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- 29 October 1998 [shall come into force on 18 November 1998];
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- 16 September 2021 [shall come into force on 5 October 2021];
- 24 March 2022 [shall come into force on 21 April 2022].

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*¹ has adopted and
the President has proclaimed the following law:

Fishery Law

Chapter I General Provisions

Section 1. Terms Used in the Law

The terms used in the Law are as follows:

- 1) **fish** - all species of fish and, within the meaning of this Law, crayfish and other aquatic invertebrates, and lampreys;
- 2) **aquatic plants** - that part of aquatic biological resources directly related to fish food resources, natural spawning of fish, and the natural purification process of water. In this Law, the same norms as are applicable to fish are applicable to aquatic plants;
- 3) **fish resources** - all fish found in the inland waters and territorial marine waters of the Republic of Latvia, as well as all fish within the waters of the economic zone of the Republic of Latvia where the Republic of Latvia has sovereign rights to catch, use, research, conserve, and propagate such fish resources. Such rights of Republic of Latvia in the waters of other Member States of the European Union, waters of third countries and international waters shall be determined by European Union legislation and international agreements entered into by the Republic of Latvia;
- 4) **fishing** - activity for the purpose of catching fish while using fishing gear and methods;
- 5) **fisherman** - a natural person directly engaged in fishing, that is, who operates fishing gear, or a legal person in whose name and on behalf of which the fishing is performed;
- 6) **towpath** - a strip of land along a coastline intended for activities in connection with fishing or shipping and for pedestrians;

7) **angling, crayfish catching and underwater hunting** - exercising of angling, crayfish catching or underwater hunting rights provided for a natural person in accordance with the procedures laid down in the laws and regulations governing the exercising of fishing rights for the purpose of recreation, sports or other purpose for the harvesting of fish or crayfish for his or her own consumption with the gear laid down in the relevant laws and regulations without any right to offer the harvested fish or crayfish on the market, to sell it or transfer to other persons for the acquisition of benefit;

8) **industrial fishing** - activities for the purpose of catching fish, using industrial fishing gear;

9) **commercial fishing** - exercising of fishing rights specified for a merchant in accordance with the procedures laid down in the laws and regulations governing the exercising of fishing rights for the purpose to acquire, to offer on the market or to sell fish in order to gain profit by using the fishing limit laid down in the laws and regulations governing fishery (the number, type of industrial fishing gear, the amount of catch);

10) **self-consumption fishing** - exercising of fishing rights specified for a natural person in accordance with the procedures laid down in the laws and regulations governing the exercising of fishing rights for the purpose to acquire fish for personal consumption without any right to offer it on the market, to sell or transfer to other persons for the acquisition of benefit by using the fishing limit of restricted amount laid down in the laws and regulations governing fishery (the number, type of industrial fishing gear, the amount of catch).

[19 June 2003; 30 September 2004; 29 May 2014]

Section 2. Purpose and Scope of the Law

(1) Purpose of this Law is such management of inland waters, territorial marine waters (hereinafter - the territorial waters), and economic zone waters of the Republic of Latvia which, by taking into account the necessity of biodiversity preservation, ensures sustainable use of fish resources, protection, propagation, and research thereof for the long-term development of the State fishery sector.

(2) This Law governs the catching, use, research, conservation, propagation, and monitoring of fish resources in inland waters, the territorial waters, and economic zone waters of the Republic of Latvia.

(3) Catching of fish resources in the waters of other Member States of the European Union and international waters in which the Republic of Latvia has been allocated a catch quota, or in the waters of third countries with which Latvia has entered into agreements in the field of fisheries, shall be governed by relevant European Union legislation and international agreements which the Republic of Latvia has entered into.

[17 February 2000; 30 September 2004; 29 May 2014]

Section 3. Management of Fish Resources

(1) Fish resources in the inland waters and in territorial waters of the Republic of Latvia shall be managed by the State.

(2) Fish resources shall be managed on the basis of research thereof, expert assessment, and scientifically justified recommendations.

[18 October 2001; 30 September 2004; 26 May 2005; 9 October 2008; 29 May 2014]

Section 4. Use of Fish Resources

(1) Fish resources of the inland waters of the Republic of Latvia shall be used in accordance with the laws and regulations of Latvia. In the territorial waters, economic zone waters and waters traversed by the State border, the fish resources shall be used in accordance with the laws and regulations of Latvia, European Union legislation, and international agreements entered into by the Republic of Latvia.

(2) Property rights to fish which are caught using fish resources shall be determined in accordance with the Civil Law, as well as observing the fishing rights specified for Member States of the European Union in European Union legislation.

(3) If fish is grown and harvested as a result of specialised pisciculture and artificial propagation, including in private lakes adjusted for artificial propagation of fish where fishing rights are not owned by the State, then such fish shall be owned by the relevant legal or natural persons.

[30 September 2004; 29 May 2014]

Chapter II

Management of Fish Resources and Fishing

[18 October 2001]

Section 5. Functions of State and Local Government Authorities in the Management of Fish Resources

(1) The Ministry of Agriculture shall determine fisheries sector policy in the field of management of fish resources, ensure development of legal acts of the sector and supervise sustainable use of fish resources of inland waters, territorial waters and economic zone waters of the Republic of Latvia and implementation of the European Union common fisheries policy.

(2) Survey of fish resources, assessment, development of scientifically justified recommendations and fishery expert-examinations shall, upon request of the State, local government or legal persons and natural persons, be performed by the State scientific institute "Institute of Food Safety, Animal Health and Environment "BIOR"" (hereinafter - the Institute) or other legal persons the by-laws of which stipulate such activity and research results and conclusions of which shall be evaluated by the Institute. The requirements for the content of scientifically justified recommendations shall be determined in the relevant laws and regulations governing the exercising of fishing rights and management of fish resources.

(3) The Ministry of Agriculture in accordance with the procedures laid down in the laws and regulations governing the fisheries shall organise the exercising of the fishing rights owned by the State in territorial waters, economic zone waters and within the competence thereof also in waters of other European Union Member States and international waters, where the catch quota has been allocated for the Republic of Latvia, or in waters of the third countries with which the European Community has entered into agreements in the field of fisheries.

(4) A local government in accordance with the procedures laid down in the laws and regulations governing the fisheries organise the exercising of the fishing rights owned by the State and manage the exercising of private fishing rights in waters which are located in the administrative territory of the local government or are adjacent thereto. The exercising of the fishing rights in inland waters which are located within the administrative territories of several local governments or which border on them shall be carried out in accordance with agreements between such local governments.

(5) In order to develop co-operation of the State authorities, local governments and interested non-governmental organisations involved in the management of fish resources, to ensure consulting possibilities and thus provide contribution and improve sustainable use of the resources of inland and coastal waters of the Republic of Latvia, the Advisory Council for sustainable use and management of the resources of inland waters and coastal waters of the Republic of Latvia is established. The by-laws of this Council shall be approved by the Cabinet.

[9 October 2008; 1 December 2009; 16 June 2010; 29 May 2014]

Section 6. Fishing Rights

(1) In respect of fishing rights the waters of the Republic of Latvia are categorised as follows:

1) public waters (Annex 1 to the Civil Law) which are owned by the State and the fishing rights regarding which belong to the State, except for the fishing rights in public rivers set out in Paragraph four of this Section;

2) waters for which the fishing rights belong to the State (Annexes 2 and 3 to the Civil Law), including those waters to which Annexes 1, 2, and 3 to the Civil Law do not apply but which are also not in private ownership;

3) private waters to which Annexes 2 and 3 to the Civil Law do not apply and regarding which the fishing rights belong to the owners of the waters and shall be exercised in accordance with laws and regulations in force.

(2) Within the economic zone waters of the Republic of Latvia, as well as in the waters of other Member States of the European Union, waters of third countries and in international waters in which the Republic of Latvia has been allocated a catch quota in conformity with decisions of international fisheries organisations or in accordance with European Union legislation and international agreements, the fishing rights in the amount of the quota allocated belong to the Republic of Latvia. The fishing rights of other Member States of the European Union in the economic zone waters of the Republic of Latvia shall be specified in the relevant European Union legislation.

(3) In the territorial waters of the Republic of Latvia fishing rights belong to the Republic of Latvia and such rights shall be exercised in accordance with laws and regulations in force.

(4) Fishing rights in public rivers belong to each coastal land owner, in that part of the waters along the boundary of the property of the owner which is closer to their land than the land of another owner, and shall be used in accordance with laws and regulations in force.

(5) Fishing rights in private waters (except in regard to those referred to in Annexes 2 and 3 to the Civil Law) belong to the owners of the waters, and such rights shall be exercised in accordance with laws and regulations in force.

(6) The industrial fishing rights referred to in this Section may be exercised if the catch limits or the part of the limit

of fishing gear for industrial fishing is unused as well as if industrial fishing locations are available in the relevant waters or part of them.

