

## EUFJE Conference 2015

### Protection of the environment through criminal law: the implementation and application of the Eco-crime Directive in the EU Member States

Bolzano, 30 and 31 October 2015

#### CZECH REPUBLIC

1/ *Who can be held criminally liable in your country?*

a/ **Natural persons only or natural as well as legal persons?**

Natural persons as well as legal persons [except for the Czech Republic (including the structural units of the states) and local self-governing units when executing public authority].

**In the latter case: does their criminal liability extent to all types of crimes or only to very specific crimes? Also: under which circumstances can they be held criminally liable? In particular: is there a precondition requiring a conviction or particular result of a criminal proceeding against a natural person? Are the hypotheses mentioned in art. 6.1 and 6.2 of the Eco-crime Directive covered?**

Criminal liability of legal persons covers only crimes listed in Art. 7 of the law no. 418/2011 Coll. on criminal liability of legal entities and proceedings against them. The law no. 418/2011 Coll. is *lex specialis* to the Criminal Code (hereinafter "CC") as *lex generalis*. In Art. 7 of the law no. 418/2011 Coll. are listed these environmental crimes (hypotheses mentioned in Art. 6.1 and 6.2 of the Eco-crime Directive are covered):

- damaging and threatening of environment (§ 293 CC),
- damaging and threatening of environment with negligence (§ 294 CC),
- damaging of water source (§ 294a CC),
- damaging of forest (§ 295 CC),
- unauthorized discharge of pollutants (§ 297 CC),
- unauthorized handling the waste (§ 298 CC),
- unauthorized production and other handling substances damaging the ozone layer (§ 298a CC),
- unauthorized handling protected wild fauna and flora (§ 299 CC),
- unauthorized handling protected wild fauna and flora with negligence (§ 300 CC),
- damaging of protected nature component (§ 301 CC).

Legal persons cannot be held criminally liable for these environmental crimes:

- cruelty to animals (§ 302 CC),
- dereliction of duty of care for animals with negligence (§ 303 CC),

- poaching (§ 304 CC),
- unauthorized production, possession and other handling pharmaceuticals and other substances that affect utility of livestock (§ 305 CC),
- spreading an infectious animal disease (§ 306 CC),
- spreading an infectious disease and pest of useful plants (§ 307 CC).

Article 8 of the law no. 418/2011 Coll.: a legal person commits a crime if the crime is committed on its behalf or in its name or within its activities and if it was committed by a governing body or its member or someone performing management or control activities in the legal entity or someone having a significant influence on the management of the legal entity (i.e. actual influence not arising from the legal status), but also by an employee in certain cases. A legal person may also be punished if no specific offender (natural person) is established.

#### **b/ What about persons inciting, aiding and abetting the actual perpetrators of a crime?**

According to Art. 110 and 111 of the Criminal Code the legal persons are held responsible also for inciting, aiding and abetting of the actual perpetrator of a crime, unless the individual provisions of the Criminal Code provide otherwise.

#### **2/ Are the Art. 3 offences criminal offences in your country?**

**Do you know about gaps in the transposition of Art. 3 of the directive (e.g.: not always serious negligence criminalized, one of the Art. 3 offences only partially transposed)?**

Criminal offences against environment and its components had been enacted in the Czech Criminal Code even before the transposition of the Eco-crime Directive. However, it was necessary to alter, eventually add current legal framework so it would be in compliance with the Eco-crime Directive. The Eco-crime Directive has been transposed by the Act no. 330/2011 Coll. This act came into force on 1<sup>st</sup> December 2011, thus after the expiry of the deadline for the transposition of the Eco-crime Directive (26<sup>th</sup> December 2010). All the offences listed in the Art. 3 of the Eco-crime Directive are criminal offences in the Czech Republic, but these are not exactly the same offences as in the Eco-crime Directive. For example the Czech Criminal Code states different criteria of liability. Specifically where the directive lays down “[causing] or (...) likely to cause death or serious injury to any person or **substantial damage** to the quality of air, the quality of soil or the quality of water, or to animals or plants”, the Czech Criminal Code in § 294 CC (damaging and threatening of environment with negligence) lays down: “Whoever ... with gross negligence injures or endangers soil, water, air or any other component of the environment, to a greater extent, or in a larger area, or in such a way that it could cause serious bodily injury or death or **if the elimination of the consequences of such behavior must incur costs to a considerable extent, ... shall be punished with imprisonment up to six months or with a judicial prohibition to undertake professional activities**”. As a result of this the Czech legislation is not necessarily fully consistent with the Eco-crime Directive. It doesn’t mean that the conduct of the perpetrator remains unpunished, however the perpetrator is mostly punished with an administrative sanction rather than with a criminal sanction.

