Republic of Latvia

Cabinet

Regulation No. 866

Adopted 4 August 2009

**By-laws of the Committee for Control of Goods of Strategic Significance**

*Issued pursuant to*

*Section 12, Paragraph two of Law*

*On the Circulation of Goods of Strategic Significance*

**I. General Provision**

1. The Committee for Control of Goods of Strategic Significance (hereinafter – the Committee) is a collegial control institution subordinate to the Minister for Foreign Affairs.

**II. Functions and Tasks of the Committee**

2. The Committee shall carry out the functions and tasks laid down in the Law On the Circulation of Goods of Strategic Significance, as well as:

2.1. prepare proposals in relation to draft laws and regulations regarding provision of manufacture, storage, selling, use, technical maintenance, export, import, transfer, and transit control of goods of strategic significance;

2.2. co-ordinate the possibilities for raising qualification of subjects of circulation of goods of strategic significance;

2.3. co-ordinate the provision of experience and assistance to foreign countries in order to improve their control systems of goods of strategic significance;

2.4. participate in seminars, conferences, and projects of export control institutions of the European Union Member States, members states of international export control regimes, and other states, which promote restriction of proliferation of chemical weapons, biological weapons, and other weapons of mass destruction.

**III. Composition of the Committee**

3. The personnel of the Committee shall be approved by the Cabinet upon proposals of the Minister for Foreign Affairs. The composition of the Committee shall include representatives from the following institutions:

3.1. the Ministry of Foreign Affairs;

3.2. the Ministry of Economics;

3.3. the Ministry of Finance;

3.4. the Ministry of Health;

3.5. the Ministry of Defence;

3.6. the State Environmental Service;

3.7. the State Police;

3.8. the Security Police;

3.9. the Constitution Protection Bureau;

3.10. the State Revenue Service;

3.11. the Radiation Safety Centre.

4. The State Secretary of the Ministry of Foreign Affairs shall be the chairperson of the Committee. The chairperson of the Committee shall appoint the first deputy of the chairperson of the Committee, the second deputy of the chairperson of the Committee, and the secretary of the Committee from amongst the members of the Committee.

**IV. Work Organisation of Meetings of the Committee**

5. Meetings of the Committee shall take place once a quarter. An extraordinary meeting of the Committee shall be convened by the chairperson of the Committee upon his or her initiative or upon request of three members of the Committee.

6. Meetings of the Committee shall be closed. Members of the Committee and invited experts shall participate in the meeting. Members of the Committee and experts shall be invited to the meeting in writing. Agenda of the respective meeting shall be indicated in the invitation.

7. Members of the Committee have the right to authorise another person in writing to replace them in individual meetings. A person who has been authorised to replace a member of the Committee has the right to vote for the time period indicated in the authorisation.

8. The chairperson of the Committee or a member of the Committee, informing the Ministry of Foreign Affairs in advance, may invite an expert to participate in the meeting of the Committee. The expert is not a member of the Committee.

9. The Committee has a quorum if at least half of members of the Committee or authorised persons who replace them participate in its meeting. A member of the Committee who represents a ministry or a State administrative institution subordinate thereto has veto rights, if the decision of the Committee is related to the competence of the respective ministry or State institution of direct administration and its justified objections are not taken into account.

10. The Committee shall take decisions by open vote. A decision of the Committee shall be taken by a majority of the votes cast if veto rights have not been exercised. In the event of a tied vote, the vote of the chairperson of the Committee shall be decisive. If veto rights have been exercised, the Committee shall submit the issue to the Minister for Foreign Affairs for taking of a decision regarding further solving of the issue.

11. The secretary of the Committee shall, within 10 working days after a meeting of the Committee, prepare and send the minutes of the Committee meeting to members of the Committee and authorised persons replacing them. If objections or proposals have not been received within five working days after sending of the minutes, the minutes shall be deemed approved. If objections or proposals have been received within the laid down time period, they shall be examined in a repeat meeting of the Committee.

12. The chairperson of the Committee, his or her first and second deputy, as well as the secretary of the Committee have the right to sign. The scope of the right to sign of deputies of the chairperson of the Committee and the secretary of the Committee shall be determined by the chairperson of the Committee by a separate authorisation.

**V. Competence of Members of the Committee**

13. The chairperson of the Committee shall:

13.1. chair meetings of the Committee;

13.2. sign the documents drawn up by the Committee;

13.3. represent the Committee, co-operating with subjects of circulation of goods of strategic significance.

14. The first deputy of the chairperson of the Committee shall carry out the duties of the chairperson of the Committee during the absence of the chairperson of the Committee.

15. The second deputy of the chairperson of the Committee shall carry out the duties of the chairperson of the Committee during the absence of the chairperson of the Committee and his or her first deputy.

16. The secretary of the Committee shall:

16.1. organise the work of the Committee meetings;

16.2. ensure exchange of information with members of the Committee regarding the issues within the competence of the Committee;

16.3. ensure the work of the Committee during the time periods between the Committee meetings;

16.4. draw up and co-ordinate draft minutes of the Committee meetings.

17. The Ministry of Foreign Affairs shall ensure the functions of the secretariat of the Committee, as well as international co-operation in the field of export control of goods of strategic significance.

18. A representative of the Ministry of Defence in the Committee shall be responsible for conformity of the decisions of the Committee with the competence of the Ministry of Defence laid down in the laws and regulations.

19. A representative of the Ministry of Economics in the Committee shall be responsible for conformity of the decisions of the Committee with the State economic policy and compliance with the interests of merchants.

20. A representative of the Ministry of Finance in the Committee shall be responsible for conformity of the decisions of the Committee with the laws and regulations of Latvia, regulations of the European Union, and international agreements in the field of customs.

21. A representative of the Ministry of Health in the Committee shall be responsible for conformity of the decisions of the Committee with the laws and regulations of Latvia, regulations of the European Union, and international agreements in the field of circulation of precursors.

22. A representative of the Security Police in the Committee shall be responsible for conformity of the decisions of the Committee with the competence of the Security Policy laid down in the laws and regulations and shall inform the Committee regarding potential threats to national security, which are related to circulation of goods of strategic significance.

23. A representative of the State Police in the Committee shall be responsible for conformity of the decisions of the Committee with the laws and regulations of Latvia and regulations of the European Union in the field of circulation of the weapons, ammunition, pyrotechnics, and explosives referred to in the Common Military List of the European Union, as well as for the issuance of prior consent documents for movement of weapons, ammunition, and explosives.

24. A representative of the State Revenue Service in the Committee shall be responsible for conformity of the decisions of the Committee with the laws and regulations in the field of customs.

25. A representative of the Constitution Protection Bureau in the Committee shall inform regarding risk analysis of export and transit of goods of strategic significance and regarding end-users of goods, which may be related to weapons of mass destruction or means for their delivery, or with international terrorism, as well as regarding potential threats to national security in relation to the import, export, transfer, and transit of goods of strategic significance.

**VI. Closing Provision**

26. Cabinet Regulation No. 701 of 16 October 2007, By-laws of the Committee of Control of Goods of Strategic Significance (*Latvijas Vēstnesis*, 2007, No. 169), is repealed.

Acting for the Prime Minister – Minister for Finance E. Repše

Minister for Foreign Affairs M. Riekstiņš