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**CODE OF THE REPUBLIC OF BELARUS
ON ADMINISTRATIVE OFFENCES**

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GENERAL PART

SECTION I GENERAL PROVISIONS

CHAPTER 1 CODE OF THE REPUBLIC OF BELARUS ON ADMINISTRATIVE OFFENCES. ITS OBJECTIVES AND PRINCIPLES

Article 1.1. Code of the Republic of Belarus on Administrative Offences

1. The Code of the Republic of Belarus on Administrative Offences shall be based on the Constitution of the Republic of Belarus, generally recognized principles of international law and norms of the international treaties of the Republic of Belarus, other international legal acts containing the obligations of the Republic of Belarus; national traditions, social and cultural values of the Belarusian people and shall determine:

- 1) Acts that constitute administrative offences;

2) Grounds and conditions for administrative liability;

3) Administrative penalties and preventive measures that can apply to individuals who have committed administrative offences and legal entities subject to administrative liability in accordance with this Code.

2. This Code is the only law on administrative offences in force in the territory of the Republic of Belarus. The norms of other legislative acts providing for administrative liability shall be an integral part of legislation on administrative offences, subject to application taking into account the provisions of this Code and inclusion in it.

Article 1.2. Objectives and Principles of the Code of the Republic of Belarus on Administrative Offences

1. The objectives of the Code of the Republic of Belarus on Administrative Offences shall be the protection of life, health, rights, freedoms and legitimate interests of individuals; the interests of society and the state; the rights and legitimate interests of legal entities (hereinafter, unless otherwise established, referred to as “protected interests”), as well as the prevention of administrative offences.

2. The court and bodies that run an administrative process shall implement, within the scope of their competence, measures aimed at:

1) Prevention (precaution) of administrative offences, including the determination and elimination of causes and conditions leading to the commission of administrative offences;

2) Raising the legal awareness and legal culture of individuals, their upbringing in the spirit of compliance with this Code and other acts of legislation, the international treaties of the Republic of Belarus and other international legal acts containing the obligations of the Republic of Belarus; respect for national traditions, social and cultural values of the Belarusian people, the rights and freedoms of other individuals.

3. This Code shall be based on the principles of legality, justice, humanity, equality before the law, as well as the fault-based liability of individuals.

Article 1.3. Principle of Legality

1. Bringing individuals and legal entities to administrative liability and releasing them from administrative liability, imposing administrative penalties on them, applying preventive measures against them shall be implemented only by decision (except for a verbal warning) of the court, the body running the administrative process and shall be based on the provisions of this Code.

2. The provisions of this Code shall not be subject to broad interpretation. Their use by analogy shall not be allowed.

Article 1.4. Principle of Justice

1. Administrative liability must be fair. Administrative penalties and preventive measures must be established and applied taking into account the nature and harmful consequences of an administrative offence committed, as well as the circumstances of its commission. No one can be brought to administrative liability twice for the same administrative offence.

2. An administrative penalty may be imposed in the absence of sufficient grounds for the use of preventive measures and must be proportionate to the gravity of an administrative offence committed and be consistent with the purpose of its imposition.

3. An individual who has committed an administrative offence must be given an administrative penalty (a preventive measure must be applied) necessary and sufficient for his/her upbringing.

4. Administrative liability of a legal entity may arise in cases provided for by this Code where the liability of the guilty employee of this legal entity, based on the objectives and principles of this Code, is insufficient due to the fact that an administrative offence causes significant harm to protected interests. For these purposes, this Code shall establish corresponding grounds and conditions for the administrative liability of a legal entity.

5. An administrative penalty imposed on a legal entity and an individual entrepreneur shall not aim to cause economic insolvency (bankruptcy), harm to their business reputation.

Article 1.5. Principle of Humanity

1. Administrative liability must be humane. The imposition of an administrative penalty on an individual who has committed an administrative offence shall not aim to humiliate his/her human dignity or cause physical or moral suffering to him/her.

2. Administrative penalties, as well as preventive measures applied to minors, must not cause harm to their health and intellectual development.

Article 1.6. Principle of Equity before the Law

1. Individuals who have committed administrative offences shall be equal before the law and shall be subject to administrative liability regardless of their gender, race, nationality, language, origin, citizenship, property and official status, place of residence or place of stay, beliefs, religious beliefs, affiliation to non-governmental organizations, as well as other circumstances.

2. Legal entities, when brought to administrative liability, shall be equal before the law and shall be subject to administrative liability regardless of the form of ownership, location, organizational and legal form, subordination and other circumstances determined by the specifics of their creation and the activities carried out.

Article 1.7. Principle of a Fault-Based Liability of an Individual

An individual shall be subject to administrative liability only for those administrative offences in relation to which his/her guilt has been established.

Article 1.8. Operation of the Code of the Republic of Belarus on Administrative Offences in Space

1. An individual or a legal entity who has committed an administrative offence in the territory of the Republic of Belarus, as well as an individual who has committed an administrative offence on:

1) A ship sailing under the State Flag of the Republic of Belarus, located outside the internal waters of the Republic of Belarus;

2) An aircraft registered in the Republic of Belarus, located in the airspace outside the Republic of Belarus;

3) A military ship or a military aircraft of the Republic of Belarus, regardless of their location;

4) The territory of the official representative office of the Republic of Belarus, which is subject to the administrative jurisdiction of the Republic of Belarus.

2. Foreign citizens and stateless persons, foreign legal entities located in the territory of the Republic of Belarus shall be subject to administrative liability on the same basis as the citizens of the Republic of Belarus and the legal entities of the Republic of Belarus.

3. The issue of liability for an administrative offence committed in the territory of the Republic of Belarus by a foreign citizen who, in accordance with the international treaties of the Republic of Belarus, enjoys immunity from the administrative jurisdiction of the Republic of Belarus shall be resolved diplomatically.

4. A citizen of the Republic of Belarus and a stateless person permanently residing in the Republic of Belarus who have committed administrative offences outside its borders shall be subject to liability in accordance with this Code, provided the acts they have committed are recognized as administrative offences in the Republic of Belarus and are punishable in the state in the territory of which they have been committed, and provided those persons have not been brought to liability in this state. In such cases, an administrative penalty shall be imposed on a person in accordance with the sanction, but not higher than the upper limit stipulated by the law of the state in the territory of which the offence has been committed.

Article 1.9. Operation of the Code of the Republic of Belarus in Time

1. The wrongfulness of an act and administrative liability shall be determined by the act of legislation in force at the time the act is committed. The time of its commission shall be considered the time when the wrongful action (inaction) is committed, regardless of the time of occurring consequences.

2. The act of legislation has a retroactive effect that is it shall apply to a person who has committed an administrative offence before such an act of legislation comes into force and in relation to which the decision about imposing an administrative penalty or applying preventive measures has not been executed, in cases where it:

1) Eliminates the wrongfulness of a corresponding action. From the date of entry into force of such a legislative act, an action, committed before this act enters into force, is not an administrative offence;

2) Mitigates or cancels administrative liability;

3) Otherwise improves the state of a person who has committed an administrative offence.

3. An act of legislation establishing the wrongfulness of an action, strengthening liability, or otherwise aggravating the state of a person who has committed an administrative offence shall not have a retroactive effect.

