Republic of Latvia

Cabinet

Regulation No. 256

Adopted 23 April 2024

**Regulations Regarding the Case Management and Dangerous Equipment Registration State Information System of the Consumer Rights Protection Centre**

*Issued pursuant to*

*Section 25.2 of the Consumer Rights Protection Law and Section 5, Paragraph 12 of the Law on State Information Systems*

**I. General Provisions**

1. The Regulation prescribes:

1.1. the procedures for creating, maintaining, and updating the Case Management and Dangerous Equipment Registration State Information System (hereinafter – the System) of the Consumer Rights Protection Centre (hereinafter – the Centre);

1.2. the procedures for submitting information;

1.3. the content of the System and the procedures for the circulation of the information entered in the System;

1.4. the System manager;

1.5. the amount of information to be entered in the System;

1.6. the procedures for processing information in the System;

1.7. the conditions for the provision of access to the information entered in the System.

2. The Centre is the System manager.

**II. Content of the Information to be Entered in the System**

3. Information and documents on the activities performed by the Centre in the following fields of competence defined for the Centre shall be put into the System:

3.1. provision of assistance to consumers in the settlement of disputes with traders or service providers;

3.2. implementation of the functions of the secretariat of the Commission for Settlement of Consumer Disputes;

3.3. market supervision, technical supervision of dangerous equipment, metrological supervision of measuring instruments, and control over pre-packaged goods;

3.4. registration of gas cylinder sales points and playgrounds;

3.5. supervision of consumer rights;

3.6. supervision of other public interests;

3.7. licensing or registration of consumer credit service providers, debt recovery service providers, tourism service providers, mortgage intermediation service providers;

3.8. supervision of consumer credit, mortgage intermediaries and their representatives, debt recovery service and package tourism service providers, including supervision of the conformity with the regulation for the prevention of money laundering, terrorism and proliferation financing and sanctions in the field of consumer credit and debt recovery service provision;

3.9. performance of other functions defined for the Centre in the laws and regulations in the field of consumer rights protection or supervision of goods and services.

4. The System shall ensure the functionality of the Dangerous Equipment Register for putting in information and documents on dangerous equipment in accordance with the requirements laid down in the laws and regulations in the field of dangerous equipment.

5. The following data of natural persons shall be processed in the System for the purposes specified in Paragraphs 7, 8, 9, 10, 11. and 14 of this Regulation:

5.1. the given name and surname;

5.2. the personal identity number;

5.3. the address of the declared, registered, or indicated place of residence of the person;

5.4. the electronic mail address notified by the person;

5.5. the telephone number notified by the person;

5.6. the date of birth;

5.7. the date of death;

5.8. the nationality and its type;

5.9. the status of the person in the Register of Natural Persons (active/passive);

5.10. the indication whether the person is a performer of economic activity and the registration date of economic activity.

6. The following data of legal persons shall be processed in the System for the purposes specified in Paragraphs 7, 8, 9, 10, 11, 12, 13, and 14 of this Regulation:

6.1. the name (for a sole proprietorship – the given name, surname);

6.2. the registration number;

6.3. the registration date;

6.4. the legal address;

6.5. the electronic mail address indicated for communication;

6.6. the telephone number indicated;

6.7. the indication on liquidation, including the start date and end date of liquidation;

6.8. the indication on insolvency, including the start date and end date of insolvency;

6.9. the indication on reorganisation, including the date of reorganisation and the person involved in the process of reorganising;

6.10. the country of residence;

6.11. the online interface (if applicable);

6.12. the unit (name, registration code, and status of the unit).

7. To ensure the provision of assistance to consumers for the settlement of disputes with traders and service providers, the following data shall be entered in the System:

7.1. the information on the applicant specified in Paragraph 5 of this Regulation;

7.2. the information on the legal person specified in Paragraph 6 of this Regulation.

8. To ensure the implementation of the functions of the Commission for Settlement of Consumer Disputes, the following data on the members of the Commission and the participants to the case shall be entered in the System:

8.1. the information on the applicant specified in Paragraph 5 of this Regulation;

8.2. the information on the legal person specified in Paragraph 6 of this Regulation as well as the note that the person has not complied with the decision of the Commission for Settlement of Consumer Disputes (if applicable);

8.3. information on members of the Commission:

8.3.1. the given name, surname;

8.3.2. the personal identity number;

8.3.3. the electronic mail address notified by the person;

8.3.4. the telephone number;

8.3.5. the status of the person in the Register of Natural Persons (active/passive);

8.3.6. the representation and the field of representation.

