



4.20. LV – Latvia – National legal summary⁴¹³

4.20.1. Applicable regulatory framework

Relevant legislation includes the following:

Primary legislation:

- Elektronisko plašsaziņas līdzekļu likums⁴¹⁴ (Electronic Mass Media Law – EMLL).⁴¹⁵
- *Pornogrāfijas ierobežošanas likums*⁴¹⁶ (Law on Pornography Restrictions).⁴¹⁷
- *Negodīgas komercprakses aizlieguma likums*⁴¹⁸ (Unfair Commercial Practices Prohibition Law).⁴¹⁹
- *Azartspēļu un izložu likums*⁴²⁰ (Law on Gambling and Lotteries).⁴²¹
- Informācijas sabiedrības pakalpojumu likums⁴²² (Law on Information Society Services).⁴²³
- *Alkoholisko dzērienu aprites likums*⁴²⁴ (Law on the Handling of Alcoholic Beverages).⁴²⁵
- *Reklāmas likums*⁴²⁶ (Advertising Law).⁴²⁷
- Patērētāju tiesību aizsardzības likums⁴²⁸ (Consumer Rights Protection Law).⁴²⁹

Secondary legislation:

- *Ministru kabineta noteikumi Nr. 685 “Prasības uztura bagātinātājiem”*⁴³⁰ (Cabinet of Ministers Regulations No. 685 Requirements for Food Supplements).⁴³¹

⁴¹³ The factsheet on Latvia incorporates the feedback received from Māra Madara Lūse, Head of the International Cooperation and Analytics Division at the National Electronic Mass Media Council, during the checking round with the national regulatory authorities.

⁴¹⁴ <https://likumi.lv/ta/id/214039-elektronisko-plassazinas-lidzeklu-likums>.

⁴¹⁵ Uncomplete English version: <https://likumi.lv/ta/en/en/id/214039-electronic-mass-media-law>.

⁴¹⁶ <https://likumi.lv/ta/id/157638-pornografijas-ierobezosanas-likums>.

⁴¹⁷ Uncomplete English version: <https://likumi.lv/ta/en/en/id/157638-law-on-pornography-restrictions>.

⁴¹⁸ <https://likumi.lv/ta/id/167759-negodigas-komercprakses-aizlieguma-likums>.

⁴¹⁹ Uncomplete English version: <https://likumi.lv/ta/en/en/id/167759-unfair-commercial-practices-prohibition-law>.

⁴²⁰ <https://likumi.lv/ta/id/122941-azartspelu-un-izlozu-likums>.

⁴²¹ Uncomplete English version: <https://likumi.lv/ta/en/en/id/122941-on-gambling-and-lotteries>.

⁴²² <https://likumi.lv/ta/id/96619-informacijas-sabiedribas-pakalpojumu-likums>.

⁴²³ Uncomplete English version: <https://likumi.lv/ta/en/en/id/96619-law-on-information-society-services>.

⁴²⁴ <https://likumi.lv/ta/en/en/id/88009-handling-of-alcoholic-beverages-law>.

⁴²⁵ English version: <https://likumi.lv/ta/en/en/id/88009-handling-of-alcoholic-beverages-law>.

⁴²⁶ Latvian version: <https://likumi.lv/ta/id/163-reklamas-likums>.

⁴²⁷ English version: <https://likumi.lv/ta/en/en/id/163-advertising-law>.

⁴²⁸ <https://likumi.lv/ta/id/23309-pateretaju-tiesibu-aizsardzibas-likums>.

⁴²⁹ Uncomplete English version: <https://likumi.lv/ta/en/en/id/23309-consumer-rights-protection-law>.

⁴³⁰ <https://likumi.lv/ta/id/278387-prasibas-uztura-bagatinatajiem>.

⁴³¹ <https://likumi.lv/ta/en/en/id/278387-requirements-for-food-supplements>.



