Republic of Latvia

Cabinet

Regulation No. 772

Adopted 13 December 2016

**Regulations Regarding the Registration of Credit Intermediaries and Representatives of Credit Intermediaries**

*Issued pursuant to*

*Section 8.2, Paragraph three of the Consumer Rights Protection Law*

**I. General Provisions**

1. The Regulation prescribes the procedures by which credit intermediaries and representatives of credit intermediaries are registered with the Register of Credit Intermediaries and Representatives of Credit Intermediaries (hereinafter – the Register) and excluded from the Register, the amount of information to be entered in the Register and the procedures for updating thereof, the conditions for professional indemnity insurance, the amount of the State fee for registration and the State fee for annual supervision and the procedures for the payment thereof, the procedures for cooperation with the competent authorities of other European Union Member States, and also the requirements for credit intermediaries and representatives of credit intermediaries.

2. Credit intermediaries and representatives of credit intermediaries shall be registered with the Register and excluded therefrom and also the information entered in the Register shall be updated by the Consumer Rights Protection Centre (hereinafter – the Register institution).

3. The Register institution shall maintain the Register and ensure public access thereto free of charge in electronic form.

4. The Register institution, before taking the decision to register a credit intermediary or a representative of a credit intermediary with the Register or to exclude it therefrom, and also after registration of a credit intermediary or a representative of a credit intermediary with the Register, is entitled to provide instructions on activities to be carried out in order to ensure the conformity of the activity of the credit intermediary or representative of the credit intermediary with the requirements of this Regulation and the laws and regulations in the field of consumer rights protection.

**II. Requirements for the Registration of a Credit Intermediary and a Representative of a Credit Intermediary**

5. A credit intermediary or a representative of a credit intermediary shall be registered with the Register if it conforms to the following requirements:

5.1. the credit intermediary or the representative of the credit intermediary has the minimum knowledge of credit agreements, provision of credit services and credit intermediation services laid down in the laws and regulations governing consumer rights protection;

5.2. the credit intermediary or the representative of the credit intermediary has not been deprived of the right to hold certain offices in accordance with the procedures laid down in laws and regulations or the criminal record thereof has been extinguished;

5.3. the professional indemnity of the credit intermediary or the representative of the credit intermediary has been insured in accordance with Chapter V of this Regulation;

5.4. a member of the council or the board or a member with the right of representation of the credit intermediary or the representative of the credit intermediary (if the credit intermediary or the representative of the credit intermediary is a merchant) has not been deprived of the right to hold certain offices in accordance with the procedures laid down in laws and regulations or the criminal record thereof has been extinguished;

5.5. the credit intermediary or the representative of the credit intermediary (if the credit intermediary or the representative of the credit intermediary is a natural person) or any of the members of the council or the board or members with the right of representation of the credit intermediary or the representative of the credit intermediary (if the credit intermediary or the representative of the credit intermediary is a merchant) or employees thereof the duties of which include the provision of credit intermediation services have not been sentenced for committing intentional criminal offence for which the liability is provided in Chapter XVIII or XIX, Section 272, 274, 275, 275.1, or 280 of the Criminal Law or the criminal record thereof has been extinguished;

5.6. insolvency proceedings have not been declared for the credit intermediary or the representative of the credit intermediary within the last five years;

5.7. the credit intermediary or the representative of the credit intermediary has a registered processing of personal data or a specialist for the protection of personal data in accordance with the laws and regulations regarding personal data protection. The submission for the registration of the credit intermediary or the representative of the credit intermediary may be submitted concurrently with the submission for the registration of the processing of personal data or the specialist for the protection of personal data;

5.8. the credit intermediary or the representative of the credit intermediary has developed and approved the internal procedures for the remuneration of the staff and the procedures for maintaining the knowledge and competence requirements of the staff thereof;

5.9. as of the day of the registration, the database of the State Revenue Service does not contain any information on tax (duty) debts administered by the State Revenue Service concerning the credit intermediary or the representative of the credit intermediary;

5.10. the credit intermediary or the representative of the credit intermediary has not been excluded from the Register for significant or systematic violations in the field of consumer rights protection during the last three years;

5.11. the credit intermediary or the representative of the credit intermediary has not been a member of the administrative body of such legal person for which insolvency proceedings of a legal person have been declared during the last five years;

5.12. the place for the provision of credit intermediary services or the legal address thereof (where applicable) is in the Republic of Latvia;

5.13. the State fee referred to in Chapter VI of this Regulation has been paid.

