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

Law on Utilisation of Genetic Resources

Section 1. The terms referred to in Article 3 of Regulation (EU) No 511/2014 of the European Parliament and of the Council of 16 April 2014 on compliance measures for users from the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization in the Union (hereinafter - Regulation No 511/2014) are used in the Law.

Section 2. The purpose of the Law is to ensure lawful use of genetic resources by determining a competent authority in Latvia, certain obligations of users of genetic resources, and liability for the failure to comply with the requirements of Regulation No 511/2014.

Section 3. The Law shall be applied to genetic resources and traditional knowledge related to genetic resources from foreign countries that are Member States to the Nagoya Protocol of 29 October 2010 on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization to the Convention on Biological Diversity.

Section 4. The Nature Conservation Agency shall be the competent authority within the meaning of Article 6(1) of Regulation which is responsible for the application of Regulation No 511/2014.

Section 5. In accordance with Article 7(1) of Regulation No 511/2014 and Article 5 of and Annex II to Commission Implementing Regulation (EU) 2015/1866 of 13 October 2015 laying down detailed rules for the implementation of Regulation (EU) No 511/2014 of the European Parliament and of the Council as regards the register of collections, monitoring user compliance and best practices (hereinafter - Implementing Regulation No 2015/1866), the users which receive research funding and use genetic resources and traditional knowledge related to genetic resources in research shall submit a due diligence declaration to the competent authority.

Section 6. The due diligence declarations specified in Article 7(1) and (2) of Regulation No 511/2014, and also in Articles 5 and 6 of and Annexes II and III to Implementing Regulation No 2015/1866 shall be submitted to the competent authority by using the information system DECLARE of the European Commission.

Section 7. (1) For the performance of activities without an access permit or a document equivalent thereto when the relevant document is necessary, a warning or a fine from twenty to one hundred and forty units of fine shall be imposed on a natural person, but a fine from twenty to two thousand and eight hundred units of fine - on a legal person.

(2) For the transfer of genetic resources and traditional knowledge related to genetic resources or the use thereof in contradiction with Article 4(2) of Regulation No 511/2014, a warning or a fine from twenty to one hundred and forty units of fine shall be imposed on a natural person, but a fine from twenty to two thousand and eight hundred units of fine - on a legal person.

(3) For the failure to seek, keep, or transfer to next users the documentation or information indicated in Article 4(3) of Regulation No 511/2014, a warning or a fine from twenty to one hundred and forty units of fine shall be imposed on a natural person, but a fine from twenty to two thousand and eight hundred units of fine - on a legal person.

(4) For the failure to submit a due diligence declaration if a person is the recipient of research funding, in conformity with Article 7(1) of Regulation No 511/2014, a warning or a fine from twenty to one hundred and forty units of fine shall be imposed on a natural person, but a fine from twenty to two thousand and eight hundred units of fine - on a legal person.

(5) For the failure to submit a due diligence declaration at the stage of final development of a product in conformity with Article 7(2) of Regulation No 511/2014, a warning or a fine from twenty to one hundred and forty units of fine shall be imposed on a natural person, but a fine from twenty to two thousand and eight hundred units of fine - on a legal

person.

Section 8. The administrative offence proceedings for the offences referred to in Section 7 of this Law shall be conducted by the Nature Conservation Agency.

Transitional Provision

Sections 7 and 8 of this Law shall come into force concurrently with the Law on Administrative Liability.

The Law has been adopted by the *Saeima* on 21 November 2019.

President E. Levits

Rīga, 10 December 2019

¹ The Parliament of the Republic of Latvia

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