Regulations Regarding the Procedures by Which a Special Permit (Licence) for the Provision of Consumer Credit Services Shall Be Issued, Re-Registered, Suspended and Cancelled and the State Fee for the Issue and Re-Registration of a Special Permit (Licence) Shall Be Paid, as well as the Requirements for a Capital Company for the Receipt of a Special Permit (Licence)

Issued pursuant to Section 8, Paragraph 1.3 of the Consumer Rights Protection Law

I. General Provisions

1. This Regulation prescribes:
   1.1. the requirements to which a capital company shall comply with in order it could receive a special permit (licence) for the provision of consumer credit services (hereinafter – special permit (licence));
   1.2. the procedures by which a special permit (licence) shall be issued to a capital company;
   1.3. the procedures by which a special permit (licence) issued to a capital company shall be re-registered;
   1.4. the procedures by which the operation of a special permit (licence) shall be suspended and a special permit (licence) shall be cancelled; and
   1.5. the procedures by which the State fee shall be paid for the issuing and re-registration of a special permit (licence) and the amount thereof.

2. The Consumer Rights Protection Centre shall issue a special permit (licence) to a capital company.

3. A special permit (licence) shall be issued for one year. The period of validity of a special permit (licence) shall be counted from the day of the coming into effect of the special permit (licence).
4. A capital company shall display the special permit (licence) or a copy thereof in a location of provision of credit services in a place visible to the consumer. If a capital company provides a credit service as a public information service, an electronic copy of the special permit (licence) shall be published on the Internet homepage of the capital company visibly, directly and permanently.

5. Within three working days following the coming into effect of a special permit (licence), the Consumer Rights Protection Centre shall place information on its website regarding capital companies which have received a special permit (licence) or performed the re-registration of a special permit (licence), indicating information regarding the credit types and the locations of the provision of services. Within three working days following the taking of the respective decision, the Consumer Rights Protection Centre shall place information on its website regarding the suspension and cancellation of special permits (licences) issued to capital companies. In the case referred to in Paragraph 27 of this Regulation the Consumer Rights Protection Centre, where necessary, shall without delay, but not later than within three working days following completion of inspecting the information submitted, shall update the information published on its website regarding capital companies.

6. The Consumer Rights Protection Centre has the right to request and receive information from a capital company, as well as to perform the necessary inspections, including at the location of provision of services in order to ascertain the compliance of the capital company and the activities thereof with the requirements of this Regulation.

7. Prior to the taking of a decision to issue, re-register, suspend or cancel a special permit (licence) the Consumer Rights Protection Centre is entitled to provide instructions to a capital company regarding the operations it shall perform in order to ensure the conformity of the capital company or the operations thereof with the requirements of this Regulation.

II. Requirements for the Receipt of a Special Permit (Licence) by a Capital Company

8. In order to receive a special permit (licence) a capital company shall conform to the following requirements:

   8.1. the capital company has been registered in accordance with the procedures laid down in the laws and regulations governing commercial activities;
   8.2. the capital company has a registered specialist for the processing of personal data or the protection of personal data in accordance with the laws and regulations regarding the protection of the personal data of a natural person;
   8.3. the capital company has developed the internal procedures for the provision of consumer credit services, which determine the granting of credit and the supervision of credit issued;
   8.4. the capital company has developed procedures by which the consumer's creditworthiness is evaluated in compliance with Section 8 of the Consumer Rights Protection Law, if this is necessary for the credit service indicated in the submission for a special permit (licence) in accordance with the Consumer Rights Protection Law;
   8.5. the capital company has developed procedures for the examination of consumer complaints, in order to ensure the examination of complaints received and the provision of a response within a reasonable time period.

9. The following capital companies may not receive a special permit (licence):

   9.1. [12 August 2014];
   9.2. those which have deferred taxes, duties or other mandatory payments to the State budget;
9.3. those who have been prohibited from performing commercial activities in the field of financial services;

9.4. those which have had an issued special licence (permit) cancelled in the last three years, except where the special permit (licence) has been cancelled upon request of the capital company in accordance with Sub-paragraph 42.2 of this Regulation;

9.5. those whose funds which are invested into the equity capital of the capital company have been acquired by unusual or suspicious transactions or the legal acquisition of these funds has not been proved by documents. A transaction which raises suspicions about money laundering or the financing of terrorism within the meaning of the Law On the Prevention of Money Laundering and Terrorism Financing or attempts at such operations or other criminal offences related to these shall be considered to be suspicious financial transactions. A transaction which complies with at least one of the following indications shall be considered to be an unusual transaction:

9.5.1. a transaction involving a person who is being held in suspicion of committing a terrorist act or participation therein and is included in one of the Cabinet recognised lists compiled by national or international organisations of persons being held on suspicion of involvement in terrorist activities;

9.5.2. a transaction involving cash in the amount of EUR 60 000 and more (except salary, pension and social benefit payments, credits and inter-bank settlements).