6. Sub-paragraph 5.10 of this Regulation shall also be applied if:

6.1. a natural person has been a member of the council or the board or a member with the right of representation of the merchant – a credit intermediary or a representative of a credit intermediary – that has been excluded from the Register;

6.2. a member of the council or the board or a member with the right of representation has been a member of the council or the board or a member with the right of representation of the merchant – a credit intermediary or a representative of a credit intermediary – that has been excluded from the Register.

7. In order to ascertain the conformity of a credit intermediary or a representative of a credit intermediary with the requirements referred to in Paragraph 5 of this Regulation, the Register institution shall, where necessary, obtain the following information in accordance with the procedures laid down in the laws and regulations governing the administrative proceedings:

7.1. from the database of the State Revenue Service – the information referred to in Sub-paragraph 5.9 of this Regulation;

7.2. from the Enterprise Register – the information referred to in Sub-paragraphs 5.6, 5.11, and 5.12 of this Regulation;

7.3. from the Punishment Register maintained by the Information Centre of the Ministry of the Interior – the information referred to in Sub-paragraphs 5.2, 5.4, and 5.5 of this Regulation;

7.4. from the Register of Personal Data Processing and Personal Data Protection Specialists of the Data State Inspectorate – the information referred to in Sub-paragraph 5.7 of this Regulation.

**III. Registration of a Credit Intermediary and a Representative of a Credit Intermediary**

8. A credit intermediary or a representative of a credit intermediary shall submit the submission for registration (Annex) to the Register institution. The following documents shall be appended to the submission:

8.1. a statement on criminal and administrative records issued by the institution of the country of the permanent place of residence of the person which maintains information on criminal records in accordance with the laws of the relevant country (if the provider of debt recovery services (natural person) or a member of the council or the board or a member with the right of representation (if the provider of debt recovery services is a merchant) is a foreigner). The statement must be issued not earlier than six months ago;

8.2. the internal procedures for the remuneration of the staff and the procedures for maintaining the knowledge and competence requirements of the staff approved by a credit intermediary or a representative of a credit intermediary;

8.3. a professional indemnity insurance policy.

9. The Register institution shall, after evaluation of the information at its disposal, take the decision to refuse to register a credit intermediary or a representative of a credit intermediary if:

9.1. the credit intermediary or the representative of the credit intermediary does not conform to the requirements referred to in Paragraphs 5 and 6 of this Regulation;

9.2. the credit intermediary or the representative of the credit intermediary does not submit the documents referred to in Paragraph 8 of this Regulation which are necessary for taking a decision.

10. The Register institution, after evaluation of the information at its disposal, is entitled to take the decision to refuse to register a credit intermediary or a representative of a credit intermediary if:

10.1. the credit intermediary or the representative of the credit intermediary has provided false information;

10.2. registration documents submitted by the credit intermediary or the representative of the credit intermediary or the information indicated therein does not conform to the requirements in the field of drawing up documents laid down in laws and regulations;

10.3. the credit intermediary or the representative of the credit intermediary has not complied with the instructions of the Register institution referred to in Paragraph 4 of this Regulation in respect of the activities to be carried out in order to ensure the conformity thereof with the requirements of this Regulation;

10.4. during the last two years it has not committed any significant administrative offence in the field of trade, provision of services, finances, consumer rights or personal data protection. In evaluating whether the administrative offence should be recognised as significant, the Register institution shall take into account the nature and duration of the offence committed, the impact caused (losses to consumers) and also other circumstances of significance to the case;

10.5. the credit intermediary or the representative of the credit intermediary has not complied with the decisions of the Register institution addressed to it in respect of the protection of the collective interests of consumers;

10.6. activities or planned activities of the credit intermediary or the representative of the credit intermediary in the provision of credit intermediation services do not conform to the requirements of the laws and regulations in the field of consumer rights protection;

10.7. the credit intermediary or the representative of the credit intermediary has not fulfilled the written commitment laid down in the laws and regulations in the field of consumer rights protection to rectify violations within the specific period of time.

