment of a licence shall be taken by the Pharmaceutical Activity Licensing Commission of the Ministry of Welfare after it has invited the person, who has applied for or received a licence, to submit explanations. The decision shall be substantiated, and the relevant interested person shall be informed of it. The Commission shall notify the Drug Control Office of the Ministry of the Interior of its decision. Lists of licensed legal persons shall also be submitted to this authority annually. The Pharmaceutical Activity Licensing Commission of the Ministry of Welfare shall register each case when a legal person discontinues its activity, or when the licence issued to it is cancelled, or the period of validity of the licence has expired.

**Section 15.**

A decision regarding the suspension or cancellation of a licence shall not release the person from administrative or criminal liability for violation of this Law.

**Chapter V**  
**Control of Production, Importation and**  
**Exportation of Substances and Drugs Included in Schedules II and III**

**Section 16.**

(1) The State Drug Agency shall perform an analysis of the estimated consumption of narcotic and psychotropic substances and drugs and on the basis thereof prepare and submit an annual consumption quota of narcotic and psychotropic substances and drugs to the U.N. International Narcotics Control Board for approval.

(2) The State Drug Agency shall compile, and submit to the U.N. International Narcotics Control Board, quarterly and annual statistical reports regarding the trade of narcotic and psychotropic substances.

(3) The State Drug Agency shall provide notice to the U.N. International Narcotics Control Board regarding such purchases or operations as may divert narcotic and psychotropic substances and drugs into illicit trade.

[11 June 1998]

**Section 17.**

Only such legal persons as have the licence specified in Section 9 of this Law may enter into the international trade of substances and drugs included in Schedules II and III.

**Section 18.**

Importation and exportation of substances and drugs included in Schedules II and III may be performed only with a single-use permit issued by the State Drug Agency, which is in compliance with the requirements of the Commission on Narcotic Drugs of the U.N. Economic and Social Council.

[11 June 1998]

**Section 19.**

(1) The intended activities, the relevant licence number, the importer and exporter, their addresses, information regarding the consignee of the cargo, the international non-patented name of each substance or the name given in the schedules and tables of international conventions, the form of drugs and their patented name where such exists, the quantity of the substances and drugs, the mode of transportation or shipment, and the place and time of crossing the customs border shall be set out in applications for import or export permits.

(2) Together with an export application, an import permit issued by a competent authority of the importing state shall be submitted, if such is provided for by the laws of the respective state.

**Section 20.**

An import or export permit shall include the same information which is mentioned in the relevant application, and the period of validity of the permit. An import permit shall specify whether the import shipment consists of a single cargo or several cargoes. An export permit shall set out, if necessary, the number and the date of issuance of the relevant import permit, thereby confirming the import permit for the substances or drugs.

**Section 21.**

It is required that each shipment be accompanied by three certified copies of the export permit. One copy of the permit shall be submitted to the customs office of exportation together with a customs declaration, and shall be sent, with the required formal endorsements of the customs authorities, to the State Drug Agency; the second copy shall be attached to the shipment; but the third copy of the permit shall be sent by the State Drug Agency to the competent authority of the importing state.

[11 June 1998]

**Section 22.**

As soon as an imported shipment has arrived in the territory of Latvia, or the period of validity mentioned in the import permit has expired, the State Drug Agency shall send to the competent authority of the exporting state the export permit issued by that state, indicating the actual quantity of the imported substances or drugs.

[11 June 1998]

**Section 23.**

If the actual quantity of the exported narcotic and psychotropic substances or drugs is less than the quantity mentioned in the export permit, the State Drug Agency shall record this in a copy of the export permit, which shall be sent to the competent authority of the importing state.

[11 June 1998]

**Section 24.**

In commercial documents (invoices, cargo manifests, customs, transport and other accompanying documents) there shall be set out the names of substances and drugs in conformity with the schedules and tables of the U. N. conventions, the quantity of substances and drugs to be exported from or imported into the territory of Latvia, the exporter and the importer, their addresses, the consignee of the cargo and their address.

**Section 25.**

If only a bank or a post-box number is set out in the place for the address of the consignee of the cargo, export from or import into the territory of Latvia of substances and drugs included in Schedules II or III is prohibited.

**Section 26.**

Export of substances and drugs included in Schedules II and III to a consignment warehouse is prohibited, except in cases when such form of delivery has been approved in the import permit issued by the competent authority of the importing state. It is also prohibited to import such substances and drugs to a consignment warehouse in the territory of Latvia.

**Section 27.**

The competent authorities (institutions and the border guard force) shall have a duty to impound those shipments, which cross the customs border in either direction, which do not have relevant import, export or transit permits, and to require that the legality of the shipments be verified. In case of failure to do so, the cargo shall be confiscated.

[11 June 1998]

**Section 28.**

The Cabinet shall determine the customs stations through which the import, export and transit of substances and drugs included in Schedules II and III shall be permitted.

**Section 29.**

Transit carriage of substances and drugs included in Schedules II and III through the territory of Latvia may be performed only if a transit permit issued by the State Drug Agency has been received, irrespective of whether the cargo is or is not unloaded from the means of transport which is carrying it.

[11 June 1998]

**Section 30.**

(1) Transit carriage of substances and drugs included in Schedules II and III shall be performed in accordance with the route specified in the attached export permit and shall be delivered, accompanied by armed guards, to the destination specified in the permit.

(2) Transit regulations for such substances and drugs shall be determined by the Cabinet.

[11 June 1998]

**Section 31.**

No one shall change the composition, content or packaging of a transit cargo of substances and drugs included in Schedules II and III, conveyed through the territory of Latvia, if a permit from the State Drug Agency has not been received. The provisions of this Section shall not restrict the lawful activities of competent authorities (institutions and the border guard force).

[11 June 1998]

**Section 32.**

In respect of free ports and free trade zones, the same control and supervision measures shall be applied as have been prescribed for other parts of the territory of Latvia.

**Section 33.**

Commercial carriers have the duty to carry out appropriate precautionary measures, in order to prevent the use of their means of transport for the illicit carriage of plants, substances and drugs mentioned in this Law. Upon arrival in the territory of Latvia, they have the duty to inform the Drug Control Office of the Ministry of the Interior, without delay, regarding circumstances which create suspicion that the means of transport has been used illegally.

**Section 34.**

Legal persons who have received a licence mentioned in Section 9 of this Law may send the substances and drugs specified in this Law by registered postal shipments, if such are packaged in boxes, indicating their value and requesting confirmation of delivery.

## Chapter VI

### Distribution of Substances and Drugs Included in Schedules II and III

**Section 35.**

The substances and drugs included in Schedules II and III may be purchased for professional activities in accordance with the provisions of this Law only from such legal persons to whom a licence specified in Section 9 of this Law has been issued.

**Section 36.**

The substances and drugs included in Schedules II and III may be dispensed to patients only pursuant to a prescription in which instructions for their therapeutic use are indicated. The procedures for writing and preserving prescriptions shall be determined by the Cabinet. If the dispenser of the drugs does not personally know the submitter of the prescription, they have the right to request that a personal identification document be presented.

[11 June 1998]

**Section 37.**

The procedures for the receipt, purchase, distribution, dispensation, storage and inventory of drugs included in Schedules II and III by drug wholesalers, drug manufacturing undertakings, pharmacies and medical treatment institutions shall be determined by the Cabinet.

**Section 38.**

The Minister for Welfare shall determine the quantity of drugs included in Schedules II and III which may be included in medical first aid kits of those means of transport involved in international carriage and registered in the territory of Latvia, as well as the procedures for the trade of such kits.

[11 June 1998]

**Section 39.**

Natural persons may possess drugs necessary for their personal use, which contain substances included in Schedules II and III, in such quantities as do not exceed the dosage for a seven day treatment period, if they are substances included in Schedule II, or the dosage for a 30 day treatment period, if they are substances included in Schedule III. The necessity to use such drugs shall be proved by the persons concerned by the presentation of prescriptions or copies of prescription thereof for these drugs.

**Section 40.**

The Ministry of Welfare shall issue permits to use substances and drugs included in Schedules II and III for the capture of animals, as well as approve regulations for their use.

[11 June 1998}

**Chapter VII  
Special Provisions**

**Section 41.**

If a cargo contains substances or drugs included in Schedule II, only the name, surname and address of the consignor and the consignee may appear on the outer packaging of the parcel intended for shipment. Shipments shall be sealed with the seal of the consignor.

**Section 42.**

The substances and drugs included in Schedules II and III may not be advertised in the mass media, as well as may not be used in any other form of advertising, which is intended for non-specialists, to popularise them. This shall not apply to preparations containing substances included in Schedules II or III, which, nevertheless, are exempted, pursuant to an order of the Minister for Welfare, from specific control measures provided for by this Law. In advertising of such preparations, it is prohibited to mention the substances included in Schedules II or III which these preparations contain.