- Ministru kabineta noteikumi Nr.378 “Zāļu reklamēšanas kārtība un kārtība, kādā zāļu ražotājs ir tiesīgs nodot ārstiem bezmaksas zāļu paraugus”⁴³² (Cabinet of Ministers Regulations No. 378 Procedures for Advertising Medicinal Products and Procedures by which a Medicinal Product Manufacturer is Entitled to Give Free Samples of Medicinal Products to Physicians – Medicinal Products Procedures).⁴³³

Self- and co-regulatory instruments

- *Satura veidotājiem (influenceriem)*⁴³⁴ (the Consumer Rights Protection Centre’s Guidance for Content Creators (influencers)).
- *Pamatprincipi preču un pakalpojumu reklamēšanai sociālos tīklos (influenceru mārketingš)*⁴³⁵ (the Consumer Rights Protection Centre’s Guidance – Basic principles for advertising goods and services on social networks (influencer marketing)).
- *Sociālie tīkli un “influenceru” mārketingš (papildināts)*⁴³⁶ (the Consumer Rights Protection Centre’s Guidance – Social Networking and Marketing for Influencers).
- *Vadlīnijas paziņojumu par vidi izmantošanai komercpraksē*⁴³⁷ (the Consumer Rights Protection Centre’s guidelines for the use of environmental claims in commercial practice).
- Vadlīnijas Elektronisko plašsaziņas līdzekļu likuma piemērošanā par audiovizuālo komerciālu paziņojumu izvietojumu elektronisko plašsaziņas līdzekļu audiovizuālos raidījumos, programmās un katalogos⁴³⁸ (Guidelines on the Application of the Electronic Mass Media Law on the placement of audiovisual commercial communication in audiovisual broadcasts, programmes and catalogues of electronic mass media).

4.20.2. Definitions and restrictions regarding commercial communications

This section aims at identifying the relevant definitions related to commercial communications stemming from related laws, rules and current practices, as well as ongoing reforms under the transposition and implementation of the revised Audiovisual Media Services Directive (AVMSD). Please note that this review includes definitions which are part of the revised AVMSD, inclusive of audiovisual commercial communications, advertising, surreptitious commercial communications, sponsorship and product

⁴³² <https://likumi.lv/ta/id/230392-zalu-reklamesanas-kartiba-un-kartiba-kada-zalu-razotajs-ir-tiesigs-nodot-arstiem-bezmaksas-zalu-paraugus>.

⁴³³ <https://likumi.lv/ta/en/en/id/230392-procedures-for-advertising-medicinal-products-and-procedures-by-which-a-medicinal-product-manufacturer-is-entitled-to-give-free-samples-of-medicinal-products-to-physicians>.

⁴³⁴ <https://www.ptac.gov.lv/lv/satura-veidotajiem-influenceriem>.

⁴³⁵ <https://www.ptac.gov.lv/lv/media/2921/download>.

⁴³⁶ <https://www.ptac.gov.lv/lv/jaunums/socialie-tikli-un-infulenceru-marketingš>.

⁴³⁷ <https://www.ptac.gov.lv/lv/media/124/download>.

⁴³⁸ <https://www.neplp.lv/lv/media/1049/download>.



placement, but also the definitions of supplementary and/or related concepts, such as the advertiser, sponsor and sponsored content, as well as misleading commercial communication, for the purpose of providing a comprehensive overview.

4.20.2.1. Definitions

Table 46. Definition of the main concepts related to commercial communications

Concept	Existence of a definition
Audiovisual commercial communications	Yes.
Television advertising	Yes.
Advertiser	Yes.
Surreptitious commercial communication	Yes.
Misleading commercial communication	Yes.
Virtual advertising	Yes.
Sponsorship	Yes.
Sponsor	No, but references to it in the definition of sponsorship.
Sponsored content	No.
Product placement	Yes.
Other:	Split-screen advertising; Extended advertising spot; Advertising spot; Interactive advertising.

Source: Latvian response to European Audiovisual Observatory standardised survey

4.20.2.1.1. Audiovisual commercial communications

Section 1(4) of the EMMML defines audiovisual commercial communications by transposing the text of the revised AVMSD verbatim, as follows:

Audio and audiovisual commercial communications – an advertisement on television or radio, sponsorship, shopping via television or radio, product placement and other audio, visual or audiovisual communication included in or broadcast prior to or after a broadcast or user-generated video, in exchange for payment or other consideration, or for self-promotional purposes, and which directly or indirectly promotes the goods, services or image of persons pursuing an economic activity.