Article 1.10. Explanation of Certain Terms of the Code of the Republic of Belarus on Administrative Offences

1. For the purposes of the uniform and precise application of the terms used in this Code, the following definitions shall be adopted, unless otherwise arises from the contents of this Code:

1) “*Harm*” means harm to life or health, or property, or moral damage subject to monetary measurement;

2) “*Group of persons*” means two or more individuals jointly participating in the commission of an administrative offence as perpetrators;

3) “*Official*” means an individual who permanently, temporary or by special authority performs organizational and regulatory or administrative and economic functions in organizations, the Armed Forces of the Republic of Belarus, other troops and military formations, or is authorized in the prescribed manner by organizations, the Armed Forces of the Republic of Belarus, and other troops and military formations to perform legally relevant actions, as well as a government official authorized, within the scope of his competence, to give instructions or orders and make decisions in relation to individuals who are not subordinate to him in service;

4) “*Knowingly*” means an attribute indicating that an individual committing an administrative offence is aware of legally significant circumstances provided for by this Code;

5) “*Individual entrepreneur*” means an individual carrying out entrepreneurial activities without forming a legal entity and registered in the prescribed manner;

6) “*Person substituting parents*” means a guardian, a custodian;

7) “*Minor*” means an individual who, on the day of committing an administrative offence, has not reached the age of fourteen;

8) “*Insignificant extent of damage*” means the extent of damage in the amount of up to 40 base amounts;

9) “*Juvenile*” means an individual who, on the day of committing an administrative offence, has not reached the age of eighteen;

10) “*Administrative process body*” means the state body that, within the scope of its competence, considers and resolves an administrative offence case; an official of the state body (the state organization) who, within the scope of his competence, draws up a protocol on an administrative offence and conducts the preparation of an administrative offence case for consideration, imposes an administrative penalty, applies preventive measures;

11) “*Attempt to commit an administrative offence*” means a deliberate act of an individual directly aimed at committing an administrative offence, provided that it was not completed due to circumstances beyond the control of that individual;

12) “*Sanction*” means the type, amount and period of an administrative penalty established for committing an administrative offence by the corresponding Article (part of the Article, provided the Article consists of several parts) of the Special Part of this Code;

13) “*Court*” means the court formed in accordance with the procedure established by legislative acts that considers and resolves administrative offence cases;

14) “*Individual*” means a citizen of the Republic of Belarus, a foreign citizen or a stateless person unless otherwise provided for by this Code.

2. The terms “*administrative process*”, “*close relatives*”, “*administrative offence case*”, “*order*”, “*family members*” used in this Code shall have the meanings defined by the Procedural and Executive Code of the Republic of Belarus on Administrative Offences.

SECTION II
ADMINISTRATIVE OFFENCE. ADMINISTRATIVE LIABILITY

CHAPTER 2
ADMINISTRATIVE OFFENCE

Article 2.1. Concept of an Administrative Offence

1. “*Administrative offence*” means an unlawful guilty act (action or inaction) of an individual, as well as an unlawful act of a legal entity for the commission of which administrative liability is established.

2. Administrative liability of an individual shall arise if a committed act does not contain *corpus delicti*.

3. Administrative liability for an attempt to commit an administrative offence shall arise in cases directly provided for by the Special Part of this Code.

Article 2.2. Categories of Administrative Offences

1. Depending on the nature and degree of public harm, administrative offenses shall fall into:

- 1) Administrative misdemeanours;
- 2) Serious administrative offences;
- 3) Gross administrative offences.

2. Administrative misdemeanours include administrative offences the commission of which shall be subject to the imposition of an administrative penalty in the form of a fine in the amount not exceeding:

- 1) 10 base amounts for an individual;
- 2) 25 base amounts for an individual entrepreneur;
- 3) 50 base amounts for a legal entity.

3. Serious administrative offences are those for which an administrative penalty shall be imposed in the form of confiscation, deportation, a fine in the amount determined as a percentage or a definite proportion of the cost of the subject of an administrative offence committed; the amount of damage, proceeds, dealing, a foreign trade transaction, income or monetary valuation of a business transaction, the difference between the actual proceeds gained from the realization of goods (works, services) and the estimated amount of proceeds from the realization of goods (works, services), or in an amount exceeding:

- 1) 10 base amounts for an individual;
- 2) 25 base amounts for an individual entrepreneur;
- 3) 50 base amounts for a legal entity.

4. Gross administrative offences are those the commission of which shall stipulate the imposition of an administrative penalty in the form of public works, administrative arrest, deprivation of the right to engage in certain activities, and the repeated commission of which shall entail criminal liability.

Article 2.3. Guilt and its Forms

1. “*Guilt*” means the mental attitude of an individual to the unlawful act he has committed, expressed in the form of intent or negligence. Only a sane individual can be found guilty of committing an administrative offence.

2. An administrative offence is recognized as committed intentionally if an individual who has committed it was aware of the illegality of his act; foresaw its harmful consequences and desired or consciously allowed the occurrence of these consequences or was indifferent to them.

3. An administrative offence is recognized as committed by negligence if an individual who has committed it foresaw the possibility of harmful consequences of his act, but without sufficient grounds thoughtlessly relied on preventing them or did not foresee the possibility of such consequences to occur, although with due care and prudence he must have and could have foreseen them.

4. The form of guilt when committing an administrative offence not associated with the occurrence of harmful consequences shall be established in relation to the individual’s attitude towards the unlawful act committed.

Article 2.4. Repeated and Cumulative Administrative Offences

1. “*Repeated administrative offences*” means the commission of two or more offences stipulated by the same Article of the Special Part of this Code or its part (where the Article consists of parts).

2. A repeated administrative offence is absent, provided that for a previously committed offense:

1) An individual was released from administrative liability on the grounds provided for by this Code;

2) The period after which an individual is considered not to have been subjected to an administrative penalty for an administrative offence committed has expired.

3. “*Cumulative administrative offences*” means the commission of two or more offences stipulated by different paragraphs or parts of an Article (where an Article consists of parts) of the Special Part of this Code for none of which an individual or a legal entity has been brought to administrative liability.

4. If an administrative offence is stipulated by various parts of an Article (Articles) or the Articles of the Special Part of this Code, where Articles consist of one part, of which one norm is general and the other one is special, then cumulative administrative offences are absent, and administrative liability shall arise in accordance with a special provision.

Article 2.5. Continuing Administrative Offence

“*Continuing administrative offence*” means an act provided for by this Code, associated with the subsequent long-term failure to fulfill the obligations assigned to an individual or a legal entity by a legislative act under the threat of an administrative penalty. A continuing administrative offence begins from the day the specified act is committed and ends as a result of the actions of an individual committing it, evidencing that he has ceased to continue an administrative offence, or upon the occurrence of events that prevent its further commission.

CHAPTER 4 ADMINISTRATIVE LIABILITY

Article 4.1. Administrative Liability and its Objectives

1. Administrative liability is expressed in the censure of an individual who has committed an administrative offence and the imposition of an administrative penalty on an individual who has committed an administrative offence, a legal entity subject to administrative liability.

2. Administrative liability aims to raise awareness of an individual who has committed an administrative offence, as well as prevent the commission of new offences both by a person who has committed it and other individuals or legal entities.

3. Administrative liability is destined to contribute to the re-establishment of social justice.

4. An individual who has committed an administrative offence or a legal entity subject to administrative liability shall be obliged to compensate for the damage caused by an administrative offence. The court, when considering an administrative offence case, shall have the right, in the absence of a dispute about compensation for property damage caused by an administrative offence, simultaneously with the imposition of an administrative penalty, to resolve the issue of compensation for such damage. Disputes regarding compensation for damage shall be resolved in civil proceedings.

SECTION III. PREVENTIVE MEASURES AND ADMINISTRATIVE PENALTIES

CHAPTER 6 CONCEPT AND TYPES OF ADMINISTRATIVE PENALTIES

Article 6.1. Concept of an Administrative Penalty

An administrative penalty is a measure of administrative liability imposed on an individual who has committed an administrative offence and/or on a legal entity subject to administrative liability.