[11 June 1998]

**Chapter VIII  
Control of Compliance with this Law and Liability for its Violation**

**Section 43. [11 June 1998]**

**Section 44.**

The State Pharmacy Inspection shall supervise and control the illicit trade of narcotic and psychotropic substances and drugs in undertakings (companies) engaged in pharmaceutical activities. The Medical Care and Disability Expert Examination Quality Control Inspection shall supervise and control the legal trade of narcotic and psychotropic substances and drugs in medical treatment institutions.

[11 June 1998]

**Section 45.**

For violations of this Law, persons shall be subject to liability as prescribed by law.

This Law has been adopted by the *Saeima* on 9 May 1996.  
Acting for the President  
Chairperson of the *Saeima* I.Kreituse  
Riga, 23 May 1996

**E/NL.2002/59**

Republic of Latvia

Cabinet

Regulation No. 327

Adopted 13 August 1996

**Regulations on the Transit of Narcotic and Psychotropic Substances and Drugs**

Issued pursuant to Section 30 of the Law  
on Procedures for the Legal Trade of Narcotic and  
Psychotropic Substances and Drugs <sup>11</sup>

1. These Regulations prescribe regulations for transit and procedures for armed guard of narcotic substances, psychotropic substances and drugs included in Schedules II and III of the narcotic substances, psychotropic substances and precursors controlled by the Ministry of Welfare<sup>21</sup>, in order to prevent, in accordance with the 30 March 1961 UN Single Convention on Narcotic Drugs, the 21 February 1971 Convention on Psychotropic Substances, and the 20 December 1988 Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, smuggling of narcotic and psychotropic substances and drugs, the redirection of such into illegal trade, as well as illegal transit.

[4 August 1998]

2. In order to obtain a permit for the transit of narcotic and psychotropic substances and drugs (hereinafter – permit), legal persons performing transit operations of narcotic and psychotropic substances and drugs shall submit an application for a permit to the State Drug Agency.

[4 August 1998]

3. The application for a permit shall indicate:

3.1. the name and address of the legal persons who are the importer and the exporter;

3.2. for each narcotic and psychotropic substance the international generic name, or the name of the narcotic and psychotropic substances and drugs in accordance with the schedules referred to in international conventions on narcotic and psychotropic substances;

3.3. the form of narcotic and psychotropic drugs, the content of narcotic and psychotropic substances in such, the patented name of the form of the drug (if such exists);

3.4. the amount of narcotic and psychotropic substances and drugs, the border crossing customs stations and the time of crossing the border; and

3.5. the number of the contract for the provision of armed guard for the shipment and the date of entering into the contract.

[4 August 1998]

4. A copy of the export permit issued by a competent authority of the exporting state shall be submitted together with the application for a permit.

5. Permits may be requested by post, fax or in person by relevant legal persons of the exporting state or the recipient state, as well as by authorised representatives in Latvia of such legal persons.

6. Permits shall be issued by the State Drug Agency in accordance with the provisions of the conventions referred to in Paragraph 1 of these Regulations and the Cabinet approved lists of narcotic and psychotropic substances and precursors controlled by the State Drug Agency.

[4 August 1998]

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<sup>11</sup> Note by the Secretariat: E/NL.2002/58

<sup>21</sup> Note by the Secretariat: E/NL.2002/62

7. Prior to issuing a permit, the State Drug Agency shall carry out verification of the legality of the transit operations.

[4 August 1998]

8. For each transit consignment the State Drug Agency shall issue or send to the permit applicant two confirmed copies of the permit. One copy of the permit shall be presented at the customs station when importing the transit shipment into the territory of the Republic of Latvia, and the second copy when exporting the shipment from the territory of the Republic of Latvia.

[4 August 1998]

9. A permit shall be valid for only one transit operation.

10. A permit shall include the information referred to in Paragraph 3 of these Regulations and the term of validity of the permit.

11. A permit shall have the signature of the Director-General of the State Drug Agency or an official authorised by the Director-General. Samples of said signatures shall be forwarded to the State Revenue Service Customs Board.

[4 August 1998]

12. A permit shall have on it the seal of the State Drug Agency. In the top right-hand corner of the permit, there shall be an embossed impression of the seal of the State Drug Agency.

[4 August 1998]

13. Once a month the Customs Board shall provide to the State Drug Agency information regarding the amount of narcotic and psychotropic substances and drugs in shipments that have crossed the State border.

[4 August 1998]

14. The Minister for Welfare shall approve the sample permit form, the sample application form for a permit, as well as samples of the seals. Samples of the seal impressions shall be forwarded to the Customs Board.

[4 August 1998]

15. Transit carriage through the territory of Latvia of shipments of the substances and drugs included in Schedules II and III referred to in Paragraph 1 of these Regulations (hereinafter – shipment) may be performed by carriers from Latvia or foreign carriers who have obtained a transit permit and have entered into a contract for armed guard for the shipment – armed guards accompanying the shipment through the territory of Latvia between two customs border stations of Latvia, as well as from the customs border station to the internal customs station (customs warehouse) and from the internal customs station (customs warehouse) to the customs border station.

[4 August 1998]

16. Transit carriage of shipments is permitted only by utilising means of transport or containers that do not carry goods or articles other than drugs.

[4 August 1998]

17. Contracts for armed guard of transit shipments may be entered into only with the State Police Association "Apsardze".

[4 August 1998]

18. The following conditions shall be provided for in the contract for armed guard of transit shipments:

18.1. the armed guard shall be conducted by not less than two armed persons (hereinafter – armed guard);

18.2. the shipment may not be left without armed guard during transit; and

18.3. the procedures for acceptance and transfer of the shipment.

[4 August 1998]

19. The carrier of a shipment shall cover expenditures related to the provision of an armed guard.

[4 August 1998]

20. The customs authority that performs customs control measures at a customs border station shall affix a customs security to shipments that cross the border of Latvia.

[4 August 1998]

21. A carrier, when applying for customs clearance for a shipment crossing the customs border of Latvia, shall submit to the customs authority the contract for armed guard for the transit shipment. The shipment may leave the customs control zone only under armed guard.

[4 August 1998]

22. The State Police Association "Apsardze" shall, within a one-day period after delivery of a shipment, inform the State Drug Agency in writing regarding the removal of the armed guard for the transit shipment.

[4 August 1998]

Prime Minister

A. Šķēle

Minister for Welfare

V. Makarovs

## Cabinet Regulations No. 365

### Procedures for Registration and Licensing of Operators of Precursors<sup>1</sup>

September 24, 1996  
Riga

Regulations No. 365  
(Minutes No. 47, Para. 12)

Issued pursuant to Section 6 of the Law on Precursors<sup>1</sup>

#### I. General Provisions

I. These Regulations set out the procedures for registration and licensing of operators of precursors.

2. Precursors are substances which may be utilised for illicit production of narcotic or psychotropic substances, and which have been classified in conformity with the 20 December 1988 UN Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances and included in the Schedules (Schedule IV) of narcotic substances, psychotropic substances and precursors supervised by the Ministry of Welfare<sup>2</sup><sup>1</sup> Precursors shall be classified in the following categories:

- 1.1. Precursors of the first category:
  - 1.1.1. N acetylanthranilic acid;
  - 2.1.2. Ergometrine;
  - 2.1.3. Ergotamine;
  - 2.1.4. 1-phenyl-2- propanone;
  - 2.1.5. Isosafrole;
  - 2.1.6. Lysergic acid;
  - 2.1.7. 3,4-methylenedioxyphenyl- phenyl -2-propanone;
  - 2.1.8. Piperonal;
  - 2.1.9. Safrole;
  - 2.1.10. N-fenetil-4-anilinopiridine salt;
  - 2.1.11. N-fenetil-4-anilinopiperidine
  - 2.1.12. 4-anilinopiridine;
- 2.2. Precursors of the second category
  - 2.2.1. Acetic anhydride;
  - 2.2.2. Anthranilic acid;
  - 2.2.3. Phenylacetic acid;
  - 2.2.4. -butyrolactone;
  - 2.2.5. Piperidine;
- 2.3. Precursors of the third category:
  - 2.3.1. Acetone;
  - 2.3.2. Ethyl ether;
  - 2.3.3. Potassium permanganate;
  - 2.3.4. Methyl ethyl ketone (MEK);
  - 2.3.5. Hydrochloric acid;
  - 2.3.6. Sulphuric acid; and
  - 2.3.7. Toluene.

#### Original footnotes:

<sup>1</sup> Text consolidated by the Translation and Terminology Centre, amendments to 29 September 1998

<sup>2</sup> Modified by amendment, 29 September 1998

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<sup>1</sup> Note by the Secretariat: E/NL.2002/57

<sup>2</sup> Note by the Secretariat: E/NL.2002/62



## II. Registration of Operators of Precursors

3.<sup>3</sup> Those operators of precursors, who carry out operations with precursors of all categories in accordance with the Law "on Precursors", shall be registered with the Pharmacy Department of the Ministry of Welfare.

4. Those operators of precursors, who carry out the following operations, shall not be subject to registration:

- 4.1. completion of customs declarations, leasing and leasing out of warehouses as well as provision of transport services for the precursors of the second and third categories only.
- 4.2. retail sales of precursors of the third category.