9. To ensure market supervision, technical supervision of dangerous equipment, metrological supervision of measuring instruments, and control of pre-packaged goods, the following information shall be entered in the System:

9.1. on a legal person – the information specified in Paragraph 6 of this Regulation;

9.2. information on employees (representatives) of the legal person:

9.2.1. the given name, surname;

9.2.2. the position;

9.2.3. the notified electronic mail address;

9.2.4. the notified telephone number.

9.3. on a natural person (if required) – the information specified in Paragraph 5 of this Regulation.

10. To ensure the registration of gas cylinder sales points and playgrounds, the following information shall be entered in the System:

10.1. the following information if the person responsible for selling the gas cylinders is a natural person:

10.1.1. the given name, surname;

10.1.2. the notified electronic mail address;

10.1.3. the notified telephone number;

10.2. the information specified in Paragraph 6 of this Regulation if the person responsible for selling the gas cylinder is a legal person;

10.3. the information specified in Paragraph 5 of this Regulation if the playground manager is a natural person;

10.4. the information specified in Sub-paragraphs 9.2.1, 9.2.3, and 9.2.4 of this Regulation on the contact person of the manager if the manager is a legal person or an organisation.

11. To ensure the supervision of consumer rights and the supervision of other public interests, the following data shall be entered in the System:

11.1. the information on the applicant specified in Paragraph 5 of this Regulation (if applicable);

11.2. the information on the legal person or performer of economic activity specified in Paragraph 6 of this Regulation.

12. To ensure the licensing and supervision of consumer credit service providers and debt recovery service providers, the following data shall be entered in the System:

12.1. on a legal person – the information specified in Paragraph 6 of this Regulation;

12.2. on members of the executive board, members of the supervisory board, and procuration holders:

12.2.1. the given name, surname;

12.2.2. the personal identity number;

12.2.3. the position;

12.2.4. the date of birth;

12.2.5. the grounds for revocation of the licence (if applicable);

12.2.6. the notified electronic mail address;

12.2.7. the notified telephone number;

12.3. on the beneficial owners:

12.3.1. the given name, surname;

12.3.2. the personal identity number;

12.3.3. the date of birth;

12.3.4. the nationality and its type;

12.3.5. the method for implementing control;

12.3.6. the person through which the control is implemented;

12.4. on employees:

12.4.1. the given name, surname;

12.4.2. the personal identity number;

12.4.3. the position;

12.4.4. the employment period;

12.4.5. conformity with the requirements;

12.4.6. the information on participation in another undertaking;

12.4.7. the notified electronic mail address;

12.4.8. the notified telephone number.

13. To ensure the registration of tourism service providers, the following information shall be entered in the System:

13.1. on a legal person – the information specified in Paragraph 6 of this Regulation;

13.2. on a natural person:

13.2.1. the information specified in Sub-paragraph 5.1 of this Regulation;

13.2.2. the registration code in the taxpayer register;

13.2.3. the information on the place where a service is supplied;

13.3. the information on the issued guarantee and its issuer;

13.4. the information on the licence and its term of validity.

14. To ensure the registration of mortgage intermediary service providers, the following information shall be entered in the System:

14.1. on a legal person – the information specified in Paragraph 6 of this Regulation;

14.2. on a natural person – the information specified in Sub-paragraphs 5.1, 5.2, 5.3, 5.4, and 5.5 of this Regulation.

15. To perform other functions that may be defined for the Centre in laws and regulations, the Centre is entitled to enter and process data in the System in accordance with the regulation of the laws and regulations defining the relevant function.

16. In order to process the information referred to in Paragraph 4 of this Regulation, the heads of inspection bodies shall be ensured access to the following information on the employees of the inspection body:

16.1. the given name, surname;

16.2. the personal identity number;

16.3. the position.

17. A person authenticated by the inspection body shall have the possibility to access the following information on the manager of dangerous equipment (natural person) or its representatives:

17.1. the given name, surname;

17.2. the personal identity number;

17.3. the address where the dangerous equipment is located.

**III. Entry and Provision of Information**

18. The System shall receive the information online or in the course of regular data exchange from other State information systems or it shall be put into the System by users.

