

Ministry of the Interior
Republic of Latvia

INSOLVENCY PROCEEDINGS RELATED OFFENCES

Statistics and main challenges

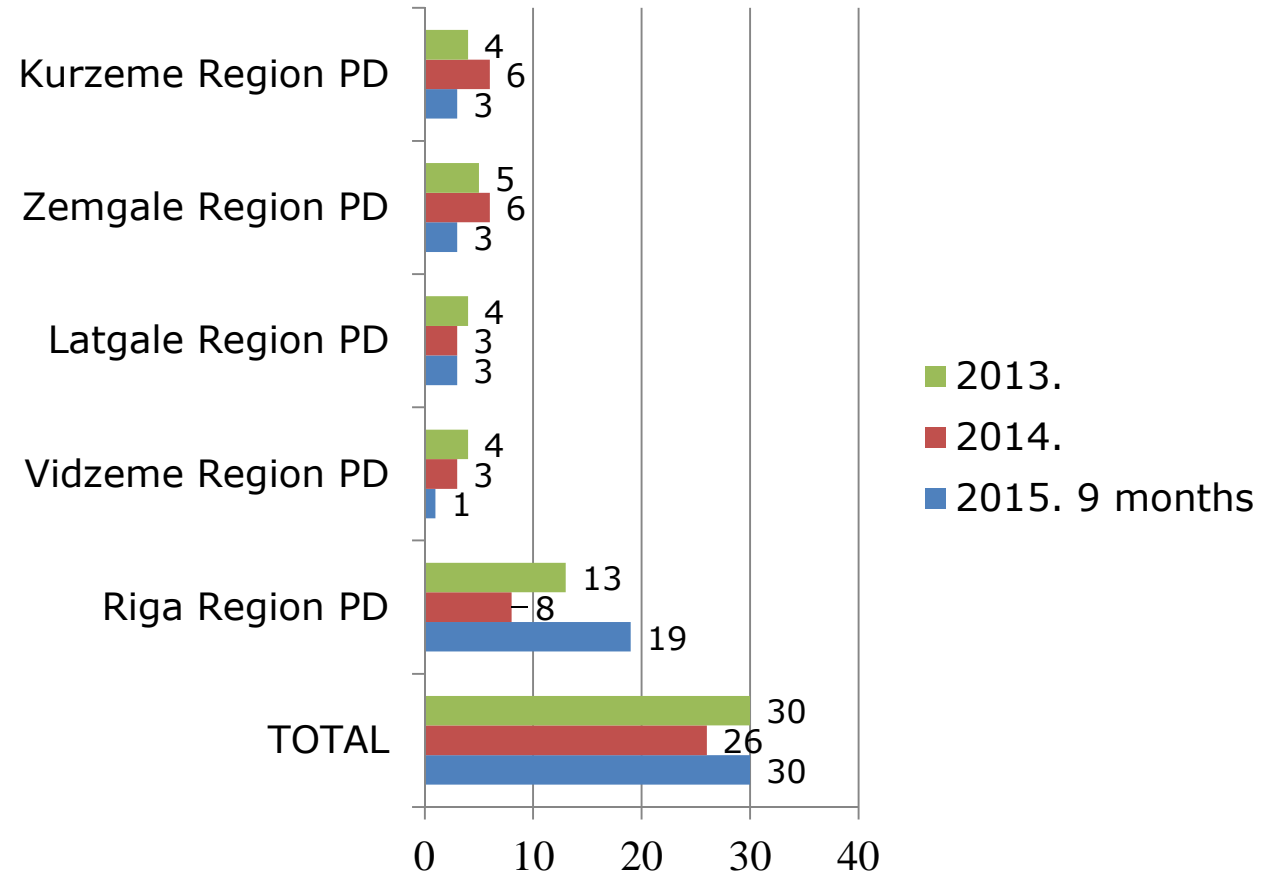
Riga, 2015





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Initiation of Criminal Proceedings by State Police