[8 October 2013]

10. The following may not be members of capital company councils (if such have been formed) and boards;

10.1. persons who have been criminally convicted for a deliberately committed criminal offence, except where the conviction has been extinguished;

10.2. persons whose rights to perform commercial activities in the field of financial services have been removed;

10.3. persons who have been members of a council (if such has been formed) or board of a capital company whose special licence (permit) has been cancelled in the last three years, except where the special permit (licence) has been cancelled by request of the capital company.

11. When taking a decision to issue a special permit (licence) the Consumer Rights Protection Centre shall evaluate the following information about a capital company, including information which has been received from other competent authorities:

11.1. administrative violations in commercial activities committed by a capital company, members of its council (if such has been formed) and board in the last year, in the field of the laws and regulations governing consumer rights or the protection of personal data, including violations for which administrative punishments have been applied, taking into account the regularity or significance of the abovementioned violation;

11.2. the implementation of a decision taken by the Consumer Rights Protection Centre which has come into effect for the protection of collective interests;

11.3. the activity or planned activity of the capital company in the provision of consumer credit services and the compliance of the activities with the requirements of the laws and regulations governing the protection of consumer rights;

11.4. the execution of the undertaking in writing specified in the laws and regulations in the field of the protection of consumer rights to rectify the violations committed within a specified time period.

III. Issue of a Special Permit (Licence)

12. A capital company shall file a submission for the receipt of a special permit (licence) drawn up and signed in compliance with Annex 1 to this Regulation. The following documents
prepared in conformity with the laws and regulations regarding the development and drawing up of documents shall be appended to the submission:

12.1. a statement regarding criminal and administrative punishments which has been issued by an authority of the country of the permanent place of residence of a person, which maintains information regarding punishments in accordance with the laws of the respective country, if the member of the council (if such has been formed) or board of the capital company is a foreign national. The statement must have been issued not earlier than six months prior to the day of the filing of a submission for the receipt of a special permit (licence);

12.2. the authorisation of an authorised representative, if an authorised representative is filing the submission;

12.3. a document certifying payment of the State fee referred to in this Regulation;

12.4. the information referred to in Sub-paragraph 13.1.2 of this Regulation from the relevant State tax administration authority or competent authority if any of the founders of the capital company is a non-resident;

12.5. a statement certified by the relevant State tax administration authority or competent authority that the capital company has no deferred taxes, duties or other mandatory payments to the State budget, if a foreign capital company is filing the submission.

[20 September 2011]

12. The documents of foreign natural persons and legal persons shall be legalised unless different procedures are laid down in the laws of the Republic of Latvia or in international agreements approved by the Saeima of the Republic of Latvia. If a document is in a foreign language it shall require a translation into Latvian or into a language used in the field of international finances.

[19 July 2011]

13. In order to prepare documents for the taking of a decision to issue a special permit (licence) the Consumer Rights Protection Centre, where necessary, shall obtain the following information in accordance with the procedures laid down in the laws and regulations governing administrative procedures:

13.1. from the State Revenue Service:

13.1.1. information regarding deferred taxes, duties or other mandatory payments to the State budget;

13.1.2. information which has been submitted in accordance with the requirements laid down in the laws and regulations regarding the income of the founders of the capital company in the previous tax year and in the current year (from the start of the year), which have paid the equity capital of the capital company;

13.2. from the Register of Enterprises – information in its current wording regarding the capital company and the members of its board or council (if such has been formed);

13.3. information from the Register of Punishments maintained by the Information Centre of the Ministry of Interior (hereinafter – the Register of Punishments) regarding the criminal and administrative punishments of capital companies and the members of its council (if such has been formed) and its board;

13.4. information from the Registers of Personal Data Processing and Personal Data Protection of the Data State Inspectorate;

13.5. other information from the authorities referred to in this Paragraph or other authorities, which is necessary in order to evaluate the information referred to in Sub-paragraph 11.1 of this Regulation.

[19 July 2011]

14. A capital company itself has the right to submit the documents referred to in Sub-paragraphs 13.1, 13.2 and 13.4 of this Regulation, as well as the documents referred to in Sub-paragraph
13.3 of this Regulation in respect of the criminal and administrative punishments of the capital company.

15. If the submission referred to in Paragraph 12 of this Regulation is submitted in the form of an electronic document, the capital company shall certify the submission and the electronic copies of documents appended thereto by secure electronic signature and a time stamp in accordance with the laws and regulations regarding the drawing up of electronic documents, as well as indicating whether it wishes to receive the special permit (licence) in the form of an electronic document.