The European Commission initiated the infringement procedure against the Czech Republic in autumn 2013 (EU PILOT no. 5627/13/JUST). During the proceedings it became clear that it is necessary to specify some offences against environment. Therefore the Czech legislator approved the law no. 165/2015 Coll. which

came into force on 1<sup>st</sup> September 2015. This law should transpose the Eco-crime Directive *properly*. Regarding the offences of unauthorized production and possession of radioactive substance and a highly dangerous substance (§ 281 CC)<sup>1</sup>, unauthorized production and possession of nuclear material and special fissionable material (§ 282 CC)<sup>2</sup> and unauthorized production and other handling substances damaging the ozone layer (§ 298a CC), the new law provides that it is not only possible to commit these offences intentionally, but also *with a gross negligence*. Article 298a CC does not require anymore committing the offence *in not a small extensity* because the Eco-crime Directive does not allow such a restriction.

### **3/ How were the Art. 3 offences implemented?**

#### **a/ Only in the criminal code, only as parts of environmental laws or combining both ways?**

The offences listed in Art. 3 have been embodied into 1) the Criminal Code, in its Art. 293 and following (sphere of criminal law) and 2) the law no. 200/1990 Coll. on the Administrative Infractions and special environmental laws, setting rules concerning specific segments of the environment, breaking of which is punished by the Criminal Code, include only administrative infractions and other administrative delicts (sphere of administrative law). The criminal regulation however prevails.

#### **b/ Did the legislator choose for a “copy paste” or not?**

Criminal offences against environment were enacted in the Czech Criminal Code even before the adoption of the Eco-crime Directive. Thus the Czech legislator, implementing the directive, altered eventually added legal framework so it would be in compliance with the directive (e.g. the ozone layer protection was added). The legislator chose for a “copy paste” regarding the untreated (new) offences or supplementation of existing offences. However, the offences against environment in the Czech Criminal Code are sorted differently comparing the Eco-crime Directive.

The offences against environment according the Czech Criminal Code are:

- damaging and threatening of environment (§ 293 CC),
- damaging and threatening of environment with negligence (§ 294 CC),
- damaging of water source (§ 294a CC),
- damaging of forest (§ 295 CC),
- unauthorized discharge of pollutants (§ 297 CC),
- unauthorized handling the waste (§ 298 CC),
- unauthorized production and other handling substances damaging the ozone layer (§ 298a CC),
- unauthorized handling protected wild fauna and flora (§ 299 CC),
- unauthorized handling protected wild fauna and flora with negligence (§ 300 CC),
- damaging of protected nature component (§ 301 CC).
- cruelty to animals (§ 302 CC),
- dereliction of duty of care for animals with negligence (§ 303 CC),

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<sup>1</sup> This offence is not regulated in the section of offences against environment in the Criminal Code, but in the section of generally dangerous offences.

<sup>2</sup> This offence is not regulated in the section of offences against environment in the Criminal Code, but in the section of generally dangerous offences.