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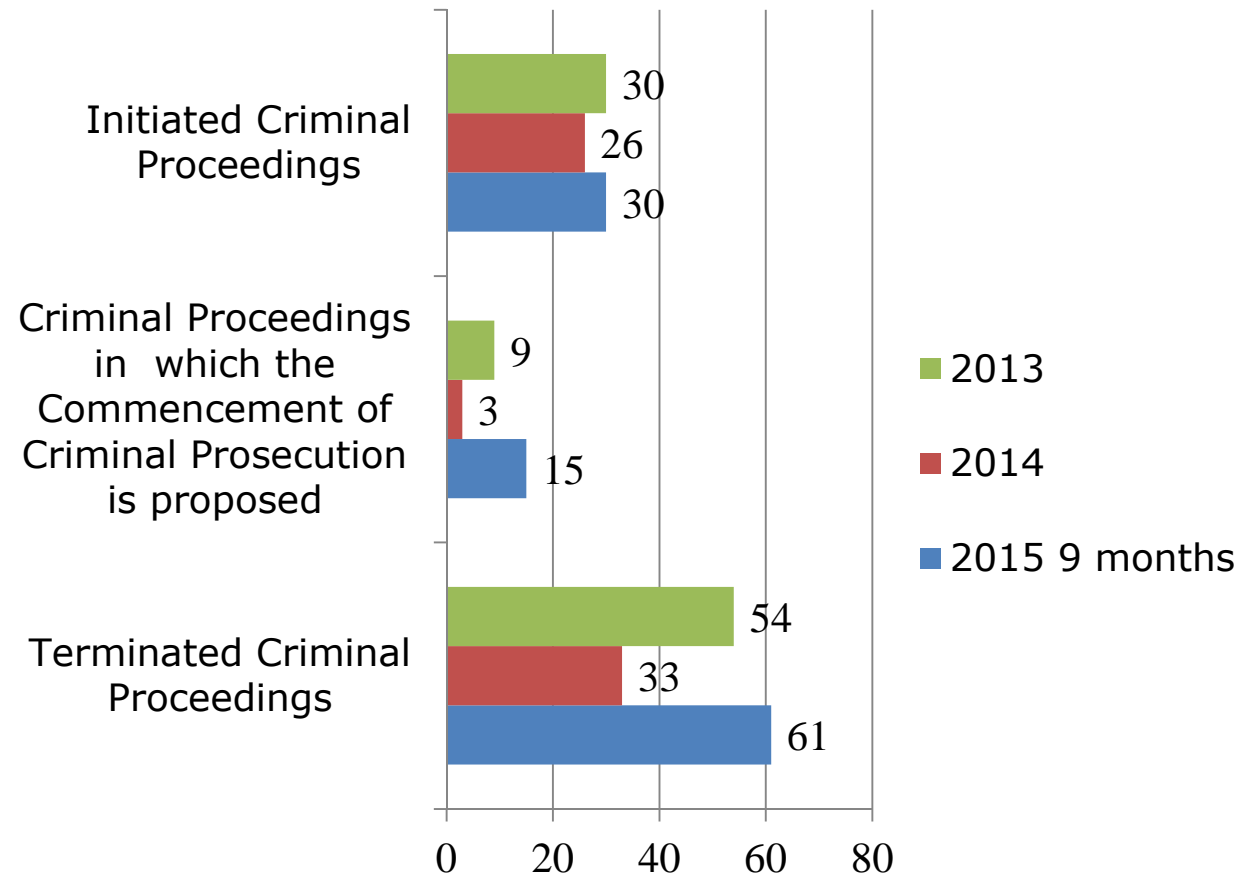
Particular criminal offences mainly are qualified on the basis of Criminal Law:

- Section 213 (Driving into Insolvency),
- Section 214 (Submission of a False Application for Insolvency),
- Section 215 (Delay of Insolvency Proceedings),
- Section 179 (Misappropriation),
- Chapter XVIII (Criminal Offences against Property),
- and Chapter XIX (Criminal Offences of an Economic Nature)



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Outcome of the Criminal Proceedings Investigated by State Police