11. The Register institution shall, not later than within three working days after taking the decision to register a credit intermediary or a representative of a credit intermediary:

11.1. register the credit intermediary or the representative of the credit intermediary with the Register;

11.2. post the information on the credit intermediary or the representative of the credit intermediary referred to in Paragraph 12 or 13 of this Regulation on the website of the Register institution.

**IV. Information to be Entered in the Register and Procedures for Updating Thereof**

12. The following information on a credit intermediary shall be entered in the Register:

12.1. given name and surname or name (firm name);

12.2. registration number (where applicable);

12.3. legal address (where applicable) and place for the provision of services;

12.4. the given name and surname of the member of the administrative body who is responsible for the provision of credit intermediation services (where applicable);

12.5. the given name and surname of the employees engaged in credit intermediation services (where applicable);

12.6. the information on the services to be provided;

12.7. the information on the European Union Member State in which credit intermediation services are provided or where it is planned to provide such services in accordance with the principle of freedom of establishment and the principle of freedom to provide services (where applicable) and also the information on the services offered;

12.8. the information on creditors represented thereby;

12.9. the date on which the credit intermediary is registered with the Register or excluded therefrom;

12.10. the time period of the professional indemnity insurance and the territory of coverage thereof.

13. The following information shall be entered in the Register on a representative of a credit intermediary:

13.1. given name and surname or name (firm name);

13.2. registration number (where applicable);

13.3. legal address (where applicable) and place for the provision of services;

13.4. the given name and surname of the member of the administrative body who is responsible for the provision of credit intermediation services (where applicable);

13.5. the given name and surname of the employees engaged in credit intermediation services (where applicable);

13.6. the information on the services to be provided;

13.7. the information on the European Union Member State in which credit intermediation services are provided or where it is planned to provide such services in accordance with the principle of freedom of establishment and the principle of freedom to provide services (where applicable) and also the information on the services offered;

13.8. the information on the credit intermediary and creditors represented thereby;

13.9. the date on which the representative of the credit intermediary is registered with the Register or excluded therefrom;

13.10. the time period of the professional indemnity insurance and the territory of coverage thereof.

14. If changes have occurred in the information referred to in Paragraphs 5, 6, 12, and 13 of this Regulation (except for Sub-paragraphs 12.7 and 13.7) or in the information which is provided for in the submission referred to in Paragraph 8 of this Regulation, a credit intermediary or a representative of a credit intermediary has an obligation to immediately, but not later than within seven working days after coming into force of the relevant changes, inform the Register institution thereof and also submit the updated information and documents which confirm the abovementioned facts.

15. The Register institution shall update the information entered in the Register within seven working days from the day of receipt of the information and documents which confirm the abovementioned facts. The Register institution shall update the information referred to in Sub-paragraphs 12.7 and 13.7 of this Regulation within seven working days from the day when the Register institution has sent the notification referred to in Paragraph 42 of this Regulation to the supervisory authority of credit intermediaries and representatives of credit intermediaries of the relevant European Union Member State.

**V. Professional Indemnity Insurance**

16. Professional indemnity of a credit intermediary or a representative of a credit intermediary shall be insured in accordance with Commission Delegated Regulation (EU) No 1125/2014 of 19 September 2014 supplementing Directive 2014/17/EU of the European Parliament and of the Council with regard to regulatory technical standards on the minimum monetary amount of the professional indemnity insurance or comparable guarantee to be held by credit intermediaries.

17. Professional indemnity insurance shall be valid in those European Union Member States where credit intermediation services are provided.

18. Professional indemnity of a credit intermediary or a representative of a credit intermediary may be insured also by a creditor or a credit intermediary on behalf of the credit intermediary or representative of the credit intermediary in respect of the representative of the credit intermediary.

**VI. Amount of the State Fee and Procedures for the Payment Thereof**

19. The amount of the State fee for the registration of a credit intermediary or a representative of a credit intermediary shall be:

19.1. for natural persons – EUR 500;

19.2. for natural persons – EUR 1000.