- poaching (§ 304 CC),
- unauthorized production, possession and other handling pharmaceuticals and other substances that affect utility of livestock (§ 305 CC),
- spreading an infectious animal disease (§ 306 CC),
- spreading an infectious disease and pest of useful plants (§ 307 CC).

c/ All but one of the Art. 3 offences are defined by specific circumstances, notably specific results or risks of results that need to be fulfilled:

- Four conducts need to be considered a criminal offence if “[causing] or (..) *likely to cause death or serious injury to any person or substantial damage to the quality of air, the quality of soil or the quality of water, or to animals or plants*” (art. 3.a, 3b, 3.d and 3.e)
- Four other conducts need only to be considered a criminal offence when involving a *non-negligible quantity / a non-negligible impact* (art. 3.c, 3.f, 3.g) or causing a “*significant*” deterioration.

Are those requirements present in your law? Or were they dropped when the legislator implemented the directive?

Such requirements are maintained in Czech law, e.g. above mentioned provision protecting environment in general (Art. 294 CC) explicitly requires causing of *serious injury* or *death*. Another example is Art. 295 CC – “*who caused [...] serious damage to forest in general larger area of forest*”. Finally we can mention the Art. 298a CC which deals with those who (i.a.) commit the offence of “unauthorized production and other handling substances damaging the ozone layer” *to a great extent*.

In some cases the Czech legislator has not stucked strictly to the text of the directive. Where the directive lays down “[causing] or (..) *likely to cause death or serious injury to any person or substantial damage to the quality of air, the quality of soil or the quality of water, or to animals or plants*”, the Czech legislator (sometimes) uses a different formulation. An example can be seen in Art. 294 CC (damaging and threatening of environment with negligence): “*Whoever [...] with gross negligence injures or endangers soil, water, air or any other component of the environment, to a greater extent, or in a larger area, or in such a way that it could cause serious injury or death or if the elimination of the consequences of such behavior must incur costs to a considerable extent [...] shall be punished with imprisonment up to six months or with a judicial prohibition to undertake professional activities*”.

How do you feel as a judge about them? Would they hamper you when conducting a criminal case or could you rather easily cope with them?

These conditions are usually interpreted by the law itself or through the case law. Alternatively it is possible to use the case law of the administrative courts regarding the area of administrative offences which is richer (with the exception of cruelty to animals).

4/ *What about the availability of criminal sanctions to punish environmental offences?*

**a/ Do the principal criminal sanctions include fines as well as imprisonment? What are the legal minimum (if applicable in your national system) and maximum levels of fines and prison sentences? What impact does it have on sanction levels if the crime is committed by an organized criminal group?**

According to the Czech Criminal Code main penalties regarding environmental crimes represent imprisonment and judicial prohibition to undertake professional activities. Certain crimes could be also punished through forfeiture. Court may also impose (pecuniary) fine under the condition the perpetrator has obtained or at least tried to obtain for himself or somebody else property benefit by committing intentional environmental crime. If the condition is not fulfilled the pecuniary fine can be imposed only where provision of the CC explicitly say so. If perpetrator committed only minor offence (“*přechín*”) he can be sentenced also to house arrest or to community services.

In context of the **imprisonment sentence**<sup>3</sup> there is not always stated (by the CC) the minimum length of imprisonment however the maximum period is mentioned every time. Of course the length varies according to type of environmental crime. Generally there are basic and qualified facts of crime while the latter lead to longer periods of imprisonment (e.g. perpetrator commits certain crime repeatedly; he cause permanent or long-term damage to environment or somebody’s death; he commits crime as a part of organized group etc.).

Regarding the second abovementioned type of punishment – **judicial prohibition to undertake professional activities**<sup>4</sup> – the court can impose it from 1 up to 10 year under the condition that the crime was committed in connection with such activities. However as an individual punishment it may be imposed only A) if Criminal Code explicitly allows it in connection with committed crime and B) if according to type and seriousness of the crime and person of the perpetrator it is not necessary to impose other kind of punishment.

**Forfeiture**<sup>5</sup> is type of punishment which comes into question where the perpetrator obtains some kind of thing thanks to the committed crime or as reward for it. Court may impose it A) towards the thing that was used to commit the crime or which was intended to be used or B) towards the thing that the perpetrator obtained in exchange of the thing he had acquired through the crime or as a reward of it. However there is condition that value of the latter thing must not be negligible compared to “*exchanged thing*”. Of course there is also general condition for this type of punishment that is the thing must be owned by the perpetrator.

