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**The restrictions imposed during the emergency situation on in-person gambling are compatible with the Constitution, while those imposed on interactive gambling are not**

On 11 December 2020, the Constitutional Court passed a judgment in case No 2020-26-0106 “On compliance of Section 8 and Section 9 of the Law ‘On measures for the prevention and suppression of threat to the state and its consequences due to the spread of Covid-19’ with Article 1, first sentence of Article 91, first sentence and third sentence of Article 105 of the Constitution of the Republic of Latvia, and on compliance of Section 9 of the Law with Article 49 of the Treaty on the Functioning of the European Union”.

**Contested Provisions**

Section 8 of the Law “On measures for the prevention and suppression of threat to the state and its consequences due to the spread of Covid-19” (hereinafter – the Covid-19 Law): “During the emergency situation connected with the spread of Covid-19 it is prohibited to organise gambling and lotteries, except for interactive gambling, numerical lotteries, and instant lotteries”.

Section 9 of the Covid-19 Law: “For the duration of operation of this Law the Lotteries and Gambling Supervisory Inspection shall suspend all the licences to operate gambling both in physical locations where gambling is organised (licence of a casino, license of a gambling hall, licence of a bingo hall) and in the interactive environment and (or) using the intermediation of electronic communications services”.

**Provisions of Superior Legal Force**

Article 1 of the *Satversme* of the Republic of Latvia (hereinafter – the Constitution): “Latvia is an independent democratic republic”.

Article 91 of the Constitution: “All human beings in Latvia shall be equal before the law and the courts. Human rights shall be realised without discrimination of any kind.”

Article 105 of the Constitution: “Everyone has the right to own property. Property shall not be used contrary to the interests of the public. Property rights may be restricted only in accordance with law. Expropriation of property for public purposes shall be allowed only in exceptional cases on the basis of a specific law and in return for fair compensation.”

Article 49 of the Treaty on the Functioning of the European Union: “Within the framework of the provisions set out below, restrictions on the freedom of establishment of nationals of a Member State in the territory of another Member State shall be prohibited. Such prohibition shall also apply to restrictions on the setting-up of agencies, branches or subsidiaries by nationals of any Member State established in the territory of any Member State.

Freedom of establishment shall include the right to take up and pursue activities as self-employed persons and to set up and manage undertakings, in particular companies or firms within the meaning of the second paragraph of Article 54, under the conditions laid down for its own nationals by the law of the country where such establishment is effected, subject to the provisions of the Chapter relating to capital.”

### **Facts of the Case**

The case was initiated on the basis of constitutional complaints filed by five merchants engaged in organising gambling (hereinafter – the Applicants). Four of the Applicants objected to the obligation, as contained in Section 9 of the Covid-19 Law, for the Lotteries and Gambling Supervisory Inspection (hereinafter – the Inspection) to suspend the licences

to organise gambling in the interactive environment and (or) using the intermediation of electronic communication services, while two of the Applicants, in addition to the above, also contested the restrictions on in-person gambling imposed by both Section 8 and Section 9 of the Covid-19 Law.

The Applicants noted that the contested provisions restricted the individual's right to property, which is enshrined in Article 105 of the Constitution and includes the right of an individual to engage in commercial activity under a licence. Allegedly, this restriction of fundamental rights had not been established by legal provisions adopted in the procedure set out in regulations, and the legislator had not carried out proper research in adopting them.

The restriction on interactive gambling was said to be incommensurate with its legitimate aim – to protect society from the spread of Covid-19 – as gambling in interactive environment is organised without any actual interaction between individuals. Likewise, the restriction was incommensurate with its other legitimate aim – to keep the public from unnecessary expenditure, as this restriction of fundamental rights was not appropriate for achieving the mentioned legitimate aim. As concerns the restrictions on in-person gambling, the Applicants agreed that the closure of gambling halls and other gathering places might be an appropriate way to contain the spread of Covid-19, however, the restriction was not appropriate for the aim of keeping the public from unnecessary spending.

Also, according to the Applicants, the legislator had not considered whether other, alternative means existed in the particular situation, which would allow to achieve the aims set by the legislator at the same or even higher quality level in respect of both interactive and in-person gambling. The restrictions were also said to be disproportionate, as it was impossible to ascertain that society would gain a significant benefit from the application of the contested provisions, while the heaviest possible restriction of the right to property had been imposed on the Applicants.