16. If not all the documents referred to in this Regulation are appended to the submission or if the information indicated therein is incomplete or inaccurate, or if the documents have not been drawn up in compliance with the requirements laid down in laws and regulations, or if additional information is necessary for the taking of the decision referred to in Paragraph 19 of this Regulation, the Consumer Rights Protection Centre shall inform the capital company thereof in writing, indicating the deadline by which the capital company shall submit the relevant documents or information, and extend the deadline accordingly for the taking of a decision to issue a special permit (licence) or to refuse to issue a special permit (licence).

17. According to the information at its disposal the Consumer Rights Protection Centre shall take a decision to refuse to issue a special permit (licence), if:
   17.1. the capital company, the members of its council (if such has been formed) or board do not conform to the requirements referred to in Paragraphs 8, 9 and 10 of this Regulation;
   17.2. the capital company does not submit the documents referred to in Paragraph 12 of this Regulation or other information necessary for the taking of a decision within the deadline indicated in Paragraph 16 of this Regulation;
   17.3. when evaluating the information referred to in Paragraph 11 of this Regulation, the Consumer Rights Protection Centre establishes that the capital company is not ensuring compliance of its activities with the requirements laid down in laws and regulations.

18. According to the information at its disposal the Consumer Rights Protection Centre shall take a decision to refuse to issue a special permit (licence), if:
   18.1. the capital company has provided false information;
   18.2. the documents submitted by a capital company for the receipt of a special permit (licence) or the information indicated therein does not comply with the requirements laid down in laws and regulations;
   18.3. the capital company has not fulfilled the instructions of the Consumer Rights Protection Centre referred to in Paragraph 7 of this Regulation regarding the activities to be performed by a capital company in order to ensure the compliance of the capital company or the activities thereof with the requirements of this Regulation.

19. The Consumer Rights Protection Centre shall take a decision to issue a special permit (licence) or to refuse to issue a special permit (licence) within one month from the day that all the information and documents referred to in Paragraph 12 of this Regulation is received.

20. Within three working days after taking of the decision referred to in Paragraph 19 of this Regulation, the Consumer Rights Protection Centre shall inform the capital company in writing thereof.

21. Following the taking of a decision to issue a special permit (licence) the Consumer Rights Protection Centre shall issue the example of the special permit (licence) specified (Annex 2). A
representative of the capital company shall confirm the receipt of the special permit (licence) with his or her signature.

22. In accordance with the procedures laid down in the laws and regulations governing the circulation of electronic documents the Consumer Rights Protection Centre may issue a special permit (licence) in the form of an electronic document, if the capital company has expressed such request.

23. A special permit (licence) shall come into effect on the day that the Consumer Rights Protection Centre has taken a decision to issue the special permit (licence) or on the date indicated in the special permit (licence). If a special permit (licence) is re-registered then it shall come into effect not before the next day following the expiry of the period of validity indicated in the previous special permit (licence).

24. If a special permit (licence) has been damaged, stolen or lost, within five working days following the determination of the abovementioned fact, the capital company shall inform the Consumer Rights Protection Centre thereof in writing, by filing a submission for the issue of a duplicate special permit (licence). Within five working days after receipt of the submission, the Consumer Rights Protection Centre shall issue a duplicate of the special permit (licence). Until the issue of the duplicate of a special permit (licence) a capital company is entitled to provide consumer credit services.

25. If information has changed during the period of operation of a special permit (licence) which is indicated in the special permit (licence) issued to a capital company (the name (firm) of the capital company or the legal address), within 10 days following the setting in of the respective changes, the capital company shall file a submission to the Consumer Rights Protection Centre regarding the necessary amendments to the special permit (licence) (Annex 3). Documents certifying the facts referred to therein shall be appended to the submission.

26. Within 15 days after receipt of the submission referred to in Paragraph 25 of this Regulation, the Consumer Rights Protection Centre shall take a decision to make amendments to the special permit (licence) or to refuse to make amendments to the special permit (licence). If additional information or the verification of information is necessary for the taking of a decision, the deadline may be extended by one month.

27. If changes to the information indicated in Paragraphs 2, 3 and 4 of Annex 1 to this Regulation take place during the period of operation of a special permit (licence), it is the duty of the capital company to inform the Consumer Rights Protection Centre accordingly and to submit updated information within 10 working days from the day that the changes have been performed or taken place, appending documents certifying the changes.

28. During the period of operation of a special permit (licence), a capital company has a duty to submit the following information to the Consumer Rights Protection Centre twice a year – by 1 March and by 1 September (regarding each credit type separately):
   28.1. the number of new credit contracts entered into with consumers in the previous half-year;
   28.2. the total amount of credits issued anew to consumers in the previous half-year;
   28.3. the amount of the credit portfolio of credits issued to consumers at the end of the previous half-year;
   28.4. the interest rate of new credit contracts entered into with consumers in the previous half-year;
28.5. the amount of such credits (number and sum) at the end of the previous half-year, for which consumers have delayed payments, in distribution according to the time period of delay in payment;

28.6. other information upon request of the Consumer Rights Protection Centre, which is necessary for carrying out the functions laid down in laws and regulations or for determining the market development trends, warning the capital company thereof in writing in advance in a reasonable time period.