5. In order to register and receive a registration card as an operator of precursors, an operator of precursors shall submit the following documents to the Pharmacy Department of the Ministry of Welfare:<sup>4</sup>

- 5.1. an application indicating the purpose of the operations with precursors (production, processing, storage, import, export, wholesales) as well as indicating the address of each place of storage of precursors;
- 5.2. a duplicate of the registration certificate of the enterprise (company);
- 5.3. a duplicate of the Articles of Association on the enterprise (company); and
- 5.4. a written declaration of the manager of an enterprise (company) confirming that all measures (documentation of trade in precursors, accounting, labeling, storage) necessary to prevent the illicit trade in precursors will be taken.

## III. Licensing of Entrepreneurial Activities with Precursors of the First and Second Categories.

6. In order to carry out entrepreneurial activities with precursors of the first or second category and receive a licence for activities with precursors (hereinafter - licence), an operator of precursors shall submit the following documents to the Ministry of Economics:

- 6.1. the application to be approved by the Ministry of the Interior indicating the legal address and telephone number of the enterprise (company);
- 6.2. a copy of the registration card of an operator of precursors;
- 6.3. a notarised duplicate of the registration certificate of the enterprise (company);
- 6.4. a notarised duplicate of the Articles of Association of the enterprise (company);
- 6.5. a statement regarding the registration as a tax-payer, which is issued by the State Revenue Service;
- 6.6. documents confirming the payment of the state fee;
- 6.7. the address of the place (warehouse, factory, etc.) and the layout of premises of the activities with precursors;
- 6.8. information on the intended nomenclature and turnover of precursors in the respective year, indicating the purposes of the use of precursors;
- 6.9. the technological scheme of production of the respective chemical goods - if precursors are intended for production of chemical goods;
- 6.10. a duplicate of the order by the manager of an enterprise (company) on the appointment of the person in charge for the activity with precursors;
- 6.11. a written statement by the manager of an enterprise (company) confirming that no persons, who are registered as users of narcotic substances, who are being prosecuted for criminal liability, or who have been previously prosecuted for criminal liability and convicted for production and distribution of narcotics, are employed in the administration of the enterprise.

7.<sup>5</sup> The licence shall be issued by the commission to be established by the Minister for Economics, which shall consist of the representatives of the Industrial Policy Department of the Ministry of Economics, Pharmacy Department of the Ministry of Welfare, the State Drug Agency, Drug Control Office of the Ministry of the Interior, and the Customs Board of the State Revenue Service.

### Original footnotes:

<sup>3</sup> Modified by amendment, 29 September 1998

<sup>4</sup> Modified by amendment, 29 September 1998

<sup>5</sup> Modified by amendment, 29 September 1998

**8.** The licence shall be issued or its issuance shall be denied by providing a substantiated explanation within 30 days from the date of registration of the documents that are mentioned in Clause 6 of these Regulations.

**9.** The licence shall be issued for the period of time up to five years. The licence shall be re-registered after expiry.

#### **IV. Reports**

**10.** The operators of precursors shall submit an annual report on the turnover of precursors of the first or second category to the Industrial Policy Department of the Ministry of Economics.

**11.** Those operators of precursors, who carry out activities with the precursors of the first or second category shall submit a quarterly and annual report to the Pharmacy Department of the Ministry of Welfare and Drug Control Office of the Ministry of the Interior.<sup>6</sup>

Acting for the Prime Minister -Deputy Prime Minister

Z.Cevers

Minister for Economics

G.Krasts

Original footnote:

<sup>6</sup> Modified by amendment, 29 September 1998

**Republic of Latvia; Saeima**  
**The law adopted June 12, 1997**

**The Saeima has adopted and the president of Latvia has announced the following law**

**The law on medical treatment**

**Part I**  
**General provisions**

**Article 1.** The following terms are used in this law:

- 1) medical treatment - professional and individual prevention of diseases; diagnostics, treatment, rehabilitation and care of patient;
- 2) medical persons - persons with medical education and who are practicing medical treatment;
- 3) medical institutions - in this law: hospitals, rehabilitation institutions, branch hospitals, specialized centers, emergency medical aid establishments, doctorates (out-patient clinics), clinics (out-patient clinics), health centers, specialized therapy units, clinics of higher medical educational establishments and also functional, morphological, hematological: biochemical, microbiological and other diagnostic research, anatomical pathology and forensic laboratories and practicing physicians;
- 4) certificate of medical person - a document issued in the institution authorized by the Latvian Physicians Union or the Cabinet of Ministers, certifying the professional level of the respective person and defining that the medical person as a specialist is qualified to practice independently medical treatment (practice in specialty) in a specified branch;
- 5) certification of medical institution - assessment of the medical institution and its technical and material readiness, to permit practicing of medical treatment. In case of positive assessment a certificate is issued.
- 6) Council of Physicians - a meeting of no less than three physicians in order to define diagnosis and tactics of further treatment;
- 7) human infectious disease - a disease initiated by infection carrier which, if spreading, can cause epidemic (hereinafter infectious disease)
- 8) medical education - the totality of knowledge and skills meeting the requirements of the medical education program accredited in the Republic of Latvia, attested by a diploma issued by the educational establishment as well as further specialization and education in any branch of medicine;
- 9) medical technology - methods, medical equipment and goods used in medical treatment;
- 10) emergency medical aid - an aid which is rendered to injured or sick persons in the condition critical to their life or health by persons specially fit (trained, equipped) for such situations with a corresponding medical qualification and who in accordance with the above qualification bear legal liability with regard to their activity or absence of activity and its consequences;
- 11) patient - a person who receives treatment or is scheduled with any medical person and, if necessary, is medically treated;

**12)** patient care - health-care element which is directly or indirectly connected with health maintenance, promotion and restoration for the general public, family or person;

**13)** first aid - an aid to injured or sick persons in conditions critical to their life or health rendered by persons with or without medical qualification, irrespective whether trained and equipped, in the amount of their knowledge and ability;

**14)** rehabilitation - a branch of medicine dealing with development or restoration of person's physical, psychological, social, occupational and education potential in correspondence with his physiological or anatomical limitations, or in case of stable health disorder - adjustment to life in the environment and society;

**15)** post-diploma education - further education of medical persons after the graduation with diploma from the medical educational establishments by either training in specialty or raising the qualification;

**16)** specialization - post-diploma training department comprising the totality of knowledge and skills meeting the requirements of the specialty bylaws, approved by the Welfare Ministry in any of those specialties which are included in the occupation classification registry of the Republic of Latvia. Specialization is followed by certification in the authorized certification institution and acquisition of the rights to practice in specialty.

**17)** raising of qualification - post-diploma training department in the acquired specialty with a free choice of programs. The time and content of further education is not regulated.

[...]

## **Part XI**

### **Mental diseases**

**Article 65.** Persons with mental disorder or mental diseases must be provided all civic, political, economic and social rights envisaged by law. Mental disorder and mental diseases cannot be the grounds for discrimination.

**Article 66.** Mental patients have the right to receive medical assistance and care in such quality which corresponds to the generally accepted medical standards.

**Article 67.** Psychiatric assistance is based on a voluntary principle. In-patient treatment is rendered in the psychiatric medical institutions (wards) in cases where it is impossible to be provided in the out-patient clinics or in the place of residence due to the health condition of the patient.

**Article 68. (1)** Forced examination and treatment of patients in the in-patient clinic or hospital can be done only in the following situations:

**1)** if the behavior of the patient due to mental disorder is dangerous to himself or other persons' health or life;

**2)** if due to mental disorder and its clinical dynamic the psychiatrist projects such behavior of the patient which could endanger the health or life of the patient other persons;

**3)** if mental disorder is of such character which deprives the patient from possibility to take conscious decisions and refusal to be treated could cause serious health and social status deterioration as well as public disturbance;

**4)** If the patient is by force hospitalized, the Council of Psychiatrists must within 72 hours examine the patient and must pass the decision on further treatment. The council immediately informs about the decision the patient, his family members, if no such, closest relatives or legal representatives (custodian, guardian). If it is impossible to inform immediately -by meeting any of these people, a written notice must be sent and scheduled in the record of the patient's registration card.

**Article 69. 1)** If a person due to mental disorder or mental disease violates public order, the detention, transportation to and supervision at the psychiatrist is carried out by the police in accordance with the law "on police".

2) The police officers submit to the psychiatrist a written report on the patient's destructive public behavior.

**Article 70.** For persons deemed not to be of active capacity, mental treatment is offered based on a written request by their guardian or his approval, except in the cases defined in the Article 68 herein.

[...]

Text consolidated by Tulkošanas un terminoloģijas centrs the Translation and Terminology Centre with amending regulation of: 28 March 2000 (No. 118).

If a whole or part of a paragraph has been amended, the date of the amending regulation appears in square brackets at the end of the paragraph. If a whole paragraph or sub-paragraph has been deleted, the date of the deletion appears in square brackets beside the deleted paragraph or sub-paragraph.

