

We hereby provide you with a comparison of measures taken in Lithuania, Latvia and Estonia in these extraordinary circumstances, none of us experienced before.

We are at your disposal to help you cope with the challenges during this difficult time because we care for you and your business.

Date & Updates 25 March 2020

Area / Country	Lithuania	Latvia	Estonia
<b>Special Regime and Duration</b>			
Type of regime	<p><b>Yes</b></p> <ul style="list-style-type: none"> <li>Quarantine</li> <li>From 16 March 2020 to 30 March 2020</li> <li>Quarantine extended for additional two weeks i.e. until 13 April 2020</li> </ul>	<p><b>No</b></p> <ul style="list-style-type: none"> <li>State of emergency</li> <li>From 12 March 2020 to 14 April 2020</li> </ul>	<p><b>No</b></p> <ul style="list-style-type: none"> <li>State of emergency</li> <li>From 12 March 2020 to 30 April 2020</li> <li>Restrictions on free movement and quarantine of certain groups of inhabitants have been gradually introduced</li> </ul>
<b>Special Economy Support Tools</b>			
Saving job positions and income	<p><b>Yes</b></p> <ul style="list-style-type: none"> <li>The Government allocated up to EUR 500 m in order to:</li> <li>Provide support for downtime and partial downtime</li> <li>Extend the provisions of the Social Security Program of Artists</li> <li>Provide sickness benefits to specific categories of persons affected by quarantine regime</li> <li>Provide support to self-employed persons</li> <li>Extend the deferral period for mortgage loan payments</li> </ul>	<p><b>Yes</b></p> <ul style="list-style-type: none"> <li>A working capital loan is issued as liquidity support for performers of economic activity, farmers, and fishermen affected by Covid-19</li> <li>Volume up to 1 million EUR, but the total loan shall not exceed at least one of the following criteria:               <ul style="list-style-type: none"> <li>25% of the turnover in 2019;</li> <li>double payroll expenses (including social contributions) in 2019 (planned for 2019 two years)</li> </ul> </li> <li>the amount of liquidity needed to run for the next 12 months</li> </ul>	<p><b>Yes</b></p> <p>The Government has allocated EUR 250 m to compensate salary losses (see below). In addition:</p> <ul style="list-style-type: none"> <li>for the period of March through May, the state will compensate also the first three days of sick leave</li> <li>self-employed entrepreneurs are entitled to an advance social tax support measure</li> <li>freelance artists, musicians and other creators are entitled to financial support (minimum salary and social security) for up to six months</li> </ul>

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Business liquidity maintenance	<ul style="list-style-type: none"> <li>Encourage municipalities to create opportunities for deferring or structuring of payments for utilities and heating in instalments</li> </ul> <p><b>Yes</b></p> <p>The Government designated up to EUR 0,5 billion in order to:</p> <ul style="list-style-type: none"> <li>Provide opportunity to conclude tax loan agreements</li> <li>Stop the recovery of tax arrears</li> <li>Exempt taxpayers from fines and penalties</li> <li>Create opportunity to defer or to structure PIM arrears in instalments</li> <li>Increase the limit of fund guarantees by EUR 500 m and broaden the guarantee provision</li> <li>Create opportunity for businesses to defer or structure in instalments the payments for electricity and natural gas</li> <li>Recommend to municipalities to exempt taxpayers from commercial real estate tax, land tax</li> </ul>	<ul style="list-style-type: none"> <li>Term 1 – 3 years</li> <li>Credit holidays up to 12 months</li> <li>Reduced collateral requirements</li> <li>Reduced % rate</li> <li>Issued by “Development Finance Institution Altum”.</li> </ul> <p><b>Yes</b></p> <ul style="list-style-type: none"> <li>Performers of economic activity that have encountered objective difficulties in making loan payments to banks due to COVID-19 are offered a credit guarantee that will allow the bank to defer payment of the principal</li> <li>Total funding available for guarantees is EUR 25 mio</li> <li>Available to performers of economic activity, farmers and the fisheries and aquaculture sector</li> <li>Guarantee is open to SMEs and large companies</li> <li>Amount of financial service covered by guarantee shall not exceed 25% of total turnover for 2019, but maximum amount of guarantee shall not exceed EUR 5 mio</li> <li>Guarantee covers up to 50% of the amount of financial service (the balance at the time guarantee is granted)</li> <li>Maturity up to 6 years for financial leasing and investment loan financial</li> </ul>	<p><b>Yes</b></p> <ul style="list-style-type: none"> <li>Loan collateral amounting to EUR 1 billion for bank loans already issued in order to allow for repayment schedule adjustments (maximum EUR 600 mio for surety collection)</li> <li>Support measures are being drawn up together with the KredEx Fund and the Tax and Customs Board</li> <li>Rural companies can apply to the Rural Development Foundation for guarantees (up to EUR 50 mio), business loans (up to EUR 100 mio) or land capital financing (up to EUR 50 mio)</li> <li>The State compensates for the direct costs of cultural and sporting events cancelled due to coronavirus in March-April, up to EUR 3 mio</li> </ul>

