

Text consolidated by Valsts valodas centrs (State Language Centre) with amending laws of:

22 April 2004 [shall come into force from 1 May 2004];  
27 September 2007 [shall come into force from 5 October 2007];  
13 December 2007 [shall come into force from 1 January 2008];  
14 November 2008 [shall come into force from 1 January 2009];  
17 March 2011 [shall come into force from 13 April 2011];  
18 October 2012 [shall come into force from 26 October 2012];  
13 February 2014 [shall come into force from 20 March 2014];  
11 September 2014 [shall come into force from 8 October 2014].

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

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

## **Advertising Law**

### **Chapter I General Provisions**

#### **Section 1.**

Advertising is any form or any mode of announcement or endeavour associated with economic or professional activity, intended to promote the popularity of or demand for goods or services (including immovable property, rights and obligations).

[22 April 2004]

#### **Section 2.**

The purpose of this Law is:

1) to regulate the production and dissemination of advertising, as well as determine the rights, obligations and liabilities of persons involved in the production and dissemination of advertising;

2) to protect the interests of persons as well as the general public in the field of advertising;

2<sup>1</sup>) to protect the persons who are engaged in economic or professional activity from misleading advertising and advertising not conforming to laws and regulations and the consequences caused thereby, as well as to lay down conditions upon conformity with which comparative advertising is allowed;

3) to promote fair competition.

[13 February 2014]

#### **Section 2.<sup>1</sup>**

(1) This Law shall be applied if the Unfair Commercial Practice Prohibition Law is not applicable to the relevant case.

(2) Sections 8 and 9 of this Law shall be applied, if advertising is addressed only to persons who are engaged in economic or professional activity.

[13 February 2014]

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

## **Chapter II**

### **General Requirements for Advertising**

#### **Section 3.**

(1) Advertising shall be lawful, truthful and objective and it shall be created in accordance with fair advertising practices. Advertising shall not reduce public confidence in advertising and it shall comply with the principles of fair competition.

(2) Only such announcements or visual representations as do not breach generally accepted ethical, humanitarian, morality, decency and propriety norms, shall be permitted to be included in advertising.

#### **Section 4.**

(1) Violence and war propaganda shall not be permitted in advertising.

(2) In advertising, it is prohibited:

1) to express discrimination against a person due to his or her race, skin colour, gender, age, religious, political or other convictions, national or social origin, financial status or other circumstances;

2) to exploit the effect created by fear or superstition;

3) to exploit the trust of a person and his or her lack of experience or knowledge;

4) to depict, use or in any other way mention either a natural person (as a private person or as an official) or his or her property without the consent of this person;

5) to defame, disparage or ridicule another person, or the activities, name (firm name), goods or services, or trade marks of another person;

6) to exploit the name, surname, name (firm name) or other identifying designation (including a trade mark) of another person without the consent of the person;

7) to imitate the advertising text, slogan, visual representation, audio or other special effects of another advertiser without the consent of the advertiser or to carry out any other forms of activities which may create confusion or mislead in regard to the advertiser and the advertised goods or services.

(3) The provisions of Paragraph two, Clauses 6 and 7 of this Section are not applicable to comparative advertising if the provisions of Section 9 of this Law are conformed to.

*[13 December 2007]*

#### **Section 5.**

(1) Advertising directed to children or advertising which has been created with the participation of children shall not threaten the rights or interests of children and in its creation, regard shall be had to the perception and psyche of children.

(2) Exploiting the natural credulity or lack of experience of children in advertising is prohibited.

(3) Exploiting children in alcoholic beverage and tobacco product advertising, and aiming alcoholic beverage and tobacco product advertising at children, are prohibited.

(4) In advertising directed to children, it is prohibited:

1) to include assertions, or visual or audio information, which could cause moral or physical harm to them or create feelings of inferiority;

2) to include encouragement for or to encourage aggressiveness, violence or sexual activities, to discredit the authority of parents, family, guardians and teachers;

3) to draw attention to the fact that the acquisition of specific goods or services creates physical, social or psychological advantages over peers or that the lack of the relevant good creates the opposite result;

4) to unmistakably indicate that the acquisition of the good or service to be advertised is possible for any family, irrespective of its budget;

5) [13 February 2014];

6) to portray children in dangerous situations.