[25 June 2013]

28.¹ The Consumer Rights Protection Centre is entitled to determine the form, in which the information referred to in Paragraph 28 of this Regulation shall be submitted.

[25 June 2013]

IV. Re-Registration of a Special Permit (Licence) and the Documents Required for This

29. If a capital company which has received a special permit (licence) wishes to extend the period of validity thereof (re-register the special permit (licence)), it shall file a submission for the re-registration of a special permit (licence) (Annex 4) to the Consumer Rights Protection Centre not sooner than four months and not later than two months prior to the expiry of the period of validity of the special permit (licence) indicated in Paragraph 3 of this Regulation. The following shall be indicated in the submission:

29.1. the name (firm) of the capital company, the registration number in the Register of Enterprises or in the equivalent competent authority in another European Union or European Economic Area country, in which the capital company is registered, and the legal address;

29.2. the number of the special permit (licence);

29.3. information regarding the contact person of a capital company (given name, surname and contact information).

30. The following shall be appended to the submission for the re-registration of a special permit (licence) referred to in Paragraph 29 of this Regulation:

30.1. the information and documents of the submission referred to in Paragraph 12 of this Regulation if the information indicated therein has changed or if the period of validity of the document has changed and this information has not been notified to the Consumer Rights Protection Centre in accordance with Paragraph 27 of this Regulation;

30.2. the authorisation of an authorised representative, if an authorised representative is filing the submission;

30.3. a document certifying payment of the State fee referred to in this Regulation.

31. If a capital company does not file a submission for the re-registration of the special permit (licence) within the deadline referred to in Paragraph 29 of this Regulation, but wishes to continue the provision of consumer credit services, the capital company shall submit the documents referred to in this Regulation for the receipt of a new special permit (licence) in accordance with the procedures laid down in Chapter III of this Regulation, paying the State fee for the receipt of a new special permit (licence) in the amount specified in this Regulation.

32. A submission for the re-registration of a special permit (licence) shall be submitted and examined, a decision taken to re-register or to refuse to re-register a special permit (licence) and this shall be notified in accordance with the procedures and time periods laid down in Chapters II and III of this Regulation.

33. The Consumer Rights Protection Centre shall refuse the re-registration of a special permit (licence), if:
33.1. the capital company, the members of its council (if such has been formed) or board do not comply with the requirements referred to in Paragraphs 8, 9 and 10 of this Regulation;

33.2. when evaluating the information referred to in Paragraph 11 of this Regulation, the Consumer Rights Protection Centre establishes that the capital company is not ensuring compliance of its activities with the requirements laid down in laws and regulations;

33.3. the capital company does not submit information within the deadline indicated in Paragraph 16 of this Regulation, which is necessary in order to take a decision to re-register a special permit (licence).

34. The Consumer Rights Protection Centre is entitled to take a decision to refuse to re-register a special permit (licence), if:

34.1. the capital company has provided false information;

34.2. the documents or information submitted by the capital company do not comply with the requirements laid down in laws and regulations;

34.3. the capital company has not provided the information referred to in Paragraphs 27 and 28 of this Regulation to the Consumer Rights Protection Centre within the deadlines specified.

35. After taking of a decision to re-register a special permit (licence) the Consumer Rights Protection Centre shall issue the example of the special permit (licence) specified (Annex 2). A representative of the capital company shall confirm the receipt of the special permit (licence) with his or her signature.

36. In accordance with the procedures laid down in the laws and regulations governing the circulation of electronic documents the Consumer Rights Protection Centre may issue a special permit (licence) in the form of an electronic document, if the capital company has expressed such request.

V. Suspension of Operation and Cancellation of the Special Permit ( Licence)

37. The Consumer Rights Protection Centre, when performing monitoring or based on the information submitted by the authority of another country, is entitled to take a decision to suspend or cancel the operation of a special permit (licence) in accordance with the procedures laid down in this Regulation.