20. The amount of the State fee for the annual supervision of a credit intermediary or a representative of a credit intermediary shall be:

20.1. for natural persons – EUR 250;

20.2. for legal persons – EUR 500.

21. A credit intermediary or a representative of a credit intermediary shall pay the State fee for the registration of a credit intermediary or a representative of a credit intermediary before submitting the submission referred to in Paragraph 8 of this Regulation.

22. A credit intermediary or a representative of a credit intermediary shall pay the State fee for the annual supervision until 1 December of the current year – for each subsequent calendar year.

23. A credit intermediary or a representative of a credit intermediary shall pay the State fee through the intermediation of such provider of payment services which has the right to provide payment services within the meaning of the Law on Payment Services and Electronic Money. The payment purpose shall be indicated in the payment:

23.1. the State fee for the registration of a credit intermediary or a representative of a credit intermediary;

23.2. the State fee for the annual supervision of a credit intermediary or a representative of a credit intermediary.

24. The State fee shall be transferred to the State basic budget revenues account in the Treasury.

25. If the registration is refused or a credit intermediary or a representative of a credit intermediary is excluded from the Register, the State fee paid thereby for the registration of a credit intermediary or a representative of a credit intermediary or for the annual supervision of a credit intermediary or a representative of a credit intermediary shall not be refunded.

**VII. Exclusion of a Credit Intermediary or a Representative of a Credit Intermediary from the Register**

26. The Register institution, during the performance of supervision or on the basis of the information provided by other State institutions or institutions of the European Union Member States, is entitled to take the decision to exclude a credit intermediary or a representative of a credit intermediary from the Register in accordance with the procedures laid down in this Regulation.

27. The Register institution shall take the decision to exclude a credit intermediary or a representative of a credit intermediary from the Register if:

27.1. the credit intermediary or the representative of the credit intermediary has submitted a submission to the Register institution on exclusion thereof from the Register;

27.2. the credit intermediary or the representative of the credit intermediary has not performed credit intermediation services or given advice to consumers for more than six months;

27.3. the credit intermediary or the representative of the credit intermediary no longer conforms to the requirements referred to in Paragraph 5 or 6 of this Regulation.

28. The Register institution is entitled to take the decision to exclude a credit intermediary or a representative of a credit intermediary from the Register if:

28.1. the credit intermediary or the representative of the credit intermediary has not enforced the decision of the Register institution for the protection of collective interests of consumers or does not comply with the written commitment laid down in the laws and regulations regarding consumer rights protection to rectify the violation committed;

28.2. the credit intermediary or the representative of the credit intermediary has not provided the information referred to in Paragraphs 14, 31, and 32 of this Regulation to the Register institution;

28.3. the credit intermediary or the representative of the credit intermediary fails to provide the documents and information to the Register institution requested thereby for the performance of verification of a private person or fails to cooperate with the Register institution in order to prevent violations in the field of consumer rights protection;

28.4. the credit intermediary or the representative of the credit intermediary has significantly violated or systematically violated the requirements of the laws and regulations governing credit intermediation, consumer rights protection or personal data protection;

28.5. the credit intermediary or the representative of the credit intermediary has provided false or misleading information to the Register institution or has performed other illegal actions in order to secure the registration thereof in the Register.

29. After taking the decision to exclude a credit intermediary or a representative of a credit intermediary from the Register, the Register institution shall:

29.1. not later than within three working days, exclude the credit intermediary or the representative of the credit intermediary form the Register;

29.2. not later than within three working days, update the information on the website of the Register institution;

29.3. not later than within 14 days, inform the relevant competent authority of the European Union Member State in which the credit intermediary or the representative of the credit intermediary concurrently provides credit intermediation services thereof.

**VIII. Requirements for Credit Intermediaries and Representatives of Credit Intermediaries**

30. A credit intermediary has the obligation to follow up and ensure that its authorised representative of a credit intermediary conforms to the requirements laid down in the laws and regulations governing consumer rights protection for the provision of credit intermediation services, especially in respect of the knowledge and level of competence of a representative of a credit intermediary and the staff thereof in the field of consumer credit services.