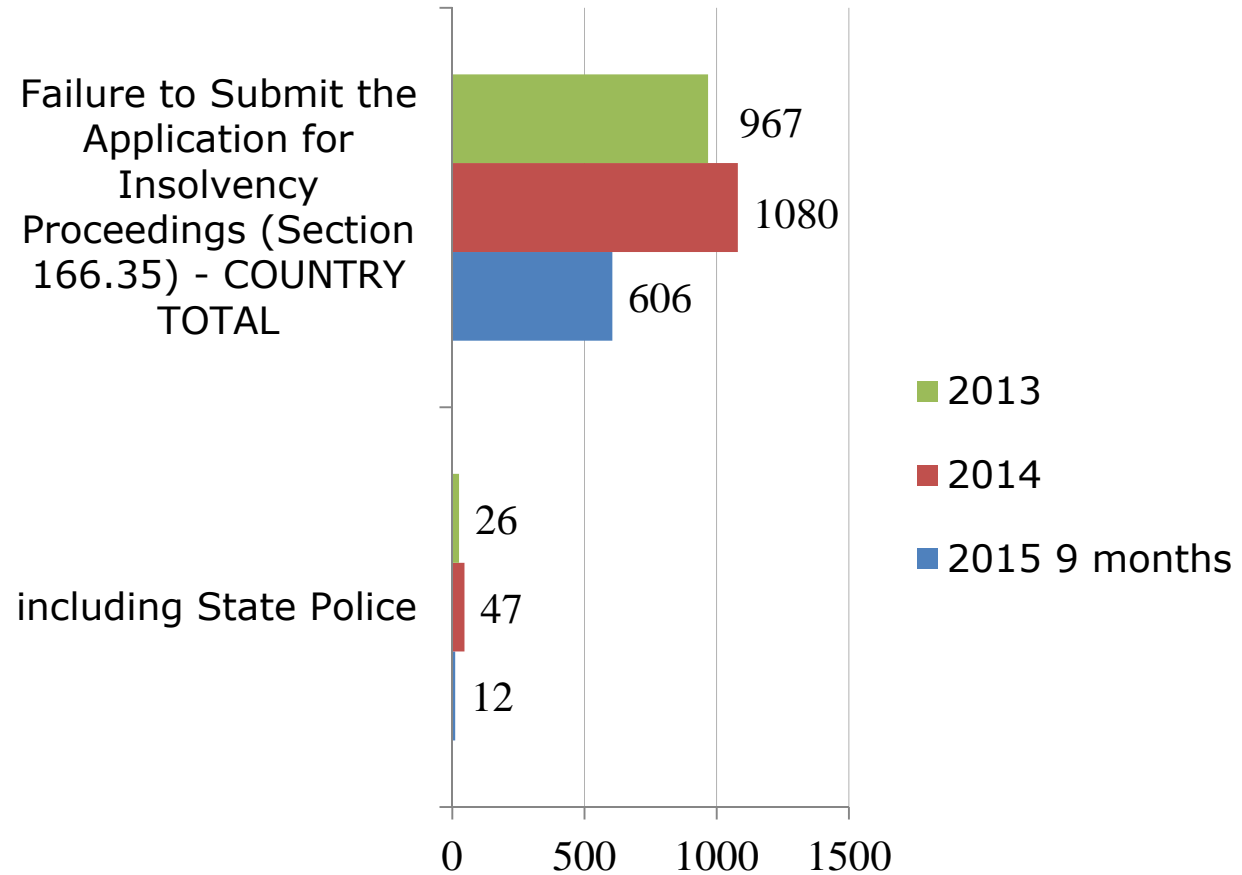


Numbers of Criminal Proceedings in which the Commencement of Criminal Prosecution is proposed and Terminated Criminal Proceedings **include Criminal Proceedings initiated in previous years**



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Administrative Violations Regarding Insolvency Proceedings