Republic of Latvia

Cabinet

Regulation No. 29

Adopted 14 January 1997

**Regulations on Schedules of Narcotic Drugs, Psychotropic Substances and Precursors under the Supervision of the Ministry of Welfare**

Issued pursuant to Section 3, Paragraph two  
of the Law on Procedures for the Legal Trade in  
Narcotic and Psychotropic Substances and Drugs<sup>11</sup>  
[28 March 2000]

1. These Regulations prescribe the assignment of narcotic and psychotropic substances and drugs, as well as of precursors to the schedules of narcotic drugs, psychotropic substances and precursors under the supervision of the Ministry of Welfare (hereinafter – schedules).
2. The schedules (Annexes 1 to 4) include narcotic and psychotropic substances and drugs, as well as precursors with international non-proprietary names or, if such do not exist, with chemical names.
3. The control measures prescribed in regulatory enactments shall apply also to isomers, esters, ethers and salts of substances included in the schedules, and the salts of isomers, esters and ethers of the above, as well as to drugs that contain substances included in the schedules, unless exceptions are specified in regulatory enactments.
4. Clarification of synonyms for substances and drugs included in the schedules, as well as clarification of chemical terminology, shall be provided by the Ministry of Welfare, upon written request, to law enforcement, border guard and customs authorities.

Prime Minister

A. Šķēle

Minister for Welfare

V. Makarovs

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<sup>11</sup> Note by the Secretariat: E/NL.2002/58

**Narcotic Drugs, Psychotropic Substances and Precursors  
under the Supervision of the Ministry of Welfare**

**Schedule I  
(Prohibited especially dangerous narcotic drugs  
and equivalent psychotropic substances)**

1. Substances that are classified in conformity with Schedule IV of the Single Convention on Narcotic Drugs of 30 March 1961 and amendments that have been made in conformity with the Protocol Amending the Single Convention on Narcotic Drugs of 30 March 1961:

- 1.1. acetorphine;
- 1.2. acetyl-alpha-methylfentanyl;
- 1.3. alphacetylmethadol;
- 1.4. alfa-methylfentanyl;
- 1.5. beta-hydroxyfentanyl;
- 1.6. beta-hydroxy-3-methylfentanyl;
- 1.7. desomorphine;
- 1.8. etorphine;
- 1.9. heroin;
- 1.10. crude opium;
- 1.11. cannabis;
- 1.12. cannabis resin;
- 1.13. ketobemidone;
- 1.14. coca leaf;
- 1.15. poppy straw;
- 1.16. extract (concentrate) of poppy straw ;
- 1.17. 3-methylfentanyl;
- 1.18. 3-methylthiofentanyl;
- 1.19. MPPP;
- 1.20. para-fluorofentanyl;
- 1.21. PEPAP;
- 1.22. thiofentanyl.

2. Substances that are classified in conformity with Schedule I of the Convention on Psychotropic Substances of 21 February 1971:

- 2.1. brolamfetamine;
- 2.2. DET;
- 2.3. DMA;
- 2.4. DMHP;
- 2.5. DMT;
- 2.6. DOET;
- 2.7. ephedra;
- 2.8. eticyclidine;
- 2.9. cathinone;
- 2.10. (+)- lysergide;
- 2.11. MDMA;
- 2.12. mescaline;
- 2.13. 4-methylaminorex;
- 2.14. methcathinone, methcathinone (ephedrone);
- 2.15. MMDA;
- 2.16. N-ethyl-MDA;
- 2.17. N-hydroxy-MDA;

- 2.18. para-hexyl;
- 2.19. PMA;
- 2.20. psilocin;
- 2.21. psilocybine;
- 2.22. rolicyclidine;
- 2.23. STP, DOM;
- 2.24. tenamfetamine (MDA);
- 2.25. tenocyclidine;
- 2.26. tetrahydrocannabinol;
- 2.27. TMA;
- 2.28. etryptamine.

[28 March 2000]

3. Substances that are classified in conformity with Schedule II of the Convention on Psychotropic Substances of 21 February 1971:

- 3.1. amphetamine;
- 3.2. dexamphetamine;
- 3.3. fenetylline;
- 3.4. levamphetamine;
- 3.5. methamphetamine;
- 3.6. methamphethamine racemate;
- 3.7. levomethamphetamine;
- 3.8. 4-methylthioamphetamine.

[28 March 2000]

4. Substance that is classified in conformity with Schedule III of the Convention on Psychotropic Substances of 21 February 1971 – cathine.

5. Substances that are classified in conformity with List IV of the Convention on Psychotropic Substances of 21 February 1971:

- 5.1. ethylamfetamine;
- 5.2. fenproporex;
- 5.3. phentermine;
- 5.4. mefenorex.

Minister for Welfare

V. Makarovs



**Annex 2**

Cabinet Regulation No. 29  
14 January 1997  
[28 March 2000]

**Narcotic Drugs,  
Psychotropic Substances  
and Precursors  
under the Supervision of  
the Ministry of Welfare**

**Schedule II**

**(Very dangerous narcotic drugs and equivalent psychotropic substances  
permitted for medical and scientific use)**

1. Substances that are classified in conformity with Schedule I of the Single Convention on Narcotic Drugs of 30 March 1961, done in accordance with the 1972 Protocol Amending the Single Convention on Narcotic Drugs of 30 March 1961:

- 1.1. acetyldihydrocodeine;
- 1.2. acetylmethadol;
- 1.3. alfentanil;
- 1.4. allylprodine;
- 1.5. alphameprodine;
- 1.6. alphamethadol;
- 1.7. alpha-methylthiofentanyl;
- 1.8. alphaprodine;
- 1.9. anileridine;
- 1.10. benzethinide;
- 1.11. benzylmorphine;
- 1.12. betacetylmethadol;
- 1.13. betameprodine;
- 1.14. betamethadol;
- 1.15. betaprodine;
- 1.16. bezitramide;
- 1.17. dextromoramide;
- 1.18. dextropropoxyphene;
- 1.19. diampromide;
- 1.20. diethylthiambutene;
- 1.21. difenoxin;
- 1.22. dihydrocodeine;
- 1.23. dihydromorphine;
- 1.24. dimenoxadol;
- 1.25. dimepheptanol;
- 1.26. dimethylthiambutene;
- 1.27. dioxaphetyl butyrate;
- 1.28. diphenoxylate;
- 1.29. dipipanone;
- 1.30. drotebanol;
- 1.31. ecgonine and derivatives;
- 1.32. ethylmethylthiambutene;
- 1.33. ethylmorphine;
- 1.34. etoxeridine;
- 1.35. etonitazene;
- 1.36. phenadoxone;
- 1.37. phenampromide;
- 1.38. phenazocine;

- 1.39. phenomorphan;
- 1.40. phenoperidine;
- 1.41. fentanyl;
- 1.42. pholcodine;
- 1.43. furethidine;
- 1.44. hydrocodone;
- 1.45. hydromorphinol;
- 1.46. hydromorphone;
- 1.47. hydroxypethidine;
- 1.48. isomethadone;
- 1.49. clonitazene;
- 1.50. codeine;
- 1.51. codoxime;
- 1.52. cocaine;
- 1.53. levophenacylmorphan;
- 1.54. levomethorphan;
- 1.55. levomoramide;
- 1.56. levorphanol;
- 1.57. methadone;
- 1.58. methadone intermediate;
- 1.59. metazocine;
- 1.60. methyldesorphine;
- 1.61. methyldihydromorphine;
- 1.62. metopon;
- 1.63. moramid intermediate;
- 1.64. morpheridine;
- 1.65. morphine;
- 1.66. morphine methobromide;
- 1.67. morphine-N-oxide;
- 1.68. myrophine;
- 1.69. nicocodine;
- 1.70. nicodicodine;
- 1.71. nicomorphine;
- 1.72. noracymethadol;
- 1.73. norcodeine;
- 1.74. norlevorphanol;
- 1.75. normethadone;
- 1.76. normorphine;
- 1.77. norpipanone;
- 1.78. oxycodone;
- 1.79. oxymorphone;
- 1.80. opium;
- 1.81. pethidine;
- 1.82. pethidine intermediate A;
- 1.83. pethidine intermediate B;
- 1.84. pethidine intermediate C;
- 1.85. piminodine;
- 1.86. piritramide;
- 1.87. proheptazine;
- 1.88. properidine;
- 1.89. propiram;
- 1.90. racemethorphan;
- 1.91. racemoramide;
- 1.92. racemorphane;
- 1.93. sufentanil;
- 1.94. thebacon;
- 1.95. thebaine;

- 1.96. tilidine;
- 1.97. trimeperidine;
- 1.98. dihydroetorphine;
- 1.99. remifentanyl.

[28 March 2000]

2. Substances that are classified in conformity with Schedule II of the Convention on Psychotropic Substances of 21 February 1971:

- 2.1. zipeprol;
- 2.2. phencyclidine;
- 2.3. phenmetrazine;
- 2.4. mecloqualone;
- 2.5. methaqualone;
- 2.6. methylphenidate;
- 2.7. secobarbital;
- 2.8. dronabinol.