**Pecuniary fine**<sup>6</sup> is imposed in form of daily charges/penalties from 20 up to 730 charges. Daily charge is set from 100 CZK<sup>7</sup> to 50 000 CZK<sup>8</sup> at most. As an individual punishment it may be imposed if according to type and seriousness of the crime and person as well as property situation of the perpetrator it is not necessary to impose other kind of punishment.

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<sup>3</sup> Article 55 CC.

<sup>4</sup> Article 73 CC.

<sup>5</sup> Article 70 CC.

<sup>6</sup> Article 67 CC.

<sup>7</sup> Approximately 3,7 EUR (the exchange rate on 3<sup>rd</sup> September 2015 is about 27 CZK/EUR).

<sup>8</sup> Approximately 1 852 EUR (the exchange rate on 3<sup>rd</sup> September 2015 is about 27 CZK/EUR).

**House arrest**<sup>9</sup> can be imposed in length up to 2 years as a punishment for minor offence A) if it seems appropriate with character and seriousness of the minor offence as well as with person and property situation of the perpetrator and at the same time it is seemed to be sufficient punishment itself or perhaps as additional punishment next to another and B) the perpetrator gives written assurance that he will stay at specific address and will provide cooperation. Once again also house arrest may be imposed as an individual punishment only under the condition that there is no need to choose another kind of punishment.

Finally **community service**<sup>10</sup> is another punishment which is possible to impose in connection with minor offences. As an individual punishment it must meet abovementioned condition that it is appropriate to type and seriousness of the minor offence and person as well as property situation of the perpetrator so it is not necessary to impose other kind of punishment.

**b/ Is forfeiture of illegal benefits possible?**

Yes, some environmental crimes can be punished in such way. Specifically in these cases:

- unauthorized discharge of pollutants (§ 297 CC),
- unauthorized production and other handling substances damaging the ozone layer (§ 298a CC),
- unauthorized handling protected wild fauna and flora (§ 299 CC),
- unauthorized handling protected wild fauna and flora with negligence (§ 300 CC),
- damaging of protected nature component (§ 301 CC).
- cruelty to animals (§ 302 CC),
- dereliction of duty of care for animals with negligence (§ 303 CC),
- poaching (§ 304 CC),
- unauthorized production, possession and other handling pharmaceuticals and other substances that affect utility of livestock (§ 305 CC),
- spread of contagious animal diseases (§ 306 CC),
- spread of contagious diseases and pest of useful plants (§ 307 CC).

**c/ Can criminal judges also impose remedial sanctions, for instance order the removal of waste, the closure of an illegal facility?**

No, since it is up to administrative authority to impose (i.a.) remedial sanctions.

**5/ What about the actual use of criminal sanctions to punish environmental offences?**

**a/ Are environmental offences brought to criminal courts? Does this happen rather often or only exceptionally? What kind of cases reach the court?**

From the point of view of frequency regarding bringing the case to the criminal court we can say that most often it is the case of the offence of poaching; less commonly the offences of cruelty to animals, dereliction of duty of care for animals with negligence and damaging and threatening of environment; finally not so often

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<sup>9</sup> Article 60 CC.

<sup>10</sup> Article 62 CC.

there are offences of unauthorized handling protected wild fauna and flora and unauthorized handling the waste.

**b/ What are the penalties inflicted to convicted offenders?**

- i) **Is imprisonment used and, if yes, also without probation? If so, what is the length of the inflicted prison sentences? Please indicate to which category of offences under Article 3 your reply refers.**

In most cases the imprisonment is not used. If so, usually with probation.