(7) Angling, crayfish catching and underwater hunting rights shall be exercised in accordance with Section 10 of this Law.

[17 February 2000; 30 September 2004; 29 May 2014]

Section 7. Transfer of Fishing Rights

(1) [9 October 2008]

(2) State and local government authorities in accordance with procedures laid down by the laws and regulations governing fishery may transfer (lease) fishing rights owned by the State to such persons as who perform self-consumption fishing or who have obtained a special permit (licence) for commercial activities in the relevant waters. The Cabinet shall issue regulations regarding the procedures for issuing a special permit (licence) for commercial activity in fishery, and also the amount and procedures for payment of the State fee to be paid for issuing a special permit (licence).

(3) Owner of private waters may transfer their fishing rights to other legal or natural persons, on the basis of an appropriate authorisation or lease agreement.

(4) A local government in the administrative territory of which the relevant body of water is located shall issue binding regulations on provisions for use of the body of water which are an integral part of the lease agreement of the body of water, in which all issues related to fishing, angling, crayfish catching, underwater hunting and other economic activities, and also environmental protection and protection and renewal of fish resources are stipulated. Fishing rights for commercial fishing and self-consumption fishing in bodies of water may be leased separately or included in a lease agreement of the body of water, if the lease of the body of water provides fishing of the relevant type. When leasing public rivers (sections of rivers) and public lakes, provisions for ensuring angling possibilities shall be stipulated.

(5) The procedures for leasing bodies of water and the leasing and exercising of fishing rights shall be determined by the Cabinet.

(6) In leasing fishing rights, preference shall be given to such commercial companies or individual merchants which operate in the relevant local government territory, are associated with commercial fishing or are engaged in restocking and propagation of fish resources, have complied with the provisions of a previously entered into agreement, and have complied with regulations governing fishing. The relevant local government is entitled to lease a part of the fishing rights for self-consumption fishing to natural persons whose declared place of residence or owned immovable property is located in the administrative territory of this local government, by taking into account the provision that in public waters which are specified in Annex 1 to the Civil Law, only fish pot limit may be allocated for such fishing.

(7) The leased fishing rights shall not be transferred to other legal or natural persons.

(8) The Cabinet shall approve the form of agreement for a lease of fishing rights.

[1 October 1997; 18 October 2001; 30 September 2004; 26 May 2005; 9 October 2008; 16 June 2010; 29 May 2014 / The second sentence of Paragraph six by which it is determined that the relevant local government is entitled to allocate only fish pot limit for lease of the fishing rights for self-consumption fishing in public waters which are specified in Annex 1 to the Civil Law shall be applicable from 1 January 2015. See Paragraph 23 of Transitional Provisions]

Section 8. Termination of the Exercising of Leased Fishing Rights

(1) The exercising of leased fishing rights may be terminated if:

- 1) the lessee of fishing rights does not fulfil the provisions of the agreement;
- 2) the lessee of fishing rights violates the laws and regulations in force governing fishing;
- 3) the lessee of fishing rights violates the provisions of Section 7, Paragraph seven of this Law;

4) the opinion of the Ministry of Environmental Protection and Regional Development or recommendations of the Institute provides for termination of the fishing rights.

(2) If the lessor and the lessee are not able to agree on the conditions for terminating the leasing agreement, the exercising of fishing rights in the cases referred to in Paragraph one, Clauses 1 and 2 of this Section shall be terminated on the basis of a court judgment.

(3) The exercising of fishing rights, in the cases referred to in Paragraph one, Clauses 3 and 4 of this Section, shall be terminated by a unilateral decision of the Ministry of Agriculture or the relevant local government upon

recommendation of the Ministry of Environmental Protection and Regional Development, the State Environment Service, and this decision shall enter into effect in accordance with the procedures laid down in the Administrative Procedure Law. A submission or application regarding the dispute or appeal of a decision shall not suspend the operation thereof.

[1 October 1997; 17 February 2000; 19 June 2003; 30 September 2004; 26 May 2005; 9 October 2008; 1 December 2009; 16 December 2010]

Section 9. Towpath

(1) A towpath shall be determined along the shores of waters for exercising of fishing rights or shipping and other related activities. A towpath is not required to be determined if the private waters in their entirety and the part of land adjacent to them belong to one and the same owner and fishing rights in such waters do not belong to the State.

(2) Special signs shall demarcate the towpath along the seacoast, and in land ownership plans, it shall be designated as a restriction of the right to use.

(3) Along rivers and lakes the towpath is not required to be demarcated with special signs; in land property plans it shall be designated as a restriction of the right to use.

(4) The towpath along artificially constructed canals, hydrotechnical structures and other structures on the water (an artificially constructed towpath) shall be determined according to plans regarding such structures. It shall be maintained and managed by the relevant owners (users).

(5) Coastal landowners have the right to use a towpath insofar as such rights are not restricted by this Law, other laws and regulations.

(6) The use of a towpath free of charge without prior co-ordination with the landowner shall be provided for:

- 1) pedestrians;
- 2) the monitoring and research of fish resources and waters;
- 3) the guarding of borders;
- 4) the performing of environmental protection, fire safety and rescue measures.

(7) After co-ordination with the landowner at the towpath it is permitted:

- 1) to moor boats and ships (except for boats and ships of the fishing supervisory services if they are used for the fulfilment of service duties), unload their cargo and store them temporarily;
- 2) to winter, construct and repair boats and ships;
- 3) to set up fishing camps and to engage in recreation, drying of fishing equipment, and other activities related to fishing;
- 4) to install water tourist camps.

(8) The activities referred to in Paragraphs six and seven of this Section may be engaged in, provided environmental protection norms are conformed to, but, in respect of water bodies at borders, also the requirements of the regime regarding State borders. It is allowed to winter, construct and repair boats and ships, and also to set up fishing and water tourist camps in the coastal towpath of the Baltic Sea and the Gulf of Riga, if it is not in contradiction with spatial planning of a local government.

(9) The width of a natural towpath shall be:

- 1) along the shores of private waters - 4 metres;
- 2) along the shores of other waters - 10 metres;
- 3) along the seacoast - 20 metres.

(10) The Ministry of Agriculture in respect of fishing requirements, and the Maritime Department of the Ministry of Transport in respect of shipping requirements, may also determine a narrower or wider towpath, however, it may not exceed 40 metres.

(11) The width of an artificially constructed towpath shall be specified in the relevant construction plan.

(12) The width of a towpath shall be measured:

- 1) along gradually sloping shores of rivers and lakes, from the normal waterline;

2) along steep shores of rivers and lakes, from the upper edge of the shore slope, and in addition the land from the water level up to the shore slope and the slope itself shall be included in the width of the towpath;

3) along the seacoast, from the place reached by the highest sea waves.

(13) In coastal cities or heavily populated areas, for exercising of fishing rights and shipping (if such is permitted there) the towpath shall be used in conformity with the same provisions as in unpopulated areas; but if buildings have been constructed on the shore to the degree that it is not possible to use the full width prescribed in Paragraph nine of this Section, a towpath shall be left along the shore wide enough to ensure convenient driving along the shore, evaluating, if necessary, each specific structure separately.

(14) In individual cases, when artificial coastlines are constructed in cities and heavily populated areas, the relevant local government has an obligation to construct, in lieu of a towpath, berths of suitable length and width for the requirements of exercising of fishing rights (if such is permitted there) and shipping (if such is permitted there) in conveniently accessible areas and near access roads, and to maintain them in good condition and suitable for use.

(15) If the waterline changes naturally, the towpath shall also change in conformity with the new waterline. In cases where the riverbed is changed by artificial regulatory work, if necessary, the parcels of land for the new river beds and the towpath shall be transferred on a general basis in accordance with norms for expropriation of immovable property.

(16) The provisions of this Section shall not apply to a port territory whose boundaries have been determined in accordance with Section 3 of the Law on Ports.

[1 October 1997; 17 February 2000; 18 October 2001; 19 June 2003; 30 September 2004; 9 October 2008; 1 December 2009; 29 May 2014]

Chapter III Fishing

Section 10. Angling, Crayfish Catching and Underwater Hunting

(1) A natural person, by taking into account the regulations governing angling and crayfish catching, is entitled to exercise angling or crayfish catching rights laid down for him or her in all waters of the Republic of Latvia, unless any of the types of fish or crayfish harvesting is prohibited, except for lakes which are in private ownership and where fishing rights are not owned by the State.

(2) A natural person, by taking into account the regulations governing underwater hunting, is entitled to exercise the rights of underwater hunting laid down for him or her in coastal waters of the Baltic Sea and the Gulf of Riga, in private lakes where it is allowed in conformity with the provisions of Paragraph three of this Section, and also in such waters where in accordance with that laid down in Paragraphs four and five of this Section a licensed underwater hunting is introduced. The Cabinet, by issuing the regulations referred to in Section 13, Paragraph one, Clause 3 of this Law, is entitled to determine also other waters than referred to in this Paragraph where underwater hunting is permitted.

