

Republic of Latvia

Cabinet

Regulation No. 23

Adopted 7 January 2020

Regulations Regarding the Provision of Information and the Price List of Paid Services of the Enterprise Register of the Republic of Latvia

Issued pursuant to Section 4.⁷, Paragraph four, Section 4.¹⁰, Paragraph eight of the law On the Enterprise Register of the Republic of Latvia, Section 7, Paragraph four of the Commercial Law, and Section 5, Paragraph nine of the Law on Budget and Financial Management

I. General Provisions

1. This Regulation prescribes:

1.1. the procedures by and the manner in which a notification is sent regarding each application received in the registration file of a legal entity and the changes registered therein (hereinafter – the notification);

1.2. the procedures by which information is requested and provided from the registers kept by the Enterprise Register of the Republic of Latvia (hereinafter – the Enterprise Register), including a list of public persons and institutions (hereinafter – the information);

1.3. the procedures for paying for the paid services provided by the Enterprise Register and referred to in the Annex to this Regulation;

1.4. the price list of the paid services provided by the Enterprise Register (Annex).

2. Up-to-date information is information from the latest entries in the register (at the moment of execution of an information request) as well as information from the documents contained in a registration file annexed to the registration file under the latest decision of a State notary of the Enterprise Register.

3. Historical information is information from all entries made before the latest entries in the register as well as information from the documents contained in a registration file annexed to the registration file prior to the latest decision of a State notary of the Enterprise Register.

4. In order to protect personal data in conducting a search on the website of the Enterprise Register, the given name, surname and the first four digits of the personal identity number, but if a person does not have a personal identity number – the day and month of birth, of a natural person who corresponds to the criteria entered shall be shown in the list of the initial search results. A statement on a natural person shall reflect complete information regarding connection of the natural person with legal entities or legal facts.

5. In receiving a service of provision of information, a recipient of information as a controller shall be independently responsible for the conformity of personal data processing with laws and regulations governing protection of personal data.

II. Procedures By and Manner in Which a Notification is Sent

6. If a person has signed in to the website of the Enterprise Register by using the means of authentication available on the website and has selected a service “notification regarding an application received in the registration file of a legal entity and registered changes” by indicating the legal entity for which notifications are sought, the Enterprise Register shall send a notification to the electronic mail address indicated by the person regarding the following:

6.1. each application received in the registration file of a legal entity indicated in a service request;

6.2. changes registered in the entries regarding a legal entity indicated in a service request after submission of a service request to the Enterprise Register.

7. A notification shall be sent regarding applications received and changes registered in the Enterprise Register within three years from the moment of requesting the service. In order to continue receiving a notification after the relevant three-year period, a person shall re-select the service in accordance with Paragraph 6 of this Regulation.

III. Requesting and Providing Information

8. The Enterprise Register shall provide information in writing on paper or electronically, including in an online data transmission mode (on the website of the Enterprise Register or in the State information system integrator managed by the State Regional Development Agency).

9. In order to receive information which is available on the website of the Enterprise Register upon signing in, persons shall use for signing in the means of authentication of a person available on the website of the Enterprise Register. It shall not be required to sign such an information request.

10. In order to receive information which is not provided in accordance with the procedures laid down in Section 4.¹⁰, Paragraph five of the law On the Enterprise Register of the Republic of Latvia or if information is requested for the purpose of re-use, a person shall submit a request indicating the following:

10.1. the information regarding himself or herself:

10.1.1. for a natural person – the given name, surname and personal identity number (if a person does not have a personal identity number – the date of birth);

10.1.2. for a legal person – the name (firm name) and registration number;

10.1.3. for a public person or institution – the name and registration number;

10.2. the information regarding a legal entity, a legal fact or natural person in respect of which information is requested – the name (firm name) and registration number or the given name, surname and personal identity number;

10.3. the manner in which information is received;

10.4. the composition and scope of the information requested by formulating the information request as precisely as possible;

10.5. the type of statement – up-to-date information or up-to-date and historical information if such options are possible for the relevant service of information provision;

10.6. if the information is requested for the purpose of re-use, the respective indication specifying the product or service for the creation of which the information requested is necessary;

10.7. the grounds for the request and the intended use of the information, or any other information in order to make certain that the conditions specified in laws and regulations are met if restricted access information is requested;

10.8. if a payment is to be made for the provision of information and it is not made on the website of the Enterprise Register or at the Enterprise Register on site, and also if a document supporting the payment or copy thereof is not submitted – information regarding the payment by specifying the reference number (if known), the payment date, the amount and the payer’s data – the name and registration number of a legal person or the given name, surname and personal identity number of a natural person (if a person does not have a personal identity number, his or her date of birth shall be indicated).