- ii) **How high are the fines that are imposed in practice? Is forfeiture of illegal benefits used as an additional monetary sanction?**

The most often high of fines imposed for the offences against the environment is up to 15 000 CZK<sup>11</sup>. However, in some cases there were imposed higher fines for the offences against the environment<sup>12</sup>: e. g. 30 000 CZK<sup>13</sup> for the offence of poaching, 30 000 CZK<sup>14</sup> for the offence of dereliction of duty of care for animals with negligence, 50 000 CZK<sup>15</sup> for the offence of cruelty to animals, 90 000 CZK<sup>16</sup> for the offence of unauthorized handling protected wild fauna and flora, 60 000 CZK<sup>17</sup> for the offence of unauthorized handling the waste, 50 000 CZK<sup>18</sup> for the offence of damaging and threatening of environment.

Forfeiture of illegal benefits is usually used in these cases.

- iii) **Do criminal courts also impose remedial sanctions?**

No.

**c/ What is, to your opinion, the main reason why environmental offences would not reach a criminal court? Not enough inspections? Practical difficulties to prosecute environmental offences successfully (e.g. lack of training or specialization, lack of time, lack of financial resources, difficulties of proof, unclear criminal law) ? Is there a tradition to rather sanction such offences with administrative sanctions? Or are environmental rules simply not, or nearly not, enforced?**

***Please provide, if available, empirical data of summaries of interesting cases that illustrate your answer.***

The main reasons why environmental offences would not reach a criminal court are as follows:

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<sup>11</sup> Approximately 555,5 EUR (the exchange rate on 3<sup>rd</sup> September 2015 is about 27 CZK/EUR).

<sup>12</sup> The information was taken from the case-law database of the Czech courts of first instance.

<sup>13</sup> Approximately 1 111 EUR (the exchange rate on 3<sup>rd</sup> September 2015 is about 27 CZK/EUR).

<sup>14</sup> Approximately 1 111 EUR (the exchange rate on 3<sup>rd</sup> September 2015 is about 27 CZK/EUR).

<sup>15</sup> Approximately 1 852 EUR (the exchange rate on 3<sup>rd</sup> September 2015 is about 27 CZK/EUR).

<sup>16</sup> Approximately 3 333 EUR (the exchange rate on 3<sup>rd</sup> September 2015 is about 27 CZK/EUR).

<sup>17</sup> Approximately 2 222 EUR (the exchange rate on 3<sup>rd</sup> September 2015 is about 27 CZK/EUR).

<sup>18</sup> Approximately 1 852 EUR (the exchange rate on 3<sup>rd</sup> September 2015 is about 27 CZK/EUR).

- the proceeding ends by the Czech Environmental Inspectorate (the conduct is not regarded as a criminal offence),
- there is an unknown offender,
- insufficient qualification of investigative, prosecuting and adjudicating bodies, difficulty with proving causal relation etc.,
- favouring of other types of delinquency by the investigative, prosecuting and adjudicating bodies,
- the offender often commits more serious offence so the environmental offences are therefore „set aside“ or punished through the punishment for the more serious offence.

Generally we would not say that the conduct of the perpetrators remain unpunished, but it is rather penalized with administrative sanctions. There is – besides the environmental authorities – also important role of building departments consisting in preventing or avoiding of causing damage to the environment.

#### **6/ As to structure of prosecuting environmental crime**

**Are prosecution and/or court procedure for environmental crimes concentrated on specialized prosecution offices/ courts or specialized sections within prosecution offices/courts?**

In the Czech Republic neither prosecution offices nor courts have specialized sections regarding environmental crimes. Generally there are no specialized sections focusing on certain kind of crime.