It was also alleged that both of the contested provisions violated the principles of legitimate expectations and good legislation enshrined in Article 1 of the Constitution. Furthermore, the contested provisions were said to be incongruent with the principle of equality as enshrined in the first sentence of Article 91 of the Constitution, inter alia because VAS „Latvijas Loto” had been allowed to continue its activities also during the emergency situation.

In the opinion of one of the Applicants, the contested provision also placed an unfounded and disproportionate restriction on the freedom of establishment contained in Article 49 of the Treaty on the Functioning of the European Union.

### **The Court’s Findings**

#### On continuing the legal proceedings:

The Constitutional Court concluded that the fact of the contested provisions having become void could not be held as sufficient grounds for terminating legal proceedings, as it had not resolved the dispute in the case and had not rectified the possible infringement of the individuals’ fundamental rights. Therefore, it was necessary to continue the legal proceedings. [8]

#### On the procedure of reviewing the compliance of the contested provisions with the provisions of superior legal force

#### *On the interconnectedness of the provisions*

The Constitutional Court found that the main distinction between the two contested provisions was that Section 9 of the Covid-19 Law concerned restrictions imposed on both the physical locations where gambling was organised (hereinafter – in-person gambling) and

interactive gambling, while Section 8 of the Law only applied to in-person gambling. Considering the mutual overlapping of the provisions, as well as the fact that both of them restricted in-person gambling, the Constitutional Court found that the contested provisions were closely interconnected, and their constitutionality was to be reviewed simultaneously. At the same time, the impact of the contested provisions on in-person gambling and on interactive gambling was also evaluated separately. [10]

*On the procedure of evaluating compliance of the contested provisions*

The Constitutional Court found that the rights provided for by Article 49 of the Treaty on the Functioning of the European Union had not been infringed in the case under review in respect of either of the Applicants. Hence, the legal proceedings in the case so far as it concerned the possible incompatibility of Section 9 of the Covid-19 Law with Article 49 of the Treaty on the Functioning of the European Union was terminated. [10.1]

The Constitutional Court concluded that the legal reasoning provided by the Applicants rested on the fact that the contested provisions were restricting their right to own property, as enshrined in the Constitution. Conversely, the Applicants' observations regarding the possible violation of the legitimate expectations principle were connected with their arguments regarding the restriction of fundamental rights enshrined in Article 105 of the Constitution. For this reason, the compatibility of the contested provisions with the principle of legitimate expectations contained in Article 1 of the Constitution was evaluated in conjunction with Article 105 of the Constitution. [10.2]

Further, after the compatibility of the contested provisions with Articles 1 and 105 of the Constitution was examined, it was possible, based on the conclusions drawn, to evaluate the compatibility of these provisions with the first sentence of Article 91 of the Constitution. [10.3]

On the content of Article 105 of the Constitution and on the restriction of the rights enshrined therein:

The Constitutional Court acknowledged that the Applicants' right under a licence to operate a particular type of business, organising in-person and/or interactive gambling, fell within the scope of Article 105 of the Constitution. [11.2]

The contested provisions imposed a prohibition on organising gambling and lotteries, except for interactive gambling, numerical and instant lotteries, and put the obligation on the Inspection to suspend all the licences to operate gambling both in the physical and electronic environment, which the Inspection fulfilled by Decision No 2020/0161 of 6 April 2020 "On the suspension of the licences to organise gambling". Thus, the contested provisions restricted the individuals' rights to operate a particular type of business, which those individuals had been operating under the licences issued. [11.2]

On the powers of the Cabinet and the *Saeima* during the emergency situation

The emergency situation is a special legal regime during which the Cabinet of Ministers is empowered to restrict the rights and freedoms of, as well as place additional responsibilities on, state administration and local government bodies, private individuals, and companies. If the emergency situation has been declared, the Cabinet is entitled, inter alia, to suspend fully or partially the fulfilment of obligations under international agreements. [14]

The Constitutional Court concluded that investing the government with the power to adopt legal provisions necessary for emergency management proceeded mainly from its capacity to act quickly and pass administrative enactments of a prognostic character, as well as from the connection the executive branch had with the area specialists who were able to assess the risks related to the emergency situation from the corresponding scientific viewpoint – in the particular case, that of epidemiology and infectiology. The Cabinet as an institution of

state power that has fewer members and is more unified in terms of ideas, in an urgent situation that cannot wait for the *Saeima* to pass the respective decisions through the legislative process, is vested with the authority to take certain steps that are normally within the *Saeima*'s competence. This practice corresponds to the principle of separation of powers. [14]

