

III.II Penalties

Fields marked with * need to be filled in before the form can be submitted to the next level.

III. EUTR Enforcement - context and implementation

III.II Penalties (ref. EUTR Article 19)

The enforcement of the EUTR requires Member States to put in place national measures which provide a robust framework to be able to take effective, dissuasive and proportionate enforcement action and sanction different duty-holders (operators, traders and monitoring organisations) for infringements of the Regulation. The information on the legal frameworks used, the range of potential national penalties and their uppermost levels provide valuable information to assess the consistency of potential enforcement actions across the EU. This section is structured by duty-holders' obligations under the EUTR (prohibition to place illegal timber on the market for operators; due diligence and reporting obligations for operators and monitoring organisations; traceability for traders, and reporting obligation for monitoring organisations) and the provisions for penalties which are applicable to infringements to each obligation.

1 Please specify for which breaches **penalties** (ref. EUTR Article 19) are applied in your country:

	Administrative fines in cases of breaches of:	Criminal fines in cases of breaches of:	Seizure of timber or timber products as a penalty in cases of breaches of:	Suspension of the authorisation to trade/ do business as a penalty in cases of breaches of:	Imprisonment in cases of breaches of:	Other penalties in cases of breaches of:
* Prohibition (operators)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
* DD obligation (operators and monitoring organisations)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
* Traceability obligation (operators/ traders)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
* Reporting obligation (monitoring organisations)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

* 2 Does the same legislation apply for infringements relating to domestic timber and for imported timber?

☒ Yes ☐ No

* 3 Which legislation provides for **penalties** for infringements of the EUTR?

Please select all that apply.

- ☒ EUTR-specific legislation
- ☐ Forest (management) law
- ☒ General Administrative sanctions law
- ☐ Penal code
- ☐ Other

6 Please provide the name(s) and relevant Article numbers for the above-mentioned legislation:

- 1) Act no 226/2013 Coll on placing timber and timber products on the market Article 12
- 2) Act. no 255/2012 Coll on the Control Article 15
- 3) Act no 500/2004 Coll Code of Administrative Procedure Article
- 4) Act No. 250/2016 Coll., on Liability for Administrative Offences and Proceedings

Penalties in cases of breaches of prohibition

Administrative fines in cases of breaches of prohibition

* 7 Fine is expressed as:

specific monetary value

* 8 What is the maximum fine in EUR? (Please convert to EUR if the MS currency is different)

Please enter a whole number. If it is not prescribed use *not set*. Examples: **45000** for 45.000,00 EUR; **not set** if not prescribed.

194856

* 10 Which authority can impose this penalty?

Please select all that apply.

- ☒ Competent authority/ies
- ☐ Police
- ☐ Court
- ☐ Fine imposing agency
- ☐ Other

Seizure of timber or timber products as a penalty in cases of breaches of prohibition

* 17 Which authority can impose this penalty?

Please select all that apply.

- ☒ Competent authority/ies

- ☐ Prosecutor
- ☐ Police
- ☐ Court
- ☐ Seizure imposing agency
- ☐ Other

* 19 Which authority/ies is/are responsible for disposal of confiscated timber/timber products?

- ☐ Competent authority/ies
- ☐ Customs
- ☐ Police
- ☐ Court
- ☒ Other

20 Please specify other:

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Suspension of the authorisation to trade/ do business as a penalty in cases of breaches of prohibition

* 21 For how long can the suspension of the authorisation to trade be imposed?

Please enter a whole number followed by a unit of time without spaces. Use either *d* for days or *y* for years or *m* for months. If it is not prescribed use *not set*. Examples: **45d** for 45 days; **18m** for 18 months; **5y** for 5 years; **not set** if not prescribed.

1y

* 22 Which authority can impose this penalty?

Please select all that apply.

- ☒ Competent authority/ies
- ☐ Customs
- ☐ Police
- ☐ Court
- ☐ Business inspectorate
- ☐ Other

Penalties in cases of breaches of DD obligation

Administrative fines in cases of breaches of DD obligation

* 31 Fine is expressed as:

specific monetary value

* 32 What is the maximum fine in EUR? (Please convert to EUR if the MS currency is different)

Please enter a whole number. If it is not prescribed use *not set*. Examples: **45000** for 45.000,00 EUR; **not set** if not prescribed.