11. Institutions that wish to ensure access to information on the website for more than one user shall submit a relevant request for the creation of an initial user by indicating information in accordance with Paragraph 10 of this Regulation, and also information regarding means of remote communication which may be used for sending information necessary for the initial authentication.

12. If requirements for the information request have been complied with and a service charge has been recognised as received into the State budget, the Enterprise Register shall provide the information requested. If the Enterprise Register establishes that requirements for the information request have not been complied with or a service charge may not be recognised as received into the State budget, the provision of information shall be refused.

13. If restricted access information is requested and the Enterprise Register establishes that the requirements for the information request laid down in this Regulation have not been complied with or a service charge may not be recognised as received into the State budget, or recipient of information is a third country or international organisation within the meaning of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) which does not ensure sufficient level of data protection, the Enterprise Register shall, within three working days after receipt of an application, take a decision to refuse access to information and a decision to reimburse the charge paid.

14. The Enterprise Register shall provide information according to the information indicated in the information request.

15. Information shall be provided in the manner in which it is processed in the information system of the Enterprise Register. The Enterprise Register shall not be obliged to create, transform or store information in order to comply with a request for re-use of information.

16. A recipient of information for whom access is ensured to information on the website or who receives information in the State information system integrator shall be obliged to notify of any changes in the information referred to in Paragraph 10 of this Regulation within five working days.

17. The Enterprise Register shall, for the purpose of provision of information, process personal identification data provided by identification service providers that provide natural persons with means of electronic identification, identify the relevant persons electronically and enable to obtain information regarding such persons on-line.

18. In order to identify activities performed by authenticated persons on the website of the Enterprise Register, the Enterprise Register shall store and analyse audit trails. The audit trails shall include the time of all events of successful and unsuccessful signing in and at least the following authentication data – the given name, surname and personal identity number (if a

person does not have a personal identity number – his or her date of birth). The audit trails regarding the services requested, refused and provided shall be stored for 18 months.

IV. Payment for the Paid Services Provided by the Enterprise Register

19. A person shall pay for a paid service prior to submitting an application for the receipt of service.

20. A charge for the paid services provided by the Enterprise Register shall be paid into the basic budget of the Ministry of Justice into the basic budget account of the Enterprise Register opened with the Treasury.

21. The Enterprise Register shall only provide a service after a charge has been recognised as received into the State budget. The charge shall be recognised as received into the State budget in accordance with the laws and regulations regarding the procedures for making payments into the State budget and for recognising them as received, and the requirements for the use of online payment services in settlements with the State budget.

22. An applicant for the service has the right to request reimbursement of the overpaid or unused charge within three years from the day of payment.

23. If the Enterprise Register has commenced the execution of the service, but the service may not be executed due to the fault of the applicant or if the applicant refuses the service (including before expiry of the time period for the provision of the service), the service charge shall not be reimbursed.

24. If less than three hours are spent on special data selection and processing, the Enterprise Register shall not reimburse the service charge received.

25. The following shall not be charged for the services of information provision:

25.1. religious organisations – in respect of information regarding the respective religious organisation and institutions thereof;

25.2. institutions of a religious organisation – in respect of information regarding the respective institution and religious organisation (founder);

25.3. in other cases in accordance with laws and regulations stipulating the right to receive information free of charge.

V. Closing Provisions

26. Cabinet Regulation No. 191 of 27 March 2018, Regulations Regarding the Information Issuance and Other Paid Services from the Enterprise Register of the Republic of Latvia (*Latvijas Vēstnesis*, 2018, No. 64), is repealed.