The said empowerment does not change the status of the parliament as a directly democratically legitimised legislator. The extra powers delegated to the executive branch expand its competence and its right to act if the necessity occurs, but it does not diminish the rights of the parliament. Within the framework, as determined by the Constitution, of the legislative branch of power, the *Saeima* can adopt a law on any subject. Should the parliament find that a particular matter in connection with the emergency situation can be resolved quickly and effectively enough by the parliament itself, it is entitled to adopt the necessary regulation also during the emergency situation. Furthermore, also during the emergency situation the parliament has the inalienable right to adopt provisions which are not directly related to the emergency situation, as well as provisions concerning the elimination of the consequences of the emergency situation. [14]

On using the right to derogate from observing the individuals' right to property as provided for by Article 1 of the First Protocol to the European Convention for the Protection of Human Rights and Fundamental Freedoms

The Constitutional Court acknowledged that during the emergency situation the state did not necessarily need to use the right to derogate from observing the rights provided for in the European Convention for the Protection of Human Rights and Fundamental Freedoms (hereinafter – the Convention) in order to restrict the rights of individuals. The state must evaluate whether particular rights should be restricted, and then – whether it will be able to achieve the aim in view by means of the restriction, or whether more powerful means are

needed. If the derogation has not taken place, Article 15 of the Convention is not at all applicable. [15]

The right to property was not included in the declaration of derogation from securing specific aspects of the rights and freedoms guaranteed by the Convention for the duration of the emergency situation in Latvia, as the state had resolved that the measures in respect of this right would fully meet the principles of individual assessment, i.e., the test of the fundamental rights restriction. Therefore, the contested provisions were to be evaluated as a restriction of fundamental rights imposed in an ordinary situation. [15]

#### On the process of adopting the contested provisions

The Constitutional Court noted that the contested provisions had been adopted during the emergency situation declared in the state and, as inter alia follows from the title of the law they were contained in, were related to the cause of the emergency situation, namely, the Covid-19 pandemic. If a significant and serious risk for the health and well-being of individuals exists, the state is obliged to take reasonable and appropriate measures to protect the individuals' fundamental rights already before the negative consequences have arisen. Further, in a situation which is unique and unclear, the legislator is entitled to make decisions that, firstly, are based on reasonable assumption and, secondly, are aimed at the protection of fundamental rights. Therefore, in cases when the legislator believes that the achievement of particular aims requires the quickest possible action, otherwise damage to the public interests will be caused, there is no necessity for the legislator to do such research about the threat of the respective damage or hold such debate on the prevention of the damage which would significantly delay the adoption and effectiveness of the decision. Whether or not the particular action was really necessary, can be made clear by finding out if the restriction has a legitimate aim and if it is proportionate. [16.1]



Thus, the lack of in-depth research and discussions, which would have significantly delayed the adoption and the effectiveness of the decision, in the course of adopting the contested provisions could not serve as a ground for recognising those provisions as being unlawful. [16.1]

On the legitimate aim of the restrictions

The Constitutional Court recognised the following as the legitimate aims of the fundamental rights restrictions imposed by the contested provisions: protection of other people's rights and of public welfare. [17]

On the appropriateness of the means chosen for the achievement of the legitimate aims

*With regard to in-person gambling*

A pre-requisite for the functioning of a democratic rule-of-law state is every individual person's ability to restrict their egoistic freedom and to act responsibly. In the conditions of the emergency situation related to the spread of the pandemic, it is to be expected that people will evaluate the necessity to visit certain places of entertainment and to socialise. However, in cases when an individual is prone to gambling addiction or is already addicted to gambling, that individual can no longer objectively evaluate his or her desire to visit a gambling hall and the consequences following from that desire, in other words, the risk exists that such an individual him/herself will not be able to make a responsible decision which, among other things, would correspond to the interests of public health. [19.2]

The Constitutional Court recognised that the restriction of fundamental rights imposed by the contested provisions denied access to gambling halls for individuals. By not being allowed to spend a long time indoors together with other people, the individuals were safeguarded from the risk of being infected with Covid-19-producing virus. In this way, not

only the health of gambling hall visitors themselves, but also the health of their contact persons and, consequently, of the whole society was protected. Moreover, by being thus kept from gambling, the individuals were also prevented from spending their funds on the respective entertainment. [19.2]

Therefore, this restriction was appropriate for achieving the legitimate aims – to protect the rights of other people and public welfare. [19.2]