Article 6.2. Types of Administrative Penalties

1. Where administrative offences against individuals are committed, the following types of administrative penalties shall apply:

- 1) A fine;
- 2) Public works;
- 3) Administrative arrest;
- 4) Deprivation of the right to be involved in certain activities;
- 5) Deportation;
- 6) Confiscation;
- 7) Recovery of cost;
- 8) A ban on visiting physical culture and sports facilities.

2. Where administrative offences against legal entities are committed, the following types of administrative penalties shall apply:

- 1) A fine;
- 2) Deprivation of the right to be involved in certain activities;
- 3) Confiscation;
- 4) Recovery of cost.

3. Administrative penalties in the form of public works, administrative arrest, confiscation, recovery of cost, a ban on visiting physical culture and sports facilities shall be imposed only by the court, except for the case provided for in part 4 of this Article.

4. An administrative penalty in the form of administrative arrest for committing an administrative offence provided for in Article 10.20 of this Code shall be imposed by the bodies of internal affairs.

Article 6.3. Major and Additional Administrative Penalties

1. A fine, public works and administrative arrest shall apply as a major administrative penalty.

2. Confiscation, collection of cost, a ban on visiting physical culture and sports facilities shall apply as an additional administrative penalty.

3. Deprivation of the right to be involved in certain activities, deportation may apply both as a major and an additional administrative penalty.

Article 6.4. Fine

1. “*Fine*” means a monetary penalty the amount of which is determined in Belarusian rubles, taking into account the base amount established on the day of the decision to impose an administrative penalty, and in cases stipulated by sanctions – as a percentage or a definite proportion of the cost of the subject of an administrative offence committed, the amount of damage, proceeds, a deal, a foreign trade transaction, income or monetary value of a business transaction, the difference between the actual proceeds gained from the realization of goods (works, services) and the estimated amount of proceeds from the realization of goods (works, services).

2. A minimum fine shall be imposed on:

- 1) An individual – cannot be less than one tenth of the base amount;
- 2) An individual entrepreneur – cannot be less than 2 base amounts; and for violation of the taxation procedure – less than one tenth of the base amount;
- 3) A legal entity – cannot be less than 5 base amounts; and for violation of the taxation procedure – less than one tenth of the base amount.

3. A maximum fine, calculated in base amounts, shall be imposed on:

1) An individual – cannot exceed 30 base amounts; and for offences encroaching on the rights and freedoms of a man and a citizen; offences in the field of finance, the securities market and banking, in the field of entrepreneurial activity, in the field of communications and information, against traffic safety and the operation of transport, as well as against taxation procedures, management procedures – 200 base amounts;

2) An individual entrepreneur – cannot exceed 200 base amounts; and for violations of labor legislation, offences in the field of finance, the securities market and banking, in the field of

entrepreneurial activity, as well as for offences against the taxation procedure, the management procedure – 500 base amounts;

3) A legal entity – cannot exceed 1000 base amounts.

4. A maximum fine, calculated as a percentage or definite proportion of the cost of the subject of an administrative offence, the amount of damage, proceeds, a deal, a foreign trade transaction, income or monetary value of a business transaction, the difference between the actual proceeds gained from the realization of goods (works, services) and the estimated value of proceeds from the realization of goods (works, services) cannot exceed twice the value (amount) of the relevant item, the amount of damage, proceeds, a deal, a foreign trade transaction, income or the monetary value of a business transaction, the difference between the actual proceeds gained from the realization of goods (works, services), and the estimated amount of proceeds from the realization of goods (works, services).

5. The amount of a fine imposed on an individual in accordance with Article 86 of the Criminal Code of the Republic of Belarus cannot be less than 5 and more than 30 base amounts.

6. When imposing a fine on an individual in the manner established by Article 10.3 of the Procedural and Executive Code of the Republic of Belarus on Administrative Offences, a lower limit of a fine stipulated for a committed offence shall apply, and if it is not established in the sanction – no more than five tenths of the base amount. In case of failure to pay such a fine within the established time limits, the applied amount of a fine shall increase by two base amounts. In this case, the provisions of Articles 7.7 and 7.8 of this Code shall not apply.

7. The provisions of part 6 of this Article shall not apply:

1) To an individual if the sanction stipulates public works, administrative arrest, deprivation of the right to be involved in certain activities or confiscation;

2) To an individual entrepreneur if the offence committed relates to the entrepreneurial activity carried out by him, while an individual entrepreneur is indicated in the sanction and the special condition stipulated by part 3 of Article 4.6 of this Code is met;

3) To a foreign citizen or a stateless person if the sanction provides for deportation, except for a foreign citizen or a stateless person who has arrived at the checkpoint across the State Border of the Republic of Belarus to leave the Republic of Belarus;

4) If a repeated administrative offence entails criminal liability;

5) In cases of offences entailing administrative liability upon request of a victim or his/her legal representative.

8. In cases provided for in parts 1 and 2 of Article 4.8 of this Code, an administrative penalty shall be imposed in the form of a fine applying its lower limit stipulated for the commission of a corresponding administrative offence, and if it is not established in the sanction, the amount of a fine imposed shall constitute five tenths of the base amount.

Article 6.5. Public Works

1. “*Public works*” means the performance by an individual, in his free time from his main job, service or study, of free work aimed at achieving socially useful goals.

2. Public works shall be established for a period of 8 to 60 hours and shall be carried out no more than four hours a day.

3. Public works may be imposed by a court if there is consent of an individual who has committed an administrative offence to applying them. However, they cannot be imposed on:

- 1) Persons who have reached the generally established retirement age;
- 2) Persons aged from fourteen to eighteen;
- 3) Pregnant women and persons on maternity leave;
- 4) Disabled people of groups I and II;
- 5) Foreign citizens and stateless persons not permanently residing in the Republic of Belarus;
- 6) Persons specified in Article 4.5 of this Code.

4. If one or more circumstances specified in part 3 of this Article arise during the performance of public works, the court, on a submission from the local executive and regulatory body, shall release an individual from the further execution of this penalty.

Article 6.6. Administrative Arrest

1. “*Administrative arrest*” means keeping an individual in the conditions of isolation in places determined in accordance with legislative acts, and shall be established for a period of up to 15 days; and for committing offences provided for in parts 3 and 4 of Article 24.23 of this Code – for a period of 15 to 30 days. The period of the administrative arrest of an individual shall include the period of administrative detention.

2. Administrative arrest cannot be imposed on:

- 1) Persons aged from fourteen to eighteen;
- 2) Pregnant women;
- 3) Disabled people of groups I and II;
- 4) Women and single men with dependent minor children;
- 5) Persons who have dependent disabled people of group I or who take care of elderly people who have reached the age of eighty;
- 6) Persons specified in Article 4.5 of this Code, as well as in Part 7 of Article 8.2 of the Procedural and Executive Code on Administrative Offences.

3. Where one or more circumstances stipulated by part 2 of this Article arise during the period of serving administrative arrest, the court or the body that issued the decision on an administrative offence case, upon suggestion of the head of the administration of the place where administrative arrest was served, shall release a person from the further execution of this penalty.

Article 6.7. Deprivation of the Right to Carry Out a Certain Type of Activity

1. Deprivation of the right to carry out a certain type of activity shall be imposed taking into account the nature of an administrative offence committed, associated with carrying out a certain type of activity, provided that retaining the right to carry out this type of activity is found impossible for a person.

