

Republic of Latvia

Cabinet

Regulation No. 131

Adopted 7 March 2017

Regulations Regarding the Involvement of the Resources of Legal or Natural Persons in Response and Elimination of Consequences Measures or Fire-fighting or Rescue Operations and Procedures for the Calculation of Compensation for the Incurred Expenditures and Losses

*Issued pursuant to
Section 8, Paragraph two, Clauses 4 and 5 of the Civil Protection and Disaster Management
Law and Section 20 of the Fire Safety and Fire-fighting Law*

I. General Provision

1. This Regulation prescribes:

1.1. the procedures by which a State or local government authority (hereinafter – the authority) shall involve resources at the disposal of a legal or natural person in response and elimination of consequences measures;

1.2. the procedures for compensating a legal or natural person the expenditures and losses incurred thereby due to the involvement of its resources in the response and elimination of consequences measures, and also the procedures for calculating the amount of compensation;

1.3. the procedures by which the expenditures and losses caused due to the involvement of the resources of a natural or legal person in fire-fighting or rescue operations shall be compensated and their amount.

II. Procedures for the Involvement of Resources

2. The decision on the involvement of resources shall be taken:

2.1. in case of response measures and elimination of consequences measures – the incident commander of response and elimination of consequences operations;

2.2. in case of fire-fighting or rescue operations – the manager of fire-fighting and rescue operations.

3. The incident commander of response and elimination of consequences operations and the manager of fire-fighting and rescue operations (hereinafter – the operations manager) shall inform the head of the authority or the person authorised thereby of the decision referred to in Paragraph 2 of this Regulation.

4. The operations manager and the resource owner (possessor) or the person authorised thereby, if possible, shall enter into a written agreement on the involvement of resources (Annex 1) at the place of the incident.

5. If a written agreement cannot be concluded at the place of the incident, the operations manager and the resource owner (possessor) or the person authorised thereby shall enter into a

written agreement within a period of five working days after the involvement of the resources in the relevant measure.

III. Procedures for Calculating the Amount of the Recovery and Compensation for Expenditures and Losses

6. The actual expenditures and losses incurred as a result of involving resources in the operations shall be compensated in the full amount, but the lost profits shall not be compensated.

7. In order to receive compensation, a natural or legal person shall, within two months of the involvement of the resources in the ownership or possession thereof in operations, submit a written submission on the compensation of expenditures and losses to the authority indicated in the text of the concluded agreement (Annex 2).

8. The submission shall be accompanied by copies of documents attesting the ownership or possession rights of a natural or legal person to the resources, and also the amount of actual expenditures and losses.

9. When determining the amount of compensation, the authority shall agree with the respective natural or legal person, taking into account the average market price of the resource in Latvia, if necessary, by attracting an independent expert. The average market price of the resource shall be determined by conducting market research and shall be calculated as the average value of the offers from three legal or natural persons on the Latvian market, except where only one such resource is available on the Latvian market.

10. The authority shall examine the documents referred to in Paragraphs 8 and 9 of this Regulation and decide on compensating the expenses and losses in accordance with the procedures specified in the Administrative Procedure Law.

11. The authority shall inform the natural or legal person of the taken decision in accordance with the procedures laid out in the Law on Notification.

12. A natural or legal person is entitled to contest and appeal the taken decision in accordance with the procedures laid out in the Administrative Procedure Law.

13. The compensation of expenditures and losses shall be paid to a natural or legal person by transferring the relevant amount to the current account in a credit institution indicated in the submission.

14. The compensation for expenditures and losses shall be paid from the funding allocated to the authority for the current financial year or from the State budget programme “Funds for Unforeseen Events”.

IV. Closing Provision

15. Cabinet Regulation No. 842 of 11 December 2007, Procedures for Compensating to a Natural or Legal Person the Expenditures and Losses Incurred Thereby as a Result of Involving their Resources in Response Measures, Fire-fighting or Rescue Operations, and the Procedures for Calculating the Amount of Compensation (*Latvijas Vēstnesis*, 2007, No. 201; 2013, No. 215), is repealed.

Prime Minister

Māris Kučinskis

Minister for the Interior

Rihards Kozlovskis

Agreement on the Involvement of Resources

_____ Year _____

(name of location)

Operations manager _____ who acts in accordance with
_____ the law, hereinafter – the operations manager,

on the one hand, and

(full name, registration number, address, telephone number of a legal person
or the given name, surname, personal identity number of a natural person)
_____ who acts from their free will, hereinafter –
the resource owner (possessor), on the other hand, shall enter into this agreement in order to
involve the respective resources in response measures or elimination of consequences
measures, or fire-fighting or rescue operations (hereinafter – the operations).

1. The resource owner (possessor) transfers and the operations manager accepts the following resources:

Type	Quantity	Condition and other information

2. The expenditures and losses caused as a result of involving the aforementioned resources in the operations shall be covered by

_____,
(name of authority or local government)

on the basis of Cabinet Regulation No. 131 of 7 March 2017, Regulations Regarding the Involvement of the Resources of Legal or Natural Persons in Response and Elimination of Consequences Measures or Fire-fighting or Rescue Operations, and the Procedures for the Calculation of Compensation for the Expenditures and Losses Incurred Expenditures and Losses.

3. The agreement is drawn up in the Latvian language in two copies. One copy shall remain with the operations manager, but the other – with the resource owner (possessor).

Operations manager

(name of authority or local
government)

(position)

(given name, surname)

(signature)

Resource owner (possessor)

(given name, surname)

(personal identity number)

(address, telephone number)

(signature)

Minister for the Interior

Rihards Kozlovskis

Submission for the Compensation of Expenditures and Losses

1. Person requesting the compensation

(full name, registration number, address, telephone number of a legal person or the given name, surname, personal identity number, address, telephone number of a natural person)

2. Resources of the natural or legal person were involved **from** **to**

(date, time) (date, time)

3. Description of involved resources, calculation of expenditures and losses:

No.	Form, name and type of involved resources	Unit of measurement	Quantity	Cost per unit (in euros)	Total costs (in euros)
					In total

4. Current account at a credit institution to which the funds intended for compensation are to be transferred

5. Manner in which the decision on the compensation for actual expenditures and losses is to be sent

Appended

(documents attesting the ownership or possession rights of the natural or legal person to the resources, and also the amount of actual expenditures and losses*)

(signature, given name, surname)

Date

Note. For example, the price list for technical and personnel services, the road sign, the working time accounting table of the personnel involved, other document.

Minister for the Interior

Rihards Kozlovskis