31. If after registration with the Register a credit intermediary or a representative of a credit intermediary plans to establish a branch or to provide credit intermediation services in another European Union Member State in accordance with the principle of freedom to provide services, the obligation of a credit intermediary or a representative of a credit intermediary is, not later than two months before commencing the provision of credit intermediation services in the relevant European Union Member State, to inform the Register institution thereof.

32. A credit intermediary has the obligation to submit the following information (including on a representative of a credit intermediary) to the Register institution twice a year – until 1 March and 1 September:

32.1. the agreements entered into with consumers on the provision of intermediation services in the previous six months – the number;

32.2. the credit agreements entered into with consumers within the framework of the provision of intermediation services – the number and amount;

32.3. other information upon request of the Register institution which is necessary for fulfilling the functions laid down in the laws and regulations regarding consumer rights protection or for determining the market development trends by warning the credit intermediaries thereof in advance within a reasonable time period.

**IX. Supervision of Credit Intermediaries and Representatives of Credit Intermediaries**

33. The Register institution shall supervise the activities of the credit intermediaries and representatives of credit intermediaries registered in the Republic of Latvia, including the activities thereof in another European Union Member State. The Register institution shall supervise the activities of the branches of the credit intermediaries and representatives of credit intermediaries registered by another European Union Member State in the territory of the Republic of Latvia. When performing supervision, the Register institution shall cooperate and consult with the supervisory authorities of other Member States.

34. If the Register institution finds that the branch of a credit intermediary or a representative of a credit intermediary of another European Union Member State which provides credit intermediation services in the Republic of Latvia carries out such activities which are in contradiction with the laws and regulations regarding consumer credit in the Republic of Latvia which determine the requirements for professional ethics, knowledge and competence requirements, the requirements for advertising, provision of information to a consumer and calculation of the annual interest rate, it shall immediately request a credit intermediary or a representative of a credit intermediary to terminate such activities.

35. If the branch of a credit intermediary or a representative of a credit intermediary of another European Union Member State which provides credit intermediation services in the Republic of Latvia does not terminate the activities which are in contradiction with the laws and regulations regarding consumer credit in the Republic of Latvia which determine the requirements for professional ethics, knowledge and competence requirements, the requirements for advertising, provision of information to a consumer and calculation of the annual interest rate, the Register institution shall carry out the activities laid down in the laws and regulations governing consumer rights protection in order to prevent violations, and concurrently inform the relevant supervisory authority of credit intermediaries and representatives of credit intermediaries of the relevant European Union Member State thereof.

36. If the branch of a credit intermediary or a representative of a credit intermediary of another European Union Member State which provides credit intermediation services in the Republic of Latvia continues to carry out the activities which are in contradiction with the laws and regulations regarding consumer credit in the Republic of Latvia which determine the requirements for professional ethics, knowledge and competence requirements, the requirements for advertising, provision of information to a consumer and calculation of the annual interest rate after the Register institution has informed the relevant supervisory authority of credit intermediaries or representatives of credit intermediaries of the relevant European Union Member State thereof, the Register institution shall carry out the activities laid down in the laws and regulations governing consumer rights protection in order to prevent such violations and prohibit to conclude further transactions, and also inform the European Commission thereof.

37. If the Register institution does not agree to the activities of the supervisory authority of credit intermediaries or representatives of credit intermediaries of the relevant European Union Member State which are addressed to the credit intermediary or representative of the credit intermediary registered in the Republic of Latvia, the Register institution has the right to turn to the European Banking Authority and seek the assistance thereof in accordance with Article 19 of Regulation (EU) No 1093/2010 of the European Parliament and of the Council of 24 November 2010 establishing a European Supervisory Authority (European Banking Authority), amending Decision No 716/2009/EC and repealing Commission Decision 2009/78/EC.

38. If the Register institution has clear and demonstrable grounds for concluding that the branch of a credit intermediary or a representative of a credit intermediary or a credit intermediary or a representative of a credit intermediary which provides credit intermediation services in the Republic of Latvia by complying with the principle of freedom to provide services violates the laws and regulations regarding consumer credit other than those referred to in Paragraphs 34, 35, and 36 of this Regulation, it shall turn to the supervisory authority of credit intermediaries and representatives of credit intermediaries of the relevant European Union Member State.