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Economy stimulation	<p><b>Yes</b></p> <p>The Government designated up to EUR 1 billion in order to:</p> <ul style="list-style-type: none"> <li>• Accelerate investment programs by fastening payments and increasing the intensity of funding</li> <li>• Reallocate EU investment funds to areas of health, employment and business</li> <li>• Accelerate use of state budget allocations for current expenses</li> <li>• Allow use of funds from the Climate Change Programme, the Road Maintenance and Development Programme;</li> <li>• Establish fund for mitigation of COVID-19 consequences</li> <li>• Determine supplementary state guarantee limit</li> <li>• Encourage the Bank of Lithuania to take regulatory measures in order to increase the lending potential of banks to EUR 2 billion</li> </ul>	<p>services, up to 3 years for working capital financial services</p> <ul style="list-style-type: none"> <li>• Guarantee premium of 0.5% per annum</li> <li>• Issued by "Development Finance Institution Altum"</li> </ul> <p><b>Yes</b></p> <p>Increased appropriation of EUR 100 mio is to be transferred to the reserve capital of Joint Stock Company "Development Finance Institution Altum" for financing the crisis guarantee program and financing of the crisis loan program</p>	<p><b>Yes</b></p> <ul style="list-style-type: none"> <li>• The planned package of measures will amount to at least EUR 2 billion. No additional economy stimulation measures have been announced yet.</li> <li>• The second package of economic measures is under preparation and is expected to be adopted in April with the supplementary budget. Cut of excise duties for energy products (electricity and fuel) is under consideration.</li> <li>• The details of how and according to which criteria the government loans and loan guarantees will be granted will be announced by the end of this week.</li> </ul>
Useful links	<p>Plan for economy stimulation and aid for business approved by the Government available at <a href="#">www</a> (in Lithuanian)</p>	<p>-</p>	<p>More information available at <a href="#">www</a>.</p>

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**Employment**

Downtime (idle time) regulation during special regime

**Yes**

- Special rule introduced due to downtime because of special regime
- Employee must be paid at least the minimum monthly wage (in case of full working time)
- Employee cannot be required to come to work
- Partial down time can be determined.

**Yes**

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**No**

- The suggested solution is to enable the employee to work remotely from home. If this is not possible, both sides must reach an alternative agreement. If the employee and the employer do not reach an agreement, the employer has to pay the employee an average earning. The employment law does not permit compulsory leave.

Remote work regulation during special regime

**Yes**

- Work has to be organized remotely, except for cases when it is necessary to perform job functions at the workplace physically
- Public services shall be provided remotely, except for functions, which must be performed at the workplace physically

**Yes**

- It is recommended to organise work remotely
- Public services are provided remotely

**Yes**

- If possible, employee should be allowed to work remotely
- Public services will be provided remotely, except for functions, which must be performed at the workplace physically

Subsidies to employers

**Yes**

- 90 per cent subsidy for salary payments for employers in sectors subject to governmental restrictions
- 60 per cent subsidy for salary payments for employers in other sectors
- Subsidy not exceeding EUR 607 gross
- Employer will have to maintain work place for at least 3 months

**No**

If employer of the sectors affected by the crisis does not employ the employee or is in idle, the remuneration of employee, which is up to 75 percent of the remuneration specified pursuant to the Labour Law, but not more than EUR 700 per calendar month, shall be compensated in accordance with the adopted procedures

**Yes**

The Government designated up to EUR 250 m in order to support employers who meet at least two of the following criteria:

- relevant month's revenue has dropped by more than 30 percent compared to 2019
- at least 30 percent of employees have no work, and

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Special regulation of sickness during special regime

**Yes**

- Employees infected with COVID-19 when performing their job functions will be paid with maximum amount of sickness allowance
- Employees having to take care of children are granted with allowance of 65.94 per cent of the salary
- Employees having to take care of disabled and elderly are granted with allowance of 65.94 per cent of the salary
- Employees with severe chronic disease are granted with allowance of 62.06 per cent of the salary
- Employees infected with COVID-19 while performing their professional duties are granted with allowance of 77.58 per cent of the salary

**Yes**

The sick leave B (paid by the state) will be issued in case of sickness with COVID-19 or in case of quarantine, and it shall be paid by the state starting from the second day of sickness

**Yes**

- at least 30 percent salary cut to at least 30 percent of employees has already been implemented.

In such case, for two months during the period from March till April 70 percent of salaries but not more than EUR 1 000 will be compensated provided that employer is paying the employee at least EUR 150 in addition plus all labour taxes.

- Due to the special regime, sick leave can be applied for online
- Special regulations regarding indemnification during sick leave have not been adopted

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**Taxes**

Facilitation of payment and other tools

**Yes**

Tax authority announced a list of taxpayers which will be subject to the following measures automatically against request:

- suspension of recovery of declared taxes;
- exemption from default interest payment;
- in case of conclusion of the tax loan agreement, interest will not be calculated against them.

Other taxpayers have to apply for the above measures.

**Yes**

- Tax payer of the sectors affected by the crisis will be entitled to apply for the tax payment extension
- Tax administration has the right to divide into periods or suspend the payment of tax arrears of up to 3 years
- For extended payment of tax arrears late payment charge will not be calculated

**Yes**

- Calculation of late penalty interest on tax arrears has been stopped retroactively as from 1 March 2020 until 1 May 2020
- Tax declarations must still be submitted on time
- Tax authority has committed to be flexible in debt proceedings and not to apply enforcement measures during the emergency situation period

Special rules for Corporate Income Tax

**Yes**

- Deadline for declaration of advance income tax prolonged for 2 weeks i.e. from 16 March until 30 March.
- Companies listed in the mentioned list of taxpayers are subject to the measures indicated in the section "Facilitation of payment and other tools"
- Companies have the right to change the method of payment of advance income tax once a year – from calculation based on the results of the previous year to the expected results

**No**

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**No**

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Special rules for Personal Income Tax

**Yes**

Persons are allowed to defer or structure the payment of tax arrears of calculated PIT

**Yes**

PIT payers who carry out economic activities may not perform PIT advance

**No**

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Special rules for Value Added Tax, social contributions and other payments	<p>according to the same order applicable to payments of tax arrears of other taxes</p> <p><b>Yes</b></p> <p>Companies listed in the abovementioned list of taxpayers are subject to the measures indicated in the section “Facilitation of payment and other tools”</p>	<p>payments in 2020 (late payment charge will not be calculated)</p> <p><b>Yes</b></p> <p>From 1 April to 31 December of this year, the tax administration shall reimburse the overpaid VAT (input tax) in 30 days – a shorter period of time than provided for in the current VAT Law</p>	<p><b>No and Yes</b></p> <ul style="list-style-type: none"> <li>• Advance social tax support measure: the amount of the advance payment of the social tax of self-employed persons for 1Q of 2020 will be transferred by the state to self-employed persons’ prepayment accounts with the Tax and Customs Board</li> <li>• If self-employed person has already paid social tax in advance, he may use the funds to cover any tax liability, either immediately or in the future, and may also claim it to be transferred to his bank account</li> </ul>
Tax holiday	<p><b>Yes</b></p> <ul style="list-style-type: none"> <li>• In case a taxpayer does not carry out its activities temporarily, it may be temporarily exempt from tax declaration or submission of other documents required by the laws</li> </ul>	<p><b>Yes</b></p> <ul style="list-style-type: none"> <li>• The tax payer of the sectors affected by the crisis will be entitled to apply for the tax payment extension</li> <li>• The tax administration has the right to divide into periods or suspend the payment of tax arrears of up to 3 years</li> <li>• For the extended payment of tax arrears late payment charge will not be calculated</li> </ul>	<p><b>No</b></p> <p>-</p>
Other measures	<p><b>Yes</b></p> <ul style="list-style-type: none"> <li>• Tax payer, which has tax debts that arose prior the quarantine regime and currently is unable to pay them, could</li> </ul>	<p><b>Yes</b></p> <ul style="list-style-type: none"> <li>• If a tax payer has tax debts that arose prior the quarantine regime, but is currently unable to pay them, it should</li> </ul>	<p><b>No</b></p> <p>-</p>