Additionally, a definition of commercial communication is provided for in section 1 (1) clause 3 of the Law on Information Society Services as:



any form of communication in electronic form designed to promote, indirectly or directly, the goods, services or image of a company, organisation or person pursuing a commercial, industrial or craft activity or exercising a regulated profession. Information allowing direct access to general information about the service provider and the activities thereof (domain name or electronic-mail address) shall not be regarded as a commercial communication.

4.20.2.1.2. Television advertising

Article 1 (26) in the Electronic Mass Media Law:

advertising - any announcement, which is distributed for payment or other consideration, as well as the broadcast by any person connected with a trade, entrepreneurship, position or profession, which is produced for the purpose of advertising, in order to promote the offer of goods, including immovable property or services, rights and obligations, for payment or other remuneration, as well as political advertising;

4.20.2.1.3. Advertiser

Section 10 (1) of the Advertising Law defines an advertiser as follows:

An 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.

In addition, section 1 (26) of the EMML defines advertising by including references to the advertiser who is described as:

any person connected with a trade, entrepreneurship, position or profession which is produced for the purpose of advertising in order to promote the offer of goods, including immovable property or services, rights and obligations, for payment or other remuneration, as well as political advertising.

4.20.2.1.4. Surreptitious commercial communication

Section 1 (31) of the EMML defines surreptitious commercial communication, as follows:

Surreptitious audio and audiovisual commercial communication of an electronic mass medium – the representation in words or pictures of goods, services, the name, the trademark or the activities of a producer of goods or a provider of services when such representation is intended by the electronic mass medium to serve as an audio or audiovisual commercial communication and might mislead the public as to its nature. Such representation shall, in particular, be considered as intentional if it is done in return for payment or for a similar consideration.



4.20.2.1.5. Misleading commercial communication

Section 8 (2) of the Advertising Law defines misleading advertising as follows:

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.

4.20.2.1.6. Virtual advertising

Section 1 (35) of the EMML defines virtual advertising as follows: “virtual advertising – advertising which is placed electronically on the screen image during a broadcast”.

4.20.2.1.7. Sponsorship

Section 1 (32) of the EMML defines sponsorship as follows:

Sponsorship – any contribution towards the financing of electronic media, broadcasts, services of video-sharing platforms or user-generated videos by a person not involved in the provision of services by audio and audiovisual electronic media or video-sharing platforms or the production of audio or audiovisual works, programmes or broadcasts, made with a view to promoting that person's name, trademark, image, activities or products.

4.20.2.1.8. Sponsor

There is no definition of sponsor. However, the definition of sponsorship provided for by section 1 (32) does include a reference to the sponsor describing it as: “a person not engaged in providing audio and audiovisual electronic mass media or video-sharing platform services, [...] with a view to promoting his/her name, trademark, image, activities or product”.

4.20.2.1.9. Sponsored content

There is no definition of sponsored content.

4.20.2.1.10. Product placement

Section 1 (16) of the EMML defines product placement as follows:

Product placement is any commercial audio or audiovisual communication which includes products, services or their trademarks, or references to the products, services or trademarks



in question and which is featured in a broadcast or a user-generated video in exchange for payment or other consideration.

4.20.2.1.11. Other definitions

The EMML provides the following advertising definitions:

- split-screen advertising: advertising which appears at the edge of the frame on a screen simultaneously with a broadcast as a scrolling text, logo, an advertising spot or another form of advertising (EMML, section 1(6));
- extended advertising spot: an advertisement which exceeds 90 seconds in length (EMML, section 1(10));
- advertising spot: an advertisement which does not exceed 90 seconds in length (EMML, section 1(27));
- interactive advertising: a form of advertising during which a viewer has the option to access more detailed content of the advertisement (EMML, section 1(11)).

4.20.2.2. Restrictions regarding commercial communications

The revised AVMSD introduces obligations for video-sharing platforms (VSPs) to, *inter alia*, respect certain requirements regarding commercial communications and this section aims at updating the information relative to these obligations and measures imposed under national legislation on media service providers, including VSP providers related to commercial communications.