38. The Consumer Rights Protection Centre is entitled to take a decision to suspend the operation of a special permit (licence) issued to a capital company for a period up to six months, if:

38.1. the capital company, the members of its board or council (if such has been formed) do not comply with the requirements referred to in Paragraphs 8, 9 and 10 of this Regulation;

38.2. the capital company does not provide the Consumer Rights Protection Centre with the documents and information for the performance of the inspection of the capital company requested thereby or does not co-operate with the Consumer Rights Protection Centre in order to rectify violations in the field of the protection of consumer rights;

38.3. the capital company has not fulfilled the decision of the Consumer Rights Protection Centre for the protection of the collective interests of consumers or does not fulfil the written undertaking specified in laws and regulations to rectify violations committed within the deadline specified;

38.4. the capital company has not provided the information referred to in Paragraph 27 of this Regulation to the Consumer Rights Protection Centre within the deadlines specified;

38.5. the amount of the deferred taxes, duties or other mandatory payments of the capital company is greater than EUR 1425 and the delay in payment thereof exceeds one month.
following the end of the payment term. In such case, the Consumer Rights Protection Centre is entitled to suspend the operation of a special permit (licence) until the moment that it has been provided with information regarding the payment of debt in full;

38.6. the capital company systematically does not observe the procedures stipulated by the capital company for the provision of consumer credit services, the investigation of consumer complaints and the consumer's creditworthiness;
38.7. the operation of the capital company in the provision of consumer credit services does not comply with the requirements of the laws and regulations governing the protection of consumer rights;
38.8. the Consumer Rights Protection Centre has information at its disposal regarding significant violations committed during the period of operation of the special permit (licence) by members of the capital company or council (if such has been formed) or board of the capital company, in the field of the protection of consumer rights or the protection of personal data.

[8 October 2013]

39. Within three working days after taking of a decision to suspend the operation of a special permit (licence) the Consumer Rights Protection Centre shall inform the capital company thereof in writing, indicating the grounds for the suspension of the operation.

40. If a capital company has rectified the violations determined in the decision of the Consumer Rights Protection Centre to suspend the operation of the special permit (licence), the Consumer Rights Protection Centre shall take a decision to renew the operation of the special permit (licence) within 10 working days from the day that the capital company or other authority has provided all the necessary information to the Consumer Rights Protection Centre, which proves the rectification of the violations. If additional information or the verification of information is necessary for the taking of a decision, the deadline may be extended by one month.

41. Within three working days after taking of a decision to renew a suspended special permit (licence), the Consumer Rights Protection Centre shall notify the capital company thereof in writing.

42. The Consumer Rights Protection Centre shall take a decision to cancel a special permit (licence), if:
42.1. within six months after taking of the decision by the Consumer Rights Protection Centre to issue a special permit (licence) the capital company has not commenced the provision of services or has suspended commercial activities for a period exceeding six months;
42.2. the capital company has filed a submission (Annex 5) with a request to cancel the special permit (licence);
42.3. the capital company has been proclaimed bankrupt;
42.4. a court adjudication has been taken or information regarding the termination of the activities of the commercial company has been included in the Register of Enterprises; or
42.5. the operation of the special permit (licence) has been suspended for a period of time in accordance with Paragraph 39 of this Regulation and the capital company has not rectified the violations due to which the operation of the special permit (licence) has been suspended within the specified deadline.

43. The Consumer Rights Protection Centre is entitled to take a decision to cancel a special permit (licence), if:
43.1. significant violations of the laws and regulations governing commercial activities, the protection of consumer rights or personal data protection have been determined;
43.2. the Consumer Rights Protection Centre has information at its disposal regarding administrative punishments imposed upon the capital company, members of its council (if such
has been formed) or board, during the period of operation of the special permit (licence) for significant administrative violations in commercial activities, the field of the protection of consumer rights or the protection of personal data;

43.3. the capital company has provided false information to the Consumer Rights Protection Centre.

44. A capital company whose issued special permit (licence) has been cancelled or whose special permit (licence) operation has been suspended, shall not:

44.1. enter into new credit contracts with consumers;
44.2. make changes to contracts entered into during the period of operation of the special permit (licence) if the changes are less favourable to the consumer in comparison with the changes to be made to the market conditions existing in the contract at the time of offer, or enter into renewable contracts, except cases where a new loan is not being issued and restructuring of the existing obligations is being performed.

45. Suspension or cancellation of the operation of a special permit (licence) shall not affect the performance of obligations of the contract entered into during the period of operation of the special permit (licence).

46. A consumer who has entered into a credit contract with a capital company whose issued special permit (licence) has been cancelled after entering into of the credit contract, is entitled to unilaterally withdraw from the credit contract informing the capital company in writing. In such case the capital company shall not be allowed to request that the consumer pays the penalty or recompense losses in connection with the revocation of the consumer credit contract.

47. If a consumer uses the rights specified in Paragraph 46 of this Regulation to unilaterally withdraw from a credit contract, it is the duty of the consumer to repay the credit amount received and the interest accrued for the use of the credit from the day of receipt of the credit to the date that it has been repaid, to the creditor without delay but not later than 30 days after the notice of withdrawal from the credit contract has been sent. The interest shall be calculated on the basis of the borrowing rate specified in the credit contract.

48. A capital company whose special permit (licence) has been cancelled may file a submission for the receipt of a new special permit (licence) no sooner than three days following the day that the decision was taken to cancel the special permit (licence), except where a special permit (licence) has been cancelled by request of the capital company in compliance with Sub-paragraph 42.2 of this Regulation. If a special permit (licence) is cancelled the State fee paid for the issue or re-registration of a special permit (licence) shall not be repaid to the capital company.