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Useful links	<p>request to conclude the tax loan agreement</p> <ul style="list-style-type: none"> <li>Schedule and terms of already concluded tax loan agreement may be changed upon request</li> </ul> <p>The abovementioned list of taxpayers is available at <a href="#">www</a>.</p>	<p>approach the tax authority in order to conclude the tax loan agreement</p> <ul style="list-style-type: none"> <li>Those who have already entered into tax loan agreement, may request a change to be made in the tax loan agreements' schedule and terms</li> <li>In 2020, municipalities have the right to determine later periods of payment of Immovable property tax</li> <li>Exemption of excise tax security in value of 100% for companies who are wishing to import spirit from a Member State and reduction of excise tax security in value of 90% for companies who are producing spirit.</li> <li>State/local government authorities, as well capital companies, shall, for the period of State of emergency, exempt merchants of the sectors affected by the crisis from the rental fee or decide on the reduction of the rental fee, and exclude interest and penalties for late payment, with the exception of money for services consumed – electricity, thermal energy, water supply and other property maintenance services.</li> </ul> <p>List of sectors affected by the crisis available at <a href="#">www</a>.</p>	<p>More information available at <a href="#">www</a>.</p>
<p><b>Contracts and Obligations</b></p> <p>Credit Vacation for business</p>	<p><b>Yes</b></p> <p>No special rules, but:</p> <ul style="list-style-type: none"> <li>The Bank of Lithuania urges creditors to offer credit repayment deferrals or</li> </ul>	<p><b>Yes</b></p> <p>Operating banks apply different rules, e.g. Swedbank announced that the companies and individuals will be able to apply for postponement of repayment of the basic</p>	<p><b>No</b></p> <p>Although there have been talks about credit vacations and some banks have announced the possibility to agree on</p>



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Credit Vacation for individuals	<p>mortgage holidays with no interest increases or reassessment of their creditworthiness on a case-by-case basis</p> <ul style="list-style-type: none"> <li>Swedbank: companies will be able to apply for credit vacation for up to 6 months (basic amount of credit) and for up to 12 months (property credit)</li> <li>Luminor: possibility to apply for credit vacation for up to 6 months</li> </ul> <p><b>Yes</b></p> <ul style="list-style-type: none"> <li>Debtor under credit agreement may request to defer credit payments if he/she or his/her spouse loses at least 1/3 of income.</li> <li>The creditor shall apply such deferral at least up to 3 months. During this time the borrower maintains the obligation to pay interest.</li> </ul>	<p>amount of credit for up to 6 months and in the case of property credit for up to 12 months of credit vacation.</p> <p><b>Yes</b></p> <p>Operating banks apply different rules, e.g. Swedbank announced that the companies and individuals will be able to apply for postponement of repayment of the basic amount of credit for up to 6 months and in the case of property credit for up to 12 months of credit vacation.</p>	<p>vacation, no credit vacations imposed by the Government have been announced</p> <p><b>No</b></p> <p>Although there have been talks about credit vacations and some banks have announced the possibility to agree on vacation, no credit vacations imposed by the Government have been announced.</p>
COVID-19 or Special Regime as Force Majeure	<p><b>Yes and No</b></p> <ul style="list-style-type: none"> <li>Might be used for liability for failure to perform in individual cases</li> <li>Temporary relief, unless the force majeure results in full inability to perform</li> <li>Other circumstances important to assess</li> </ul>	<p><b>Yes and No</b></p> <ul style="list-style-type: none"> <li>Might be used for liability for failure to perform in individual cases</li> <li>Temporary relief, unless the force majeure results in full inability to perform</li> <li>Other circumstances important to assess</li> </ul>	<p><b>Yes and No</b></p> <ul style="list-style-type: none"> <li>Might be used for liability for failure to perform in individual cases</li> <li>The cases can constitute a temporary relief, unless the force majeure results in full inability to perform</li> <li>Other circumstances must be assessed</li> </ul>
Change of Contract	<p><b>Yes and No</b></p> <ul style="list-style-type: none"> <li>If performance of the contract becomes unduly burdensome on one party only, the aggrieved party may ask the counterparty to amend the agreement</li> </ul>	<p><b>Yes and No</b></p> <ul style="list-style-type: none"> <li>If performance of the contract becomes unduly burdensome on one party only, the aggrieved party may ask the counterparty to amend the agreement</li> </ul>	<p><b>Yes and No</b></p> <ul style="list-style-type: none"> <li>If the circumstances under which a contract is entered into change after the entry into the contract and this results in a material change in the balance of the obligations of the parties due to</li> </ul>