(3) An owner who owns a private lake where fishing rights are not owned by the State shall place a relevant sign regarding the private property by the lake, and angling, crayfish catching and underwater hunting therein in conformity with angling, crayfish catching and underwater hunting regulations or in the case referred to in Paragraph four of this Section in conformity with licensed angling, crayfish catching and underwater hunting may take place only with the permission of the owner.

(4) If harvesting amount or harvesting gear limit or procedures for the harvesting of fish and crayfish are permanently or temporarily determined in respect of valuable fish and crayfish species in certain waters or part thereof for angling, crayfish catching or underwater hunting which differ from the procedures provided for in the angling, crayfish catching and underwater hunting, the angling, crayfish catching and underwater hunting rights may be exercised therein only with special permits (licences), by taking into account the provisions of the by-laws of the licensed angling, crayfish catching and underwater hunting developed for a particular body of water in accordance with the laws and regulations regarding licensed fishing, licensed crayfish catching and licensed underwater hunting.

(5) A local government shall issue binding regulations regarding licensed angling, licensed crayfish catching or licensed underwater hunting in the waters situated in the administrative territory thereof, if in accordance with the laws and regulations regarding licensed angling, licensed crayfish catching and licensed underwater hunting the exercising of angling, crayfish catching or underwater hunting rights is intended in these waters with special permits (licences).

(6) The provisions of this Section shall not be applied to the harvesting of fish and crayfish in waters which are used only for specialised pisciculture and artificial propagation of fish, including lakes adjusted for artificial propagation of fish where the fishing rights are not owned by the State.

[29 May 2014]

Section 11. Industrial Fishing

(1) Legal persons and natural persons of the Republic of Latvia shall acquire the right to engage in industrial fishing in the waters of the Republic of Latvia (if industrial fishing is permitted therein) on the basis of a fishing rights leasing agreement with the State or local government authority regarding transfer (leasing) of fishing rights and by obtaining a fishing permit (licence), or without entering into a fishing rights leasing agreement, if the fishing is performed in accordance with the Cabinet regulations regarding licensed industrial fishing and regulations regarding the exercising of fishing rights in private waters. The right of other Member States of the European Union provided for in European Union legislation to engage in industrial fishing in the waters of the economic zone of the Republic of Latvia, legal persons and natural persons of such states shall acquire such right in conformity with the requirements of the laws and regulations of the relevant Member State of the European Union.

(2) Priority for receiving a fishing permit (licence) shall be given to such commercial company or individual merchant who operates in the relevant local government territory and is associated with commercial fishing, as well as to the resident of the relevant local government engaged in self-consumption fishing if the commercial company, individual merchant or the resident of the relevant local government have complied with regulations governing fishing.

(3) The State Environmental Service shall, in conformity with the industrial fishing rights leasing agreements entered into by the Ministry of Agriculture and the allocated fishing limits, issue a fishing permit (licence) to fishermen for fishing in international waters, and also a fishing permit (licence) for fishing for special purposes (pisciculture, acclimatisation, monitoring fishery, ameliorative and other fishing type) and for scientific research purposes in all waters where it takes place in accordance with the laws and regulations governing the field of fisheries. According to the industrial fishing rights leasing agreements entered into and the allocated fishing limits, the Ministry of Agriculture shall issue an additional authorisation (special permit) and a fishing permit (licence) to fishermen for fishing in the Baltic Sea and the Gulf of Riga outside coastal waters, and local governments shall issue a fishing permit (licence) to fishermen for fishing in inland waters of the Republic of Latvia and the coastal waters of the Baltic Sea and the Gulf of Riga.

(4) Total allowable catch amount allocated for the Republic of Latvia in territorial waters and economic zone waters, and also in the waters of other European Union Member States and international waters or in waters of those third countries with which the European Union has entered into agreements in the field of fisheries is determined in the European Union legislation. Total permissible catch amount (catch quota) in the territorial waters of the Republic of Latvia and economic zone waters shall be distributed for fishing in the coastal waters of the Baltic Sea and the Gulf of Riga and for fishing outside coastal waters. Distribution of waters in coastal waters and waters behind coastal waters shall be determined in conformity with the norms laid down in the Cabinet regulations regarding industrial fishing in territorial waters and economic zone waters. The following amount of catch shall be allocated for coastal fishing from the total allowable catch amount laid down for the Republic of Latvia:

- 1) for sprat fishing in the Baltic Sea - not less than 0.04 per cent;
- 2) for sprat fishing in the Gulf of Riga - not less than 0.6 per cent;
- 3) for salmon fishing - not less than 6 per cent;
- 4) for cod fishing in the Eastern Baltic Sea - not less than 3 per cent;
- 5) for herring fishing in the Baltic Sea - not less than 4 per cent;
- 6) for herring fishing in the Gulf of Riga - not less than 15 per cent.

(4¹) The total limit for the amount of catch, the limit for the amount of catch for certain fish species and the limit for the number of fishing gear in distribution by water bodies in inland waters of the Republic of Latvia and the procedures for use thereof shall be determined by the Cabinet.

(4²) The limit for the number of fishing gear or limit for the amount of catch to be allocated for the coastal waters of the Baltic Sea and the Gulf of Riga which refers to local governments the administrative territories of which borders with these waters, and also the procedures for the use of these limits, by taking into account Paragraph four of this Section and in accordance with the legal acts governing the fisheries of the European Union, shall be determined by the Cabinet.

(4³) The Institute shall ensure provision of a scientific justification for the total limit for the amount of catch, the limit for the amount of catch for certain fish species and limit for fishing gear in the development of draft laws and regulations provided for in Paragraph 4.¹ of this Section and provision of scientific justification for the determination of total limit for the amount of catch and limit for fishing gear in the development of draft laws and regulations provided for in Paragraph 4.² of this Section.

(4⁴) The Institute in conformity with the competence thereof shall draw up an assessment report each year regarding the possibilities of use of the amount of catch laid down for the coastal waters of the Baltic Sea and the Gulf of Riga and until 15 October submit it to the Ministry of Agriculture. If it is indicated in the report that the amount of catch laid down for the coastal waters of the Baltic Sea and the Gulf of Riga will not be used completely until the end of the current year, the Ministry of Agriculture shall allocate the non-used amount of catch in the relevant year for fishing behind the coastal waters.

(5) The fishing limit for legal and natural persons may be determined as amount of catch, the number and type of fishing vessels or fishing gear, and also as fishing periods or number of fishing days.

(5¹) The Ministry of Agriculture shall allocate the fishing limit for legal and natural persons for exercising of leased fishing rights in the Baltic Sea and the Gulf of Riga behind the coastal waters, and also in waters of other European Union Member States and in international waters or in waters of the third countries with which the European Community has entered into agreements in the field of fisheries.

(5²) A local government shall allocate the limit for the number of fishing gear for legal persons and natural persons for exercising of leased fishing rights or the limit for the amount of catch in the coastal waters of the Baltic Sea and the Gulf of Riga and the limit for the number of fishing gear, and also the limit for the amount of catch for certain fish species in inland waters of the Republic of Latvia.

(6) If the allowable amount of catch, the number of fishing gear or the number of industrial fishing locations is not sufficient in the relevant waters or a part of them for ensuring the exercising of fishing rights for legal or natural persons as are provided for by the Civil Law or by lease, as well as to satisfy requests submitted by legal or natural persons to enter into lease agreements for fishing rights, an auction for fishing rights leases or fishing permits (licences) may be organised.

(7) An auction may be organised either for legal or natural persons to which, in accordance with Section 7, Paragraph six of this Law, priority is to be given for fishing in the relevant waters or a part of them (closed auction), or for all interested parties (open auction) for the remainder of the catch amount and remaining number of fishing gear and fishing locations.

(8) Industrial fishing shall be performed in compliance with the requirements of the relevant European Union legislation, industrial fishing regulations and other regulatory norms regarding industrial fishing.

(9) The provisions of this Section shall not be applied to the harvesting of fish and crayfish in waters which are used only for specialised pisciculture and artificial propagation of fish, including lakes adjusted for artificial propagation of fish where the fishing rights are not owned by the State.