#### **7/ What about the availability of administrative sanctions to punish environmental offences?**

**By ‘administrative sanction’ we mean sanctions imposed by an administrative body, an administration.**

#### **a/ Is it possible in your country to punish environmental offences by administrative fines?**

Breaching of the “environmental laws” can be punished through administrative fines within area of the administrative law. In the Czech Republic we distinguish “*přestupky*“ (administrative infractions) which are committed by natural persons, and there is personal liability; and so-called “*jiné správní delikty*” (other administrative delicts). These are committed by legal persons and by natural persons if they are conducting their business; liability is no-fault. The former are regulated at law. no 200/1990 Coll. on Administrative Infractions, as well as in special laws, e.g. law no. 114/1992 Coll. on Nature and Landscape Protection; law no. 254/2001 Coll. on Water; law no. 201/2012 Coll. on Air Pollution. So-called other administrative delicts are regulated just in special laws – e.g. law on Nature and Landscape Protection, law on Water; law on Air Pollution.

**If so,**

- could they be applied alongside criminal sanctions or only instead of them and at which point in the procedure has a decision to be made which “route” to follow;**

A given violation of law is always either an administrative infraction (eventually other administrative delict), or a crime, never both at the same time. It follows that every time only one type of proceedings

(administrative or criminal) can be conducted with respect to a determined violation of law, never both of them. The above mentioned relates to one subject, not to one conduct. It means that one person cannot be punished with both criminal and administrative sanction at the same time. However, regarding one conduct there can be punished e.g. an employer (legal person) with an administrative sanction and at the same time an employee (natural person) with a criminal sanction.

**ii) what are the legal minimum and maximum of those administrative fines;**

Individual laws formulate maximal limit of fine that can be imposed in relation to administrative infraction (“*přestupek*”) or other administrative delict (“*jiny správní delikt*”). The minimal limit is usually not given.

**iii) which are the administrative bodies who can inflict such fines?**

There are specific administrative authorities that perform supervision regarding environmental protection in certain areas. These are authorized to impose fines. For example, according to law no. 114/1992 Coll. on Nature and Landscape Protection, there are following administrative authorities who are authorized to impose fines: municipality with extended powers, natural person providing the protection of nature (so called “*stráž přírody*”) and the Czech Environmental Inspectorate.

**b/ Which administrations can impose remedial sanctions to end environmental offences and remediate to the damages they caused? And which are the remedial sanctions they can impose? Can they give remedial orders? Can they themselves clean-up the damages and oblige the offender to pay the bill? Can they order to stop an illegal conduct? Can they suspend permits until the cause of the pollution of offence was remediated? ...**

According to Art. 77, 77a and 80 of the law on Nature and Landscape Protection it is a local and regional authority as well as the Czech Environmental Inspectorate, which can order “*restitutio in integrum*” if it is possible and purposeful. If not then they may **order** to realize some *alternative remedial measures*. They can as well impose fines to subjects that would not follow such order/duty.

In some cases the law states that the environmental authority can remove damage and bind the offender to pay the bill. For example in Art. 41 Sec. 1 of the law on Water: the person who caused an accident is obliged to adopt immediate measures to eliminate the causes and consequences of the accident. The originator of the accident has to stick to the emergency plan or instructions of the water authority and the Czech Environmental Inspectorate.

Article 80 of the law on Nature and Landscape Protection states that the Czech Environmental Inspectorate can forbid or set restrictions on harmful activities until its defects and causes are removed.

In some cases the law provides that the administrative authorities can suspend permission until the cause of the pollution of offence was remediated. For example in Art. 22 Sec. 1 of the Law on Air Pollution: if the operator of stationary air pollution source fails to comply with the obligations settled down in this act or in the permission for the operating of stationary air pollution source, the Czech Environmental Inspectorate or local authority of municipality with extended powers are authorized to impose measures to remedy the

situation within a reasonable period. If the operator does not carry out such measures the Czech Environmental Inspectorate or local authority of municipality with extended powers are authorized to issue a decision to cease the operation of stationary air pollution source.

**8/ What about the actual use of administrative sanctions against environmental offences?**

**a/ Are environmental offences sanctioned by administrative authorities? Does this happen rather often or only exceptionally? In what kind of cases?**

**b/ What are the administrative sanctions that are used in practice? Is fining used? How high are the fines that are imposed in practice? Are remedial sanctions used frequently, are rather seldom? Are they effective?**

*Please provide, if available, empirical data of summaries of interesting cases that illustrate your answer.*

The most common administrative sanctions are fines. Administrative decisions of remedial nature are issued separately or together with the decisions on sanction. Seizure of biotic or abiotic specimens and termination or limitation of activity or operation are uttermost reaction of the administrative authorities to found breaching of law. This corresponds to share of such decisions out of total.