19. The System shall receive information from the following State information systems:

19.1. the State information system Register of Natural Persons managed by the Office of Citizenship and Migration Affairs – the information specified in Sub-paragraphs 5.1, 5.2, 5.3, 5.6, 5.7, 5.8, 5.9, and 8.3.5 of this Regulation;

19.2. the State Address Register of the State Land Service – structured data on addresses;

19.3. the Enterprise Register – the information specified in Sub-paragraphs 6.1, 6.2, 6.3, 6.4, 6.5, 6.6, 6.7, 6.8, 6.9, 6.10, and 6.11 of this Regulation;

19.4. the information systems of the State Revenue Service – the information specified in Sub-paragraphs 5.10 and 6.12 of this Regulation.

20. The System shall have two types of authenticated users – internal users (employees and officials of the Centre) and external users. The Centre shall ensure the input and retrieval of data online for its employees and officials according to the role and rights of each employee or official involved. External users shall input or retrieve data in accordance with the procedures laid down in this Regulation and the laws and regulations in the field of dangerous equipment.

21. An authenticated user of the System may prepare, approve, and submit applications for the registration of dangerous equipment in the System according to its role and rights, put therein information and documents on the performance of technical inspections in accordance with the laws and regulations regarding the registration of dangerous equipment, and also access historical information.

22. The System shall transfer data:

22.1. to the State information system State Register of Vehicles and Their Drivers held by the Road Traffic Safety Directorate – on the dangerous equipment, its inspection and manager, and also the information referred to in Sub-paragraphs 5.1 and 5.3 of this Regulation (if the manager of the dangerous equipment is a natural person);

22.2. to the Information and Communication System on Market Surveillance (ICSMS) of the European Union – on the merchant responsible for an unsafe product and its launching on the market, an also the information referred to in Sub-paragraphs 5.1 and 5.3 of this Regulation (if the producer of goods, person authorised by the producer, importer or distributor is a natural person);

22.3. to the Latvian Open Data Portal.

**IV. External User Authentication in the System**

23. After authentication of a System user, the authorisation process shall be carried out during which it shall be ascertained whether the System user is authorised to use or process information, and also to use certain operation modes of the System.

24. When authenticating for the first time and using electronic means of communications for authentication, a System user shall be recognised and registered. A user shall be authenticated in the System when a confirmation of the identity of the person is received from the issuer of the means of authentication. To use the System, the user must authenticate every time.

25. A person can authenticate in the System by using:

25.1. the authentication services provided by the portal of State administration services;

25.2. the electronic identification card (eID) issued by the Office of Citizenship and Migration Affairs;

25.3. the electronic signature smart card issued by *valsts akciju sabiedrība “Latvijas Valsts radio un televīzijas centrs”* [State joint-stock company Latvian Radio and Television Centre] or the application offered thereby – eParaksts mobile.

26. The inspection body shall authorise employees who are granted the rights in the System to perform operations according to their positions. After the rights are granted, the authorised employees of the inspection body shall use the system for the performance of the functions referred to in Paragraph 12 of this Regulation.

**V. Access to Information and its Storage Conditions**

27. The Centre shall store personal data accumulated in the System in accordance with the following procedures:

27.1. the data required by the Centre for the performance of the functions and tasks specified in the laws and regulations:

27.1.1. the data accumulated to ensure control of the conformity with the requirements of the laws and regulations governing the fields of rights of consumers, supervision of goods and services, and also the personal data accumulated for the preparation of statistical reports shall be stored for two years after the completion of a case or expiry of registration or licence, thereafter they shall be deleted from the System;

27.1.2. the personal data accumulated for record-keeping in administrative proceedings in the field of consumer rights protection, supervision of goods and services and also licensing shall be stored for five years, afterwards they shall be deleted from the System;

27.2. the data on external users shall be stored up to the day of receipt of a notification on the cancellation of the access rights of the relevant user or until the day when the agreement on the use of information system becomes invalid.

28. The System shall audit data processing. The System shall store the audit trail for 24 months and use it for System maintenance and performance of the functions of the Centre.

29. The Centre shall ensure retention of audit trails to the extent in which they are acquired or processed on the activities performed in the fields of competence of the Centre, and also shall ensure their protection against accidental or unlawful destruction, loss, or alteration or processing or disclosure not provided for in this Regulation.

30. The Centre shall issue the audit trails, on the basis of a written request indicating the legal justification for the request, to the extent indicated in the request to the pre-trial investigating institutions, bodies performing operational activities, State security institutions, the Office of the Prosecutor, and a court in accordance with the procedures laid down in the laws and regulations governing the activity of law enforcement authorities.

**VI. Closing Provision**

31. Sub-paragraph 19.1 of this Regulation shall be applicable from 15 July 2024.

Prime Minister E. Siliņa

Minister for Economics V. Valainis