

LATVIA

The information provided below refers to legal provisions adopted or modified pursuant to the implementation of the Services Directive as well as to regulations and procedures which Member States have indicated as being applicable to service providers in the areas covered by the directive. The information has been provided by Latvia in the context of the implementation of the Services Directive and of the mutual evaluation process. It does not represent a legal analysis or a position of the European Commission in respect of compliance with EU law in general or with the Services Directive in particular. National legal provisions might have suffered amendments during the mutual evaluation process so interested parties are invited to check national legislation in force.

Main changes to Latvian legislation

On 31 March 2010 Latvia adopted “Law on the Free Provision of Services”¹, that entered into force on 4 May 2010. This is a horizontal law implementing the Services Directive i.e. a law implementing general principles set out by the Directive. In addition to this Law Latvia has made a number of changes in the sector-specific legislation and is in the course of introducing further changes. Provisions on the Points of Single Contact have been implemented in the Cabinet Regulation “Procedure for the exchange of information on single services portal”².

Examples of authorisation schemes applicable to establishment in Latvia

During the process of the implementation of the Services Directive Latvia has abolished the licensing system concerning training of vehicle drivers.

Latvia has authorisation schemes in several service sectors.

Authorisation (licence) is required for: (1) construction services (business operators)³, (2) retail and wholesale trade in tobacco products, alcoholic beverages, beer and oil products⁴, (3) various services involving animals⁵, (4) trade in tractor machinery, trailers and units thereof bearing identification number⁶, (5) placing on the market of plant protection products⁷, (6)

¹ Law on the Free Provision of Services of 31.3.2010 (OJ 62 (4254), 20.4.2010); <http://www.likumi.lv/doc.php?id=208269>.

² Cabinet Regulation No. 480 of 25.5.2010; <http://www.likumi.lv/doc.php?id=211207>.

³ Construction Law of 10.8.1995 (OJ 131 (414), 30.8.1995); EN translation - http://www.likumi.lv/doc.php?id=36531#saist_11; Cabinet Regulation No 453 of 28.6.2005; EN translation - http://www.likumi.lv/doc.php?id=111469#saist_11.

⁴ Law on Excise Duties of 30.10.2003 (OJ 161 (2926), 14.11.2003); EN translation - http://www.likumi.lv/doc.php?id=81066#saist_11; Handling of Alcoholic Beverages Law of 22.4.2004, (OJ 69 (3017), 1.5.2004); EN translation - http://www.likumi.lv/doc.php?id=88009#saist_11; Cabinet Regulation No 662 of 30.8.2005; EN translation - http://www.likumi.lv/doc.php?id=115573#saist_11.

⁵ Animal Protection Law of 9.12.1999 (OJ 444/445 (1904/1905), 29.12.1999); EN translation - http://www.likumi.lv/doc.php?id=14940#saist_11; Cabinet Regulation No 947 of 13.12.2005; Cabinet Regulation No 959 of 20.12.2005; Cabinet Regulation No 266 of 4.4.2006; Cabinet Regulation No 895 of 26.10.2004; Cabinet Regulation No 407 of 16.05.2006; Pedigree Breeding Law of 2.04.1998 (OJ 106 (1167), 21.4.1998); <http://www.likumi.lv/doc.php?mode=DOC&id=47840>.

⁶ Road Traffic Law of 1.10.1997 (OJ 274/276 (989/991), 21.10.1997); EN translation - http://www.likumi.lv/doc.php?id=45467#saist_11; Cabinet Regulation No 897 of 18.12.2007.

⁷ Plant Protection Law of 17.12.1998 (OJ 388/399 (1449/1460), 30.12.1998); EN translation - http://www.likumi.lv/doc.php?id=51662#saist_11; Cabinet Regulation No 470 of 29.04.2004; EN translation - http://www.likumi.lv/doc.php?id=88045&from=off#saist_11.

water resources management⁸, (7) end-of-life vehicles management⁹, (8) waste management¹⁰, (9) special aerial works (landscape caption and aerial photography)¹¹, (10) trade in vehicles and units thereof bearing identification numbers¹², (11) publishing services¹³, (12) organisation of public events¹⁴, (13) recruitment services¹⁵, (14) education services, such as higher education¹⁶, vocational education¹⁷ and general education¹⁸, (15) trade in natural gas¹⁹, (16) trade in electricity²⁰, (17) trade at markets, fairs, driving shops and street shops²¹, (18) certain tourism services (tour operators, tourism agencies, package tourism services, tourism accommodation)²².

Examples of national requirements of the kind listed in Article 15 of the Services Directive:

Latvia informed the Commission that it has not identified any requirements listed in Article 15 of the Services Directive.

⁸ Water Management Law of 12.9.2002; OJ 140 (2715), 1.10.2002; EN translation - http://www.likumi.lv/doc.php?id=66885#saist_11; Cabinet Regulation No 736 of 23.12.2003; EN translation - http://www.likumi.lv/doc.php?id=82574#saist_11.