[1 October 1997; 17 February 2000; 18 October 2001; 19 June 2003; 30 September 2004; 26 May 2005; 9 October 2008; 1 December 2009; 16 June 2010; 29 May 2014; 24 October 2019 / The new wording of Paragraph three shall come into force on 1 July 2020. See Paragraph 27 of Transitional Provisions]

Section 12. Fishing for Special Purposes and for Scientific Research Purposes

(1) Fishing for special purposes (pisciculture, acclimatisation, monitoring fishery, ameliorative and other fishing type) and for scientific research purposes shall be carried out on the basis of the provisions for use of the body of water co-ordinated in the Institute and the Ministry of Environmental Protection and Regional Development, fisheries programmes or projects which are justified with scientific recommendations which determine the necessity for such fishing. The fisheries programmes for fishing for special purposes and for scientific research purposes which in accordance with scientific recommendations are intended to be carried out for ensuring of operation and functions of the Institute shall be additionally co-ordinated with the Ministry of Agriculture. It is allowed to use only the fishing gear intended in the particular fisheries programme or project for the harvesting of fish species provided for in the programme or project. When carrying out such fishing the prohibitions laid down in conformity with the laws and regulations governing fisheries in respect of the harvesting of fish species not referred to in the project or programme shall be taken into account.

(2) In public waters and waters where the fishing rights are owned by the State, the fishing for special purposes and for scientific research purposes shall be carried out after application to the State Environmental Service and on the basis of work schedule which is co-ordinated with a local government in the administrative territory of which and to which the relevant waters are adjacent, but in private waters where the fishing rights are not owned by the State - on the basis of the work schedule which is co-ordinated with the owner of waters.

(3) Prior to commencing fishing for special purposes or for scientific research purposes, the performer thereof shall inform the relevant State Environmental Service.

(4) The Cabinet shall issue regulations regarding the procedures for the issuance of permits (licences) for fishing for special purposes or for scientific research purposes.

(5) The amount (limit) of fishing gear to be used for fishing for special purposes shall not be counted in the total

amount (limit) of fishing gear.

(6) The amount (limit) of fishing gear to be used for fishing for scientific research purposes shall be counted in the total amount (limit) of fishing gear, if the fishing is carried out in the coastal waters of the Baltic Sea and the Gulf of Riga and inland waters, except the cases when fishing is carried out by the Institute or other scientific research institution.

[19 June 2003; 30 September 2004; 9 October 2008; 1 December 2009; 16 June 2010; 16 December 2010; 29 May 2014]

Section 13. Regulations Regarding Fishing, Leasing of Fishing Rights, Exercising of Fishing Rights, and Regulations for Control of Handling of Caught Fish

(1) The Cabinet shall issue the following fishing regulations and regulations regarding the control of handling caught fish (landing, transporting, marketing, storing, and processing):

- 1) regulations regarding industrial fishing in territorial waters and economic zone waters;
- 2) regulations regarding industrial fishing in inland waters;
- 3) angling, crayfish catching and underwater hunting regulations;
- 4) regulations regarding the control of fish landing;
- 5) regulations regarding the inspection of fish marketing and transport facilities, storage and premises for processing.

(2) The Cabinet shall issue the following regulations regarding the leasing of fishing rights and the exercising of fishing rights:

- 1) regulations regarding the procedures for leasing bodies of water and industrial fishing rights, and for exercising fishing rights;
- 2) regulations regarding the exercising of fishing rights in private waters;
- 3) regulations regarding the procedures for licensed industrial fishing;
- 4) regulations regarding the procedures for licensed angling, crayfish catching and underwater hunting.

[17 February 2000; 29 May 2014]

Chapter IV Catch Statistics, Regulation of Fishing, and Restrictions

Section 14. Obligation to Provide Information about Activities Related to Fishing

(1) Legal and natural persons who are engaged in industrial fishing have the obligation to provide information regarding catch in accordance with such procedures and within such time periods as are stipulated in fishing rights lease agreements and prescribed in industrial fishing regulations. If a ship registered in the third country is owned by a legal or natural person and such person is engaged in fishing or he or she owns the shares (stocks) of such commercial company which owns a ship registered in the third country and such commercial company is engaged in fishing, the abovementioned person, and also an employed person who is performing activities related to fisheries on the ship registered in the third country, shall inform the State Environmental Service thereof within a month after commencement of fishing activities of the ship or employment relations.

(2) Information regarding fishing, fishing infringements, fish landing, fish prices, lists of fishing vessels, and fishermen and fish buyers registration shall be compiled in the Latvian fisheries integrated control and information system which is registered in the State information system register. The information required for ensuring system database shall be provided by the State Environmental Service, the Road Traffic Safety Directorate, the Latvian Maritime Administration, and the Institute.

(3) The Ministry of Agriculture shall co-ordinate the sending of the information referred to in Paragraph two of this Section to the relevant European Union authorities in accordance with the requirements of European Union legislation, and also shall supervise the conformity of the total engine power and total tonnage of fishing vessels in Latvia to the European Union Member State specified reference level.

(4) The Ministry of Agriculture shall ensure that the information laid down in Paragraph two of this Section and compiled in the information system, and also information compiled by the State Environmental Service, Rural Support Service, local governments and the Institute regarding use of fish resources, including information regarding angling,

crayfish catching and underwater hunting, leased and exercised industrial fishing rights and lease of public water bodies, shall be publicly accessible in conformity with the laws and regulations regarding freedom of information on the website of the Ministry of Agriculture and institution subordinated thereto.

[17 February 2000; 30 September 2004; 26 May 2005; 9 October 2008; 1 December 2009; 16 June 2010; 29 May 2014]

Section 15. Regulation of Fishing

(1) Industrial fishing in waters of the Republic of Latvia shall be governed by determining the annual total allowable volume of catch, the number and type of fishing vessels, the number of fishing gear and its type, as well as other regulatory measures for fishing, on the basis of scientific expert opinion and scientific recommendations, recommendations of international fishery organisations, the requirements of European Union legislation and industrial fishing regulations.

(2) The regulations referred to in Section 13, Paragraph one, Clause 3 of this Law shall govern the procedures for exercising of angling, crayfish catching and underwater hunting rights by a natural person, and also using of angling, crayfish catching and underwater hunting gear, conditions, place and time for use thereof, where and when the harvesting of fish and crayfish is prohibited, allowable catch amount, fish and crayfish length, obligations and responsibility of an angler, crayfish catcher and underwater hunter, and also shall determine in what cases and within what deviation limits a local government may determine additional provisions for the procedures for harvesting fish and crayfish within the waters existing in the administrative territory thereof. Special requirements for use of crayfish catching and underwater hunting gear shall be indicated in separate Chapters of the abovementioned regulations.

(3) The regulations referred to in Section 13, Paragraph two, Clause 4 of this Law shall govern the introduction of licensed angling, licensed crayfish catching and licensed underwater hunting, obligations of the organiser, control requirements thereof, the procedures for determining fee for licences and distribution of financial means obtained from the license sale, and also the requirements for the development of the by-laws for licensed angling, licensed crayfish catching or licensed underwater hunting and the procedures for co-ordination and approval of such by-laws.

[1 October 1997; 17 February 2000; 30 September 2004; 29 May 2014]

Section 16. Restrictions of Exercising of Fishing Rights

(1) In order to ensure the conservation and protection of fish resources, the Ministry of Agriculture, on the basis of the requirements of European Union legislation, and also the scientific recommendations or recommendations of the Nature Conservation Agency and after co-ordination with the Ministry of Environmental Protection and Regional Development, may determine measures governing the exercising of the fishing, angling, crayfish catching and underwater hunting rights for a specific period of time, restrict or determine total suspension of the exercising of fishing rights in particular waters or parts thereof, and propose the suspension of such activity in waters and towpath that negatively affects the hydrological regime of the waters, pollutes the waters or the towpath, changes the water level in a body of water or creates other unfavourable conditions for fish resources, and also determine measures to regulate and limit the harvesting of fish and crayfish in waters or parts thereof, where fishing is performed in order to fulfil a public procurement for restocking of fish resources.

(2) Industrial fishing with nets during the ice-free fishing season is prohibited in all public lakes on Saturdays, Sundays and public holidays, except in particular public lakes (parts thereof). The list of particular public lakes and the procedures by which industrial fishing with nets shall be performed therein shall be governed by Cabinet regulations regarding industrial fishing in inland waters.

(3) Industrial fishing, except for specialised fishing of eels, sticklebacks, lake smelt and bleak, and fishing for special purposes or for scientific research purposes in accordance with Section 12 of this Law is prohibited in the following public lakes: in Alūksnes ezers, Āraišu ezers, Babītes ezers, Bolvu ezers, Cirma, Dagdas ezers, Dūņezers in Ādaži municipality, Dzimezers, Juglas ezers, Kaunatas ezers, Kovšu ezers, Kīšezers, Lielais Baltezers, Lielais Nabas ezers, Lielaucis ezers, Līlastes ezers, Limbažu Lieliezers, Mazais Baltezers, Mazais Ludzas ezers, Mazais Nabas ezers, Salu ezers (Baznīcas ezers), Slokas ezers, Viesītes ezers, Vītiukšnis, Viļakas ezers, and Zosnas ezers. Industrial fishing with nets is prohibited in the following public lakes: in Freimaņu ezers, Lielais Ludzas ezers, Liepājas ezers, and Papes ezers.