[28 March 2000]

3. Substances that have been classified in conformity with Schedule III of the Convention on Psychotropic Substances of 21 February 1971:

- 3.1. amobarbital;
- 3.2. buprenorphine;
- 3.3. butalbital;
- 3.4. cyclobarbital;
- 3.5. flunitrazepam;
- 3.6. glutethimide;
- 3.7. pentazocine;
- 3.8. pentobarbital;
- 3.9. hexobarbital.

[28 March 2000]

Minister for Welfare

V. Makarovs

**Narcotic Drugs, Psychotropic Substances and Precursors  
under the Supervision of the Ministry of Welfare**

**Schedule III  
(Dangerous Psychotropic Substances which can be Abused)**

Substances that are classified in conformity with Schedule IV of the Convention on Psychotropic Substances of 21 February 1971:  
[28 March 2000]

1. allobarbital;
2. alprazolam;
3. amfepramone;
4. aminorex;
5. barbital;
6. benzfetamine;
7. bromazepam;
8. brotizolam;
9. butobarbital;
10. cefedrin;
11. trihexiphenidyl;
12. delorazepam;
13. diazepam;
14. ephedrine;
15. estazolam;
16. ethychlorvynol;
17. ethinamate;
18. ethylloflazepate;
19. phenatine;
20. fenazepam;
21. fencamfamin;
22. phendimetrazine;
23. phenobarbital;
24. fludiazepam;
25. flurazepam;
26. tofizopam;
27. halazepam;
28. haloxazolam;
29. chlordiazepoxide;
30. camazepam;
31. ketazolam;
32. clobazam;
33. cloxazolam;
34. clonazepam;
35. clorazepate;
36. clotiazepam;
37. lefetamine;
38. lithium oxibutirate;
39. loprazolam;
40. lorazepam;
41. lormetazepam;
42. mazindol;

43. mebicar;
44. medazepam;
45. meprobamate;
46. methylphenobarbital;
47. methyprylon;
48. mesocarb;
49. midazolam;
50. sodium oxibutirate;
51. nimetazepam;
52. nitrazepam;
53. nordazepam;
54. oxazepam;
55. oxazolam;
56. pemoline;
57. pinazepam;
58. pipradrol;
59. pyrovalerone;
60. prazepam;
61. pseudoephedrine;
62. secbutarbital;
63. propanidid;
64. temazepam;
65. tetrazepam;
66. triazolam;
67. vinylbital;
68. zopiclone.

Minister for Welfare

V. Makarovs

**Narcotic Drugs, Psychotropic Substances and Precursors  
under the Supervision of the Ministry of Welfare**

**Schedule IV**

**(Precursors – substances that may be utilised in the illicit manufacture of narcotic drugs and psychotropic substances)**

Substances that are classified in conformity with the Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 19 December 1988:

1. Precursors of Category I:

- 1.1. N-acetyl anthranilic acid;
- 1.2. ergometrine;
- 1.3. ergotamine;
- 1.4. 1-phenyl-2-propanone;
- 1.5. isosafrole;
- 1.6. lysergic acid;
- 1.7. 3,4-methylene dioxyphenyl propan-2-one;
- 1.8. piperonal;
- 1.9. safrole;
- 1.10. salts of N-phenethyl-4-anilinopiridine;
- 1.11. N-phenethyl-4-anilinopiperidine;
- 1.12. 4-anilinopiridine.

2. Precursors of Category II:

- 2.1. acetic anhydride;
- 2.2. anthranilic acid;
- 2.3. phenylacetic acid;
- 2.4. gamma-butyrolactone;
- 2.5. piperidine;
- 2.6. 4-methylthiobenzaldehyde;
- 2.7. 4-methylthiophenylacetic acid.

[28 March 2000]

3. Precursors of Category III:

- 3.1. acetone;
- 3.2. ethyl ether;
- 3.3. potassium permanganate;
- 3.4. methyl ethyl ketone (MEK);
- 3.5. hydrochloric acid;
- 3.6. sulphuric acid;
- 3.7. toluene.

Text consolidated by the Translation and Terminology Centre with amending laws of 18 May 2000 and 1 June 2000.

If a whole or part of a section has been amended, the date of the amending law appears in square brackets at the end of the section. If a whole section, paragraph or clause has been deleted, the date of the deletion appears in square brackets beside the deleted section, paragraph or clause.

The *Saeima* has adopted and the  
**President has proclaimed**  
the following Law:

[...]

## **The Criminal Law**

### **General Part**

#### **Chapter I**

#### **General Provisions**

[...]

### **Section 3.      Applicability of The Criminal Law to Aircraft, and Sea and River Vessels Outside the Territory of Latvia**

A person who has committed a criminal offence outside the territory of Latvia, on an aircraft, or a sea or river vessel or other floating means of conveyance, if this means of conveyance is registered in the Republic of Latvia and if it is not provided otherwise in international agreements binding upon the Republic of Latvia, shall be held liable in accordance with this Law.

### **Section 4.      Applicability of The Criminal Law Outside the Territory of Latvia**

(1) Latvian citizens and non-citizens, and aliens or stateless persons who have a permanent residence permit for the Republic of Latvia, shall be held liable in accordance with this Law for a criminal offence committed in the territory of another state.

(2) Military personnel of the Republic of Latvia who are located outside the territory of Latvia shall be held liable for criminal offences in accordance with this Law, unless it is provided otherwise in international agreements binding upon the Republic of Latvia.

(3) Aliens and stateless persons who do not have permanent residence permits for the Republic of Latvia and who have committed especially serious crimes in the territory of another state which have been directed against the Republic of Latvia or against the interests of its inhabitants, shall be held criminally liable in accordance with this Law irrespective of the laws of the state in which the crime has been committed, if they have not been held criminally liable or committed to stand trial in accordance with the laws of the state where the crime was committed.

(4) Aliens or stateless persons who do not have a permanent residence permit for the Republic of Latvia and who have committed a criminal offence in the territory of another state, in the cases provided for in international agreements binding upon the Republic of Latvia, irrespective of the laws of the state in which the offence has been committed, shall be held liable in accordance with this Law if they have not been held criminally liable for such offence or committed to stand trial in the territory of another state.

## **Chapter II**

### **Criminal Offences**

[...]

#### **Section 15. Completed and Uncompleted Criminal Offences**

- (1) A criminal offence shall be considered completed if it has all the constituent elements of a criminal offence set out in this Law.
- (2) Preparation for a crime and an attempted crime are uncompleted criminal offences.
- (3) The locating of, or adaptation of, means or tools, or the intentional creation of circumstances conducive for the commission of an intentional offence, shall be considered to be preparation for a crime if, in addition, it has not been continued for reasons independent of the will of the guilty party. Criminal liability shall result only for preparation for serious or especially serious crimes.
- (4) A conscious act (failure to act), which is directly dedicated to intentional commission of a crime, shall be considered to be an attempted crime if the crime has not been completed for reasons independent of the will of the guilty party.
- (5) Liability for preparation for a crime or an attempted crime shall apply in accordance with the same section of this Law as sets out liability for a specific offence.
- (6) A person shall not be held criminally liable for an attempt to commit a criminal violation.

#### **Section 16. Voluntary Withdrawal**

- (1) Voluntary withdrawal from the commission of a criminal offence means the complete discontinuance by a person, pursuant to his or her will, of a criminal offence commenced by such person while knowing that the possibility exists to complete the commission of the criminal offence.
- (2) A person who has voluntarily withdrawn from the commission of a criminal offence shall not be held criminally liable. Such person shall be liable only in the case where the constituent elements of another criminal offence are present in his or her actually committed offence.

#### **Section 17. Perpetrator of a Criminal Offence**

A person, who himself or herself has directly committed a criminal offence or, in the commission of such, has employed another person who, in accordance with the provisions of this Law, may not be held criminally liable, shall be considered the perpetrator of a criminal offence.

#### **Section 18. The Participation of Several Persons in a Criminal Offence**

The participation by two or more persons knowingly in joint commission of an intentional criminal offence is participation or joint participation.

#### **Section 19. Participation**

Criminal acts committed knowingly by which two or more persons (that is, a group) jointly, knowing such, have directly committed an intentional criminal offence shall be considered to be participation (joint commission). Each of such persons is a participant (joint perpetrator) in the criminal offence.

#### **Section 20. Joint Participation**

- (1) An act or failure to act committed knowingly, by which a person (joint participant) has jointly with another person (perpetrator), participated in the commission of an intentional criminal offence, but he himself or she herself has not been the direct perpetrator of it, shall be considered to be joint participation. Organisers, instigators and accessories are joint participants in a criminal offence.
- (2) A person who has organised or directed the commission of a criminal offence shall be considered to be an organiser.