2. Deprivation of the right to carry out a certain type of activity may be imposed on a person who does not have such a right, committed an administrative offence for which, in accordance with the sanction, an administrative penalty may be imposed in the form of deprivation of the right to carry out a certain type of activity.

3. Deprivation of the right to carry out a certain type of activity shall be established for a period of three months to five years, and deprivation of the right to carry out a type of activity for which a special permit (license) is required – from three months to one year.

4. Deprivation of the right to carry out activity related to driving vehicles cannot be applied to an individual who uses these vehicles due to a disability, except for the cases as follows:

1) Driving a vehicle while intoxicated or in a state caused by the consumption of narcotic drugs, psychotropic substances, their analogues, toxic or other intoxicating substances;

2) Refusal to undergo, in the established order, a test (examination) for the purpose of determination of the state of alcoholic intoxication or the state caused by the consumption of narcotic drugs, psychotropic substances, their analogues, toxic or other intoxicating substances, or the use of such drugs, substances, their analogues before passing the specified test (examination).

Article 6.8. Deportation

“Deportation” means administrative expulsion from the Republic of Belarus and shall apply to a foreign citizen and a stateless person.

Article 6.9. Confiscation

1. Confiscation shall consist in the forced gratuitous seizure and conversion into state property of the following:

1) Income, proceeds gained as a result of illegal activities;

2) The subject of an administrative offence, the instruments and means of committing it, which are owned (on the basis of the right of economic management, operational management) by a person who has committed an offence, and in cases provided for in sanctions – irrespective of whose ownership they are in.

2. In the case of sale (in the absence of elements of illegal business activity) by an individual, who is not an individual entrepreneur, of alcoholic beverages that are not marked, in the prescribed manner, with the excise stamps of the Republic of Belarus and/or special stamps, or alcoholic beverages of their own production, the confiscation of such alcoholic beverages that are not the subject of an administrative offence, belonging to a guilty person or which were in the place where an administrative offence was committed at the time of its commission, may apply.

3. Regardless of the imposition of an administrative penalty or release of a person from administrative liability, a special confiscation may apply, which includes the forced seizure without compensation into the state ownership of the following:

1) Things withdrawn from circulation;

2) Illegal gear for hunting and the catching of fish and other aquatic animals or lake and river fish and other aquatic animals trading in which was carried out in unauthorized places;

3) Illegal means of collecting mushrooms, other wild plants or their parts (fruits, berries, and seeds).

4. Goods that are the subject of an administrative customs offence acquired after its commission by a person who has not committed such an offence shall not be subject to confiscation, which were:

1) Placed under the customs procedure of release for domestic consumption in the manner established by the international treaties of the Republic of Belarus and legislative acts;

2) Acquired in the territory of the Republic of Belarus from an individual, who is not an individual entrepreneur, for personal, family, household consumption and other similar use not

related to business activities, provided that the acquirer did not know and could not know about the commission of an administrative offence;

3) Purchased at retail.

Article 6.10. Recovery of Cost

1. The recovery of cost shall consist in the forced seizure and transfer into the state ownership of a sum of money corresponding to the value of the subject of an administrative offence, the instruments and means of committing it.

2. The recovery of cost may apply if the sanction provides for confiscation of the subject of an administrative offence, instruments and means of committing it:

1) In the absence of property that is the subject of an administrative offence, an instrument or means of committing it;

2) If it is impossible or economically inexpedient to realize property that is the subject of an administrative offence, an instrument or means of committing it;

3) If the property that is the subject of an administrative offence, an instrument or means of its commission, is not owned (on the basis of the right of economic management, operational management) by a person who has committed the corresponding administrative offence.

Article 6.11. Ban on Visiting Physical Culture and Sports Facilities

1. A ban on visiting physical culture and sports facilities shall consist in a temporary ban on an individual from visiting physical culture and sports facilities during mass sporting events, sports competitions and shall be established for a period of three months to three years.

2. A ban on visiting physical culture and sports facilities may apply for the commission in the territory of a physical culture and sports facility during a sports event or a sports competition of administrative offences provided for in Articles 10.1, 17.6, 19.1, 19.3, 19.10-19.12, 24.3, and 24.23 of this Code if administrative arrest is stipulated for their commission.

SPECIAL PART

CHAPTER 16.

ADMINISTRATIVE OFFENCES AGAINST ECOLOGICAL SAFETY, THE ENVIRONMENT AND THE ORDER OF NATURE MANAGEMENT

Comment.

A person who has committed an administrative offence stipulated by this Chapter shall be released from administrative liability for such an administrative offence with a warning issued to him/her, provided the following terms are simultaneously met:

He or she has admitted the fact of committing an administrative offence by him/her and agreed to be released from administrative liability with the issuance of a warning;

Within one year prior to committing an administrative offence, no administrative penalty was imposed on a person and a person was not released from administrative liability with a warning for the similar administrative offence;

In the case of harm caused to the environment as a result of committing such an administrative offence, a person has voluntarily compensated for such harm before the announcement of the decision on the case of an administrative offence.

Article 16.1. Violation of Technical Requirements or Regulations in the Field of Environmental Protection

Violation of general requirements in the field of environmental protection established by the President of the Republic of Belarus, requirements of environmental norms and rules or regulations in the field of environmental protection shall entail a fine for up to 20 base amounts; for an individual entrepreneur – up to 50 base amounts; and for a legal entity – up to 100 base amounts.

Article 16.2. Violation of Environmental Safety Requirements

Violation of environmental safety requirements during the design, placement, construction, putting into operation, conservation, dismantling, demolition or exploitation of buildings, structures and other objects shall entail a fine for up to 30 base amounts; for an individual entrepreneur – up to 200 base amounts; and for a legal entity – up to 500 base amounts.

Article 16.3. Violation of the Procedure for the Implementation of Design Solutions of Planned Economic and Other Activities Subject to State Ecological Expertise

Implementation of design solutions of planned economic and other activities subject to state ecological expertise without a positive conclusion of state ecological expertise where the mandatory availability of such a conclusion is provided for by legislation, or failure to comply with the conditions of a conclusion of state ecological expertise shall entail a fine for up to 30 base amounts; for an individual entrepreneur – up to 100 base amounts; and for a legal entity – up to 500 base amounts.

Article 16.4. Violation of Safety Regulations during the Handling of Genetically Engineered Organisms, Biological or Chemical Substances

Violation of safety regulations for the production, storage, use, transportation, burial or other handling of genetically engineered organisms, biological or chemical substances shall entail a fine in the amount of 10 to 30 base amounts; for an individual entrepreneur – from 20 to 200 base amounts; and for a legal entity – from 50 to 1000 base amounts.

Article 16.5. Violation of Requirements for the Burial of Radioactive Waste, as Well as Other Waste, Products, Materials and Other Substances Contaminated with Radionuclides

Violation of requirements for the disposal of radioactive waste, as well as other waste, products, materials and other substances contaminated with radionuclides established by legislation on radiation safety and a legal regime for the territories of radioactive contamination shall entail a fine in the amount of 20 to 30 base amounts; for an individual entrepreneur – from 20 to 100 base amounts; and for a legal entity – from 20 to 500 base amounts.

Article 16.6. Violation of Legal Regime Requirements for the Territory of Radioactive Contamination

1. Violation of requirements for the use of radiation hazardous lands established by legislative acts on the legal regime for the territories of radioactive contamination shall entail a fine in the amount of 5 to 30 base amounts; for an individual entrepreneur – from 10 to 100 base amounts; and for a legal entity – from 10 to 500 base amounts.