(4) Industrial fishing, except for specialised fishing of eels, lampreys and sticklebacks, and fishing for special purposes and for scientific research purposes in accordance with Section 12 of this Law is prohibited in all rivers and canals, as well as fishing with fish pots in the Daugava River (also its reservoirs) and in the Bulļupe River, where such may be performed taking into account Cabinet regulations regarding industrial fishing in inland waters and the Cabinet regulations regarding industrial fishing limits and procedures for use thereof in inland waters.

(5) A local government may prohibit industrial fishing upon receipt of the assessment of experts of the Institute and co-ordination with the Ministry of Agriculture and the Ministry of Environmental Protection and Regional Development, in order to preserve fish resources, and also to develop the activities to be carried out for recreation purposes in public waters (Annex 1 to the Civil Law) which are located in the administrative territory thereof.

(6) A decision on determining measures, restrictions or prohibitions provided for in Paragraph one and five of this Section shall enter into effect in accordance with the procedures laid down in the Administrative Procedure Law. A submission or application regarding the dispute or appeal of a decision shall not suspend the operation thereof.

(7) In order to prevent non-regulated use of fishing gear in the waters of the Republic of Latvia, the Cabinet shall issue regulations regarding trade and circulation of the fishing nets.

[19 June 2003; 30 September 2004; 26 May 2004; 9 October 2008; 1 December 2009; 16 June 2010; 16 December 2010; 29 May 2014; 16 September 2021]

Section 17. Prohibited Fishing Methods, Gear and Means

(1) While fishing, it is prohibited to use such methods, fishing gear and means as are prohibited or also are not provided for in European Union legislation or Latvian laws and regulations.

(2) Fishing methods, gear and means other than provided for in the regulations regarding relevant type of fishing may be allowed to be used for fishing for special purposes (pisciculture, acclimatisation, monitoring fishery, ameliorative and other fishing type) and for scientific research purposes upon co-ordination with the Ministry of Agriculture and the Ministry of Environmental Protection and Regional Development, by indicating them in a fishing permit (licence). If fishing is intended in waters which are located in the administrative territory of the relevant local government, such fishing shall be co-ordinated also with the relevant local government.

(3) It is prohibited to use a seine for industrial fishing in water bodies located in specially protected nature territories, unless in accordance with Section 12 of this Law it is necessary to perform fishing for special purposes and for scientific research purposes. In other water bodies fishing with a seine shall be carried out upon proposal of those local governments in the administrative territory of which the body of water is located, by taking into account the laws and regulations regarding industrial fishing limits and procedures for use thereof in inland waters. Limit for fishing with a seine shall be determined as a proportional share from the total fishing gear limit intended for the body of water.

(4) *[30 September 2004]*

[18 October 2001; 19 June 2003; 30 September 2004; 26 May 2005; 9 October 2008; 16 December 2010; 29 May 2014]

Chapter V Protection and Monitoring of Fish Resources

Section 18. Authorities and Officials for the Protection and Monitoring of Fish Resources

(1) The State Environmental Service as well as the local governments in the administrative territories and the adjacent coastal waters of the Baltic Sea and the Gulf of Riga of which the municipal police and the environmental control official of the local government is implementing the functions of the protection and monitoring of fish resources in inland waters, the territorial waters, and economic zone waters of the Republic of Latvia shall be responsible for such protection and monitoring.

(2) *[24 March 2022]*

(3) The State Police, the Nature Conservation Agency, the State Border Guard, and the Coast Guard Service of the Naval Forces of the National Armed Forces shall also perform the protection and monitoring of fish resources according to the competence.

[24 October 2019; 24 March 2022]

Section 19. Rights of the Authorities for the Protection and Monitoring of Fish Resources

(1) The State Environmental Service is entitled, in accordance with procedures laid down in laws and the laws and regulations governing fishery, to perform fishing inspection in all waters (including private waters) of the Republic of Latvia, to control the landing of fish, as well as to inspect marketing and transport facilities and any storage or production premises, if there is reason to believe that illegally obtained fish are being marketed, transported, stored or processed, as well as taking into account the requirements of European Union legislation, to perform such inspections and control on Latvian ships which fish in European Union Member States, third countries and international waters.

(2) The State Environmental Service shall, upon performing the protection and monitoring of fish resources, ensure the following activities according to its competence:

1) in case of infringements of the norms of Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy, amending Council Regulations (EC) No 1954/2003 and (EC) No 1224/2009 and repealing Council Regulations (EC) No 2371/2002 and (EC) No 639/2004 and Council

Decision 2004/585/EC shall impose penalty points on fishing licence holders and masters of fishing vessels in accordance with Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Community control system for ensuring compliance with the rules of the common fisheries policy, amending Regulations (EC) No 847/96, (EC) No 2371/2002, (EC) No 811/2004, (EC) No 768/2005, (EC) No 2115/2005, (EC) No 2166/2005, (EC) No 388/2006, (EC) No 509/2007, (EC) No 676/2007, (EC) No 1098/2007, (EC) No 1300/2008, (EC) No 1342/2008 and repealing Regulations (EEC) No 2847/93, (EC) No 1627/94 and (EC) No 1966/2006 and Commission Implementing Regulation (EU) No 404/2011 of 8 April 2011 laying down detailed rules for the implementation of Council Regulation (EC) No 1224/2009 establishing a Community control system for ensuring compliance with the rules of the Common Fisheries Policy;

2) with the intermediation of the Fisheries Monitoring Centre shall supervise fishing activities of fishing vessels of Latvia.

(2¹) [24 October 2019]

(3) If fishing occurs in the waters of other Member States of the European Union, the waters of third countries, or international waters in accordance with the directly applicable legal acts of the European Union, decisions of international fishery organisations, or international agreements regarding allocation of a catch quota to the Republic of Latvia, the State Environmental Service shall conduct the administrative offence proceedings in case of fishing infringements.

(4) [24 October 2019]

(5) The State Environmental Service, the Nature Conservation Agency, the municipal police and the environmental control officials of the local government, the State Police, the State Border Guard, and the Coast Guard Service of the Naval Forces of the National Armed Forces have the right to lift out the gear illegally used for the harvesting of fish in the territory within their competence.

(6) A decision on destruction of the lifted-out illegal gear for the harvesting of fish referred to in Paragraph five of this Section, without initiating administrative offence proceedings, if its owner cannot be ascertained, or a decision on the seizing of lifted-out illegal gear for the harvesting of fish as physical evidence for the initiation of administrative proceedings if its owner can be ascertained shall be taken by the State Environmental Service and the Nature Conservation Agency, the municipal police or the environmental control officials of the local government.

(7) [29 May 2014]

(8) The Cabinet shall determine the procedures for application of the penalty point system laid down in the European Union legislation regarding common fisheries for fishing licence holders and masters of fishing vessels.

(9) The Cabinet shall determine the procedures for the destruction of the gear for the harvesting of fish referred to in Paragraph five of this Section.

[1 October 1997; 29 October 1998; 18 October 2001; 19 June 2003; 30 September 2004; 26 May 2005; 9 October 2008; 16 June 2010; 29 May 2014; 24 October 2019 / Amendments to Section shall come into force on 1 July 2020. See Paragraph 27 of Transitional Provisions]

Section 20. Cooperation and Public Participation in the Protection and Monitoring of Fish Resources

(1) The State Environmental Service is entitled to involve persons authorised by the State Environmental Service, i.e. public environment inspectors, in the protection and monitoring of fish resources in the inland waters and seacoast of the Republic of Latvia.

(2) The local government is entitled to involve persons authorised by the local government, i.e. public environment inspectors, in the protection and monitoring of fish resources in inland waters which are located in its administrative territory and in coastal waters which are adjacent to its administrative territory.

(3) The persons authorised by the State Environmental Service and the local government, i.e. public environment inspectors, have the right, without initiating administrative offence proceedings, to perform the following activities for the prevention of an administrative offence:

1) to inspect the activities related to the harvesting of fish resources, including to perform an on-site inspection in bodies of water and their direct vicinity, to check documents, gear for the harvesting of fish and catch, and to conduct an inspection of property;

2) to lift out illegal gear for the harvesting of fish and, in conformity with the competence of authorities and officials specified in Section 18, Paragraph one of this Law, to hand them over for taking of a decision in accordance with Section 19, Paragraph six of this Law.

(4) The persons authorised by the State Environmental Service and the local government, i.e. public environment inspectors, shall draw up documents on the monitoring activities performed, including in the documents the facts

detected on a violation of the laws and regulations governing the harvesting of fish, the illegally used gear for the harvesting of fish, and the illegally harvested fish, and submit the relevant documents to the authority or official indicated in Section 18, Paragraph one of this Law according to their competence.