As a general note, it should be mentioned that section 23⁶ (2) of the EMML requires VSP services, as far as possible, to comply with the legal provisions related to audiovisual commercial communications, the restrictions on which are detailed further below:

Video-sharing platform service providers shall, to the extent possible and within their control, comply with the provisions of Articles 35(2)(1), (4), (6), (7) and (8), 35(7) and (9), 36(2), 37(2) and 38 of this Law with regard to commercial audio and audiovisual communications.

While the relevant legislation does not contain a definition of commercial communication specific to VSPs, section 23⁶ (2) of the EMML extends the scope of application of the requirements to VSPs, therefore the definitions included in the EMML and other laws are applicable.

4.20.2.2.1. Audiovisual commercial communications for alcoholic beverages and tobacco and tobacco related products, including electronic cigarettes and refill containers

Section 35 (2) (8) of the EMML prohibits commercial communications for tobacco products: “[Audio and audiovisual commercial communications must not: (...) 8) advertise tobacco,



tobacco products, herbal products for smoking, electronic smoking devices, filling containers and smoking”.

Section 36 (2) of the EMMML allows advertisements for alcoholic products, as long as the following requirements are met:

- 1) they may not be aimed at minors, and minors must not participate in their consumption;*
- 2) the consumption of alcoholic beverages must not be linked to enhanced physical performance or to driving;*
- 3) they must not claim that alcohol has therapeutic qualities or that it is a stimulant, a sedative or a means of resolving personal conflicts;*
- 4) they shall not encourage immoderate consumption of alcohol or present abstinence or moderation in a negative light;*
- 5) they must not place emphasis on a high alcoholic content in alcoholic beverages;*
- 6) they must not create the impression that the consumption of alcoholic beverages contributes towards social or sexual success.*

Specific content-restricting provisions have been set out by the Law on the Handling of Alcoholic Beverages, and in particular by section 11 by which advertisers are not allowed to:

- 1) represent persons consuming alcoholic beverages;*
- 2) use symbols of the State of Latvia;*
- 3) express an opinion regarding alcoholic beverages as a means of medical treatment;*
- 4) associate alcoholic beverage consumption with sports activities or driving a means of transport;*
- 5) express views that alcoholic beverages have stimulant or calmative effects or that they help to solve personal problems;*
- 6) present abstinence or moderation in the consumption of alcohol in a negative light;*
- 7) create an impression that consumption of alcoholic beverages ensures success in social or sexual fields.*

In addition to these restrictions, section 10 (1) and (3) of the Alcoholic Beverages Law requires that at least 10 per cent⁴³⁹ of the amount of the particular advertisement for alcoholic beverages should contain mandatory information about the negative effects of the use of alcohol.

⁴³⁹ However, this percentage can be modified, considering the particularities of the particular medium, as long as the mandatory information is easily understandable and visible, according to the unofficial explanation of the Consumer Rights Protection Centre.



4.20.2.2.2. Audiovisual commercial communications for medicinal products and medical treatment available only on prescription in the member state

Section 37 (2) of the EMML prohibits audiovisual commercial communication for “medicinal products and medical treatment available only on prescription by a physician or the direction of a physician”.

Therefore, only commercial communications for over-the-counter medicines are permitted, as specified by clause 10 of the Medicinal Products Procedures:

10. It shall be permitted to advertise medicinal products which, in accordance with the laws and regulations regarding classification of medicinal products, have been specified as non-prescription medicinal products.

4.20.2.2.3. Surreptitious audiovisual commercial communications

Surreptitious commercial communication is prohibited according to section 35 (9) of the EMML.

4.20.2.2.4. Subliminal techniques in commercial communications

Section 35 (7) of the EMML prohibits the use of technical means or other techniques in commercial communication which “could affect the subconscious of spectators and listeners”.

4.20.2.2.5. Prejudice with regard to human dignity

Section 35 (2) 6 of the EMML prohibits audiovisual commercial communication from “injuring human dignity”.

4.20.2.2.6. Inclusion or promotion of any discrimination (on the grounds of e.g. sex, racial or ethnic origin, nationality, religion, etc.)