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	<ul style="list-style-type: none"> <li>• A pre-requisite – certain circumstances have materially changed the balance of parties' contractual obligations</li> <li>• Each case is individual and it is necessary to evaluate the contract first</li> <li>• If the parties are not able to agree on amendment, the court may terminate the agreement and establish the termination date, terms and conditions</li> <li>• Each case depends on contractual provisions regarding termination</li> </ul>	<ul style="list-style-type: none"> <li>• A pre-requisite – certain circumstances have materially changed the balance of parties' contractual obligations</li> <li>• Each case is individual and it is necessary to evaluate the contract first</li> <li>• If the parties are not able to agree on amendment, they may turn to court, which may terminate the agreement and establish the termination date and terms and conditions, if it is foreseen by law or agreement</li> </ul>	<p>which the costs of one party for the performance of an obligation increase significantly or the value of that which is to be received from the other party under the contract decreases significantly, the injured party may demand amendment of the contract from the other party in order to restore the original balance of the obligations</p> <ul style="list-style-type: none"> <li>• Amendment of a contract may be demanded by one party only in specific cases provided by the law</li> </ul>
<p><b>Work of Authorities</b></p> <p>Remote Work</p>	<p><b>Yes</b></p> <ul style="list-style-type: none"> <li>• All institutions work remotely</li> <li>• Only actions / functions of necessity are performed</li> </ul>	<p><b>Yes</b></p> <ul style="list-style-type: none"> <li>• All institutions work remotely</li> <li>• Only actions / functions of necessity are performed</li> </ul>	<p><b>Yes and No</b></p> <ul style="list-style-type: none"> <li>• Some institutions work remotely, but the Government and the Parliament have continued to work in workspace</li> <li>• The courts continue their work in written proceedings or via videocalls</li> </ul>
<p><b>Liability</b></p> <p>Liability for employers</p>	<p><b>Yes</b></p> <ul style="list-style-type: none"> <li>• Failure to comply with the quarantine rules – administrative liability for the company executives or other responsible persons in the form of fine (for repeated ones – up to EUR 1 200)</li> <li>• Violation of health legislation or the rules for the control of infectious diseases, if this has caused the spread of the disease or epidemic – criminal liability in a form of fine or arrest or imprisonment of up to 3 years.</li> </ul>	<p><b>Yes</b></p> <ul style="list-style-type: none"> <li>• Administrative liability: (i) In the case of violation of the hygiene requirements a fine in an amount from EUR 140 and up to EUR 2 800 shall be imposed, and (ii) if an administrative act imposes a duty on the addressee to perform a specific action or refrain from a specific action and he or she fails to fulfil this duty, a pecuniary penalty may be imposed in amount from EUR 50 up to EUR 10 000.</li> <li>• Legal entity is also subject to such criminal liability.</li> </ul>	<p><b>Yes</b></p> <ul style="list-style-type: none"> <li>• Employers must ensure working corresponding to health and safety requirements. In the current state of emergency, this means that the employer shall provide hand washing facilities, disinfection products, gloves, ventilate rooms and avoid employee's direct contact with customers, if necessary</li> <li>• Violation of health and safety requirements is punishable by a fine if it has involved threat to the health or life of an employee</li> </ul>