VI. Amount and Procedures for Payment of the State Fee

49. The amount of the State fee for the issuance of a special permit (licence) shall be 71 140 euros.

50. The amount of the State fee for the re-registration of a special permit (licence) shall be 14 225 euros.
51. A capital company shall pay the State fee for the issue or re-registration of a special permit (licence) prior to the filing of the submission referred to in Paragraphs 12 and 29 of this Regulation to the Consumer Rights Protection Centre.

52. A capital company shall pay the State fee with the intermediation of a credit institution or such institution which has the right to provide payment services, indicating the purpose of the payment – the State fee for the issue or re-registration of a special permit (licence).

53. The State fee shall be paid into the State basic budget.

54. If the issue or re-registration of a special permit (licence) is refused, the State Revenue Service, based on the decision of the Consumer Rights Protection Centre regarding the refusal to issue or re-register a special permit (licence) shall repay the paid State fee to the capital company in accordance with the procedures laid down in the Law On Taxes and Duties.

VII. Closing Provisions

55. This Regulation shall come into force concurrently with Section 21 of the Law on Procedures for the Coming into Force of The Commercial Law, which provides for requirements with respect to the minimum amount of equity capital to be payable to capital companies providing consumer credit services.

56. Paragraph 28 of this Regulation shall be applicable from 1 January 2013.

57. [12 August 2014]

Prime Minister V. Dombrovskis
Minister for Economics A. Kampars
Submission for Receipt of a Special Permit (Licence)

To the Consumer Rights Protection Centre

1. Information regarding the capital company

Name (firm) of capital company

Registration number in the Commercial Register or in an equivalent competent authority in another European Union or European Economic Area country in which the capital company is registered

Legal address

Phone number

Fax number

E-mail address

2. Contact person of the capital company

Given name, surname

Phone number

Fax number

E-mail address

3. Information regarding the location (address) or locations of the performance of commercial activities (customer service) and the website on which public information services are offered (if the capital company provides these):

3.1. information regarding the location (address) or locations of the performance of commercial activities
Name of the customer service location (if any) | Address | Credit service offered
---|---|---

3.2. Information regarding the website (sites) of the capital company on which consumers are or may be offered public information services

<table>
<thead>
<tr>
<th>Website address</th>
<th>Credit service offered</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

4. Information regarding the types of credit services which the capital company offers or is proposing to offer consumers

<table>
<thead>
<tr>
<th>Credit type (mark as required with an X)</th>
<th>Security (mark with an X, where necessary)</th>
<th>Short description of service</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mortgage credit for the acquisition of immovable property</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other credit for the acquisition of immovable property, which is not mortgage credit</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other credit which is ensured with an immovable property mortgage (specify which)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Credit against pledged movable property (lombard credit)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Credit for the acquisition of consumable goods or services</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Financial leasing</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Operative leasing</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Payment card credit</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other (specify which)*</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Note. If necessary, the table may be supplemented with additional columns.

5. Information regarding the competence of the capital company employees in the provision of consumer credit services, who provide or will provide credit services to a consumer and information on how the competence of employees is ensured (for example, employee selection methods, requirements for employee education, employee training programmes and other activities)
6. Please issue a special permit (licence) for the provision of consumer credit services in the Republic of Latvia from _____(date) to _____(date).*

Note. *To be completed if it is anticipated that the provision of consumer credit services shall be commenced not earlier than four months following the filing of the submission for the receipt of a special permit (licence).

7. I wish to receive a licence (mark as required with an X):
☐ in the form of a printed document
☐ in the form of an electronic document in accordance with the procedures laid down in the laws and regulations governing the circulation of electronic documents

8. I hereby certify that:
8.1. the capital company has developed procedures by which consumer credit services are provided, consumer complaints are investigated and the consumer's creditworthiness is evaluated;
8.2. the capital company employees are competent in the provision of consumer credit services;
8.3. if a capital company offers or is planning to offer a consumer a credit contract, on entering into which the consumer hands over some movable property for keeping to the capital company:
   8.3.1. all premises in which the provision of services to a consumer is performed or is to be performed and the keeping of pledge, shall conform to the requirements of consumer credit regulations;
   8.3.2. contracts with security merchants who operate in accordance with the Security Operations Law have been entered into or are to be entered into in order to ensure the compliance of the location of provision of services with the requirements of consumer credit regulations;
   8.3.3. civil liability for damages caused to the pledge handed over to the capital company for keeping as a result of the activities or inactivities of the capital company has been insured.