*With regard to interactive gambling*

By means of the restriction on organising interactive gambling, individuals were denied access to interactive gambling, which essentially precluded the possibility of them spending their funds on the particular type of interactive entertainment. Therefore, this restriction, too, was appropriate for protecting the financial situation of individuals and, consequently, also for promoting public welfare. Also, by denying the individuals the possibility of spending time on interactive gambling websites, the contested provisions limited the tendency for the gambling addiction to grow, as well as reduced the annoyance that would be caused by the potential availability of the games. Thus, also the mental health of individuals, particularly those who had already had strong propensity for spending on gambling. [19.3]

On whether the restrictions of rights imposed by the contested provisions are necessary

*With regard to in-person gambling*

The Constitutional Court noted that, considering the spread of the corona virus SARS-CoV-2 and the associated disease Covid-19 registered at the time of adoption of the contested provisions both in the world and in Europe in particular, as well as the mode of transmission of the virus, which is through respiratory droplets that are expelled when a person speaks, coughs or sneezes, there could be no doubt that the closure of such places of gathering where individuals can easily come in close contact with other individuals had been one of the

necessary safety measures to protect both the health of the visitors of such places and the health of the whole society. It prevented the possibility of people infecting each other being in the same rooms, contacting with one another and using the same things. It also prevented the appearance of chains of infection which could have originated while people were travelling to or from places of entertainment, for example, in public transport. [20.2]

The Constitutional Court concluded that no such alternative means existed that would restrict the individual's fundamental rights to a lesser degree while allowing to achieve the legitimate aim of the restriction – to protect public health – at least at the same quality level. Essentially, the *Saeima* had joined in the earlier evaluation by the Cabinet about the lack of alternatives in respect of restrictions on other types of entertainment. [20.2]

The Constitutional Court found that the second legitimate aim of the restriction was achieved in a way that was connected with the first one. That is, it would be pointless to evaluate whether public welfare (the individual's financial situation) could be protected by less restrictive means if those means did not ensure proper protection of public health, which, in the pandemic-related emergency situation, had to be recognised as the primary legitimate aim. [20.2]

*With regard to interactive gambling*

As concerns the restriction on interactive gambling, the Constitutional Court agreed it was important to take into account the moment when the contested provisions had been adopted. Under the influence of the emergency situation, people's daily routine changed completely, which potentially caused their uncertainty as to how to plan their time and what to do in a day. Because of this, as well as in view of the stress caused by the pandemic and other pandemic-related factors, there was reason to believe that during that time people would look for a possibility to relax – among other things, by gambling. It was also possible that

during that time people would want to get extra income and consider the gain one can win in interactive gambling. [21]

However, even when the legislator's intention to impose restrictions based on the principle of precaution in order to prevent potential harm to the public or a part of it is sufficiently well-founded, the respective decisions must comply with the Constitution, that is, the means chosen must be necessary to the achievement of the legitimate aim, and, furthermore, there needs to be confidence that no alternative, less restrictive means exist which would allow to achieve the aim at the same quality level. The legislator must always observe the general principles of law, which are aimed at reducing damage to the fundamental rights, democracy, and the rule of law. [21.1]

The legitimate aims specified by the *Saeima* – to safeguard people against unnecessary expenditure and against the worsening of their financial situation, as well as to protect people's health – in the context of interactive gambling required the prevention of an extremely heavy impact, that is, of potentially uncontrollable amounts of expenditure on gambling. However, Section 9 of the Covid-19 Law prohibited any individual's access to any type of gambling regardless of the individual's psychological or financial state. [21.1]

When making decisions that will only affect him/herself, an individual has a right to make his/her choice based on the information available to him/her without direct interference by the state. In a democratic rule-of-law state, the individual's freedom of self-determination is of the highest value. This freedom includes any choice by the individual, no matter whether it is recognisable as valuable from the socio-ethical point of view or is just a manifestation of the individual's personal will, insofar as it does not threaten the rights of other people, the constitutional order, or other interests of significance to the public. The legislator must respect the individuals' freedom of choice and trust their ability to evaluate the consequences of this manifestation of freedom, which may even be potentially self-destructing action, as

long as those consequences only affect the individual him/herself. An individual must assume responsibility for the consequences of exercising his/her freedom. [21.1]

There is no reason for the general assumption that even the smallest amounts invested in a particular type of entertainment will lead to the worsening of the individuals' financial situation or cause harm to the welfare of the public. Such a conclusion can only be made when the lack of control, as well as disproportion between the individual's income and expenditure, can already be stated. The same refers to the individuals' health, namely, there is no reason to believe that, for example, a one-time or brief engagement in a gambling game could have such a negative impact on the individual's health that the state would need to interfere. [21.1]