(5) Not only the prohibitions and restrictions laid down in this Law, but also in the Unfair Commercial Practice Prohibition Law and other laws and regulations must be conformed to in advertising directed to children.

*[13 February 2014; 11 September 2014]*

## **Section 6.**

[13 February 2014]

## **Section 7.**

(1) Supplementary requirements in the field of advertising may be laid down in other laws.

(2) Supplementary requirements in relation to advertising content, design or procedures for dissemination (including procedures for dissemination of advertising in particular mass media), for individual goods, groups of goods or services, shall be determined by the Cabinet.

(2<sup>1</sup>) A permit of the relevant local government or a local government institution specified thereby shall be received for placing advertising in public places and in places facing a public place.

(2<sup>2</sup>) The Cabinet shall determine the procedures by which a permit for placing advertising in public places or in places facing a public place shall be received.

(3) Local governments, in conformity with the provisions of this Law and other laws and regulations in the field of advertising, have the right to issue binding regulations in regard to placing advertising in public places or in places facing a public place, providing for restrictions for the size, type, light and sound effects of the advertising according to the environment and the architecture of buildings and structures, as well as determining the places in which the dissemination of advertising for individual goods, groups of goods or services is prohibited.

*[22 April 2004; 17 March 2011 / Paragraphs 2.<sup>1</sup> and 2.<sup>2</sup>, as well as the new wording of Paragraph three shall come into force on 1 January 2012. See Transitional Provisions]*

## **Chapter III**

### **Misleading and Comparative Advertising**

## **Section 8.**

(1) Misleading advertising is prohibited.

(2) Misleading advertising is such advertising as in any manner, including its manner of presentation, is directly or indirectly misleading or may be misleading and due to its misleading character, may affect the economic behaviour of a person, or is harmful or may be harmful to a competitor.

(3) In determining whether advertising is misleading, all its aspects shall be considered – individual component and overall content and design and, particularly, any information that is offered in the advertising regarding:

1) accessibility, properties, operation, content, manufacturing or distribution method and date, purpose, usage, quantity or the effect on the environment or human health of goods

or services, the geographical or commercial origins or the results which are expected from the use of goods, or the results of tests or inspections, or material features of goods or services;

2) the price or method for calculating price and the conditions under which goods are supplied or services are provided;

3) the advertiser, including the identity and positive qualities, qualifications, property rights or awards of the advertiser.

### **Section 9.**

(1) Comparative advertising is any advertising in which comparison is used which directly or indirectly indicates a competitor or goods or services offered by a competitor.

(2) The comparison shall be developed in accordance with principles of fair competition, utilising facts that may be proved.

(3) Comparative advertising, insofar as it pertains to a comparison, shall be permitted if all of the following conditions are conformed to:

1) it shall not be misleading in accordance with Section 8 of this Law or other laws and regulations;

2) it compares goods or services that are intended for one and the same needs or for one and the same purposes;

3) it objectively compares one or more material, related, verifiable and characteristic features of the relevant good or service, which may also include price;

4) it does not create confusion for market participants in relation to the advertiser and a competitor, or in relation to the advertiser and the trademark, name (firm name) or other distinguishing marks, goods or services of a competitor;

5) it does not bring into disrepute the trademarks, trade names, other distinguishing marks, goods, services or operations of a competitor and does not defame them;

6) it does not unfairly use the name (firm name), trade mark, trade name or other distinguishing marks of a competitor or the reputation of the designation of origin of a competing good;

7) it does not display goods or services as an imitation or copy of such good or services as there is a protected trade mark for or a trade name;

8) in advertising goods with a designation of origin, the comparative advertising pertains to goods with the same designation of origin.

[13 December 2007]

## **Chapter IV**

### **Provisions for the Production and Dissemination of Advertising**

#### **Section 10.**

(1) Advertiser is a person who for the purposes of gaining commercial or other benefit, produces and disseminates advertising himself/herself, or on whose instructions and in whose interests another person produces or disseminates advertising.

(2) Advertiser shall be liable for the content of the advertising.