Section 35 (2) 7 prohibits commercial communications from inciting or inviting discrimination against a person or group of persons on the following grounds: “gender, age, religious, political affiliation or another faith, sexual orientation, disability, race or ethnic origin, nationality, due to other circumstances”.

4.20.2.2.7. Encouragement of behaviour prejudicial to health or safety

Audiovisual commercial communications may not promote or encourage behaviour which threatens human health or safety according to section 35 (2) 4 of the EMML.



4.20.2.2.8. Encouragement of behaviour grossly prejudicial to the protection of the environment

Audiovisual commercial communications may not encourage behaviour harmful to the protection of the environment according to section 35 (2) 1 of the EMML.

4.20.2.2.9. Causing physical, mental or moral detriment to minors

Requirements and restrictions that must be observed by commercial communications aimed at children are set out in Article 38 (1) of the EMML which prescribes:

Audio and audiovisual commercial communications may not:

- *cause physical or moral harm to minors,*
- *directly encourage them to persuade their parents or others to purchase the goods or services being advertised,*
- *exploit the special trust minors place in parents, teachers or other persons,*
- *unreasonably show minors in dangerous situations,*
- *directly encourage minors to buy or hire (lease) goods.*

Similar restrictions are set out under section 5 (2) of the Advertising Law which prohibits:

- *[including] encouragement of aggressiveness, violence or sexual activities, to discredit the authority of parents, family, guardians and teachers,*
- *[drawing] 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,*
- *unmistakably [indicating] that the acquisition of the good or service to be advertised is possible for any family, irrespective of its budget,*
- *[portraying] children in dangerous situations.*

Section 13, clause 5 of the Unfair Commercial Practices Prohibition Law forbids encouragements to minors to purchase a product or service or to persuade parents and other adults to purchase the product or service.

4.20.2.2.10. Other

Other types of restrictions may apply to commercial communications on VSPs in several areas:

- **Pornography:** the Law on Pornography Restrictions (sections 7 and 8 (1) and (2)) allows the advertising of material of a pornographic nature in an electronic environment, but several restrictions apply such as the obligation to notify the recipient of the pornographic nature of the material received and obtain the recipient's consent before transmitting the content.



- Credit services: as per section 8.3(1) of the Consumer Rights Protection Law, credit services may not be advertised, except in premises where the service provider is performing an economic activity or on its website which, after authentication, is used by the creditor for the receipt of services or via commercial communication with the consent of the consumer.
- Food supplements: the Requirements for Food Supplements in clauses 24-27 provide several requirements pertaining to the labelling, presentation and advertising of the food supplement which, for example, must not include any indication that the food supplement prevents or cures diseases.
- Energy drinks: advertisers are prohibited from addressing energy drink advertising to children, as well as exploiting children in the advertising of energy drinks as per section 5 (3) of the Advertising Law.

4.20.3. Sponsorship and product placement

Certain obligations stem from the revised AVMSD vis-à-vis sponsorship and product placement and this part aims at identifying the rules and practices pertaining to these two specific categories of commercial communications.

4.20.3.1. Sponsorship

N/A.

4.20.3.2. Product placement

N/A.

4.20.4. Obligations regarding (v)blogs and (v)blogging

Latvian law does not provide for specific advertising rules for (v)blogs and other user-generated content, as (v)blogs are not considered as an audiovisual media service under the EMMML, since they lack the editorial responsibility of the electronic mass medium.

Section 23⁶ (1) of the EMMML does, however, provide for the general requirements to be met by VSPs for the protection of the public, substantially transposing the provisions of Article 28b of the AVMSD. In addition, the Consumer Rights Protection Centre has published several non-binding guidelines for influencers, which could also be applicable to (v)bloggers and (v)bloggers.⁴⁴⁰ The main principles of the guidance are as follows:

⁴⁴⁰ Guidance for content creators (influencers); Basic principles for advertising goods and services on social networks (influencer marketing); Social Networking and Marketing for Influencers.