- (3) A person who has induced another person to commit a criminal offence shall be considered to be an instigator.
- (4) A person who knowingly has promoted the commission of a criminal offence, providing advice, direction, or means, or removing impediments for the commission of such, as well as a person who has previously promised to conceal the perpetrator or joint participant, the instruments or means for committing the criminal offence, evidence of the criminal offence or the objects acquired by criminal means or has previously promised to acquire or to sell these objects shall be considered to be an accessory.
- (5) A joint participant shall be held liable in accordance with the same Section of this Law as that in which the liability of the perpetrator is set out.
- (6) Individual constituent elements of a criminal offence which refer to a perpetrator or joint participant do not affect the liability of other participants or joint participants.
- (7) If a joint participant has not had knowledge of a criminal offence committed by a perpetrator or other joint participants, he or she shall not be held criminally liable for such.
- (8) If the perpetrator has not completed the offence for reasons independent of his or her will, the joint participants are liable for joint participation in the relevant attempted offence. If the perpetrator has not commenced commission of the offence, the joint participants are liable for preparation for the relevant offence.
- (9) Voluntary withdrawal, by an organiser or instigator from the completing of commission of a criminal offence shall be considered as such only in cases when he or she, in due time, has done everything possible to prevent the commission with his or her joint participation of the contemplated criminal offence and this offence has not been committed. An accessory shall not be held criminally liable if he or she has voluntarily refused to provide promised assistance before the commencement of the criminal offence.

## **Section 21. Organised Groups**

- (1) An organised group is a stable association formed by more than two persons which has been created for purposes of jointly committing criminal offences or serious or especially serious crimes and whose participants in accordance with previous agreement have divided responsibilities.
- (2) Liability of a person for the commission of an offence within an organised group shall apply in the cases set forth in this Law for formation and leadership of a group, and for participation in preparation for a serious or especially serious crime or in commission of a criminal offence, irrespective of the role of the person in the jointly committed offence.

[...]

## **Chapter V**

### **Determination of Sentence**

[...]

## **Section 48. Aggravating Circumstances**

- (1) The following may be considered to be aggravating circumstances:
- 1) the criminal offence was committed repeatedly or constitutes recidivism of criminal offences;
  - 2) the criminal offence was committed while in a group of persons;
  - 3) the criminal offence was committed, taking advantage in bad faith of an official position or the trust of another person;
  - 4) the criminal offence has caused serious consequences;
  - 5) the criminal offence was committed against a woman, knowing her to be pregnant;
  - 6) the criminal offence was committed against a person who has not attained fifteen years of age or against a person taking advantage of his or her helpless condition or of infirmity due to old-age;
  - 7) the criminal offence was committed against a person taking advantage of his or her official, financial or other dependence on the offender;
  - 8) the criminal offence was committed especially cruelly or with humiliation of the victim;
  - 9) the criminal offence was committed taking advantage of the circumstances of a public disaster;

10) the criminal offence was committed employing weapons or explosives, or in some other generally dangerous way;

11) the criminal offence was committed out of a desire to acquire property;

12) the criminal offence was committed under the influence of alcohol, narcotic, psychotropic or other intoxicating substances; and

13) the person committing the criminal offence, for purposes of having his or her sentence reduced, has knowingly provided false information regarding a criminal offence committed by another person.

(2) A court, taking into account the character of the criminal offence, may decide not to consider any of the circumstances mentioned in Paragraph one of this Section as aggravating.

(3) In determining sentence, the court may not consider such circumstances as aggravating which are not set out in this Law.

(4) A circumstance which is provided for in this Law as a constituent element of a criminal offence shall not be considered an aggravating circumstance.

[...]

### **Section 55. Suspended Sentence**

(1) If, in determining sentence in the form of deprivation of liberty, community work, custodial arrest or a fine, a court, taking into account the nature of the committed offence and the harm caused, the personality of the offender and other circumstances of the matter, becomes convinced that the offender, not serving the sentence, will not commit violations in the future, it may sentence the offender with a sentence that is suspended.

(2) In such case, the court shall decide that the execution of sentence is suspended if, within the term of probation adjudicated by it, the convicted person does not commit a new criminal offence, does not violate public order, and fulfils the obligations imposed by the court.

(3) In imposing suspended sentence, the court shall prescribe a term of probation of not less than six months and not exceeding three years.

(4) In imposing suspended sentence, circumstances which the court has found material for not serving the sentence, as well as reasons why relevant obligations have been imposed for the convicted person, shall be set out in the judgment.

(5) Additional sentences may be imposed when a suspended sentence is imposed.

(6) In imposing a suspended sentence, the court may place upon the convicted person the following obligations:

1) to allay the harm caused, within a specified term;

2) not to change his or her place of residence without the consent of that institution which has been given the obligation to supervise the behaviour of the convicted person;

3) to appear periodically for registration at a specified institution;

4) not to frequent specified places; and

5) to be present at his or her place of residence at the time specified.

(7) In imposing a suspended sentence, the court may impose, for a convicted person who has committed a criminal offence on the basis of alcoholism, narcotic addiction or toxic substance addiction, the obligation to undergo treatment for alcoholism, narcotic addiction or toxic substance addiction, with his or her consent.

(8) A court may fully or partially remove obligations imposed in regard to a term of probation upon a convicted person, upon whom a suspended sentence has been imposed.

(9) If a convicted person upon whom a suspended sentence has been imposed, without justifiable reason does not fulfil the obligations imposed by the court or repeatedly commits administrative violations for which administrative penalties are imposed upon him or her, the court, pursuant to a submission by the institution which has been assigned supervision of the behaviour of the convicted person, may make a decision regarding serving of the sentence determined for the convicted person, or extension of the term of probation for one year.

(10) If a convicted person, upon whom a suspended sentence has been imposed, commits a new criminal offence during the term of probation, the court shall determine sentence for him or her in accordance with the provisions provided for in Sections 51 and 52 of this Law.

## **Chapter VI**

### **Release from Criminal Liability and Sentence**

[...]

### **Section 59. Release from Sentence or Serving of Sentence**

- (1) The release of a convicted person from sentence or serving of a sentence and the reduction of a sentence as adjudged, with the exception of release from sentence or the reduction of a sentence on the basis of amnesty or clemency, may only be done by a court in cases and in accordance with procedures set out in law.
- (2) A court may, in the cases provided for in this Law, release persons who have not attained the age of majority from sentence, imposing compulsory measures of a corrective nature therewith.
- (3) A court may also release a person from sentence in the cases provided for in Section 58 of this Law.
- (4) A court may release a person, who has committed a criminal violation on account of alcoholism, narcotics addiction or toxic substance addiction, from serving a sentence, if this person has agreed to medical treatment for alcoholism, narcotic addiction or toxic substance addiction. The sentence shall be served if the person has not commenced undergoing the medical treatment within the time specified by the court or, after this, has avoided undergoing the medical treatment.
- (5) If a person who has been convicted of a criminal offence after the judgment is proclaimed has become ill with a mental illness which has deprived him or her of the ability to understand his or her actions or to control them, the court shall release such person from serving a sentence. Compulsory measures of a medical nature may be imposed on him or her in accordance with the provisions set out in this Law.
- (6) If a person who has been convicted of a criminal offence has become ill after the judgment is proclaimed with another serious incurable illness, the court may release such person from serving the sentence.

[...]

### **Section 61. Conditional Release Prior to Completion of Sentence**

- (1) A person who has been sentenced with deprivation of liberty or custodial arrest may be conditionally released prior to completion of his or her basic sentence.
- (2) Conditional release prior to completion of sentence may be ordered, if the convicted person has not committed violations and to the extent possible has voluntarily made compensation for financial losses caused by his or her crime, but, in cases where the convicted person has committed the criminal offence on account of alcoholism or narcotic or toxic substance addiction, provided he or she agrees to treatment for alcoholism or narcotic or toxic substance addiction.
- (3) Conditional release prior to completion of sentence may be ordered if the convicted person has actually served:
  - 1) not less than half of the sentence imposed for a criminal violation or a less serious crime committed;
  - 2) not less than two-thirds of the sentence imposed, if it has been imposed for a serious crime, or if the convicted person is a person who previously has been sentenced with deprivation of liberty for an intentional crime and the conviction for this crime has not been set aside or extinguished;
  - 3) not less than three-quarters of the sentence imposed, if it has been adjudged for an especially serious crime or if the convicted person is a person who previously had been conditionally released prior to completion of sentence and has newly committed an intentional crime during the period of the unserved sentence; or
  - 4) twenty-five years of a sentence of deprivation of liberty, if the convicted person is a person for whom deprivation of liberty on the basis of clemency or amnesty has been substituted for the death penalty, or a person for whom life imprisonment has been imposed.
- (4) A court, in conditionally releasing a convicted person prior to completion of sentence, may, for the period of the unserved sentence, impose on him or her the obligations set out in Section 55 of this Law. If the person conditionally released prior to completion of sentence does not, without justifiable reason, fulfil the obligations imposed by the court, or repeatedly commits administrative violations, for which administrative sentences are imposed on him or her, the court may make a decision on the basis of a submission from the institution to which the supervision of the behaviour of the convicted person has been assigned, that the portion of the sentence unserved should be served.
- (5) If a person who has been conditionally released prior to completion of sentence commits a new criminal offence during the period of the sentence unserved, the court shall determine sentence for him or her in accordance with the provisions provided for in Sections 51 and 52 of this Law.