2. Staying in the territory of radioactive contamination where a checkpoint regime has been established without an appropriate pass or carrying out activities in such territory without a permit from an authorized body; or the destruction, damage, transfer of radiation warning signs or devices marking or fencing the specified territory shall entail the imposition of a fine in the amount of 5 to 30 base amounts; for an individual entrepreneur – from 10 to 50 base amounts; and for a legal entity – up to 200 base amounts.

3. Removal from the territory of radioactive contamination where a checkpoint regime has been established possessions without an appropriate pass or the collection of wild plants or their parts in such territory shall entail a fine in the amount of 5 to 30 base amounts with confiscation of an administrative offence subject or without confiscation; for an individual entrepreneur – from 10 to 50 base amounts with confiscation of an administrative offence subject or without confiscation; and for a legal entity – up to 200 base amounts with confiscation of an administrative offence subject or without confiscation.

Article 16.7. Violation of Requirements in the Field of Quarantine and Plant Protection

Violation of requirements of the international treaties of the Republic of Belarus, international legal acts that constitute the Law of the Eurasian Economic Union in the field of quarantine and plant protection, legislation in this area shall entail a fine for up to 20 base amounts; for an individual entrepreneur – up to 50 base amounts; and for a legal entity – up to 100 base amounts.

Article 16.8. Violation of Requirements for the Protection and Use of Wild Animals and Wild Plants Belonging to Species Included in the Red Book of the Republic of Belarus, their Habitats

1. Unauthorized removal or destruction of wild animals belonging to species included in the Red Book of the Republic of Belarus, wild plants belonging to species included in the Red Book of the Republic of Belarus, and their parts shall entail a fine in the amount of 20 to 30 base amounts

with confiscation of tools and means of committing the specified violation or without confiscation; for an individual entrepreneur – from 20 to 150 base amounts with confiscation of tools and means of committing the specified violation or without confiscation; and for a legal entity – from 35 to 500 base amounts with confiscation of tools and means of committing the specified violation or without confiscation.

2. Violation of other requirements for the protection of wild animals and wild plants belonging to species included in the Red Book of the Republic of Belarus, or their habitats shall entail a fine in the amount of 10 to 30 base amounts.

Article 16.9. Violation of the Regime for the Protection and Use of Specially Protected Natural Areas and Separate Natural Areas Subject to Special Protection

Violation of a regime for the protection and use of specially protected natural areas and their protection zones, as well as violation of a regime for the protection and use of parks, squares and boulevards, natural swamps and their hydrological protection zones, typical and rare natural landscapes and biotopes shall entail a fine for up to 30 base amounts; for an individual entrepreneur – up to 100 base amounts; and for a legal entity – up to 500 base amounts.

Article 16.10. Violation of the Order of Land Use and Its Protection Requirements

1. Failure to use a land lot within the period established by legislative acts shall entail a fine for up to 10 base amounts; for an individual entrepreneur – up to 25 base amounts; and for a legal entity – up to 50 base amounts.

2. Violation of the procedure for removing, preserving and using the fertile layer of soil when carrying out works related to land disturbance, or violation of the procedure for the conservation of degraded agricultural lands, or failure to implement mandatory measures for the protection of a land lot from water, wind erosion or other destruction processes, or failure to comply with other requirements for land protection shall entail a fine for up to 20 base amounts; for an individual entrepreneur – up to 100 base amounts; and for a legal entity – up to 300 base amounts.

3. A non-targeted use of a provided land lot shall entail a fine from 2 to 10 base amounts; for an individual entrepreneur – from 5 to 25 base amounts; and for a legal entity – from 20 to 50 base amounts.

Article 16.11. Deterioration of Lands

Destruction of fertile soil, or failure to comply with the rules for land reclamation or contamination with chemical or radioactive substances, waste, wastewater, bacterial-parasitic harmful organisms, or other illegal damage to land shall entail a fine for up to 30 base amounts; for an individual entrepreneur – from 10 to 100 base amounts; and for a legal entity – from 20 to 500 base amounts.

Article 16.12. Unauthorized Deviation from Land Management Schemes or Projects

Unauthorized deviation from land management schemes or projects approved in accordance with the established procedure shall entail a fine in the amount of 5 to 30 base amounts; for an

individual entrepreneur – from 10 to 50 base amounts; and for a legal entity – up to 200 base amounts.

Article 16.13. Unauthorized Performance of Survey Works

Unauthorized performance of survey works shall entail a fine for up to 20 base amounts and for an individual entrepreneur – up to 50 base amounts.

Article 16.14. Violation of the Established Procedure for the Production of Topographic and Geodetic and Cartographic Works

1. Violation of the established procedure for the execution of topographic, geodetic and cartographic works, as well as the collection, record keeping, storage, dissemination or use of materials and data obtained as a result of such works, shall entail a fine for up to 20 base amounts.

2. Failure to submit, within the established period, copies of materials and data compiled as a result of topographic, geodetic and cartographic works to the State Cartographic and Geodetic Fund of the Republic of Belarus shall entail a fine in the amount of 20 to 30 base amounts.

Article 16.15. Violation of Requirements for the Protection and Rational Use of Bowels

1. Selective development of deposit sites leading to unreasonable losses of balance reserves of minerals or excess losses or excess dilution of minerals during their extraction, or other violations of the requirements for the rational use and protection of bowels shall entail a fine in the amount of 5 to 25 base amounts; for an individual entrepreneur – of 10 to 100 base amounts; and for a legal entity – up to 500 base amounts.

2. Violation of regulations on carrying out works on the geological study of bowels having led to an unreliable assessment of explored mineral reserves or conditions for the construction and operation of enterprises for the extraction of mineral resources, as well as underground structures not related to the extraction of mineral resources, or violation of other regulations on the geological study of bowels shall entail a fine in the amount of 5 to 20 base amounts; for an individual entrepreneur – up to 80 base amounts; and for a legal entity – up to 400 base amounts.

3. Acts stipulated by parts 1 and 2 of this Article committed repeatedly within one year after the imposition of an administrative penalty for the same violations shall entail a fine in the amount of 5 to 30 base amounts; for an individual entrepreneur – of 20 to 120 base amounts; and for a legal entity – up to 600 base amounts.

Article 16.16. Violation of Forest Utilization Regulations

1. Harvesting of resin, secondary forest resources, secondary forest utilization, forest utilization for research and development and educational purposes; forest utilization for the purposes of hosting cultural and recreational, tourist, other recreational or mass sporting, physical and fitness and sporting events without documents on the basis of which the right to forest utilization arises or in places where forest utilization is prohibited by legislation shall entail a fine for up to 15 base amounts; for an individual entrepreneur – up to 50 base amounts; and for a legal entity – up to 150 base amounts.

2. Violation of the procedure for the release of standing timber; carrying out logging, transportation of harvested timber; harvesting of resin shall entail a fine for up to 25 base amounts; for an individual entrepreneur – up to 50 base amounts; and for a legal entity – up to 100 base amounts.

3. Carrying out forest utilization in violation of requirements stipulated by documents on the basis of which the right to forest utilization arises shall entail a fine for up to 12 base amounts; for an individual entrepreneur – up to 50 base amounts; and for a legal entity – up to 100 base amounts.

4. Violation of the procedure for the inspection of logging sites or Forest Fund sites provided for the harvesting of resin shall entail a fine for up to 15 base amounts.

5. Violation of regulations on the allocation and taxation of logging sites shall entail a fine for up to 5 base amounts.