(3) Advertiser is entitled to produce, order, disseminate or provide for dissemination only such advertising as is not in contradiction with this Law and other laws and regulations.

(4) The legal relations between an advertiser and the producer or disseminator of advertising shall be determined by this Law, other laws and regulations and contracts entered into.

## **Section 11.**

(1) A producer of advertising is a person who, pursuant to the order of an advertiser carries out the production, alteration or adaptation of advertising.

(2) A producer of advertising, in producing advertising, is entitled to express his/her creative ideas in any form, if the advertising complies with the provisions of this Law and laws and regulations, as well as the contract that has been entered into by the producer of the advertising and the advertiser.

(3) Paragraph two of this Section shall also be conformed to in cases where the producer of the advertising alters, translates or otherwise adapts advertising for dissemination in Latvia, as well as in cases where the advertising is produced, altered or adapted by advertisers themselves.

*[13 December 2007]*

## **Section 12.**

(1) Disseminator of advertising is a person who himself/herself disseminates advertising or provides an opportunity for advertisers to disseminate advertising.

(2) *[13 December 2007]*

(3) Disseminator of advertising has an obligation to separate advertising from other forms of information.

(4) Disseminator of advertising is prohibited from disseminating advertising regarding non-conformity of which with the requirements of laws and regulations he or she is aware or should be aware.

(5) It is prohibited for a disseminator of advertising to accept advertising for dissemination from an advertiser or a person authorised by him or her without requesting the following information:

1) from a legal person – name (firm name), registration number and legal address;

2) from a natural person – given name, surname and personal identity code.

(6) Disseminator of advertising has a duty to provide information regarding an advertiser to those institutions which, in accordance with this Law or other laws and regulations, have the right to request such information. If a disseminator of advertising does not provide the requested information regarding an advertiser, the disseminator of advertising shall be liable for the content of the relevant advertising.

*[22 April 2004; 13 December 2007; 13 February 2014]*

## **Chapter V**

### **Government Policies and Supervision in the Field of Advertising**

## **Section 13.**

(1) Conformity with this Law shall be supervised within the scope of their competence by the Consumer Rights Protection Centre, the Competition Council, the National Electronic Mass Media Council, in the field of medicinal product advertising – the Health Inspectorate, and in the field of advertising of veterinary medicinal products intended for the providers of veterinary medicinal and veterinary pharmaceutical services – the Food and Veterinary Service (hereinafter – the Supervisory Institution).

(2) The Supervisory Institution, if necessary, is entitled to request that the State administrative authorities which are responsible for State control and supervision in relation to specified goods or services, verify the conformity of specific goods or services with the information referred to in advertising.

*[22 April 2004; 27 September 2007; 13 December 2007; 17 March 2011; 13 February 2014]*

## **Section 14.**

(1) The Supervisory Institution shall perform the supervision of advertising in conformity with the supervision priorities specified by the institution, as well as assessing the impact of the potential violation:

- 1) upon its own initiative, including on the basis of a submission from a person;
- 2) on the basis of the information provided by such institution, the competence of which includes the supervision and control of the relevant field;
- 3) on the basis of a submission submitted by an institution of a European Union Member State, which has been included in the list of such institutions of Member States published in the Official Journal of the European Union, which are entitled to render an adjudication in relation to a submission of the competent authority regarding a violation of the consumer rights committed in the European Union.

(2) [13 February 2014]

(3) If the Supervisory Institution in evaluating advertising determines that the advertising does not conform to the requirements of laws and regulations, it is entitled to carry out the activities referred to in Section 15, Paragraph three of this Law or to take at least one of the decisions referred to in Section 15, Paragraph four of this Law.

(4) [13 December 2007]

(5) The Supervisory Institution shall not commence evaluation of the conformity of advertising with the requirements of laws and regulations or shall terminate evaluation, if a decision has been taken to terminate the investigation or in respect of the determined violation one of the following decisions has already been taken:

- 1) one of the decisions referred to in Section 15, Paragraph four of this Law;
- 2) one of the decisions referred to in Section 15, Paragraph eight of the Unfair Commercial Practice Prohibition Law.