Even during the emergency situation, the legislator must not adopt provisions that are unreasonably broad and also restrict the rights of those individuals to whom the legitimate aim of the regulation does not at all apply. In adopting a provision aimed at protecting individuals with gambling problems and their families, the legislator had no reason to simultaneously restrict all other people's right to choose where they wish to invest their funds and how they wish to spend their free time, as not all the residents needed the respective protection. [21.1]

The Constitutional Court found that, to achieve the legitimate aims specified by the *Saeima*, it had not been necessary to impose restrictions on the rights of the individuals who were not in the gambling addiction risk group in the form of a comprehensive prohibition. What could be regarded as alternatives to the means of achieving the legitimate aims are specific restrictions on the course of interactive gambling, with the body of such restrictions being directly aimed at limiting the time and money spent on the gambling websites, i.e., more specifically focused on the legitimate aims. In this way, interactive gambling would still be available to individuals who would like to use it only as a relaxing pastime, while the

respective time and financial restrictions would keep the individuals from becoming engrossed in it. [21.1]

As concerns the individuals who are already addicted to gambling, the important question is whether the legislator had evaluated the previously existing restrictions and possibilities – for example, reminders about the possibility to be entered in the register of individuals refraining from gambling and about the functioning of the register as such – to be able to substantiate that during the emergency situation such means could be insufficient for the protection of the individuals' rights. Nor had it been proved that the prohibition on organising legal interactive gambling was the most effective way to protect the individuals who were already addicted to gambling, and that those individuals would not move to illegal gambling sites where such individuals are especially exposed. The possibility to implement focused restrictions, for example, to cooperate with the Inspection and the organisers of interactive gambling to prohibit engaging in gambling to those individuals who already at the initial stage of the pandemic demonstrated a tendency towards addiction, had not been considered, either. [21.1]

The Constitutional Court found that, in adopting Section 9 of the Covid-19 Law, the *Saeima* had not at all considered alternatives to the restriction contained therein. While the lack of in-depth research was justifiable in the case of in-person gambling restrictions, because the speed of decision-making had a direct effect on the potential origination of the corona virus SARS-CoV-2 transmission chains, and the health and lives of people, as well as the stability of the health care system, were directly dependent on it, no reason for the same high level of urgency could be seen in respect of the prevention of psycho-emotional consequences of the pandemic, not least because they were to be expected sometime after the emergency situation was declared. [21.2]

Therefore, the Constitutional Court held that Section 9 of the Covid-19 Law, insofar as it set out the obligation of the Inspection to suspend the licences to organise gambling in

interactive environment and (or) using the intermediation of electronic communications services, did not comply with Article 1 of the Constitution in conjunction with the first and the third sentence of Article 105 of the Constitution. [21.2]

On the proportionality of the restriction on in-person gambling in a narrower sense

The Constitutional Court found that the restriction on in-person gambling imposed by the contested provision affected particular merchants, whereas the whole society benefited from it in multiple aspects, as the respective regulation had prevented the people from getting ill, and the health care system – from being overloaded. An additional gain for the public was that the visitors of gambling halls had been prevented from excessive expenditure. Therefore, the benefit gained by the public from the restriction on in-person gambling imposed by the contested provisions, in the circumstances when it was necessary to minimise contacts between people and thus protect public health, was greater than the negative consequences for the organisers of gambling games. [22.1]

The Applicants might have had legitimate expectations, arising from the licences issued to them, that they would be able to continue operating their business under the licences and the legal provisions regulating the gambling industry. It should, however, be taken into account that the contested provisions were adopted at the time of the emergency situation and were closely related to the need to contain the spread of the virus. The change of regulatory framework was necessary in the interests of the whole society. [22.2.1]

Every day of individuals being able to actively contact with each other in the places of entertainment, including gambling halls, would potentially increase the incidence of the disease. Including transitional provisions into the law, that is, postponing the coming into force of the restrictions to a later date would preclude the possibility to act quickly and effectively enough, as a potential threat to public health and individuals' rights would still exist during the transitional period. [22.2.2]

Even though no compensation for the restriction on gambling halls was envisaged directly, the Cabinet made provisions for the mechanisms to mitigate the consequences of the restrictions imposed during the emergency situation. Moreover, the restriction on in-person gambling activities was in force for less than three months. Considering that the spread of the Covid-19-producing virus and the effectiveness of its containment was a factor that was neither dependent on the legislator nor predictable in any way, it was permissible that no exact end date of the validity of the restrictions was set out in the law. Besides, the Applicants could resume their business activities in full after the end of the emergency situation. [22.2.3]