⁹ End-of-Life Vehicles Management Law of 29.1.2004 (OJ 25 (2973), 17.2.2004); EN translation - http://www.likumi.lv/doc.php?id=84411#saist_11; Law on Pollution of 15.03.2001 (OJ 51 (2438), 29.03.2001); EN translation - http://www.likumi.lv/doc.php?id=6075#saist_11; Cabinet Regulation No 294 of 9.10.2002; EN translation - http://www.likumi.lv/doc.php?id=64719#saist_11; Cabinet Regulation No 243 of 6.4.2004.

¹⁰ Waste Management Law of 14.12.2000 (OJ 473/476 (2384/2387), 29.12.2000); EN translation - http://www.likumi.lv/doc.php?id=14012#saist_11; Cabinet Regulation No 156 of 21.2.2006; EN translation - http://www.likumi.lv/doc.php?id=129791&from=off#saist_11.

¹¹ Law on Aviation of 5.10.1994 (OJ 123 (254), 20.10.1994); EN translation - http://www.likumi.lv/doc.php?id=57659#saist_11; Cabinet Regulation No 158 of 21.2.2006; Cabinet Regulation No 557 of 4.7.2006; EN translation - http://www.likumi.lv/doc.php?id=139504&from=off#saist_11; Cabinet Regulation No 481 of 10.7.2007; EN translation - http://www.likumi.lv/doc.php?id=160369#saist_11.

¹² Road Traffic Law of 1.10.1997 (OJ 274/276 (989/991), 21.10.1997); EN translation - http://www.likumi.lv/doc.php?id=45467#saist_11.

¹³ Law on the Press and Other Mass Media of 20.12.1990 (Messenger 5, 14.02.1991); EN translation - http://www.likumi.lv/doc.php?id=64879#saist_11.

¹⁴ Law on Security Arrangements for Public Entertainment and Festive Events of 16.6.2005 (OJ 104 (3262), 6.7.2005); <http://www.likumi.lv/doc.php?id=111963>.

¹⁵ Support for Unemployed Persons and Persons Seeking Employment Law of 9.5.2002 (OJ 80 (2655), 29.5.2002); EN translation - http://www.likumi.lv/doc.php?id=62539#saist_11.

¹⁶ Law on Institutions of Higher Education of 2.11.1995 (OV 179 (462), 17.11.1995); EN translation - http://www.likumi.lv/doc.php?id=37967#saist_11.

¹⁷ Vocational Education Law of 10.6.1999 (JO 213/215 (1673/1675), 30.6.1999); EN translation - http://www.likumi.lv/doc.php?id=20244#saist_11.

¹⁸ General education Law of 10.6.1999 (OJ 213/215 (1673/1675), 30.6.1999); EN translation - http://www.likumi.lv/doc.php?id=20243#saist_11.

¹⁹ Energy Law of 3.9.1998 (OJ 273/275 (1334/1336), 22.9.1998); EN translation - http://www.likumi.lv/doc.php?id=49833#saist_11; Law on Regulators of Public Utilities of 19.10.2000 (OJ 394/395 (2305/2306), 7.11.2000); EN translation - http://www.likumi.lv/doc.php?id=12483#saist_11; Cabinet Regulation No 664 of 30.8.2005; EN translation - http://www.likumi.lv/doc.php?id=116503#saist_11.

²⁰ Energy Law of 3.9.1998 (OJ 273/275 (1334/1336), 22.9.1998); EN translation - http://www.likumi.lv/doc.php?id=49833#saist_11; Electricity Market Law of 5.5.2005 (OJ 82 (3240), 25.5.2005); EN translation - http://likumi.lv/doc.php?id=108834#saist_11; Law on Regulators of Public Utilities of 19.10.2000 (OJ 394/395 (2305/2306), 7.11.2000); EN translation - http://www.likumi.lv/doc.php?id=12483#saist_11; Cabinet Regulation No 664 of 30.8.2005; EN translation - http://www.likumi.lv/doc.php?id=116503#saist_11.

²¹ Cabinet Regulation No 440 of 12.5.2010.

²² Tourism Law of 17.9.1998 (OJ 287 (1348), 7.10.1998); EN translation - http://www.likumi.lv/doc.php?id=50026#saist_11; Cabinet Regulation No 353 of 13.4.2010.

Examples of requirements on multidisciplinary activities of the regulated professions or in the area of certification, accreditation, technical monitoring and testing services

Latvia informed the Commission that it has not identified any requirements on multidisciplinary activities of the regulated professions or in the area of certification, accreditation, technical monitoring and testing services.

Examples of requirements which apply to service providers established in other Member States and providing services in Latvia

Latvia informed the Commission that based on the horizontal law implementing the Services Directive i.e. “Law on the Free Provision of Services”²³, the same requirements shall not be applied both to permanent and temporary service providers. There shall be specific procedures foreseen for temporary service providers in legislative acts. In the absence of such specific procedures common requirements set out in the Law on the Free Provision of Services shall only be applied.

So far, Latvia informed the Commission of only one specific procedure related to temporary service providers, namely an obligation on tourist guides providing services in special listed tourism objects to receive a certificate issued by a competent authority. However, pursuant to amendments to the Tourism Law that came into force on 13 January 2010, the Cabinet Regulations setting out this obligation have been repealed and it was provided that the municipalities will have the competence to set conditions on provision of services by tourist guides. The Commission was not yet notified of any such conditions set by municipalities.

²³ idem footnote no 1.