(6) The Supervisory Institution shall evaluate the conformity of the relevant advertising with the Unfair Commercial Practice Prohibition Law and, if necessary, send the materials of the relevant case to the institution which supervises conformity with the provisions of the Unfair Commercial Practice Prohibition Law.

[22 April 2004; 13 December 2007; 18 October 2012; 13 February 2014]

## **Section 14.<sup>1</sup>**

(1) The Competition Council shall supervise the conformity of advertising with the requirements of laws and regulations, if the violation in the field of advertising causes or may cause significant harm to competition.

(2) In a submission addressed to the Competition Council, documentarily justified information shall be indicated regarding the facts proving that the violation has caused or may cause significant harm to competition.

(3) In determining whether the violation causes or may cause significant harm to competition, the Competition Council has the rights provided for in Section 7, Paragraph three and Section 23, Paragraph four, Clause 2 of the Competition Law.

(4) If the violation in the field of advertising causes or may cause significant harm to competition, the Competition Council shall examine and take any of the decisions referred to in Section 15, Paragraphs three and four of this Law.

(5) If the Competition Council determines that violation has not caused or cannot cause significant harm to competition, it shall take a decision on non-initiation of the case or a decision on termination of the investigation of the case.

[14 November 2008; 13 February 2014]

## Section 15.

(1) In evaluating the conformity of advertising with the requirements of laws and regulations, the Supervisory Institution is entitled to request and receive any information, documents and other evidence from an advertiser, producer of advertising, disseminator of advertising and other natural and legal persons necessary for clarification of the essence of the matter, as well as oral explanations regarding the veracity, accuracy or conformity with the requirements of laws and regulations of an announcement (assertion) provided in advertising, as well as to determine the time period for submitting the information, documents and evidence and the type of provision of information.

(1<sup>1</sup>) The Supervisory Institution shall inform the advertiser, producer of advertising or disseminator of advertising referred to in Paragraph one of this Section regarding the result of examination of the relevant matter.

(2) If the evidence requested in accordance with Paragraph one of this Section is not submitted within the specified time period or it is submitted incompletely, the Supervisory Institution is entitled to view the announcement (assertion) offered in the advertising as imprecise or inaccurate.

(3) The Supervisory Institution in evaluating the nature and potential impact of the determined violation, as well as other significant aspects is entitled:

1) to propose that the advertiser, producer of advertising or disseminator of advertising ensures the conformity of the advertising with the requirements of laws and regulations within the time period stipulated by the Supervisory Institution;

2) to propose that the advertiser or disseminator of advertising undertakes in writing to rectify the determined violation within a time period stipulated by the Supervisory Institution. A written undertaking may also include resolution to cover the losses caused to consumers, to provide additional information which is necessary in order to ensure the conformity of advertising with laws and regulations, or to publish a recall of advertising and to conform to the time periods laid down for the carrying out of such activities;

3) to take a decision to terminate the matter by inviting the advertiser or disseminator of advertising to ensure the conformity of advertising with the requirements of laws and regulations in its subsequent activities.

(3<sup>1</sup>) The advertiser or disseminator of advertising shall inform the Supervisory Institution regarding carrying out of the relevant activity without delay, but not later than within three working days after carrying out thereof or the end of the time period laid down in the proposition referred to in Paragraph three, Clause 1 of this Section, appending documents certifying the carrying out. If the conformity of the advertising with the requirements of laws and regulations is not ensured within the time period laid down in accordance with Paragraph three, Clause 1 of this Section, the Supervisory Institution is entitled to take one or more of the decisions referred to in Paragraph four of this Section.

(3<sup>2</sup>) The written undertaking referred to in Paragraph three, Clause 2 of this Section is a document that is signed upon proposal of the Supervisory Institution by the advertiser or disseminator of advertising, undertaking to rectify the determined violation within a specified time period. The written undertaking may include a resolution of the advertiser or disseminator of advertising:

1) not to perform specific activities;

2) to carry out certain activities, including to provide additional information which is necessary in order to ensure the conformity of advertising with the requirements of laws and regulations, to publish a notification in mass media conforming to the relevant advertising, in which the advertising is recalled;

3) to reimburse the losses caused to consumers.