[...]

## **Chapter XVII**

### **Criminal Offences against the Family and Minors**

[...]

#### **Section 173. Causing Inebriation of Minors and Involving of Minors in Non-Medical Use of Therapeutic and Other Intoxicating Medicaments**

(1) For a person who knowingly commits causing inebriation of a minor or the involving of a minor in non-medical use of therapeutic or other medicaments as are not narcotic or psychotropic substances but cause intoxication, if commission thereof is repeated within a one year period, or if such is committed by a person who employs the minor or upon whom the minor is financially or otherwise dependent,

the applicable sentence is deprivation of liberty for a term not exceeding three years, or custodial arrest, or a fine not exceeding sixty times the minimum monthly wage.

(2) For a person who knowingly commits causing inebriation of a minor, or commits the involving of a minor in non-medical use of therapeutic or other medicaments which as are not narcotic or psychotropic substances but cause intoxication, if such has been committed using violence or threats,

the applicable sentence is deprivation of liberty for a term not exceeding five years.

[...]

## **Chapter XVIII**

### **Criminal Offences against Property**

#### **Section 175. Theft**

(1) For a person who commits concealed or overt stealing (theft) of the movable property of another,

the applicable sentence is deprivation of liberty for a term not exceeding four years, or custodial arrest, or a fine not exceeding eighty times the minimum monthly wage.

(2) For a person who commits theft, if commission thereof is repeated, or is by a group of persons pursuant to prior agreement,

the applicable sentence is deprivation of liberty for a term not exceeding six years, with or without confiscation of property.

(3) For a person who commits theft, if it has been committed by entering a residential unit or other premises, or if it has been committed from a storage facility, from a system connecting storage facilities, or from a means of transport,

the applicable sentence is deprivation of liberty for a term not exceeding ten years, with or without confiscation of property.

(4) For a person who commits theft, if it has been committed on a large scale, or commits theft of narcotic, psychotropic, powerfully acting, toxic or radioactive substances, or explosives, firearms or ammunition,

the applicable sentence is deprivation of liberty for a term of not less than three years and not exceeding fifteen years, confiscation of property and police supervision for a term not exceeding three years.

#### **Section 176. Robbery**

(1) For a person who commits theft of movable property of another associated with violence or threatened violence (robbery),

the applicable sentence is deprivation of liberty for a term not exceeding ten years, with or without confiscation of property, and police supervision for a term not exceeding three years.

(2) For a person who commits robbery, if it has been committed by a group of persons pursuant to prior agreement, or if it has been committed by entering a residential unit or other premises, or if it has been committed from a property storage facility, a system connecting storage facilities, or a means of transport, the applicable sentence is deprivation of liberty for a term of not less than six years and not exceeding twelve years, with or without confiscation of property, and police supervision for a term not exceeding three years.

(3) For a person who commits robbery, if it is committed on a large scale, or committed by a person who has previously committed robbery or extortion or been engaged in gangsterism or committed seizure of air or water transport vehicles, or who commits the robbery of narcotic, psychotropic, powerfully acting, poisonous or radioactive substances, or explosive substances, firearms or ammunition, the applicable sentence is deprivation of liberty for a term of not less than eight years and not exceeding fifteen years, with confiscation of property, and police supervision for a term not exceeding three years.

(4) For a person who commits robbery, if it has been committed using firearms or explosives, or if such is associated with the infliction of serious bodily injury on the victim, or if other serious consequences are caused thereby, the applicable sentence is deprivation of liberty for a term of not less than ten years and not exceeding seventeen years, with confiscation of property, and police supervision for a term not exceeding three years.

### **Section 177. Fraud**

(1) For a person who commits acquiring property of another, or of rights to such property, by the use, in bad faith, of trust, or by deceit (fraud),

the applicable sentence is deprivation of liberty for a term not exceeding three years, or custodial arrest, or community service, or a fine not exceeding sixty times the minimum monthly wage.

(2) For a person who commits fraud, if commission thereof is repeated, or by a group of persons pursuant to prior agreement,

the applicable sentence is deprivation of liberty for a term not exceeding six years, or a fine not exceeding one hundred times the minimum monthly wage.

(3) For a person who commits fraud, if it has been committed on a large scale, or it has been committed, acquiring narcotic, psychotropic, powerfully acting, poisonous or radioactive substances or explosive substances, firearms or ammunition,

the applicable sentence is deprivation of liberty for a term of not less than five years and not exceeding thirteen years, or a fine not exceeding one hundred and fifty times the minimum monthly wage, with or without confiscation of property.

[...]

### **Section 179. Misappropriation**

(1) For a person who commits illegally acquiring or wasting property of another, if such has been committed by a person to whom such property been entrusted or in whose charge it has been placed (misappropriation),

the applicable sentence is deprivation of liberty for a term not exceeding five years, or custodial arrest, or community service, or a fine not exceeding fifty times the minimum monthly wage.

(2) For a person who commits misappropriation, if commission thereof is repeated, or by a group of persons pursuant to prior agreement,

the applicable sentence is deprivation of liberty for a term of not less than three years and not exceeding eight years, with or without confiscation of property.

(3) For a person who commits misappropriation, if commission thereof is on a large scale, or who commits misappropriation of narcotic, psychotropic, powerfully acting, poisonous or radioactive substances or explosive substances, firearms or ammunition,

the applicable sentence is deprivation of liberty for a term of not less than six years and not exceeding fifteen years, with confiscation of property.

[...]

## **Criminal Offences of an Economic Nature**

### **Section 190. Smuggling**

(1) For a person who commits the moving of goods or other valuable property across the customs border of the Republic of Latvia, by avoiding customs control or concealing goods or other valuable property from such control, by using false customs or other documents, or in any other unlawful way (smuggling), if such is committed on a large scale,

the applicable sentence is deprivation of liberty for a term not exceeding five years, or custodial arrest, or a fine not exceeding one hundred and twenty times the minimum monthly wage, with or without confiscation of property.

(2) For a person who commits the same acts, where committed by a group of persons pursuant to prior agreement,

the applicable sentence is deprivation of liberty for a term not exceeding eight years, or a fine not exceeding one hundred and eighty times the minimum monthly wage, with or without confiscation of property.

(3) For a person who commits smuggling, where committed by an organised group, or who commits smuggling of narcotic, psychotropic, powerfully acting, poisonous or radioactive substances, goods or other valuable property of strategic significance, explosive substances, firearms, ammunition, gas pistols (revolvers) or cartridges for such, gas cylinders filled with noxious substances or special devices containing toxic or powerfully acting substances,

the applicable sentence is deprivation of liberty for a term not exceeding ten years, with confiscation of property.

[...]

## **Chapter XX**

### **Criminal Offences against General Safety and Public Order**

[...]

### **Section 248. Unauthorised Manufacture, Acquisition, Storage, Sale and Conveyance of Poisonous and Powerfully Acting Substances**

(1) For a person who commits unauthorised manufacture, acquisition, storage, or sale of poisonous or powerfully acting substances, which are not narcotic or psychotropic substances, or commits violation of provisions regarding production, storage, dispensation, registration, transportation or conveyance of such substances,

the applicable sentence is deprivation of liberty for a term not exceeding one year, or a fine not exceeding twenty times the minimum monthly wage.

(2) For a person who commits the same acts, if such have been committed repeatedly or by a group of persons pursuant to prior agreement,

the applicable sentence is deprivation of liberty for a term not exceeding three years, or a fine not exceeding fifty times the minimum monthly wage.

(3) For a person who commits unauthorised production, acquisition or sale of substances specified in Paragraph one of this Section, if serious consequences are caused thereby,

the applicable sentence is deprivation of liberty for a term not exceeding five years.

### **Section 249. Violation of Provisions Regarding the Production, Acquisition, Storage, Registration, Dispensation, Transportation and Conveyance of Narcotic and Psychotropic Substances**

(1) For a person who commits violation of provisions regarding the production, acquisition, storage, registration, dispensation, transportation or conveyance of narcotic or psychotropic substances,

the applicable sentence is deprivation of liberty for a term not exceeding three years, or custodial arrest, or community service, or a fine not exceeding fifty times the minimum monthly wage, with deprivation of the right to engage in specific employment for a term not exceeding three years.

(2) For a person who commits the same acts, if such have been committed repeatedly or by a group of persons pursuant to prior agreement,

the applicable sentence is deprivation of liberty for a term not exceeding five years, or a fine not exceeding eighty times the minimum monthly wage.

#### **Section 250. Unauthorised Dispensation of Narcotic and Psychotropic Substances**

For a person who commits issuing of prescriptions where not medically necessary, or illegal issue of other documents for the obtaining of narcotic or psychotropic substances, or who commits dispensation of narcotic or psychotropic substances without a prescription or other document or with knowledge that a prescription or other document is fictitious or issued illegally, if commission of such acts is for purposes of acquiring property or for other personal interests, or if commission of such acts is repeated within a one year period,

the applicable sentence is deprivation of liberty for a term not exceeding five years, with deprivation of the right to engage in specific employment for a term not exceeding five years.