(5) The Cabinet shall determine the procedures for granting and cancelling the status of a person authorised by the State Environmental Service and the local government, i.e. public environment inspector, the requirements to be brought forward for such person, and the sample identification card, and also the procedures for the performance of the protection and monitoring of fish resources.

(6) An organiser of licensed angling, crayfish catching, underwater hunting or licensed industrial fishing has an obligation to participate in the protection and monitoring of fish resources of the relevant waters according to its competence.

(7) A lessee or owner of a body of water, the user of the fishing, angling, crayfish catching, or underwater hunting rights has an obligation to inform, without delay, the relevant authorities and officials indicated in Section 18 of this Law of the detected infringements.

[24 October 2019; 24 March 2022]

Chapter VI

Conservation and Increase of Fish Resources; Fish Farming

Section 21. Conservation and Increase of Fish Resources

(1) Fish resource managers and users (including lessees) of fishing rights shall perform measures co-ordinated with the Institute for conservation of fish resources.

(2) Propagation of fish resources shall be conducted by specialised fish-farming facilities based on the guidelines approved by the Cabinet for fish resource artificial restocking or, if propagation of fish resources is ensured by lessees of bodies of water and of fishing rights, or by owners of private waters, in accordance with provisions for use of the bodies of water in fisheries or on the basis of separate agreements. The propagation of fish resources shall be carried out by the Institute in the Daugava River, the bodies of water of the basin thereof and upon the request of the State also in other waters.

(3) The provisions of Section 4, Paragraph three of this Law shall not apply to the cases when, in implementing the measures for increasing fish resources, fish is released in natural bodies of water, except for private lakes adjusted for artificial propagation of fish, where the fishing rights are not owned by the State and which are used in conformity with the laws and regulations regarding procedures for accounting and release in natural bodies of water of juvenile fish intended for fish resource restocking and propagation, and also the requirements in respect of use of the private lakes adjusted for artificial propagation of fish.

[1 October 1997; 17 February 2000; 19 June 2003; 26 May 2005; 9 October 2008; 1 December 2009; 29 May 2014]

Section 22. Transfer of Fish Species and Introduction of New Species

(1) A co-ordination of the Institute shall be required for the transfer of local fish species in natural bodies of water, and also in the territorial waters of the Republic of Latvia and economic zone waters (regardless of the type of property).

(1¹) A permit of the Nature Conservation Agency which is issued in accordance with the laws and regulations governing the protection of species and biotopes shall be required for the introduction, releasing, and propagation of alien or locally absent species in natural bodies of water, and also in the territorial waters of the Republic of Latvia and economic zone waters (regardless of the type of property).

(2) Information regarding the transfer of various species of fish and the introduction or propagation of new species shall be submitted to the Institute.

(3) The Cabinet shall determine the procedures for accounting and release in natural bodies of water of juvenile fish intended for fish resource restocking and propagation, and also the requirements in respect of use of private lakes adjusted for use of artificial propagation of fish.

[17 February 2000; 18 October 2001; 19 June 2003; 26 May 2005; 9 October 2008; 1 December 2009; 16 June 2010; 29 May 2014; 24 March 2022]

Section 23. Permits for Fish Farming and for Aquatic Plant Culture

A permit of the relevant local government which is co-ordinated with the Institute and Nature Conservation Agency is required for specialised fish farming and for aquatic plant culture in the waters of the Republic of Latvia (regardless

of the type of property), but in waters which are included in the law or regulation regarding risk bodies of water, also with the State Environmental Service. Co-ordination with the Nature Conservation Agency is not necessary if fish farming and aquatic plant culture are intended in bodies of water artificially created specifically for such purpose.

[29 May 2014]

Section 24. Fish Farming in Bodies of Water

(1) Natural bodies of water or parts thereof which have been adapted for fish farming and bodies of water artificially created specifically for this purpose shall be considered as bodies of water for fish farming.

(2) In order to protect fish resources and to maintain water quality and quantity, the Ministry of Agriculture, after co-ordination with the Ministry of Environmental Protection and Regional Development, may provide for a special regime in the towpath surrounding such bodies of water.

[19 June 2003; 9 October 2008; 1 December 2009; 16 December 2010]

Chapter VII

Fee for Fishing Rights and Compensation for Losses

Section 25. Fee for Fishing Rights

(1) Fishing rights in the inland waters (irrespective of the form of ownership), territorial waters and economic zone waters of the Republic of Latvia, the waters of other Member States of the European Union, the waters of third countries, as well as in international waters in which Latvia has fishing rights, shall be used for a fee which shall be set out in the lease agreement for the fishing rights or in the fishing permit (licence, angling card), if a leasing agreement for fishing rights has not been entered into.

(2) The provisions of Section 13, Paragraph two of this Law regulate the fee for fishing rights and abatements thereof, procedures for lease of fishing rights or auction for fishing permits (licences), and also procedures for payment of financial means into the State budget by the lessor from the total amount which is collected for the lease of industrial fishing rights or auction or exercising of industrial fishing rights and angling rights, and procedures for providing a report by local governments regarding money payments carried out.

(3) The provisions of this Section shall not be applied if the relevant waters are used only for specialised pisciculture and artificial propagation of fish, including lakes adjusted for artificial propagation of fish where the fishing rights are not owned by the State.

[1 October 1997; 17 February 2000; 30 September 2004; 29 May 2014]

Section 26. Liability for the Infringement of Regulatory Norms Regarding the Protection, Monitoring and Use of Fish Resources, and for Losses Caused to Fish Resources

(1) Legal persons and natural persons who have allowed infringements of this Law or of laws and regulations in regard to angling, crayfish catching, underwater hunting or industrial fishing, and have caused or could have caused losses to fish resources, shall be held liable in accordance with the laws and regulations in force.

(2) Irrespective of the imposed administrative sanction or criminal sentence, the offender shall compensate in full for the losses caused to fish resources. Losses caused to fish resources may also be compensated for by carrying out fish restocking measures determined by the fish resources manager and co-ordinated with the Institute and the Ministry of Environmental Protection and Regional Development, or restoration of the environment in conformity with a court adjudication.

(3) Upon any economic or scientific research work being commenced which may harm fish resources or change the ecosystem of waters, examination of the planned work by fisheries experts shall be required in order to determine the extent of impact and effect, the justification for the work, potential losses and the amount and form of compensation.

(4) Losses caused to fish resources shall be compensated for by the performers of economic activities by carrying out measures determined by fishery expert-examinations: releasing juvenile fish or paying the cost of raising artificially propagated juvenile fish or paying compensation for losses caused to fish resources. Owners of hydroelectric stations shall compensate the referred to losses each year.

(5) The Cabinet shall issue regulations regarding the determination of losses caused to fish resources as a result of economic activity and the procedures for compensation thereof.

(6) The Cabinet shall issue regulations regarding such a list of rivers (sections of rivers) where for the purposes of protection of fish resources it is prohibited to build and restore hydroelectric dams and to make any kind of mechanical obstacles.

(7) The Cabinet shall issue regulations regarding the procedures by which environment restoration activities which compensate for the losses caused to fish resources shall be determined and performed.

[17 February 2000; 18 October 2001; 19 June 2003; 30 September 2004; 26 May 2005; 9 October 2008; 16 December 2010; 29 May 2014]

Chapter VIII Fish Fund

Section 27. Purpose of the Fish Fund

The purpose of the Fish Fund is to ensure resources for scientific researches which are related to research of fish resources, impact of pollution and different economic activities on fish resources, and also resources for fish restocking and protection measures, including additional means for projects corresponding to the purpose of the Fish Fund which in relation to tasks within the competence thereof are implemented by the State administration institutions, local governments and other derived public persons, and specific measures indicated in the laws and regulation regarding the Fish Fund which are carried out by the associations the purpose of activities of which is related to use and protection fish resources.

[16 June 2010]

Section 28. Sources for the Formation of the Fish Fund

(1) The Fish Fund shall be formed from grants from general revenue, as well as donations and gifts from natural and legal persons (also from foreign states).

(2) The grant to the Fish Fund from general revenue shall be formed from the following State basic budget revenue paid in payments:

- 1) compensation for losses caused to fish resources;
- 2) fines for losses caused to fish resources as a result of infringements of laws and regulations governing fishing;
- 3) revenues which is created in selling fishing gear, fishing means and illegally harvested fish confiscated according to the procedures specified in laws and regulations;
- 4) payments for the lease and exercising of fishing rights [lease payments, and payments for fishing permits (licence, angling card)];
- 5) part of the payments for the lease of public bodies of water and lease of other bodies of water where fishing rights belong to the State in accordance with the additional conditions of the relevant body of water leasing agreement (depending upon the area covered by the relevant body of water and the type of its use for fishery).