(3<sup>3</sup>) Upon signing a written undertaking in which a violation, as well as the type and time period for rectification thereof is indicated, the advertiser or disseminator of advertising shall

recognise that he or she has committed the determined violation. A written undertaking shall be deemed received (enter into effect) from the time when the Supervisory Institution confirms its acceptance, certifying to the advertiser or disseminator of advertising in writing that the relevant measures are sufficient for the rectification of the violation and the impact caused thereby. The institutions shall notify that a certification regarding written undertaking is accepted, in accordance with the procedures laid down in the Law On Notification. The time period for rectification of a violation shall not exceed the time period which is necessary in order for the advertiser or disseminator of advertising to be able to carry out the measures provided for and to ensure conformity with the interests of consumers, and it shall not exceed three months, except cases when a longer time period is justified by the nature of the measures provided for.

(3<sup>4</sup>) If in accordance with Paragraph three, Clause 2 of this Section the advertiser or disseminator of advertising undertakes to rectify the determined violation and the written undertaking enters into effect, the Supervisory Institution shall not take the decision referred to in Paragraph four of this Section and shall terminate administrative record-keeping in the part regarding a violation which the advertiser or disseminator of advertising undertakes to rectify.

(3<sup>5</sup>) The advertiser or disseminator of advertising shall inform the Supervisory Institution regarding execution of a written undertaking without delay, but not later than within three working days after the end of the time period laid down in Paragraph 3.<sup>3</sup> of this Section, appending evidence certifying execution. If the Supervisory Institution determines that a written undertaking is not executed, the Supervisory Institution is entitled to take one or several of the decisions referred to in Paragraph four of this Section.

(4) If the advertising does not conform to the requirements of laws and regulations, the Supervisory Institution is entitled to take one or more decisions by which:

1) the advertiser is instructed to provide through advertising or goods labelling, or in another manner, additional information that is essential from the point of view of protection of persons or the performer of economic activities, or the lawful rights of the performer of professional activities;

2) particular elements (information, visual representations, audio or other special effects) are requested to be deleted from the advertising;

3) dissemination of the advertising is prohibited;

4) recall of the advertising is requested;

5) to impose a fine in accordance with the procedures laid down in Section 20 of this Law;

6) the advertiser or disseminator of the advertising is instructed to terminate the violation and determine a time period for the termination of the violation.

(4<sup>1</sup>) The Supervisory Institution is entitled to determine the time period for execution of the decisions referred to in Paragraph four, Clauses 1, 2, 3, 4 and 6 of this Section. The addressee of the decision shall inform the Supervisory Institution regarding execution of the decision without delay, but not later than within three working days after the end of the time period for carrying out of the relevant activity of rectification of the violation, appending evidence certifying execution.

(5) The decisions referred to in Paragraph four of this Section the Supervisory Institution is entitled to take also if there is no evidence regarding losses incurred.

(6) In its decision, the Supervisory Institution shall set out the grounds for taking such.

(7) In taking a decision, the Supervisory Institution shall have regard to the lawful interests of the advertiser and other persons involved.

(8) The decision referred to in Paragraph four, Clause 3 of this Section may be taken by the Supervisory Institution also if advertising that does not conform to the requirements of laws and regulations has not yet been disseminated, but its dissemination is anticipated.

(9) In order to prevent the distribution of advertising not conforming to the requirements of laws and regulations or to reduce the consequences thereof, the Supervisory Institution is entitled to place the undertaking referred to in Paragraph three, Clause 2 of this Section in its home page or place the decision taken partially or fully in its home page and publish it in the official gazette *Latvijas Vēstnesis* [the official Gazette of the Government of Latvia] (the expenses related to publication in the official gazette *Latvijas Vēstnesis* shall be covered by the relevant advertiser or disseminator of advertising).

(10) The Supervisory Institution shall take the decision referred to in Paragraph four of this Section within six months from the day of initiation of the matter. If it is not possible to conform to this time period due to objective reasons, the Supervisory Institution may extend it for a time period not exceeding two years, counting from the day of initiation of the matter.