* 34 Which authority can impose this penalty?

Please select all that apply.

- ☒ Competent authority/ies
- ☐ Police
- ☐ Court
- ☐ Fine imposing agency
- ☐ Other

Seizure of timber or timber products as a penalty in cases of breaches of DD obligation

* 41 Which authority can impose this penalty?

Please select all that apply.

- ☒ Competent authority/ies
- ☐ Prosecutor
- ☐ Police
- ☐ Court
- ☐ Seizure imposing agency
- ☐ Other

* 43 Which authority/ies is/are responsible for disposal of confiscated timber/timber products?

- ☐ Competent authority/ies
- ☐ Customs
- ☐ Police
- ☐ Court
- ☒ Other

44 Please specify other:

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Penalties in cases of breaches of traceability obligation

Administrative fines in cases of breaches of traceability obligation

* 55 Fine is expressed as:

specific monetary value

* 56 What is the maximum fine in EUR? (Please convert to EUR if the MS currency is different)

Please enter a whole number. If it is not prescribed use *not set*. Examples: **45000** for 45.000,00 EUR; **not set** if not prescribed.

* 58 Which authority can impose this penalty?

Please select all that apply.

- ☒ Competent authority/ies
- ☐ Police
- ☐ Court
- ☐ Fine imposing agency
- ☐ Other

Seizure of timber or timber products as a penalty in cases of breaches of traceability obligation

* 65 Which authority can impose this penalty?

Please select all that apply.

- ☒ Competent authority/ies
- ☐ Prosecutor
- ☐ Police
- ☐ Court
- ☐ Seizure imposing agency
- ☐ Other

* 67 Which authority/ies is/are responsible for disposal of confiscated timber/timber products?

- ☐ Competent authority/ies
- ☐ Customs
- ☐ Police
- ☐ Court
- ☒ Other

68 Please specify other:

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Penalties in cases of breaches of reporting obligation (monitoring organisations)

Other penalties in cases of breaches of reporting obligation

95 Please describe the penalty:

Not applicable. Authorised person shall check the monitoring organisations regarding the requirements set forth under Art. 8 of the directly applicable EU regulation laying down the obligations of operators who place timber and timber products on the market, and shall provide information on shortcomings detected through the checks to the Ministry in order to inform the Commission.

96 What is the maximum level of this penalty?

97 Which authority can impose this penalty?

Please select all that apply.

- ☐ Competent authority/ies
- ☐ Police
- ☐ Court
- ☐ Business inspectorate
- ☐ Other

Comments

99 Comments:

Submission info

100 Reporting period:

2019

101 Country:

- | | | | |
|--------------------------------|-------------------------------|-------------------------------------|---------------------------------------|
| <input type="radio"/> Austria | <input type="radio"/> Finland | <input type="radio"/> Latvia | <input type="radio"/> Portugal |
| <input type="radio"/> Belgium | <input type="radio"/> France | <input type="radio"/> Liechtenstein | <input type="radio"/> Romania |
| <input type="radio"/> Bulgaria | <input type="radio"/> Germany | <input type="radio"/> Lithuania | <input type="radio"/> Slovak Republic |
| <input type="radio"/> Croatia | <input type="radio"/> Greece | <input type="radio"/> Luxembourg | <input type="radio"/> Slovenia |
| <input type="radio"/> Cyprus | <input type="radio"/> Hungary | <input type="radio"/> Malta | <input type="radio"/> Spain |

- | | | | |
|--|-------------------------------|-----------------------------------|--------------------------------------|
| <input checked="" type="radio"/> Czechia | <input type="radio"/> Iceland | <input type="radio"/> Netherlands | <input type="radio"/> Sweden |
| <input type="radio"/> Denmark | <input type="radio"/> Ireland | <input type="radio"/> Norway | <input type="radio"/> United Kingdom |
| <input type="radio"/> Estonia | <input type="radio"/> Italy | <input type="radio"/> Poland | |

102 Location:

Czech Republic

103 Organisation name:

Ministry of Agriculture of the Czech Republic

104 Reference number:

105 Submission ID:

32604

106 Submission status:

SUBMITTED_TO_EC

Contact

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