Article 16.17. Illegal Logging, Illegal Removal, Transplanting, Damage or Destruction of Tree and Shrub and Other Vegetation

1. Illegal logging or damage to the point of a cessation of growth or the destruction of tree and shrub vegetation in conservation, recreational, and protection forests shall entail a fine in the amount of 5 to 30 base amounts; for an individual entrepreneur – of 20 to 200 base amounts; and for a legal entity – from 50 to 300 base amounts.

2. The same acts committed in exploitable forests shall entail a fine for up to 20 base amounts; for an individual entrepreneur – of 10 to 150 base amounts; and for a legal entity – of 20 to 200 base amounts.

3. Illegal removal or transplantation of tree and shrub vegetation growing in settlements that do not constitute the Forest Fund, or damage to such vegetation or its destruction; or damage to or destruction of flower beds, lawns located in settlements shall entail a fine for up to 30 base amounts; for an individual entrepreneur – of 10 to 200 base amounts; and for a legal entity – of 20 to 300 base amounts.

4. Illegal removal, withdrawal, transplanting of tree and shrub vegetation growing outside settlement areas that do not constitute the Forest Fund, or damage to the point of a cessation of the growth of such vegetation or its destruction shall entail a fine for up to 20 base amounts; for an individual entrepreneur – from 5 to 50 base amounts; and for a legal entity – up to 100 base amounts.

Article 16.18. Violation of Reforestation and Afforestation Regulations

Violation of reforestation or afforestation deadlines, the procedure for inspecting Forest Fund sites for the purpose of assessing the quality of reforestation and afforestation, the procedure and requirements for entering forest plantations into the category of valuable forest plantations shall entail a fine for up to thirty base amounts.

Article 16.19. Violation of Regulations on Harvesting, Gathering or Purchasing of Mushrooms, Other Wild Plants or Their Parts

1. Gathering and harvesting of mushrooms, other wild plants or their parts (fruits, berries, seeds etc.), tree sap in the area where such harvesting or gathering is not allowed, or their harvesting

or gathering without an authorization document, where obtaining it is mandatory or not in accordance with it, shall entail a fine for up to 20 base amounts; for an individual entrepreneur – up to 100 base amounts; and for a legal entity – up to 500 base amounts.

2. Violation of established deadlines, the use of prohibited means or methods for gathering or harvesting of mushrooms, other wild plants or their parts, tree sap or any other violation of gathering and harvesting regulations shall entail a fine for up to 20 base amounts; for an individual entrepreneur – up to 100 base amounts; and for a legal entity – up to 500 base amounts.

3. Violation of regulations on the purchasing of mushrooms, other wild plants or their parts for commercial purposes shall entail a fine in the amount of 10 to 30 base amounts with confiscation of purchased wild plants or their parts or without confiscation; for an individual entrepreneur – of 10 to 100 base amounts with confiscation of purchased wild plants or their parts or without confiscation; and for a legal entity – up to 500 base amounts with confiscation of purchased wild plants or their parts or without confiscation.

Article 16.20. Illegal Collection and/or the Destruction of the Forest Floor, the Living Ground Cover, the Removal/Destruction of the Fertile Soil Layer

Illegal collection and/or destruction of the forest floor, the living ground cover, the removal/destruction of the fertile soil layer, including underlying rocks, on an area of more than three square meters, and when carrying out forestry and other activities in excess of established norms shall entail a fine for up to 20 base amounts.

Article 16.21. Violation of Fire Safety Requirements in Forests or on Peatlands

1. Violation of fire safety requirements, without inflicting damage, in forests or on peatlands or a ban on visiting them shall entail a fine for up to 12 base amounts.

2. Violation of fire safety requirements in forests or on peatlands resulting in the destruction of or damage to forests or peatlands shall entail a fine for up to 30 base amounts.

Article 16.22. Pollution of Forests and Other Tree and Shrub Vegetation

1. Pollution of forests with waste or wastewater or in any other way shall entail a fine for up to 10 base amounts; for an individual entrepreneur – up to 25 base amounts; and for a legal entity – up to 50 base amounts.

2. Pollution of tree and shrub vegetation, which is not part of the Forest Fund, with waste or wastewater or in any other way shall entail a fine for up to 10 base amounts; for an individual entrepreneur – up to 25 base amounts; and for a legal entity – up to 50 base amounts.

Article 16.23. Violation of Requirements for Legislation on the Safeguarding and Use of the Animal Kingdom

1. Illegal destruction of anthills, nests, burrows or other dwellings of wild animals; collection of eggs, larvae and pupae of ants, bird eggs or the capture of wild animals in distress shall entail a fine for up to 30 base amounts; for an individual entrepreneur – from 10 to 100 base amounts; and for a legal entity – from 20 to 500 base amounts.

2. Violation of requirements for keeping and/or breeding of wild animals in captivity, their transportation shall entail a fine for up to 20 base amounts; for an individual entrepreneur – up to 50 base amounts; and for a legal entity – up to 200 base amounts.

3. Violation of regulations on the capture of wild animals or requirements for the settlement (including resettlement), introduction, reintroduction, acclimatization, crossing of wild animals, as well as regulations on the capture, procurement and/or purchase of wild animals that do not belong to hunting and fishing objects shall entail a fine for up to 20 base amounts; for an individual entrepreneur – up to 50 base amounts; and for a legal entity – up to 500 base amounts.

4. Violation of regulations on the distribution and number of wild animals shall entail a fine for up to 20 base amounts; for an individual entrepreneur – up to 50 base amounts; and for a legal entity – up to 200 base amounts.

Article 16.24. Illegal Export from the Republic of Belarus or Import into It of Wild Animals or Wild Plants

Illegal export from the Republic of Belarus or import into it of wild animals, wild growing and other plants, their parts or derivatives the trade in which is regulated by the international treaties of the Republic of Belarus, or illegal export from the Republic of Belarus of wild animals, wild growing and other plants belonging to species included in the Red Book of the Republic of Belarus shall entail a fine in the amount of 20 to 30 base amounts with confiscation of an administrative offence subject or without confiscation; for an individual entrepreneur – of 20 to 200 base amounts with confiscation of an administrative offence subject or without confiscation; and for a legal entity – of 20 to 1000 base amounts with confiscation of an administrative offence subject or without confiscation.

Article 16.25. Violation of Regulations on Fishing and Fishery Management, the Catching of Other Aquatic Animals

1. The catching of fish or other aquatic animals without a corresponding permit, or during the prohibited time or periods, or in prohibited places, or using prohibited gear or prohibited methods, as well as an attempt of such catching shall entail a fine in the amount of 10 to 30 base amounts with confiscation of gear for fish or other aquatic animals and other items that were the gear or means of committing the given violation, or without confiscation; for an individual entrepreneur – from 20 to 100 base amounts with confiscation gear for fish or other aquatic animals and other items that were the gear or means of committing the given violation, or without confiscation; and for a legal entity – from 100 to 500 base amounts with confiscation of gear for fish or other aquatic animals and other items that were the gear or means of committing the given violation or without confiscation.

2. Violation of fishery and fishing regulations expressed in fishing exceeding the total number of hooks shall entail a fine for up to 30 base amounts.

3. Being in fishing grounds or in the adjacent territory at a distance of up to one kilometer from the waterline of fishing grounds with prohibited fishing gear or fish the catching of which is prohibited in the given area and at a given time or period, or the weight of which exceeds the established norms and without documents confirming the legal ownership of fish shall entail a fine in the amount of 5 to 30 base amounts.

4. Violation of fishery and fishing regulations, excluding committing violations stipulated by parts 1-3 of this Article, shall entail a fine for up to 10 base amounts; for an individual entrepreneur – up to 25 base amounts; and for a legal entity – up to 50 base amounts.