Hence, the Constitutional Court held that the restriction on in-person gambling complied with the principle of proportionality, and Sections 8 and 9 of the Covid-19 Law, insofar as they imposed a restriction on the operation of in-person gambling halls, had been compatible with Article 1 and the first and the third sentences of Article 105 of the Constitution. [22.2.3]

#### On the compatibility of the contested provisions with the principle of equality

If the contested provision has been found incompatible with at least one of the articles of the Constitution, this provision is to be recognised as being unlawful and void. Since Section 9 of the Covid-19 Law, insofar as it imposed restrictions on interactive gambling, was recognised as being incompatible with Article 1 of the Constitution in conjunction with the first and the third sentence of Article 105 of the Constitution, it was not necessary to review the compatibility of this provision with Article 91 of the Constitution. Still, the restriction on in-person gambling, that is, Sections 8 and 9 of the Covid-19 Law, insofar as they imposed restrictions on organising in-person gambling, were evaluated for compliance with the first sentence of Article 91 of the Constitution. [23]



The Constitutional Court concluded that in-person gambling (gaming machines, bingo halls, betting terminals), on the one hand, and lotteries and instant lotteries, on the other hand, were not cross-comparable, as there were several significant differences between these two types of games. Consequently, the organisers of those games were not in circumstances that would be cross-comparable according to certain criteria and could not be recognised as being comparable groups as understood by Article 91 of the Constitution. [24.1]

The other two groups specified by the Applicants – the organisers of gambling who ensure the operation of gambling halls, and other merchants – could not be recognised as cross-comparable groups in the meaning of Article 91 of the Constitution, either. Therefore, the restrictions on in-person gambling are compatible with the first sentence of Article 91 of the Constitution. [24.2]

On the moment when the contested regulation becomes void:

In deciding on the moment when the contested provision (act) becomes void, the Constitutional Court must take into account that its task is to remedy, to the extent possible, the infringement of the applicant's fundamental rights. To mitigate, to the extent possible, the adverse effects of the contested provision on the organisers of interactive gambling, it was necessary to recognise Section 9 of the Covid-19 Law, insofar as it sets out the obligation of the Inspection to suspend the licences to organise gambling in interactive environment and (or) using the intermediation of electronic communications services, as being void in respect of the organisers of interactive gambling as of the moment when the infringement of their fundamental rights occurred, namely, as of the adoption of the Inspection Decision No 2020/0161 of 6 April 2020 "On the suspension of the licences to organise gambling". [25]

**The Constitutional Court held:**

**1. to terminate legal proceedings in the case so far as it concerns compliance of Section 9 of the law “On measures for the prevention and suppression of threat to the state and its consequences due to the spread of Covid-19” with Article 49 of the Treaty on the Functioning of the European Union.**

**2. to recognise Section 8 and Section 9 of the law “On measures for the prevention and suppression of threat to the state and its consequences due to the spread of Covid-19”, insofar as they impose restrictions on in-person gambling, as being compatible with Article 1, the first sentence of Article 91 and the first and the third sentence of Article 105 of the Constitution.**

**3. to recognise Section 9 of the law “On measures for the prevention and suppression of threat to the state and its consequences due to the spread of Covid-19”, insofar as it sets out the obligation of the Inspection to suspend the licences to organise gambling in interactive environment and (or) using the intermediation of electronic communications services, as being incompatible with Article 1 of the Constitution in conjunction with the first sentence and the third sentence of Article 105 of the Constitution and void in respect of the organisers of interactive gambling as of the moment when the infringement of their fundamental rights occurred.**

The judgment of the Constitutional Court is final and not subject to appeal; the judgment will come into force on the day it is published. The judgment will be published in the official journal *Latvijas Vēstnesis* within the period stipulated by Section 33(1) of the Constitutional Court Law.

The text of the judgment is available on the website of the Constitutional Court: [https://www.satv.tiesa.gov.lv/wp-content/uploads/2020/05/2020-26-0106\\_Spriedums.pdf](https://www.satv.tiesa.gov.lv/wp-content/uploads/2020/05/2020-26-0106_Spriedums.pdf)

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**Zanda Meinarte**

Constitutional Court

Public Relations specialist

[Zanda.Meinarte@satv.tiesa.gov.lv](mailto:Zanda.Meinarte@satv.tiesa.gov.lv)

67830759, 26393803