(11) The Supervisory Institution shall examine matters regarding violations in the field of advertising in accordance with the procedures laid down in the Administrative Procedure Law, insofar as it has not been laid down otherwise in this Law.

*[22 April 2004; 13 December 2007; 13 February 2014 / The new wording of Clause 5 of Paragraph four and Paragraph eleven shall come into force on 1 July 2015. See Paragraph 2 of Transitional Provisions]*

## **Section 16.**

(1) Recall of advertising shall be disseminated by means of the same mass media as that through which the advertising not conforming to the requirements of laws and regulations was disseminated. If this is not possible, the recall of advertising may be disseminated by another method.

(2) In the decision referred to in Section 15, Paragraph four, Clause 4 of this Law the Supervisory Institution is entitled to determine the content and extent of recall of advertising, as well as the type in which the recall should be distributed. The expenses of recall of advertising shall be covered by the addressee of the decision.

*[22 April 2004; 13 December 2007; 13 February 2014]*

## **Section 17.**

(1) A decision of the Supervisory Institution may be appealed by the addressee of the decision to the Administrative District Court in accordance with the procedures laid down in laws and regulations. Appeal of the decision shall not suspend its operation, except the decision referred to in Section 15, Paragraph four, Clause 5 of this Law.

(2) The court may also determine the violations of Section 3, Paragraph one, Section 4, Paragraph two, Clauses 4, 5, 6 and 7, Sections 8 and 9 of this Law concurrently with the Supervisory Institution.

(3) In examining the disputes referred to in Paragraph two of this Section, the court has the rights of the Supervisory Institution, which are provided for in Section 15, Paragraphs one and two, Paragraph four, Clauses 1, 2, 3, 4 and 6, Paragraphs five and eight of this Law.

*[13 December 2007; 14 November 2008; 13 February 2014 / The new wording of Paragraph one shall come into force on 1 July 2015. See Paragraph 2 of Transitional Provisions]*

## **Section 17.<sup>1</sup>**

(1) If the Supervisory Institution has a basis to consider that the advertising does not conform to the requirements of laws and regulations and may cause immediate and significant harm, it is entitled to take the decisions referred to in Section 15, Paragraph four, Clause 1, 2 or 3 of this Law as a temporary measure.

(2) The decision on the temporary measure shall be in effect from the moment of its announcement up to the moment when the relevant decision is revoked or amended by a Supervisory Institution decision or the final decision of the Supervisory Institution comes into effect.

(3) The decision of the Supervisory Institution on the temporary regulation may be appealed by the addressee of the decision within 10 days after its entering into effect. The appeal of a decision shall not suspend the operation of the decision.

(4) The application regarding the decision of the Supervisory Institution on the temporary measure shall be examined by the court according to written procedure within 14 days.

(5) The decision by a court regarding the decision referred to in Paragraph four of this Section may not be appealed and shall enter into effect at the moment of taking thereof.

[13 December 2007; 13 February 2014]

## **Chapter VI**

### **Liability for Violations of the Law**

#### **Section 18.**

Persons who have not conformed to the requirements of this Law shall be held liable in accordance with laws and other regulatory enactments.

#### **Section 18.<sup>1</sup>**

A person who has been caused harm by advertising is entitled to bring a claim to a court in accordance with the procedures laid down in law.

[13 February 2014]

#### **Section 19.**

[22 April 2004]

#### **Section 20.**

(1) The Supervisory Institution is entitled to impose a fine in the amount up to EUR 14 000 for provision or dissemination of advertising not conforming to the requirements of laws and regulations.

(2) The Supervisory Institution is entitled to impose a fine in the amount up to EUR 1400 for non-conformity with the requirements referred to in Section 12, Paragraphs three and five of this Law.

(3) Upon taking a decision to impose a fine and its amount, the Supervisory Institution shall evaluate whether the relevant conditions exist, as well as take into account the following circumstances:

1) the nature and duration of the violation committed, the impact caused by the violation, the circumstances in which the violation was committed, the role of the offender in the violation and the extent of the violation;

2) the addressee of the decision has reimbursed or has commenced reimbursement of the losses caused until the day when the decision was taken;

3) the violation has been discontinued upon initiative of the advertiser or disseminator of advertising;

4) the addressee of the decision has committed a violation in the field of advertising repeatedly within two years (it has been determined by a decision of the Supervisory Institution or written undertaking);

5) the addressee of the decision has not carried out activities determined in the written undertaking;

6) the addressee of the decision has delayed the hearing of the matter or hides the violation committed.

