

# **Sports and safety inside and outside the stadium Legal challenges**

**IBLC/ Sports Law Sub commission  
Prague, 2014 –Workshop**

## **National Report of Latvia**

Law Office BORENIUS  
Lāčplēša iela 20a,  
LV-1011, Latvia  
+37167201800

Indriķis Liepa,  
Ieva Dzirnupe  
Attorneys at law

27 February 2014

## **1. General Safety Aspects**

### **1.1. What is the legal framework applicable to the general safety aspects of big sports events in your country (prevention of violence, access and behaviour inside the venues)?**

General safety aspects of big sport events in Latvia are regulated by the Sports Law which defines the general rights and obligations of the event organizers, athletes and spectators. The Public Entertainment and Festivity Event's Safety law stipulates the procedure for obtaining the permission for the organization of the sports events, the obligations of the organizer in respect of ensuring public order and general and technical safety during the event. On 30.20.2003. Latvia has joined the European Convention on Spectator Violence and Misbehaviour at Sports Events and in Particular at Football Matches.

### **1.2. Are there any legal regulations applicable to specific sports or events?**

There are differences in applicable regulations and requirements depending on whether the event is organized outside the territory of the sports facility or within the territory, is it the domestic or international sports event. For example, if the sports event is organized outside the territory of the sports facility, the organizer has to apply for the permission to the local municipality. Before the sports federation commits to organize an international sports event (final games of the World or Europa Championship) the approval from the Latvian National Sports Council must be received.

### **1.3. Who is responsible for the enforcement of the relevant legal provisions during the event (owner of the facilities, promoter, organizer, police ...)?**

An organiser of sports events shall ensure the public order, access to medical assistance, observance of hygiene, fire safety, safety equipment and other safety provisions and regulatory enactments during the competition at the venue of the event. The organiser has a liability for enforcement of the general safety provisions. By concluding an agreement the organiser can delegate part of his obligations to the persons responsible for ensuring technical safety and to the person responsible for public order and safety at the venue of the event. The obligations of the responsible persons for technical safety and public order and safety are defined in the Public Entertainment and Festivity Event's Safety law, and those persons also can be held liable if they fail to fulfil obligations stipulated by law.

### **1.4. What are the competent authorities as regards the enforcement of the relevant legal provisions?**

The competent authority regards enforcement of the legal provisions regulating safety aspects of the sports events in Latvia is the local municipality and the police.

## **2. Insurance Coverage**

### **2.1. Are there specific legal provisions applicable to the insurance coverage of big sports events in your country?**

There are no specific legal provisions applicable to the insurance coverage of big sports events.

### **2.2. What is the mandatory insurance coverage to be contracted as regards the celebration of big sports events? What are the minimum risks to be covered according to law?**

According to the Regulations of the Cabinet of Ministers No. 298 of Mai 8, 2007 on the Compulsory public events organisers' liability insurance shall cover:

- a) Expenses for medical care (hospital treatment, diagnostics, medication, etc.)
- b) Expenses linked to temporary working disability (unearned incomes for the period of temporary working disability, etc.)
- c) Expenses linked to permanent working disability;
- d) Expenses linked to the death (loses sustained by dependent persons of the deceased) and burial expenses,
- e) Damages caused to the property of the third person.

The minimum liability limit for one event and in aggregate is EUR 2845 when the eventual number of participants and attendees is not more than 100 people, EUR 10670 - when the eventual number of participants and attendees is not more than 1000 people and EUR 14 230 – when the eventual number of participants and attendees is more than 1000 people.

If usage of pyrotechnics is planned during the sports event, the minimum liability limit shall be twice as big as the amount specified above.

### **2.3. Who is legally bound to contract the relevant insurance policies in connection with big sports events?**

The organiser of the sport's event is legally bound to conclude the third party liability insurance contract.

## **3. Organisers Potential Liability**

### **3.1. What are the potential liabilities that might be faced in connection with big sports events (civil, administrative, criminal liabilities) and by whom?**

The organiser of the sports event can face all kind of potential liabilities – administrative, criminal and civil liability as the organiser on the general level is responsible for ensuring general safety aspects and security during the sports event.

Also the subcontractors - persons responsible for technical safety, for ensuring public order and security can be held liable, if they do not fulfil their obligations explicitly defined by law.

For example if the person responsible for technical safety before the start of the event has not ensured technical check-up of the equipment used during the competition and it has caused bodily injury or damages to third party property, the responsible person for technical safety can be held liable, because this is one of its obligations explicitly defined by law.

**3.2. Distribution of liability: is it possible to distinguish liabilities arising from sports events to an extent where each of the involved parties is held liable only for damage resulting from some specific risks or situations?**

Distribution of liability results from the provisions of Public Entertainment and Festivity Event's Safety law, which defines obligations, areas of responsibility and liability of the event organiser, person responsible for technical safety, person responsible for ensuring public order and security. The subcontractors responsible for technical safety, security can be held liable only if they fail to fulfil their obligations within they area of responsibility precisely defined by law.

**3.3. On the contrary, might someone be held liable for any damage occurred during the celebration of some sports event (owner of the facilities, promoter, organizer, police ...)?**

The organiser as person having general liability for ensuring safety at the sports event might be held liable for any damage occurred during the celebration of the sporting event. It must be also noted that according to the provisions of the law the organiser shall asses the professionalism and competence of the subcontractors before certain tasks are delegated to them. Therefor it can be concluded that there very often can arise situations of the organisers and its subcontractor's joint liability.

**3.4. As an attendee, what legal action may I take in case of suffering damage on the game day? Against whom?**

An attendee who has suffered damages during the sports event can claim compensation for losses sustained from the organiser of the sports event and /or its subcontractors.