- Unmarked commercial communication is always misleading commercial communication, and thus, prohibited.
- Influencers publishing commercial content should always indicate that it is commercial content by using hashtags #advertising, #sponsorship, #paidcontent, etc. or by using other means to clearly communicate that the content is commercial.
- Influencers should, in addition to the general advertising regulations set by the Advertising Law, respect the industry specific advertising regulations in the case of advertising alcohol, food supplements, energy drinks, etc. The industry specific requirements are included in the relevant industry regulations, such as, for instance, the Law on the Handling of Alcoholic Beverages, the Law on the Handling of Energy Drinks, the Law on the Supervision of the Handling of Food, Cabinet of Ministers Regulations No. 685 “Requirements for Food Supplements”.
- The promotion of products that are prohibited in Latvia is prohibited.
- Influencers must provide truthful information.

The provisions of the guidance pertaining to video content notes that the advertising in the video content must be accompanied by a relevant indication of its commercial nature as well. The relevant indication must be clearly readable and easily visible at the beginning of viewing the relevant video content.

At the time of preparing this factsheet, two decisions on administrative offences have been issued by the Consumer Rights Protection Centre regarding unmarked commercial communications on Instagram which were upheld by the administrative courts in the first instance.⁴⁴¹

4.20.5. Other relevant information

N/A.

4.20.6. Content-related rules regarding commercial communications for VSP providers

While certain restrictions regarding the content of commercial communications stem from the revised AVMSD and relate to issues connected to the protection of minors and restrictions on the advertising of certain products and services, this part deals with less explored notions, such as rules pertaining to gambling, environmental claims vis-à-vis products and services, etc.

⁴⁴¹ Court decision No. A42-00438-22/18 and Court decision No. A42-01906-21/36. Links to these decisions are provided in section 4.20.12. of this factsheet.



4.20.6.1. Advertising of, or on behalf of associations that are wholly or mainly concerned with religion, faith and other belief systems

The advertising of religious belief is not restricted. General rules apply, including the prohibition against discrimination (as mentioned in section 4.20.2.2.6. of this factsheet).

4.20.6.2. Gambling, betting, betting tipsters, etc.

Outside of gambling premises, the advertising of gambling is prohibited, including in online media as per section 41 (5) and (6) of the Law on Gambling and Lotteries. The prohibition also includes offering a free betting game for a purchased product or service.

4.20.6.3. Environmental or “green” claims for products

There are general provisions related to environmental claims applicable to every advertisement or commercial communication, including on VSPs. More specifically, “greenwashing” (false or misleading environmental claims) is considered to be an unfair commercial practice and is prohibited pursuant to section 4 (1) of the Unfair Commercial Practices Prohibition Law.

Additionally, the Consumer Rights Protection Centre has issued non-binding guidelines for the use of environmental claims in commercial practice which summarises several of the European Commission’s guidelines on environmental claims, and according to which such environmental claims have to be specific, accurate and unambiguous; any environmental statements must be evidence-based. The false use of ecolabels is also prohibited. The main principles of the green (environmental) claims used in labelling or commercial communications include the following requirements:

- they must be accurate, verifiable, justified, true (i.e. cannot be misleading);
- they must be specific and unambiguous – especially when making comparisons;
- the use of symbols/images must be clear and appropriate;
- the information justifying the use of the green claim must be up-to-date;
- they must be clearly visible, legible and durable;
- they must be supported by relevant evidence and methodology and the information about the evidence, criteria or methodology used must be available to the supervisory authorities upon request;
- they must reflect the essential life cycle aspects of the product/service (i.e. provide the full and honest information about the product’s impact on the environment).

Besides these general principles, the guidelines do not contain provisions specifically related to video content or VSPs.

4.20.6.4. Other

N/A.



4.20.7. Self- and co-regulation and enforcement

This section aims at identifying the legal framework and practice for self- or co-regulatory schemes and measures regarding commercial communications on VSPs, including the identification of the body or bodies in charge of self- and co-regulation and enforcement powers with regard to commercial communications and VSPs, as well as the scope of their activities with regard to commercial communications and VSPs.

4.20.7.1. Self- and co-regulatory bodies

4.20.7.1.1. Context of establishment and legal background

According to section 23⁶ (3) of the EMML, providers of a VSP service must draw up a publicly available code of conduct in which they indicate the basic principles of the activity, the accepted conditions of ethical activity, and the regulations on inappropriate audio and audiovisual commercial communications. This code of conduct must be published on their website.