[30 October 2003]

Section 29. Use of the Fish Fund

The resources of the Fish Fund shall be used in accordance with the by-laws of the Fish Fund which shall be approved by the Cabinet. The Fish Fund Council shall decide on distribution and allocation of funds in accordance with the by-laws of the Fish Fund.

[16 June 2010]

Chapter IX Administrative Offences in the Field of the Protection and Use of Fish Resources and Competence in Administrative Offence Proceedings

[24 October 2019 / Chapter shall come into force on 1 July 2020. See Paragraph 27 of Transitional Provisions]

Section 30. Administrative Offences in the Field of the Protection and Use of Fish Resources

(1) For infringement of the angling, crayfish catching, and underwater hunting regulations or the licensed angling, crayfish catching, or underwater hunting regulations, a warning or a fine from three to seventy units of fine shall be imposed, with or without a prohibition to exercise the angling, crayfish catching, and underwater hunting rights for a time period of up to one year.

(2) For infringement of the requirements and restrictions specified in the towpath, a fine from six to two hundred and eighty units of fine shall be imposed on a natural person but a fine from twenty-eight to five hundred and eighty units of fine shall be imposed on a legal person.

(3) For infringement of the regulations regarding trade and circulation of the fishing nets, a fine from six to one hundred and forty units of fine shall be imposed on a natural person but a fine from fifty-six to four hundred and twenty units of fine shall be imposed on a legal person.

(4) For infringement of the regulations regarding landing, purchase, sale, storage, processing, and transportation of fish, lampreys, crayfish, or other aquatic invertebrates, a fine from six to one hundred and forty units of fine shall be imposed on a natural person but a fine from twenty-eight to two thousand eight hundred units of fine shall be imposed on a legal person.

(5) For infringement of the fishing regulations in inland waters, a fine from six to one hundred and forty units of fine shall be imposed on a natural person but a fine from six to eight hundred and sixty units of fine shall be imposed on a legal person, with or without a prohibition to exercise the fishing rights for a time period of up to two years.

(6) For fishing in inland waters without a relevant permit and for fishing at a prohibited site or time, as well as for fishing with prohibited gear or methods, a fine from fifty-six to one hundred and forty units of fine shall be imposed on a natural person but a fine from one hundred and forty to eight hundred and sixty units of fine shall be imposed on a legal person, with or without a prohibition to exercise the fishing rights for a time period of up to two years.

(7) For infringement of the fishing regulations in the territorial waters, the economic zone waters, the waters of other Member States of the European Union, the waters of third countries, or international waters, a fine from six to one hundred and forty units of fine shall be imposed on a natural person but a fine from twenty-eight to two thousand eight hundred units of fine shall be imposed on a legal person, with or without a prohibition to exercise the fishing rights for a time period of up to two years.

(8) For fishing in the territorial waters, the economic zone waters, the waters of other Member States of the European Union, the waters of third countries, or international waters without a relevant permit, for fishing at a prohibited site or time, as well as for fishing with prohibited gear or methods, a fine from twenty-six to one hundred and forty units of fine shall be imposed on a natural person but a fine from two hundred and eighty to two thousand eight hundred units of fine shall be imposed on a legal person, with or without a prohibition to exercise the fishing rights for a time period of up to two years.

(9) For infringements of the procedures for accounting and release in natural bodies of water of juvenile fish intended for fish resource restocking and propagation, a fine from fourteen to one hundred and forty units of fine shall be imposed on a natural person but a fine from two hundred and eighty to eight hundred and sixty units of fine shall be imposed on a legal person.

(10) For the transfer of local species of fish in natural bodies of water, and also in the territorial waters of the Republic of Latvia, and the economic zone waters without a co-ordination or for the introduction, releasing, or propagation of alien or locally absent species in natural bodies of water, the territorial waters of the Republic of Latvia, and the economic zone waters without a relevant permit, a fine from fourteen to one hundred and forty units of fine shall be imposed on a natural person but a fine from two hundred and eighty to eight hundred and sixty units of fine shall be imposed on a legal person.

(11) For the specialised fish farming and the aquatic plant culture in the waters of the Republic of Latvia without a permit of the relevant local government, a fine from fourteen to one hundred and forty units of fine shall be imposed on a natural person but a fine from two hundred and eighty to eight hundred and sixty units of fine shall be imposed on a legal person.

[24 October 2019; 24 March 2022]

Section 31. Competence in Administrative Offence Proceedings

(1) Until examination of the administrative offence case, administrative offence proceedings for the infringements referred to in Section 30, Paragraph one of this Law shall be conducted by the State Environmental Service, the State Police, the Nature Conservation Agency, the municipal police, the environmental inspection of the local government, or the environmental control official of the local government. The administrative offence case shall be examined by the State Environmental Service or the Nature Conservation Agency.

(2) Until examination of the administrative offence case, administrative offence proceedings for the infringements referred to in Section 30, Paragraph two of this Law shall be conducted by the State Police, the municipal police, the environmental inspection of the local government, or the environmental control official of the local government. The administrative offence case shall be examined by the administrative commission or sub-commission of the local government.

(3) Until examination of the administrative offence case, administrative offence proceedings for the infringements referred to in Section 30, Paragraph three of this Law shall be conducted by the State Environmental Service, the

State Police, the municipal police, or the environmental control official of the local government. The administrative offence case shall be examined by the State Environmental Service, the State Police, the administrative commission or sub-commission of the local government.

(4) Administrative offence proceedings for the infringements referred to in Section 30, Paragraph four of this Law shall be conducted by the State Environmental Service.

(5) Until examination of the administrative offence case, administrative offence proceedings for the infringements referred to in Section 30, Paragraphs five and six of this Law shall be conducted by the State Environmental Service, the State Police, the Nature Conservation Agency, the municipal police, the environmental inspection of the local government, the environmental control official of the local government, or the State Border Guard. The administrative offence case shall be examined by the State Environmental Service.

(6) Until examination of the administrative offence case, administrative offence proceedings for the infringements referred to in Section 30, Paragraphs seven and eight of this Law shall be conducted by the State Environmental Service, the municipal police, the environmental inspection of the local government, the environmental control official of the local government, the State Police, the Coast Guard Service of the Naval Forces of the National Armed Forces, or the State Border Guard. The administrative offence case shall be examined by the State Environmental Service.

(7) Until examination of the administrative offence case, administrative offence proceedings for the infringements referred to in Section 30, Paragraph nine of this Law shall be conducted by the State Environmental Service, the Nature Conservation Agency, the municipal police, the environmental inspection of the local government, the environmental control official of the local government, or the State Police. The administrative offence case shall be examined by the State Environmental Service.

(8) Until examination of the administrative offence case, administrative offence proceedings for the infringements referred to in Section 30, Paragraph ten of this Law shall be conducted by the State Environmental Service, the Nature Conservation Agency, the municipal police, the environmental inspection of the local government, the environmental control official of the local government, or the State Police. The administrative offence case shall be examined by the Nature Conservation Agency.

(9) Until examination of the administrative offence case, administrative offence proceedings for the infringements referred to in Section 30, Paragraph eleven of this Law shall be conducted by the State Environmental Service, the State Police, the Nature Conservation Agency, the municipal police, the environmental inspection of the local government, or the environmental control official of the local government. The administrative offence case shall be examined by the administrative commission or sub-commission of the local government.

[24 October 2019; 24 March 2022 / The new wording of Paragraph one shall come into force on 1 January 2023 and shall be included in the wording of the Law as of 1 January 2023. See Paragraph 31 of Transitional Provisions]

Transitional provisions

1. The Cabinet shall, within one month after this Law comes into force, submit a recommendation to the *Saeima* regarding refinement of Annexes 1, 2, and 3 to the Civil Law.

2. With the coming into force of this Law, Cabinet Regulation No. 156, On Fishery, issued in accordance with Article 81 of the Constitution (*Latvijas Republikas Saeimas un Ministru Kabineta Ziņotājs*, 1994, No. 17), is repealed.

3. Section 16, Paragraph two and Section 17, Paragraphs three and four of this Law shall come into force on 1 January 2002.

[18 October 2001]

4. The Cabinet shall issue the regulations referred to in Section 26, Paragraph six of this Law within three months after the coming into force of the amendments to this Law.

[18 October 2001]

5. Section 8, Paragraph three of this Law in relation to the entering in effect of decisions regarding the suspension of the exercising of fishing rights in accordance with the procedures laid down in the Administrative Procedure Law and the procedures for the dispute or appeal of such decisions shall come into force simultaneously with the Administrative Procedure Law. If the abovementioned decision is taken prior to the coming into force of the Administrative Procedure Law, it shall enter into effect within two weeks after taking thereof.

[19 June 2003]

6. The Cabinet shall, by 1 January 2004, issue the regulations referred to in Section 22, Paragraph three of this Law.

[19 June 2003]

7. The amendments adopted on 19 June 2003 to Section 16, Paragraph two, Section 17, Paragraphs three and four, as well as Section 16, Paragraph three of this Law shall come into force on 1 January 2004.