39. If the supervisory authority of credit intermediaries and representatives of credit intermediaries of the relevant European Union Member State within a month from the day of informing thereof in conformity with Paragraph 38 of this Regulation fails to carry out any activities or if a credit intermediary or a representative of a credit intermediary continues to violate the requirements of the laws and regulations governing consumer rights protection, the Register institution shall:

39.1. after informing the supervisory authority of credit intermediaries and representatives of credit intermediaries of the relevant European Union Member State, carry out all the necessary activities in order to protect consumer interests and ensure appropriate operation of the credit market, including by prohibiting to enter into further transactions in the territory of the Republic of Latvia. The Register institution shall inform of the abovementioned activities also the European Commission and the European Banking Authority;

39.2. is entitled to turn to the European Banking Authority and seek the assistance thereof in accordance with Article 19 of Regulation (EU) No 1093/2010 of the European Parliament and of the Council of 24 November 2010 establishing a European Supervisory Authority (European Banking Authority), amending Decision No 716/2009/EC and repealing Commission Decision 2009/78/EC.

40. The Register institution is entitled to carry out inspections at places where services are provided by the branch of a credit intermediary or a representative of a credit intermediary of another European Union Member State which provides credit intermediation services in the Republic of Latvia after having informed the supervisory authority of credit intermediaries and representatives of credit intermediaries of the relevant European Union Member State thereof.

**X. Cooperation Between Competent Authorities of Different European Union Member States**

41. The Register institution shall cooperate with supervisory authorities of credit intermediaries and representatives of credit intermediaries of other European Union Member States, including shall exchange with information and provide assistance insofar as it is necessary for investigatory and supervisory activities. The Register institution shall be a single contact point for cooperation with supervisory authorities of credit intermediaries and representatives of credit intermediaries of other European Union Member States, the European Commission and the European Banking Authority.

42. If the Register institution has received a submission from a credit intermediary or a representative of a credit intermediary stating that it plans to establish a branch or provide credit intermediation services in another European Union Member State in accordance with the principle of freedom to provide services, the Register institution shall, within a month from the day of receipt of the abovementioned submission, send a notification to the supervisory authority of credit intermediaries and representatives of credit intermediaries of the relevant European Union Member State and concurrently inform the credit intermediary or representative of the credit intermediary that such information has been sent.

43. The Register institution shall prepare the notification referred to in Paragraph 42 of this Regulation in conformity with the guidelines of the European Banking Authority “Guidelines on passport notifications for credit intermediaries under the Mortgage Credit Directive”.

44. A credit intermediary or a representative of a credit intermediary may start to offer intermediation services in another European Union Member State within a month after the Register institution has sent the notification referred to in Paragraph 42 of this Regulation to the supervisory authority of credit intermediaries and representatives of credit intermediaries of another European Union Member State.

45. After the receipt of notifications of supervisory authorities of credit intermediaries and representatives of credit intermediaries of another European Union Member State, the Register institution shall publish and update the information on credit intermediaries and representatives of credit intermediaries of other European Union Member States which provide credit intermediation services in the Republic of Latvia on the website thereof.

46. The Register institution may refuse to cooperate with supervisory authorities of credit intermediaries and representatives of credit intermediaries of other European Union Member States if:

46.1. supervision activities or exchange of information may have an adverse effect on the sovereignty, safety, or public order of the Republic of Latvia;

46.2. the administrative offence proceedings have been already commenced for the same violations against the credit intermediary or representative of the credit intermediary registered in the Republic of Latvia which violates the laws and regulations regarding consumer credit;

46.3. the court ruling has come into effect on the same violation of the laws and regulations regarding consumer credit which has been committed by the credit intermediary or representative of the credit intermediary which is registered in the Republic of Latvia.

47. In the cases referred to in Paragraph 46 of this Regulation the Register institution shall provide as detailed information as possible on the reasons of refusal to the supervisory authority of credit intermediaries and representatives of credit intermediaries of the relevant European Union Member State which has requested the information.