Furthermore, as per section 23⁶ (3) of the EMML, VSP service providers must develop codes of conduct, including for those whose target audience is minors and which may negatively affect the psychological or physical development of minors. These codes of conduct should also include provisions for any audio and audiovisual commercial communications included in, before or after programmes intended for children, about food and drink containing nutrients and substances with a specific nutritional value or physiological effect, in particular those substances such as fat, trans-fatty acids, salt or sodium and sugars, the excessive consumption of which is not recommended. VSP service providers must publish the code of conduct on their website. However, we are not aware of any VSP established in Latvia.

4.20.7.1.2. Stakeholders involved

There are no existing self-regulatory bodies and instruments that could be mentioned in this regard. The operation of VSPs in Latvia is supervised by the National Council for Electronic Mass Media (NEPLP)⁴⁴² as the authorised state institution. Currently, the VSP sector in Latvia is not developed.

4.20.7.1.3. Scope and objectives

N/A.

⁴⁴² *Nacionālā elektronisko plašsaziņas līdzekļu padome*, <http://www.neplpadome.lv/>.



4.20.7.1.4. Code(s) of conduct

At the time of preparing this factsheet, there is no publicly available code of conduct for a VSP service provider.

4.20.7.1.5. Role of (self-)regulatory bodies

N/A.

4.20.7.1.6. Period of activity (if limited)

N/A.

4.20.7.1.7. Role of the regulatory authority in a co-regulatory system

N/A.

4.20.7.1.7.1. *Regulatory body*

N/A.

4.20.7.1.7.2. *Co-regulatory scheme*

N/A.

4.20.7.1.7.3. *Relationship and roles of stakeholders*

N/A.

4.20.7.2. Monitoring/evaluation, compliance and sanctioning powers

Chapter IV¹ of the EMML sets out the specific rules for VSPs. The NEPLP assesses the compliance of the service with the nature of a VSP under the EMML.

The NEPLP is required by law to establish and publish a list of VSPs registered in Latvia or operating in Latvia's jurisdiction. However, currently such a list has not been published, as there seem to be no VSPs established or deemed to be established in Latvia. The NEPLP has an obligation to inform the European Commission of the list of VSP service providers, including any updates.

4.20.8. Cross-sector and cross-border collaboration

N/A.



4.20.9. Update on plans and practices related to new obligations of VSPs

There are no plans to update plans and practices regarding the tools and mechanisms in place in relation to the new VSP obligations.

4.20.10. Studies, reports and research

There are no specific studies on the new regulation of VSPs regarding commercial communications. However, there are a few legal papers analysing the regulation of copyright in the digital market in Latvia, including some aspects of VSPs:

- Meļņika M., Tauriņš A. Autortiesību direktīvas 13. pants: starp tiesisku atlīdzību un interneta filtriem. Jurista Vārds, 29.01.2019., Nr. 4 (1062), 10.-17.lpp⁴⁴³
- Valpētere J. Interneta starpnieku atbildība par trešo personu publicēto saturu. Jurista Vārds, 18.09.2018., Nr. 38 (1044), 25.-27.lpp⁴⁴⁴
- Roshofa E. Digitālo platformu tirgus varas novērtēšana. Jurista Vārds, 29.03.2022., Nr. 13 (1227), 27.-33.lpp⁴⁴⁵

4.20.11. Data compilation

This factsheet is based on data compiled by Ieva Andersone, Partner and Head of the Competition and Regulatory team and Lūcija Strauta, Assistant Lawyer at Sorainen.

⁴⁴³ The article focuses on the amendments to the Copyright Directive regarding the redaction of Article 13. <https://juristavards.lv/doc/274087-autortiesibu-direktivas-13panti-starp-tiesisku-atlidzibu-un-interneta-filtriem/>.

⁴⁴⁴ The article focuses on the intermediary service provider's responsibilities regarding copyright regulations. <https://juristavards.lv/doc/273372-interneta-starpnieku-atbildiba-par-treso-personu-publiceto-saturu>.

⁴⁴⁵ The article focuses on competition law and especially on the assessment of VSPs' market power. <https://juristavards.lv/doc/281000-digitalo-platformu-tirgus-varas-novertesana>.