[19 June 2003]

8. The Cabinet shall, by 31 December 2004, issue the regulations referred to in Section 7, Paragraph two of this Law regarding the procedures by which special permits (licences) for commercial activity in fishery shall be issued.

[30 September 2004]

9. The norms of this Law in which are used the terms "commercial company" or "individual merchant" shall be applied also in relation to fishing enterprises and other undertakings (companies) registered in the Enterprise Register.

[30 September 2004]

10. Special permits (licences) issued up to 31 December 2004 for the performance of fishery entrepreneurship shall be in effect for the time period specified in the special permit (licence).

[30 September 2004]

11. The Cabinet shall, by 31 December 2004, issue the regulations referred to in Section 12 of this Law regarding the procedures by which permits (licences) for fishing for special purposes and for scientific research purposes shall be issued.

[30 September 2004]

12. The Cabinet shall, by 31 December 2004, issue the regulations referred to in Section 26, Paragraph seven of this Law regarding the procedures by which environment restoration activities which compensate for the losses caused to fish resources shall be determined and performed.

[30 September 2004]

13. Amendments to Section 7, Paragraph six of this Law in relation to the preference given to commercial companies and individual merchants in the leasing of fishing rights who are associated with commercial fishing, as well as to persons who are engaged in self-consumption fishing, shall not apply fishing rights leasing agreements which have been entered into in 2004.

[30 September 2004]

14. Amendments to Section 16, Paragraph three of this law in relation to fishing restrictions in Lake Cirmas ezers, Lake Dūņezers, Lake Feimaņu ezers, Lake Lielais Ludzas ezers, Lake Liepājas ezers, Lake Lilastes ezers, Lake Papes ezers, Lake Virtukšņas ezers, and Lake Zosnas ezers shall come into force on 1 January 2005 but amendments to Section 16, Paragraph four of this Law in relation to fishing restrictions in the Bulļupe River and Daugava River on 16 April 2005.

[30 September 2004]

15. Amendments to Section 11, Paragraph four in relation to the specification of catch quotas for coastal fishing shall come into force on 1 January 2006.

[26 May 2005]

16. By-laws regarding amateur fishing, i.e. angling, for specific bodies of water which have been developed and approved in accordance with Cabinet regulations regarding the procedures applicable to licensed amateur fishing, i.e. angling, in the waters of the Republic of Latvia up to the day of the coming into force of the amendments to Section 10 of this Law in relation to the binding regulations to be issued by the local government for licensed amateur fishing, i.e. angling, shall be in force up to 31 December 2005.

[26 May 2005]

17. The Cabinet shall, by 1 December 2009, issue the regulations referred to in Section 7, Paragraph two of this Law. Until the date of coming into force thereof but not longer than by 30 November 2009, the Cabinet Regulation No. 39 of 11 January 2005, Procedures for the Issue of Special Permits (Licences) for Commercial Activities in Fishery, shall be applied, insofar as it is not in contradiction with this Law.

[9 October 2008]

18. The Cabinet shall, by 1 July 2009, issue the regulations referred to in Section 7, Paragraph five, Section 13, Paragraph two, Clause 1 and Section 25, Paragraph two of this Law. Until the date of coming into force thereof but not

longer than by 30 June 2009, the Cabinet Regulation No. 433 of 12 December 2000, Procedures for Leasing Bodies of Water and Industrial Fishing Rights, and for exercising fishing rights, shall be applied, insofar as it is not in contradiction with this Law.

[9 October 2008]

19. The Cabinet shall, by 31 December 2009, issue the regulations referred to in Section 7, Paragraph eight of this Law.

[9 October 2008]

20. The Cabinet shall, by 31 December 2009, issue the regulations referred to in Section 11, Paragraphs 4.¹ and 4.² of this Law. Until the date of coming into force thereof but not longer than by 31 December 2009, the limits of fishing gear amount or catch amounts which are determined for 2008 and comply with the provisions of Section 11, Paragraph four of this Law shall be applicable to inland waters and coastal waters of the Baltic Sea and the Gulf of Riga.

[9 October 2008]

21. The Cabinet shall, by 30 March 2011, issue the regulations referred to in Section 16, Paragraph seven and Section 19, Paragraph seven of this Law.

[16 June 2010]

22. The Cabinet shall, by 31 March 2015, issue:

1) the regulations referred to in Paragraph three of this Section 22. Until the date of coming into force thereof but not longer than by 31 March 2015, the Cabinet Regulation No. 381 of 22 April 2004, Procedures for Accounting and Release into Natural Bodies of Water of Juvenile Fish Intended for Fish Resource Restocking and Propagation, shall be in force.

2) the regulations referred to in Section 13, Paragraph one, Clause 3 and Paragraph two, Clause 4 of this Law in order to ensure replacement of the term "amateur fishing" with the term "angling, crayfish catching and underwater hunting";

3) the regulations referred to in Section 19, Paragraph eight of this Law;

4) the regulations referred to in Section 22, Paragraph three of this Law. Until the date of coming into force thereof but not longer than by 31 March 2015, the Cabinet Regulation No. 381 of 22 April 2004, Procedures for Accounting and Release into Natural Bodies of Water of Juvenile Fish Intended for Fish Resource Restocking and Propagation, shall be in force.

[29 May 2014]

23. Amendments to the second sentence of Section 7, Paragraph six of this Law (by which it is determined that the relevant local government is entitled to allocate only fish pot limit for lease of the fishing rights for self-consumption fishing in public waters which are specified in Annex 1 to the Civil Law) shall be applicable starting from 1 January 2015.

[29 May 2014]

24. By taking into account ice conditions in bodies of water in 2015 but not later than by 15 April 2015, the fish pot limit for self-consumption fishing for 2015 laid down by a local government in public waters specified in Annex 1 to the Civil Law may be replaced by net use limit in the proportion specified in the Cabinet Regulation No. 1374 of 30 November 2009, Regulations Regarding Industrial Fishing Limits and Procedures for Use Thereof in Inland Waters. In such case the entry regarding an authorisation to replace fishing gear shall be made in the protocol of the industrial fishing rights leasing agreement for 2015 and the issued fishing licence.

[29 May 2014]

25. New wording of Section 11, Paragraphs 4.¹, 4.³ and 5.² of this Law (regarding determination of the amount of catch for certain fish species in inland waters) shall come into force on 1 January 2015.

[29 May 2014]

26. The Cabinet shall stipulate in the regulations regarding industrial fishing limits and procedures for use thereof in inland waters that from 16 April 2015 fishing with fish pots in the Bulupe River is allowed by using not more than six fish pots, including four pots with the wall length up to 30 metres and two pots with the guide net length above 30 metres.

[29 May 2014]

27. Amendment to Section 11 of this Law regarding the new wording of Paragraph three, amendment regarding the new wording of Section 18, amendments to Section 19 regarding the new wording of Paragraphs two, three, five, and six, the deletion of Paragraphs 2.¹ and four, and the supplementation of Section with Paragraph nine, amendment regarding the new wording of Section 20, as well as amendment regarding the supplementation of the Law with Chapter IX shall come into force concurrently with the Law on Administrative Liability.

[24 October 2019]

28. The Cabinet shall, by 30 June 2020, issue the regulations referred to in Section 19, Paragraph nine of this Law. Until the day of coming into force of the relevant regulations but not longer than until 30 June 2020, Cabinet Regulation No. 675 of 6 September 2005, Procedures for the Destruction of the Illegally Used and Prohibited Fishing Gear and Methods and Illegally Used Unmarked Fishing Nets, shall be applicable insofar as it is not in contradiction with this Law.

[24 October 2019]

29. The Cabinet shall, by 30 June 2020, issue the regulations referred to in Section 20, Paragraph five of this Law. Until the day of coming into force of the relevant regulations but not longer than until 30 June 2020, Cabinet Regulation No. 833 of 4 December 2007, Regulations Regarding Granting and Cancellation of the Status of Public Environment Inspector, the Criteria and Requirements to be Brought Forward, and the Sample Identification Card, shall be applicable insofar as it is not in contradiction with this Law.

[24 October 2019]

30. The State Environmental Service shall examine and issue fishing permits (licences) for fishing in the inland waters of the Republic of Latvia and in the coastal waters of the Baltic Sea and the Gulf of Riga if a submission has been received until the day of coming into force of the Law on Administrative Liability.

[24 October 2019]

31. Amendment to Section 31, Paragraph one of this Law shall come into force on 1 January 2023.

[24 March 2022 / The abovementioned amendment shall be included in the wording of the Law as of 1 January 2023]

The Law has been adopted by the *Saeima* on 12 April 1995.

President G. Ulmanis

Rīga, 28 April 1995

¹ The Parliament of the Republic of Latvia