9. I certify that I am informed of my obligation in accordance with Paragraphs 25 and 27 of Cabinet Regulation No.245 of 29 March 2011, Regulations Regarding the Procedures by Which a Special Permit (Licence) for the Provision of Consumer Credit Services Shall Be Issued, Re-Registered, Suspended and Cancelled and the State Fee for the Issue and Re-Registration of a Special Permit (Licence) Shall Be Paid, as well as the Requirements for a Capital Company for the Receipt of a Special Permit (Licence), to provide information to the Consumer Rights Protection Centre regarding changes to the name and legal address of the merchant, as well as other information provided with this submission and the Annex thereto within 10 days following the performance of the relevant changes.

10. I certify that I am informed that the provision of false or misleading information to the Consumer Rights Protection Centre is a violation for which the receipt or re-registration of a special permit (licence) may be refused or an issued special permit (licence) may be cancelled. Administrative and criminal liability is provided for in the legislation of Latvia for commercial activities without a special permit (licence).

Appended (mark as required with an X):
☐ a document certifying payment of the State fee.
☐ a statement regarding criminal and administrative punishments from an authority in the country of permanent residence of a person which maintains information regarding punishments in accordance with the laws of the respective country (if a member of the council (if such has been formed) or board of the capital company is a foreign national).
the authorisation of an authorised representative (if an authorised representative is filing the submission); and
other documents (specify which) __________________________________________

__________________________  ____________________________
(given name and surname of the responsible official)  (signature)

__________________________
(date)

Note. * The details of the document “date” and “signature” shall not be completed if the electronic document has been prepared in accordance with the laws and regulations regarding the drawing up of electronic documents.

Minister for Economics  A. Kampars
Consumer Rights Protection Centre
Special Permit (Licence) No. _______

Name of the merchant

Registration number in the Commercial Register (or in an equivalent competent authority in another European Union or European Economic Area country in which the capital company is registered)

Legal address of the merchant

Special permit (licence) issued for the provision of consumer credit services in the Republic of Latvia from ___(date) to ______ (date), based on Decision No.____ of _____(date) of the Consumer Rights Protection Centre

Special permit (licence) is valid until _____(date).

Director of the Consumer Rights Protection Centre

(given name, surname, signature)

Place for a seal

Note. The details of the document “signature” and “place for a seal” shall not be completed if the electronic document has been prepared in accordance with the laws and regulations regarding the drawing up of electronic documents.

Minister for Economics A. Kampars
Submission for the Performance of Amendments to a Special Permit (Licence)

To the Consumer Rights Protection Centre

1. Information regarding the merchant

Name (firm) of capital company

Special permit (licence) number

Registration number in the Commercial Register or in an equivalent competent authority in another European Union or European Economic Area country in which the capital company is registered

Legal address

Phone number

Fax number

E-mail address

2. Contact person of the capital company

Given name, surname

Phone number

Fax number

E-mail address

Please perform the following amendments to the special permit (licence):

(given name and surname of the responsible official) (signature)
(date)

Appended:
1. Justification for amendments to the conditions of the special permit (licence).
2. Documents certifying the justification (specify the documents).
3. Authorisation of the authorised representative (if an authorised representative is filing the submission).

Note. * The details of the document “date” and “signature” shall not be completed if the electronic document has been prepared in accordance with the laws and regulations regarding the drawing up of electronic documents.

Minister for Economics                        A. Kampars
Submission for Re-Registration of a Special Permit (Licence)

To the Consumer Rights Protection Centre

Please re-register a special permit (licence) for the provision of consumer credit services in the Republic of Latvia from _____(date).

1. Information regarding the capital company

Name (firm) of capital company

Special permit (licence) number

Registration number in the Commercial Register or in an equivalent competent authority in another European Union or European Economic Area country in which the capital company is registered

Legal address

Phone number

Fax number

E-mail address

2. Contact person of the capital company

Given name, surname

Phone number

Fax number

E-mail address

3. To be completed if the information indicated in the submission for the receipt of a special permit (licence) has changed and has not been notified to the Consumer Rights Protection Centre in accordance with Paragraph 29 of this Regulation:
3.1. information regarding the location (address) or locations of the performance of commercial activities (customer service) and the Internet site on which public information services are offered (if the capital company provides these):

3.1.1. information regarding the location (address) or locations of the performance of commercial activities

<table>
<thead>
<tr>
<th>Name of the customer service location (if any)</th>
<th>Address</th>
<th>Credit service offered</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

3.1.2. information regarding the Internet site (sites) of the capital company on which consumers are or may be offered public information services

<table>
<thead>
<tr>
<th>Website address</th>
<th>Credit service offered</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

3.2. Information regarding the types of credit services which the capital company offers or is proposing to offer consumers