27. The Enterprise Register shall, until 11 January 2022, ensure that applicants who received the service of the Enterprise Register “regular provision of information, including up-to-date information, to an applicant in the information system” until the moment of coming into force of this Regulation have access to the relevant service in accordance with the provisions of the Cabinet Regulation No. 191 of 27 March 2018, Regulations Regarding the Information Issuance and Other Paid Services from the Enterprise Register of the Republic of Latvia, which was in force on 10 January 2020, to the extent specified in Section 4.¹⁰, Paragraph five of the law On the Enterprise Register of the Republic of Latvia under a contract entered into, except for the provisions in the part regarding the charge for the services provided by the Enterprise

Register. The Enterprise Register shall not be obliged to make any further changes and additions in the information technology resources related to the ensuring of accessibility of this service in order to adapt them to changes in laws and regulations, except for cases where adaptations are necessary for ensuring individual's fundamental rights and freedoms.

28. The Regulation shall come into force on 11 January 2020.

Prime Minister

A. K. Kariņš

Deputy Prime Minister, Minister for Justice

J. Bordāns

Price List of Paid Services of the Enterprise Register of the Republic of Latvia

No.	Type of service	Unit of measurement	Price, EUR excluding VAT ¹
1. Preparation and provision of information			
1.1.	Provision of information on the website of the Enterprise Register		
1.1.1.	Registered liabilities between legal entities and natural persons ²	1 hour	47.50
1.2.	Provision of information at the Enterprise Register on site, by post or electronically (to electronic mail/official electronic address)		
1.2.1.	Print-out of a statement ³ from the registers kept by the Enterprise Register regarding a legal entity/person or sending thereof by post or electronically (to electronic mail/official electronic address)	1 legal entity/1 person	9.00
1.2.2.	Print-out of other statements at the Enterprise Register on site or sending thereof by post or electronically (to electronic mail/official electronic address)		
1.2.2.1.	Statement regarding the fact that information in the registers kept by the Enterprise Register has not been entered, amended, registered or that specific documents have not been submitted to the Enterprise Register ⁴	1 statement, within 2 working days	9.00
1.2.2.2.	Statement regarding the continuity of operation of a religious organisation	1 statement, within 15 days	11.25
1.2.2.3.	Statement regarding documents submitted in record-keeping in respect of an entity or legal fact registered with the Enterprise Register	1 legal entity/ 1 legal fact, within 15 days	11.25
1.2.2.4.	Other statement	1 statement, within 15 days	13.60
1.3.	Preparation of a copy of documents at the Enterprise Register on site, sending thereof by post or electronically (to electronic mail/official electronic address)		
1.3.1.	A copy of a document from the registration file	1 document, within 3 working days	9.00
1.3.2.	A copy of a document from the record-keeping file of the Enterprise Register	1 document, within 5 working days	4.50
1.4.	Provision of a registration file for inspection on site at Riga Regional Division of the Enterprise Register at Pērses iela 2, Riga		

1.4.1.	Provision of a registration file for inspection without anonymisation to a legal entity of the registration file	1 registration file, within 5 working days	30.15
1.4.2.	Provision of a registration file for inspection with anonymisation to persons who are not entitled to receive restricted access information	1 registration file, within 5 working days	55.30
1.5.	Selection of data		
1.5.1.	Selection of data at the disposal of the Enterprise Register generated during registration process of legal entities and legal facts by employing special selection methods and criteria (including data presentation and processing) ⁵	3 hours	50.70
1.5.2.	Per each subsequent hour, in addition to the charge referred to in Paragraph 1.5.1 of the price list	1 hour	17.00
2. Certification of signatures			
2.1.	Certification of a signature	1 signature	9.00
3. Other services			
3.1.	Making of an entry, and also registration of documents to be submitted (appending thereof to the file) on a specific day and at a specific hour ⁶	1 application, within the number of working days for which the State fee has been paid	150.00
3.2.	Announcement and opening of the meetings of shareholders, stockholders or members of capital companies and cooperative societies (the charge does not include the expenditure associated with the course of a meeting)		
3.2.1.	A meeting of shareholders of a limited liability company (up to five shareholders)	1 meeting (also repeated if the first one is not valid)	191.00
3.2.2.	A meeting of shareholders of a limited liability company (more than five shareholders)	1 meeting (also repeated if the first one is not valid)	250.00
3.2.3.	General meeting of the shareholders; general meeting of the members of a cooperative society (meeting of the authorised persons)	1 meeting (also repeated if the first one is not valid)	250.00
3.3.	Preparation of the derivative of a document to be submitted to the Enterprise Register	1 document	3.15
3.4.	Submission of an application on behalf of the parties to a commercial pledge contract which is performed by an official of the Enterprise Register		
3.4.1.	Submission of an application for the registration of a new commercial pledge, a novation, amendments, change of a commercial pledgee (in case of reorganisation or transfer of an undertaking)	1 application	12.10
3.4.2.	Submission of an application for the registration of the deletion of a commercial pledge (including on the basis of a court ruling),	1 application	10.10