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Liability for individuals	<ul style="list-style-type: none"> <li>Legal entity is also subject to such criminal liability.</li> </ul> <p><b>Yes</b></p> <ul style="list-style-type: none"> <li>Failure to comply with the quarantine rules – administrative liability in the form of a fine: from EUR 60 to EUR 140 (for repeated ones – up to EUR 600)</li> <li>Violation of health legislation or the rules for the control of infectious diseases, if this has caused the spread of the disease or epidemic – criminal liability in a form of fine or arrest or imprisonment of up to 3 years.</li> </ul>	<p><b>Yes</b></p> <ul style="list-style-type: none"> <li>Administrative liability: (i) In the case of violation of the hygiene requirements a fine in an amount from EUR 10 and up to EUR 700 shall be imposed, and (ii) if an administrative act imposes a duty on the addressee to perform a specific action or refrain from a specific action and he or she fails to fulfil this duty, a pecuniary penalty may be imposed in amount from EUR 50 up to EUR 5 000.</li> <li>Criminal liability: (i) for violation of sanitary hygienic and epidemiological safety provisions, if an epidemic is caused thereby - the deprivation of liberty for a period of up to 1 year, and (ii) for the violation of the restrictions or prohibitions specified during an emergency situation, if substantial harm has been caused thereby to the State power or administrative order, or to interests of a person protected by law - the deprivation of liberty for a period of up to 3 years</li> </ul>	<ul style="list-style-type: none"> <li>The amount of fine is up to EUR 1 200 for a natural person and up to EUR 32 000 for a legal entity</li> </ul> <p><b>Yes</b></p> <p>Failure to comply with the emergency situation rules – administrative fine of up to EUR 2 000 or enforcement of direct coercion.</p>
<p><b>Public Procurement</b></p> <p>Related regulatory changes</p>	<p><b>Yes</b></p> <p>As of 19 March 2020, the contracting authorities that organize public tenders are allowed:</p> <ul style="list-style-type: none"> <li>not to apply mandatory grounds for elimination of suppliers from public tenders and not to require suppliers to</li> </ul>	<p><b>Yes</b></p> <ul style="list-style-type: none"> <li>According to Government’s regulations “On the extension of Emergency Situation” it is allowed for certain state agencies and organizations not to apply public procurement law of acquisitions (goods and services)</li> </ul>	<p><b>Yes</b></p> <ul style="list-style-type: none"> <li>Current state of emergency provides grounds for using negotiated procedure without prior publication</li> <li>This procedure means that the contracting authority does not have to</li> </ul>

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	<p>submit documents proving non-existence of grounds for elimination thereof in cases when it is necessary to ensure the protection of public interest;</p> <ul style="list-style-type: none"> <li>• due to extreme urgency, to conclude public procurement contract without complying with tender procedure and content requirements, when the contracting authority organizes international tenders and has opted for negotiated procedure.</li> </ul>	<p>necessary for limiting the distribution of COVID-19 outbreak, medical treatment and organization of the relevant activities as well as for the remote learning process</p> <ul style="list-style-type: none"> <li>• Declared emergency situation constitutes the basis for the contracting parties to amend the procurement contract due to unforeseen circumstances</li> <li>• Contracting authority has the right to use the option for changes in the contract price of up to 10% (for goods and services) or up to 15% (for works) of the initial contract price</li> <li>• This also applies to public service contracts</li> </ul>	<p>publish the procurement. It is allowed to negotiate with potential tender(ers) and publish the conclusion of a contract afterwards in the public procurement register</p> <ul style="list-style-type: none"> <li>• The use of such procedure is only allowed for concluding contracts of services, goods and construction works which are necessary due to the emergency situation</li> </ul>
<p><b>EU funded projects</b></p> <p>Special measures</p>	<p><b>Yes</b></p> <p>Favourable conditions for companies executing projects financed from EU structural funds:</p> <ul style="list-style-type: none"> <li>• opportunity to receive an advance even if not provided under project agreement</li> <li>• maximum advance increased to 50%</li> <li>• advance up to EUR 10 000 does not require guarantee</li> <li>• shorter payment terms</li> </ul>	<p><b>No</b></p> <p>-</p>	<p><b>No</b></p> <p>-</p>

**N.B. Even in such extreme circumstances, assessment of each situation has to be individual.**

**Should you have any further questions or need law-savvy assistance, our lawyers in Estonia, Latvia and Lithuania are at your disposal.**

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