(4) The addressee of the decision shall pay the fine imposed by the Supervisory Institution not later than within a month from the day when the relevant decision entered into effect. Compulsory execution of a decision not executed voluntarily shall be carried out by a bailiff. The Supervisory Institution is exempted from payment of the State fee for submitting a decision for execution.

(5) If decisions which have been taken in accordance with Section 15, Paragraph four, Clause 1, 2, 3, 4 or 6 of this Law are not executed voluntarily, the Supervisory Institution shall carry out compulsory execution of the decision in accordance with the Administrative Procedure Law. Upon carrying out compulsory execution directed towards prohibition of specific activities or operation, the Supervisory Institution may impose pecuniary penalty in the amount of not more than EUR 2800 at a time.

(6) Upon determining the amount of the pecuniary penalty laid down in Paragraph five of this Section, the impact (losses) and duration of non-execution of the decisions referred to in Section 15, Paragraph four, Clauses 1, 2, 3, 4 and 6 of this Law, as well as other circumstances of significance in the matter shall be taken into account.

(7) The paid sums of money shall be transferred into the State basic budget.

[13 February 2014]

#### Transitional Provisions

[13 February 2014]

1. Section 7, Paragraphs 2.<sup>1</sup> and 2.<sup>2</sup>, as well as the new wording of Section 7, Paragraph three of this Law shall come into force on 1 January 2012.

[13 February 2014]

2. The new wording of Section 15, Paragraph four, Clause 5 and Section 17, Paragraph one of this Law, as well as Section 15, Paragraph eleven and Section 20 (on the right of the Supervisory Institution to impose a fine in case of provision or dissemination of advertising not corresponding to the requirements of laws and regulations and for hearing of the relevant violation matter in accordance with the procedures laid down in the Administrative Procedure Law) shall come into force concurrently with the relevant amendments to the Latvian Administrative Violations Code.

[13 February 2014 / *The abovementioned amendments shall be included in the wording of the Law on 1 July 2015*]

3. Until 1 December 2014 the Cabinet shall submit to the Saeima amendments to the Pre-election Campaign Law, laying down the procedures by which materials of pre-election campaign shall be placed in public outdoor space or at places directed towards public outdoor space. Until the day of coming into force of the relevant amendments the following shall be applied in relation to placing of materials of pre-election campaign in public outdoor space or at places directed towards public outdoor space:

1) Cabinet Regulation No. 732 of 30 October 2012, Procedures for the Receipt of a Permit for Placing Advertising in Public Places or Places Directed Towards a Public Place;

2) the binding regulations issued by the relevant local government in the part which provides for the size, type, restrictions of light and sound effects of advertising according to the environment, the architecture of buildings and structures.

[13 February 2014]

## **Informative Reference to European Union Directive**

[18 October 2012; 13 February 2014]

This Law contains legal norms arising from:

- 1) Directive 2005/29/EC of the European Parliament and of the Council of 11 May 2005 concerning unfair business-to-consumer commercial practices in the internal market and amending Council Directive 84/450/EEC, Directives 97/7/EC, 98/27/EC and 2002/65/EC of the European Parliament and of the Council and Regulation (EC) No 2006/2004 of the European Parliament and of the Council ('Unfair Commercial Practices Directive');
- 2) Directive 2006/114/EC of the European Parliament and of the Council of 12 December 2006 concerning misleading and comparative advertising;
- 3) Directive 2009/22/EC of the European Parliament and of the Council of 23 April 2009 on injunctions for the protection of consumer's interests;
- 4) Directive 2009/22/EC of the European Parliament and of the Council of 23 April 2009 on injunctions for the protection of consumers' interests.

This Law has been adopted by the Saeima on 20 December 1999.

President

V. Vīķe-Freiberga

Rīga, 10 January 2000