	assignment, managing agent, notification of the exercise of a commercial pledge right		
3.5.	Customer service on site		
3.5.1.	Customer service on site for the submission of registration documents ⁷	1 application within administrative proceedings in one case	4.00
3.6.	Pre-examination of documents ⁸		
3.6.1.	Initial review ⁹ of an application and accompanying draft documents prior to submission thereof for registration (within 1 working day) ¹⁰	One review of 1 application and accompanying draft documents in respect of 1 entity or legal fact	46.00

Notes.

¹ Value added tax shall not be applied in accordance with Section 3, Paragraph eight of the Value Added Tax Law.

² Within the framework of the service referred to in Paragraph 1.1.1 of the price list, the Enterprise Register shall ensure access to the name, registration number of the current related legal entities and to the given name, surname and the first four digits of the personal identity number of the related natural persons but if a person does not have a personal identity number – his or her day and month of birth.

³ The statement referred to in Paragraph 1.2.1 of the price list shall include the up-to-date and historical information regarding entries and information registered in the Register (in accordance with the law On the Enterprise Register of the Republic of Latvia) and information regarding existence of documents of the public part of a specific legal entity (in accordance with the law On the Enterprise Register of the Republic of Latvia) in the Enterprise Register if documents are available electronically.

⁴ The statement referred to in Paragraph 1.2.2.1 of the price list shall include information regarding the fact that the relevant information has not been entered or amended in the registers or that the relevant documents have not been submitted to the Enterprise Register.

⁵ The charge shall be imposed for full hours. The minimum time for the preparation of information shall be three hours.

⁶ The service is available to subjects of the Enterprise Register Journal, the Commercial Register, the Register of Associations and Foundations, the Register of Political Parties, the Register of Trade Unions, the Register of Religious Organisations and Institutions Thereof, the Register of Mass Media, the Register of European Economic Interest Groupings, the Register of Public and Private Partnership Contracts, the Register of Representative Offices and the Register of Arbitration Courts.

⁷ The service charge shall be imposed if a person submits a registration application on site.

⁸ The service shall be requested and received only electronically, the service shall not be applicable to the Commercial Pledge Register and the Spousal Property Relations Register.

⁹ In pre-examining documents, a State notary of the Enterprise Register shall examine whether:

1) all the documents provided for by laws and regulations which are registered (appended to a file), or on the basis of which an entry is made in the register kept by the Enterprise Register, have been submitted;

2) the document which is registered (appended to a file), or on the basis of which an entry is made in the register kept by the Enterprise Register, has legal effect;

3) the form of the document which is registered (appended to a file), or on the basis of which an entry is made in the register kept by the Enterprise Register, corresponds to laws and regulations or articles of association if the laws and regulations provide for a possibility of specifying in the articles of association a specific form of a document;

4) the amount and content of information and provisions included in the document which is registered (appended to a file) or on the basis of which an entry is made in the register kept by the Enterprise Register, correspond to laws and regulations and other documents contained in the registration file;

5) a security measure has not been registered in the register kept by the Enterprise Register.

¹⁰The service is available to subjects of the Enterprise Register Journal, the Commercial Register, the Register of Associations and Foundations, the Register of Political Parties, the Register of Religious Organisations and Institutions Thereof, the Register of Mass Media, the Register of European Economic Interest Groupings, the Register of Public and Private Partnership Contracts, the Register of Representative Offices and the Register of Arbitration Courts.

Deputy Prime Minister, Minister for Justice

J. Bordāns