In **2014** the Czech Environmental Inspectorate imposed in total 2 948 fines (2781 fines came into force the same year). The total amount of imposed fines (in legal force) was 148 022 282 crowns<sup>19</sup>. The average amount of fine was 53 226 crowns<sup>20</sup>. In 2014 the Czech Environmental Inspectorate issued 21 decisions on the termination or limitation of activities, operations or their sections; 145 decisions on seizing of biotic or abiotic specimens; 339 decisions on remedial measures; 3 decisions on remedial measures to attain conformity with the emission limits; 2104 decisions on fees and advance payments for wastewater discharge and 4906 decisions on fees and advance payments for the collection of groundwater.

In **2013** the Czech Environmental Inspectorate imposed in total 2738 fines (2482 fines came into force the same year). The total amount of imposed fines was 167 298 180 crowns<sup>21</sup>. In 2013 the Czech Environmental Inspectorate issued 37 decisions on the termination or limitation of operations; 95 decisions on seizing of biotic or abiotic specimens and 321 decisions on remedial measures.

In **2012** the Czech Environmental Inspectorate imposed in total 2289 fines (2226 fines came into force the same year). The total amount of imposed fines was 98 390 038 crowns<sup>22</sup>. In 2012 the Czech Environmental Inspectorate issued 36 decisions on the termination or limitation of operations; 85 decisions on seizing of biotic or abiotic specimens and 366 decisions on remedial measures.

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<sup>19</sup> Approximately 5 482 307 EUR (the exchange rate on 3<sup>rd</sup> September 2015 was is about 27 CZK/EUR).

<sup>20</sup> Approximately 1 971 EUR (the exchange rate on 3<sup>rd</sup> September 2015 was about 27 CZK/EUR).

<sup>21</sup> Approximately 6 196 229 EUR (the exchange rate on 3<sup>rd</sup> September 2015 is about 27 CZK/EUR).

<sup>22</sup> Approximately 3 644 075 EUR (the exchange rate on 3<sup>rd</sup> September 2015 is about 27 CZK/EUR).

In **2011** the Czech Environmental Inspectorate imposed in total 2428 fines (2355 fines came into force the same year). The total amount of imposed fines was 109 081 069 crowns<sup>23</sup>. In 2011 the Czech Environmental Inspectorate issued 113 decisions on the termination or limitation of operations; 58 decisions on seizing of biotic or abiotic specimens and 413 decisions on remedial measures.

In **2010** the Czech Environmental Inspectorate imposed in total 2554 fines (2512 fines came into force the same year). The total amount of imposed fines was 141 820 843 crowns<sup>24</sup>. In 2010 the Czech Environmental Inspectorate issued 68 decisions on the termination or limitation of operations; 53 decisions on seizing of biotic or abiotic specimens and 340 decisions on remedial measures.

In **2009** the Czech Environmental Inspectorate imposed in total 2778 fines (2650 fines came into force the same year). The total amount of imposed fines was 164 165 643 crowns<sup>25</sup>. In 2009 the Czech Environmental Inspectorate issued 70 decisions on the termination or limitation of operation; 68 decisions on seizing of biotic or abiotic specimens and 406 decisions on remedial measures.

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<sup>23</sup> Approximately 4 040 040 EUR (the exchange rate on 3<sup>rd</sup> September 2015 is about 27 CZK/EUR).

<sup>24</sup> Approximately 5 252 624 EUR (the exchange rate on 3<sup>rd</sup> September 2015 is about 27 CZK/EUR).

<sup>25</sup> Approximately 6 080 209 EUR (the exchange rate on 3<sup>rd</sup> September 2015 is about 27 CZK/EUR).