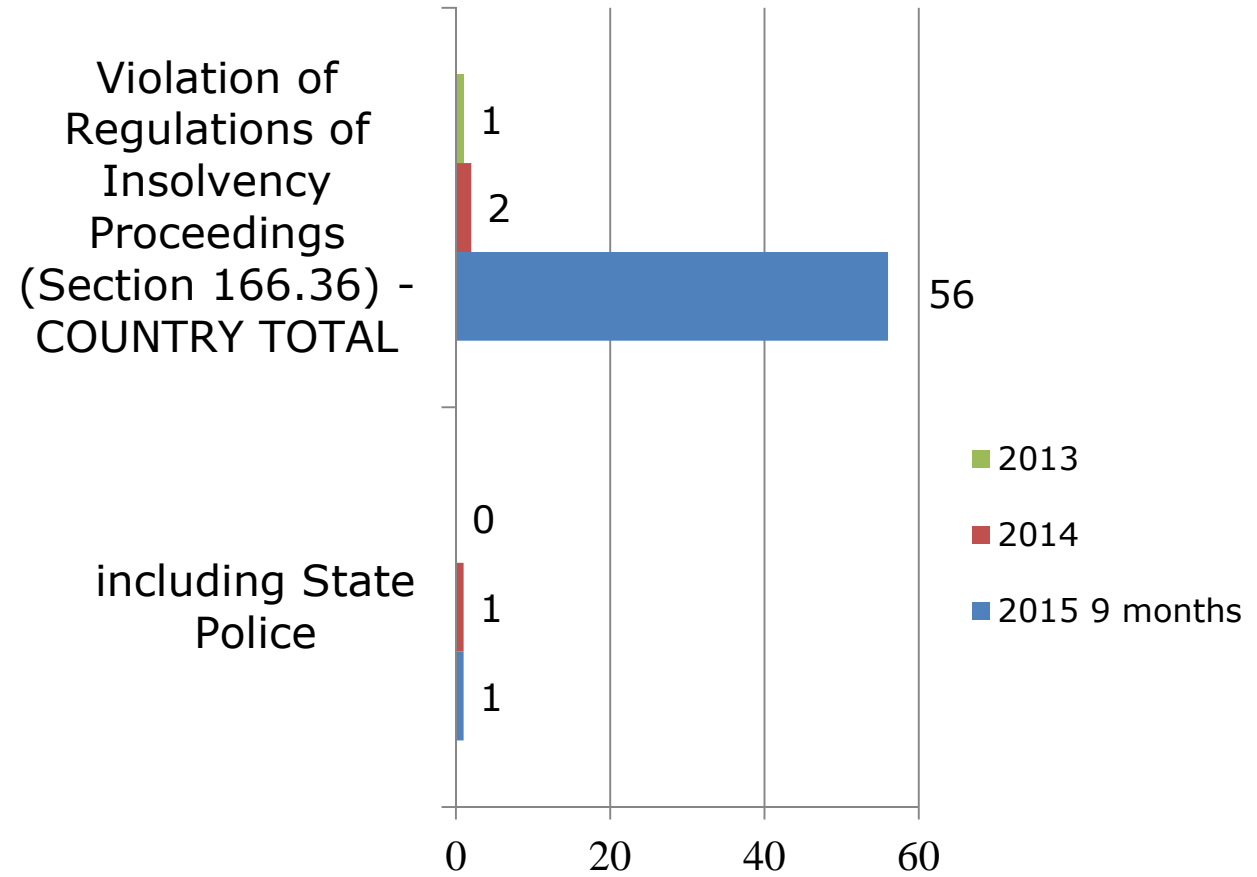


State Police and **State Revenue Service** are the competent authorities to examine administrative violations of this category



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Administrative Violations Regarding Insolvency Proceedings



Insolvency Administration is the competent authority to examine administrative violations of this category



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Insolvency Proceedings: Issues and Challenges

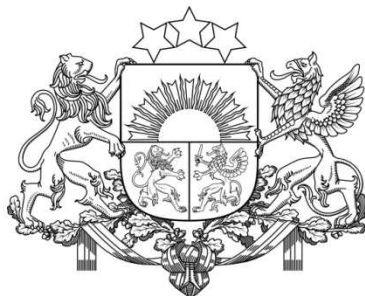
- Essential need to prove direct intent to initiate Criminal Proceedings;
- In case of Impeding the Course of Insolvency Proceedings is necessary to prove person's direct intent for such conduct;
- No documentation = no Criminal Proceedings of driving a legal person into insolvency due to neglect;



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Insolvency Proceedings: Issues and Challenges

- Ethicalness and Rule of Law in the behaviour of the Administrators of Insolvency Proceedings;
- Embezzlement of assets;
- Administrators of Insolvency Proceedings do not examine their rights permanently.



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Thank you for your attention!