Article 16.26. Illegal Production, Acquisition, Storage or Sale of Gear for the Catching of Fish and Other Aquatic Animals

Illegal production, acquisition, storage or sale of gear for the catching of fish and other aquatic animals the principles of which are based on the use of an electromagnetic field, sound and other physical effects that affect them, as well as the illegal sale or storage of net materials, fishing nets, and other gear made of net materials shall entail the imposition of a fine in the amount of up to 30 base amounts with confiscation of an administrative offence subject or without confiscation; for an individual entrepreneur – up to 200 base amounts with confiscation of an administrative offence subject or without confiscation; and for a legal entity – up to 500 base amounts with confiscation of an administrative offence subject or without confiscation.

Comment.

A person who has voluntarily surrendered the items specified in this Article shall be exempt from administrative liability for the acts provided for in this Article.

Article 16.27. Violation of Regulations on Hunting and Game Husbandry Management

1. Hunting without a corresponding permit, or in prohibited places, or during prohibited time, or using prohibited weapons, or prohibited methods, or during prohibited periods shall entail a fine in the amount of 10 to 30 base amounts with confiscation of guns and other hunting weapons and other items that were weapons or means of committing the given violation, or without confiscation and with deprivation of the right to engage in certain activities; for an individual entrepreneur – of 50 to 200 base amounts with confiscation of guns, other hunting weapons and other items that were weapons or means of committing the given violation, or without confiscation; and for a legal entity – of 300 to 1000 base amounts with confiscation of guns, other hunting weapons and other items that were weapons or means of committing the given violation, or without confiscation.

2. Moving (transporting) or butchering of wild animals that, in accordance with legislative acts, belong to hunting objects, including perished ones or their parts, in cases prohibited by legislative acts on the safeguarding and use of the Animal Kingdom shall entail a fine in the amount of 20 to 30 base amounts; for an individual entrepreneur – of 30 to 200 base amounts; and for a legal entity – of 150 to 500 base amounts.

3. Violation of the planning procedure for the withdrawal of game animals of regulated species or the conditions for conducting hunting and game husbandry management established for a hunting zone or other unit of the on-farm division of the territory shall entail a fine for up to 20 base amounts; and for a legal entity – up to 300 base amounts.

4. Carrying, in hunting grounds during the hunting of game animals, non-standardized types of cartridges loaded with bullets or buckshot where carrying of such cartridges is prohibited, excluding the cases where the weapon is loaded with such cartridges, shall entail a fine in the amount of 3 to 15 base amounts.

5. Violation of hunting safety regulations or non-fulfillment or improper fulfillment by a person in charge of hunting of duties provided for by regulations on hunting and game husbandry management, or failure by a hunting participant to comply with the legal instructions of a person in charge of hunting shall entail a fine for up to 15 base amounts.

6. Acts stipulated by parts 4 and 5 of this Article, committed repeatedly within one year after the imposition of an administrative penalty for the same violations, shall entail a fine in the amount of 10 to 30 base amounts or deprivation of the right to engage in certain activities for a period of three months.

7. Violation of the procedure for correcting erroneous entries in a hunting voucher, a permit for the capture of a game animal and a hunting voucher to it, or the procedure for closing a permit for the capture of a game animal and the cancellation of coupons for the transportation of hunting products to such a permit that has not resulted in harm to the environment or damage to the user of hunting grounds shall entail a fine for up to 15 base amounts.

8. An action stipulated by part 7 of this Article, committed repeatedly within one year after the imposition of an administrative penalty for the same violation or resulting in harm to the environment or damage to the user of hunting grounds, shall entail a fine for up to 30 base amounts.

9. Hunting of individuals with no documents certifying their right to hunting, provided their availability is mandatory in accordance with legislation, as well as any other violation of regulations on hunting and game husbandry management, excluding the commission of violations provided for in parts 1-8 of this Article, shall entail a fine for up to 10 base amounts.

Article 16.28. Violation of Requirements in the Field of Veterinary Activities

Violation of veterinary (veterinary and sanitary) requirements and procedures established by the international treaties of the Republic of Belarus, international legal acts that constitute the Law of the Eurasian Economic Union, general requirements in the field of veterinary medicine established by the President of the Republic of Belarus; veterinary and sanitary, zootechnical, zoohygienic regulations; or import into the Republic of Belarus of goods subject to veterinary control (supervision) without an import permit for them in the case where such a permit is required in accordance with legislation shall entail a fine in the amount for up to 30 base amounts; for an individual entrepreneur and a legal entity – from 20 to 200 base amounts.

16.29. Abusive Handling of Animals or the Disposal of Animals

1. The abusive handling of animals (except for the torture of animals) that has not resulted in their death or injury shall entail a fine for up to 15 base amounts.

2. The disposal of animals shall entail a fine in the amount of 10 to 30 base amounts.

3. The abusive handling of animals expressed in the torture of animals or resulting in their death or injury shall entail a fine in the amount of 20 to 30 base amounts, or public works, or administrative arrest.

Comment.

1. In this Article, the abusive handling of animals means the torturing of animals, inflicting bodily harm on them, pitting animals against each other, other actions (inaction) resulting in harm to the health of animals, including injuries and mutilations, or death of animals (except for the cases

where animals are used in a scientific experiment or test, preclinical research in medicines, biological testing, an educational process, the production of biological products, other cases provided for by legislation), as well as violation of animal keeping conditions in accordance with zootechnical, zoohygienic and veterinary-sanitary regulations, which leads to the exhaustion of an animal's body.

2. In this Article, the torture of animals is understood as the deliberate infliction of prolonged pain or suffering through systematic beatings, cutting, suffocation, tying limbs and by other ways.

3. In this Article, the disposal of animals means the cessation of keeping of animals without transferring them to new owners or handing them over to a temporary holding facility for animals, an animal shelter; and also if, in the event of disappearance of registered dogs and cats, their owners have not filed a missing pet report to the organization dealing with the registration of dogs and cats.

Article 16.30. Violation of Animal Keeping Regulations

1. Violation of animal keeping regulation shall entail a fine in the amount of 1 to 15 base amounts.

2. The same violation resulting in harm to human health or property shall entail a fine in the amount of 10 to 30 base amounts, or public works, or an administrative arrest.

Article 16.31. Atmospheric Air Pollution

1. Atmospheric air pollution by way of entry of pollutants into the atmospheric air from emission sources in excess of established standards for permissible emissions and/or temporary standards for permissible emissions of pollutants into the atmosphere shall entail a fine for up to 20 base amounts; for an individual entrepreneur – up to 50 base amounts; and for a legal entity – up to 200 base amounts.

2. The release of pollutants into the atmospheric air without a permit of an authorized state body in cases where obtaining such a permit is mandatory, or violation of terms established in such a permit shall entail a fine in the amount of 2 to 15 base amounts; for an individual entrepreneur – up to 50 base amounts; and for a legal entity – up to 200 base amounts.

3. No inventory of pollutant emissions into the atmospheric air or the provision of unreliable information and/or unreliable data on the basis of which an inventory of pollutant emissions into the atmospheric air was carried out resulting in air pollution shall entail a fine for up to 10 base amounts; for an individual entrepreneur – up to 25 base amounts; and for a legal entity – up to 50 base amounts.

Article 16.32. Failure to Comply with Requirements for the Equipping of Gas Purifier Installations and Systems for Monitoring Pollutant Emissions into the Atmospheric Air

Failure to comply with requirements for equipping stationary sources of emissions with gas purifier installations and automated control systems for pollutant emissions into the atmospheric air, as well as violation of exploitation regulations for gas purifier installations shall entail a fine for up to 20 base amounts; for an individual entrepreneur – up to 50 base amounts; and for legal entity – up to 300 base amounts.