#### **Section 251. Inducement to Use Narcotic and Psychotropic Substances**

(1) For a person who commits inducing use of narcotic or psychotropic substances, or providing premises for using such substances,

the applicable sentence is deprivation of liberty for a term not exceeding five years.

(2) For a person who commits the same acts, if commission thereof is repeated or with regard to a minor, a mentally ill person or a person undergoing treatment for addiction to narcotics, or with regard to a person financially or otherwise dependent on the guilty party, or if other substances have been added to narcotic or psychotropic substances as enhance their effect,

the applicable sentence is deprivation of liberty for a term not exceeding eight years.

(3) For a person who commits inducing use of narcotic or psychotropic substances, if their use has caused serious consequences,

the applicable sentence is deprivation of liberty for a term of not less than eight and not exceeding fifteen years.

#### **Section 252. Administering of Narcotic and Psychotropic Substances Against a Person's Will**

(1) For a person who commits administering of narcotic or psychotropic substances to another person or of adding such substances to the food or drink of another person against the will of such person or without his or her knowledge,

the applicable sentence is deprivation of liberty for a term not exceeding eight years.

(2) For a person who commits the same acts, if other substances have been added to the narcotic or psychotropic substances as enhance their effect,

the applicable sentence is deprivation of liberty for a term not exceeding ten years.

(3) For a person who commits acts provided for in Paragraphs one or two of this Section, if such have been committed against a minor or by using force, or threats of force, or have caused serious consequences,

the applicable sentence is deprivation of liberty for a term of not less than eight and not exceeding fifteen years.

#### **Section 253. Unauthorised Manufacture, Acquisition, Storage, Transportation and Conveyance of Narcotic and Psychotropic Substances**

(1) For a person who commits unauthorised manufacture, acquisition, storage, transportation or conveyance of narcotic or psychotropic substances,

the applicable sentence is deprivation of liberty for a term not exceeding seven years, with or without confiscation of property.

(2) For a person who commits the same acts, if such have been committed for purposes of sale, or who commits unauthorised sale of narcotic or psychotropic substances,

the applicable sentence is deprivation of liberty for a term not exceeding ten years, with or without confiscation of property, and police supervision for a term not exceeding three years.

(3) For a person who commits acts provided for in Paragraphs one or two of this Section, if commission thereof is repeated or by a group of persons pursuant to prior agreement, or by a person who has previously committed theft of narcotic or psychotropic substances,

the applicable sentence is deprivation of liberty for a term of not less than five and not exceeding twelve years, with or without confiscation of property and police supervision for a term not exceeding three years.

(4) For a person who commits the acts provided for in Paragraphs one or two of this Section, if such have been committed regarding large amounts of narcotic or psychotropic substances or regarding especially dangerous narcotic or psychotropic substances, or commits unauthorised sale of narcotic or psychotropic substances to a minor,

the applicable sentence is deprivation of liberty for a term of not less than eight and not exceeding fifteen years, with or without confiscation of property, and police supervision for a term not exceeding three years.

[18 May 2000]

#### **Section 254. Release of a Person from Criminal Liability for Acquisition, Storage, Transportation and Conveyance of Narcotic and Psychotropic Substances**

A person who has voluntarily turned in narcotic or psychotropic substances shall be released from criminal liability for acquisition of such substances, and for their storage, transportation or conveyance.

#### **Section 255. Manufacture, Acquisition, Storage, Transportation, Conveyance and Sale of Equipment and Substances (Precursors) Intended for Unauthorised Manufacture of Narcotic and Psychotropic Substances**

(1) For a person who commits manufacture, acquisition, storage, transportation or conveyance of equipment, devices, objects, materials or substances (precursors) intended for the unauthorised manufacture of narcotic or psychotropic substances,

the applicable sentence is deprivation of liberty for a term not exceeding three years, or a fine not exceeding fifty times the minimum monthly wage.

(2) For a person who commits the same acts, if such have been committed for the purposes of sale of such equipment, devices, objects, materials or substances (precursors), or who commits sale of equipment, devices, objects, materials or substances (precursors) intended for unauthorised manufacture of narcotic or psychotropic substances,

the applicable sentence is deprivation of liberty for a term not exceeding ten years, with or without confiscation of property or with or without deprivation of the right to engage in specific employment for a term not exceeding five years.

#### **Section 256. Unauthorised Sowing and Growing of Plants Containing Narcotic Substances**

(1) For a person who commits unauthorised sowing or growing of plants containing narcotic substances, if commission thereof is repeated within a one year period,

the applicable sentence is deprivation of liberty for a term not exceeding two years, or a fine not exceeding fifty times the minimum monthly wage.

(2) For a person who commits unauthorised sowing or growing of plants containing narcotic substances, over a large area,

the applicable sentence is deprivation of liberty for a term not exceeding five years, with or without confiscation of property.

### **Chapter XXI**

#### **Criminal Offences against Traffic Safety**

[...]



**Section 260. Violation of Traffic Provisions and Provisions Regarding Vehicle Operation**

(1) For a person who commits violation of traffic provisions or provisions regarding vehicle operation, if commission thereof is by a person operating the vehicle, and as a result thereof slight bodily injury with trauma to health, or moderate bodily injury, has been caused to the victim,

the applicable sentence is deprivation of liberty for a term not exceeding two years, or a fine not exceeding sixty times the minimum monthly wage, with or without deprivation of the right to operate a vehicle for a term not exceeding five years.

(2) For a person who commits violation of the provisions set out in Paragraph one of this Section, if commission thereof is by a person operating a vehicle and as a result thereof serious bodily injury has been occasioned to the victim or the death of a human being has been caused thereby,

the applicable sentence is deprivation of liberty for a term not exceeding ten years, with or without deprivation of the right to operate a vehicle for a term not exceeding five years.

(3) For a person who commits an offence provided for in Paragraphs one or two of this Section, if such has been committed while under the influence of alcoholic beverages, or narcotic, psychotropic or other intoxicating substances,

the applicable sentence is deprivation of liberty for a term of not less than three and not exceeding fifteen years, with deprivation of the right to operate a vehicle for a term not exceeding five years.

[...]

**Section 262. Operating a Vehicle While Under the Influence of Alcoholic Beverages or Narcotic, Psychotropic and Other Intoxicating Substances**

For a person who commits operating a vehicle, or commits giving instruction regarding practical operation of a vehicle, while under the influence of alcoholic beverages, or narcotic, psychotropic or other intoxicating substances, if commission thereof is repeated within a one year period,

the applicable sentence is deprivation of liberty for a term not exceeding one year, or custodial arrest, or community service, or a fine not exceeding fifty times the minimum monthly wage, with deprivation of the right to operate a vehicle for a term not exceeding five years.

[...]

**Section 264. Allowing the Operation of a Vehicle by a Person Under the Influence of Alcoholic Beverages, Narcotic, Psychotropic and Other Intoxicating Substances**

For a person who, being responsible for the technical state or the operation of a vehicle, commits allowing a person under the influence of alcoholic beverages, or narcotic, psychotropic or other intoxicating substances, to operate the vehicle, if the consequences set out in Section 260 of this Law are caused thereby,

the applicable sentence is deprivation of liberty for a term not exceeding five years, or custodial arrest, or community service, or a fine not exceeding one hundred and twenty times the minimum monthly wage, with or without deprivation of the right to engage in specific employment for a term not exceeding five years.

[...]

## Chapter XXIII

### Criminal Offences against Administration of Justice

[...]

#### **Section 309. Unlawful Providing of Substances and Objects to Persons who are Confined in Places of Detention and Imprisonment, and Unlawful Receiving of Substances and Objects from Such Persons**

(1) For a person who commits unauthorised providing of correspondence, money, food products or other objects or substances, in any way, to persons who are confined in places where they are held under arrest, in pre-trial detention or imprisonment, if commission thereof is repeated within a one-year period,

the applicable sentence is deprivation of liberty for a term not exceeding two years, or custodial arrest, or a fine not exceeding fifty times the minimum monthly wage.

(2) For a person who commits receiving substances, manufactures or objects, the storing or using of which is prohibited, from persons who are confined in places where they are held under arrest, in pre-trial detention or imprisonment, if commission of such receiving is repeated within a one year period,

the applicable sentence is deprivation of liberty for a term not exceeding one year, or a fine not exceeding twenty times the minimum monthly wage.

(3) For a person who commits providing of narcotic or psychotropic substances, explosive substances, weapons or ammunition to, or receiving of such from, persons who are confined in places where they are held under arrest, in pre-trial detention or imprisonment,

the applicable sentence is deprivation of liberty for a term not exceeding six years.

(4) For a person who commits unauthorised providing of correspondence, money, food products or other objects or substances to, or receiving of such from, persons who are confined in places where they are held under arrest, in pre-trial detention, or imprisonment, if commission thereof is by an employee of such institution,

the applicable sentence is deprivation of liberty for a term not exceeding ten years.