<table>
<thead>
<tr>
<th>Credit type (mark as required with an X)</th>
<th>Security (mark with an X, where necessary)</th>
<th>Short description of service</th>
</tr>
</thead>
<tbody>
<tr>
<td>☐ Mortgage credit for the acquisition of immovable property</td>
<td>☐</td>
<td></td>
</tr>
<tr>
<td>☐ Other credit for the acquisition of immovable property, which is not mortgage credit</td>
<td>☐</td>
<td></td>
</tr>
<tr>
<td>☐ Other credit which is ensured with an immovable property mortgage (specify which)</td>
<td>☐</td>
<td></td>
</tr>
<tr>
<td>☐ Credit against pledged movable property (lombard credit)</td>
<td>☐</td>
<td></td>
</tr>
<tr>
<td>☐ Credit for the acquisition of consumable goods or services</td>
<td>☐</td>
<td></td>
</tr>
<tr>
<td>☐ Financial leasing</td>
<td>☐</td>
<td></td>
</tr>
<tr>
<td>☐ Operative leasing</td>
<td>☐</td>
<td></td>
</tr>
<tr>
<td>☐ Payment card credit</td>
<td>☐</td>
<td></td>
</tr>
<tr>
<td>☐ Other (specify which)*</td>
<td>☐</td>
<td></td>
</tr>
</tbody>
</table>

Note. If necessary, the table may be supplemented with additional columns.

3.3. information regarding the competence of the capital company employees in the provision of consumer credit services, who provide or will provide credit services to a consumer and information on how the competence of employees is ensured (for example, employee selection
4. I wish to receive a special permit (licence) (mark as required with an X):
☐ in the form of a printed document
☐ in the form of an electronic document in accordance with the procedures laid down in the laws and regulations governing the circulation of electronic documents

5. I hereby certify that:
5.1. the capital company has developed procedures by which consumer credit services are provided, consumer complaints are investigated and the consumer's creditworthiness is evaluated;
5.2. the capital company employees are competent in the provision of consumer credit services;
5.3. if a capital company offers or is planning to offer a consumer a credit contract, on entering into which the consumer hands over some movable property for keeping as security to the capital company:
5.3.1. all premises in which the provision of services to a consumer is performed or is to be performed and the keeping of pledge, shall conform to the requirements of consumer credit regulations;
5.3.2. contracts with security merchants who operate in accordance with the Security Operations Law have been entered into or are to be entered into in order to ensure the compliance of the location of provision of services with the requirements of consumer credit regulations; and
5.3.3. civil liability for damages caused to the pledge handed over to the capital company for keeping as a result of the activities or inactivities of the capital company has been insured.

6. I certify that I am informed of my obligation in accordance with Paragraphs 25 and 27 of Cabinet Regulation No.245 of 29 March 2011, Regulations Regarding the Procedures by Which a Special Permit (Licence) for the Provision of Consumer Credit Services Shall Be Issued, Re-Registered, Suspended and Cancelled and the State Fee for the Issue and Re-Registration of a Special Permit (Licence) Shall Be Paid, as well as the Requirements for a Capital Company for the Receipt of a Special Permit (Licence), to provide information to the Consumer Rights Protection Centre regarding changes to the name and legal address of the merchant, as well as other information provided with this submission and the Annex thereto within 10 days following the performance of the relevant changes.

7. I certify that I am informed that the provision of false or misleading information to the Consumer Rights Protection Centre is a violation for which the receipt or re-registration of a special permit (licence) may be refused or an issued special permit (licence) may be cancelled. Administrative and criminal liability is provided for in the legislation of Latvia for commercial activities without a special permit (licence).

Appended (mark as required with an X):
☐ a document certifying payment of the State fee;
☐ a statement regarding criminal and administrative punishments from an authority in the country of permanent residence of a person which maintains information regarding punishments in accordance with the laws of the respective country (if a member of the council (if such has been formed) or board of the capital company is a foreign national); and
☐ the authorisation of an authorised representative (if an authorised representative is filing the submission); and
Note. * The details of the document “date” and “signature” shall not be completed if the electronic document has been prepared in accordance with the laws and regulations regarding the drawing up of electronic documents.
Submission for the Cancellation of a Special Permit (Licence)

To the Consumer Rights Protection Centre

Please cancel special permit (licence) from _____(date).

Information regarding the merchant

Name (firm) of capital company

Special permit (licence) number

Registration number in the Commercial Register or in an equivalent competent authority in another European Union or European Economic Area country in which the capital company is registered

Legal address

Phone number

Fax number

E-mail address

__________________________________________   _______________________________________
(given name and surname of the responsible official)   (signature)

__________________________
(date)

Appended: [ ] the authorisation of an authorised representative (if an authorised representative is filing the submission, mark with an X).

Note. * The details of the document “date” and “signature” shall not be completed if the electronic document has been prepared in accordance with the laws and regulations regarding the drawing up of electronic documents.

Minister for Economics

A. Kampars

Translation © 2015 Valsts valodas centrs (State Language Centre)