Article 16.33. Violation of Requirements in the Field of Atmospheric Air Protection When Pollutants are Emitted by Mobile Emission Sources

Violation of legislative acts' requirements in the field of atmospheric air protection during pollutant emissions into the atmospheric air by mobile emission sources shall entail a fine for up to 5 base amounts; for an individual entrepreneur – up to 25 base amounts, and for a legal entity – up to 50 base amounts.

Article 16.34. Pollution or Clogging of Waters

1. Pollution or clogging of surface or ground water shall entail a fine for up to 20 base amounts; for an individual entrepreneur – up to 100 base amounts; and for a legal entity – up to 500 base amounts.

2. Violation of a regime for carrying out economic and other activities in water protection zones or coastal strips shall entail a fine for up to 10 base amounts; for an individual entrepreneur – up to 25 base amounts; and for a legal entity – up to 50 base amounts.

Article 16.35. Violation of Water Utilization Regulations

1. Violation of the procedure for maintaining records of extracted groundwater, withdrawn surface water and wastewater discharged into the environment shall entail a fine for up to 20 base amounts; for an individual entrepreneur – up to 50 base amounts; and for a legal entity – up to 100 base amounts.

2. Violation of requirements during the construction, liquidation of surface water facilities and facilities that have an impact on water facilities, or the unauthorized performance of works at water facilities, including works on the construction of hydraulic structures and devices shall entail a fine for up to 30 base amounts; for an individual entrepreneur – up to 100 base amounts; and for a legal entity – up to 200 base amounts.

3. Violation of terms of special water use established in a permit for special water use, a complex environmental permit, or the nontarget use of water bodies shall entail a fine for up to 20 base amounts; for an individual entrepreneur – up to 50 base amounts; and for a legal entity – up to 200 base amounts.

4. Failure to comply with the regime for economic and other activities in the sanitary protection zones of drinking water supply sources of centralized drinking water supply systems, water supply structures, sanitary protection strips of water pipelines shall entail a fine for up to 30 base amounts; for an individual entrepreneur – up to 50 base amounts; and for a legal entity – up to 200 base amounts.

Article 16.36. Unauthorized Utilization of Natural Resources

1. Unauthorized occupation of a land lot shall entail a fine in the amount of 10 to 30 base amounts; for an individual entrepreneur – of 20 to 100 base amounts; and for a legal entity – of 50 to 300 base amounts.

2. The same act committed repeatedly within one year following the imposition of an administrative penalty for the same violation shall entail a fine in the amount of 20 to 30 base amounts; for an individual entrepreneur – of 50 to 120 base amounts; and for a legal entity – of 100 to 400 base amounts.

3. Unauthorized utilization of bowels or unauthorized utilization of water shall entail a fine in the amount of 4 to 30 base amounts; for an individual entrepreneur – up to 100 base amounts; and for a legal entity – up to 300 base amounts.

Article 16.37. Violation of Requirements for the Exploitation of Water Management and Reclamation Facilities, Hydraulic Structures and Devices

1. Violation of operating instructions for water management systems and separately located hydraulic structures and devices, as well as requirements for the operation of reclamation systems, hydraulic structures and devices shall entail a fine for up to 20 base amounts; for an individual entrepreneur – up to 70 base amounts; and for a legal entity – up to 200 base amounts.

2. The same act committed repeatedly within a year following the imposition of an administrative penalty for the same violation shall entail a fine for up to 30 base amounts; for an individual entrepreneur – up to 100 base amounts; and for a legal entity – up to 500 base amounts.

Article 16.38. Damage to Water Management Facilities, Hydraulic Structures and Devices or Unauthorized Connection to Drinking Water Supply or Sewerage Systems

1. Damage to water management systems, hydraulic structures and devices resulting in the pollution or clogging of water shall entail a fine from 10 to 30 base amounts.

2. Unauthorized connection to drinking water supply or sewerage systems shall entail a fine in the amount of 5 to 30 base amounts; for an individual entrepreneur – of 20 to 50 base amounts; and for a legal entity – up to 200 base amounts.

Article 16.39. Violation of Requirements in the Field of Seed Production

Violation of requirements of the international treaties of the Republic of Belarus, international legal acts that constitute the Law of the Eurasian Economic Union in the field of the production, storage, realization, transportation or use for sowing (planting) of seeds, legislation regulating relations in this sphere shall entail a fine for up to 30 base amounts.

Article 16.40. Illegal Burning of Dry Vegetation, Standing Grass as Well as Stubble and Crop Residues in Fields or Failure to Implement Measures for the Elimination of Agricultural Burning

Illegal burning of dry vegetation, standing grass, as well as stubble and crop residues in fields, or failure to implement measures for eliminating agricultural burning on land lots shall entail a fine from 10 to 30 base amounts.

Article 16.41. Making Fires in Prohibited Places

Making fires in prohibited places, excluding violations of fire safety requirements liability for which is stipulated by other Articles of the Special Part of this Code, shall entail a fine for up to 12 base amounts.

Article 16.42. Concealment, Deliberate Distortion and/or Untimely Transmission of Data on the State and Pollution of the Environment, on the Sources of Its Pollution; on the State of Natural Resources, on Their Utilization and Protection

1. The concealment, deliberate distortion and/or untimely transmission of data on the state and pollution of the environment, including emergency; on the sources of its pollution; on the state of natural resources, on their utilization and protection by a person obliged to provide such data shall entail a fine for up to 25 base amounts.

2. The same acts committed repeatedly within a year following the imposition of an administrative penalty for the same violations shall entail a fine for up to 30 base amounts.

Article 16.43. Violation of Legislation on the Ozone Layer Protection

Violation of legislation on the ozone layer protection shall entail a fine in the amount of 2 to 30 base amounts; for an individual entrepreneur – of 5 to 100 base amounts; and for a legal entity – up to 500 base amounts.

Article 16.44. Violation of Legislation on Waste Management

1. Failure to fulfill an obligation, established by legislation on waste management, for the collection, neutralization and/or use of the waste of goods and the waste of packaging shall entail the imposition of a fine on an individual entrepreneur or a legal entity for up to 100% of the fee for organizing the collection, neutralization and/or use of the waste of goods and the waste of packaging.

2. The burial of secondary material resources shall entail a fine of 5 to 30 base amounts; for an individual entrepreneur – of 50 to 200 base amounts; and for a legal entity – of 50 to 1000 base amounts.

3. Violation of other requirements of legislation on waste management shall entail a fine for up to 30 base amounts; for an individual entrepreneur – up to 100 base amounts; and for a legal entity – up to 1000 base amounts.

Comment.

1. The act provided for in Part 1 of this Article shall not be an administrative offence in the case of failure to fulfill a corresponding obligation due to the lack of funds (in their electronic money wallets) on current (settlement) bank accounts sufficient to execute a timely sent payment instruction (payment instructions) to the bank for the transfer of fees for organizing the collection, neutralization and/or use of the waste of goods and the waste of packaging in full, without subsequent recall.

2. The administrative penalty stipulated by Part 1 of this Article, in the case of the partial voluntary fulfillment of a corresponding obligation, shall be imposed according to regulations established by Article 7.7 of this Code in terms of the amount of a fee for organizing the collection, neutralization and/or use of the waste of goods and the waste of packaging for which such an obligation has been fulfilled.

Article 16.45. Violation of the Procedure for the Identification and Registration of Farm Animals (Herds)

Violation of the procedure for the identification and registration of farm animals (herds) shall entail a fine for up to 2 base amounts.