**XI. Closing Provision**

48. The Regulation shall come into force on 1 January 2017.

**Informative Reference to European Union Directive**

The Regulation contains legal norms arising from Directive 2014/17/EU of the European Parliament and of the Council of 4 February 2014 on credit agreements for consumers relating to residential immovable property and amending Directives 2008/48/EC and 2013/36/EU and Regulation (EU) No 1093/2010.

Prime Minister Māris Kučinskis

Acting for the Deputy Prime Minister, Minister for Economics –

Minister for Education and Science Kārlis Šadurskis

**Annex**

Cabinet Regulation No. 772

13 January 2016

**Submission for the Registration of a Credit Intermediary and a Representative of a Credit Intermediary**

**1. The submission is submitted**

|  |  |  |
| --- | --- | --- |
| for the registration of the credit intermediary |  |  |
| for the registration of the representative of the credit intermediary |  |  |

**2. Information on the credit intermediary/representative of the credit intermediary**

2.1. shall be completed if the credit intermediary/representative of the credit intermediary is a legal person

|  |  |
| --- | --- |
| Name (firm name) |  |
| Registration code/registration number with the Commercial Register (or equivalent competent authority in another European Union Member State in which the legal person is registered) |  |
| Legal address |  |
| Address of the place for the provision of services |  |
| Telephone number |  |
| Fax number |  |
| E-mail address |  |
| Contact person: |  |
| given name, surname |  |
| telephone number |  |
| fax number |  |
| e-mail address |  |

2.2. shall be completed if the credit intermediary/representative of the credit intermediary is a natural person

|  |  |
| --- | --- |
| Given name, surname |  |
| Personal identity number |  |
| Address of the declared place of residence |  |
| Address of the place for the provision of services |  |
| Telephone number |  |
| Fax number |  |
| E-mail address |  |
| Contact person: |  |
| given name, surname |  |
| telephone number |  |
| fax number |  |
| e-mail address |  |

**3. Information on the place(-s) (address(-es)) for the provision of services (customer service) of the credit intermediary/representative of the credit intermediary and website(-s) of the credit intermediary/representative of the credit intermediary where credit intermediation services (if any are provided) are offered:**

3.1. information on the place(-s) (address(-es)) for the provision of services (customer service)

|  |  |  |
| --- | --- | --- |
| Name of the customer service location (if any) | Address | Service offered |
|  |  |  Offers credit agreements/presents credit agreements Participates in preparatory/pre-contractual administrative activities Enters into credit agreements Gives advice to consumers |

3.2. information on the website(-s) where credit intermediation services are or will be offered to consumers

|  |  |
| --- | --- |
| Address of the website | Service offered |
|  |  Offers credit agreements/presents credit agreements Participates in preparatory/pre-contractual administrative activities Enters into credit agreements Consults consumers |

**4. Information on the creditor(-s) represented by the credit intermediary/representative of the credit intermediary**

|  |  |
| --- | --- |
| Name (firm name)/given name, surname of the creditor |  |
| Registration code/registration number with the Commercial Register (or equivalent competent authority in another European Union Member State in which the legal person is registered)/personal identity number |  |
| Legal address/address of the declared place of residence |  |
| Address of the place for the provision of services |  |
| E-mail address |  |
| Basis for the representation |  |
| Time period for the representation |  |

**5. Information on the credit intermediary(-ies) represented by the representative of credit intermediaries (only for representatives of credit intermediaries)**

|  |  |
| --- | --- |
| Name (firm name)/given name, surname of the credit intermediary |  |
| Registration code/registration number with the Commercial Register (or equivalent competent authority in another European Union Member State in which the legal person is registered)/personal identity number |  |
| Legal address/address of the declared place of residence |  |
| Address of the place for the provision of services |  |
| E-mail address |  |
| Basis for the representation |  |
| Time period for the representation |  |

**6. Information on the European Union Member State where the credit intermediary/representative of the credit intermediary plans to carry out its activity**

|  |  |
| --- | --- |
| EU Member States where it is planned to provide credit intermediation services or where they are being provided |  |
| Address of the place for the provision of services |  |
| Services offered |  Offers credit agreements/presents credit agreements Participates in preparatory/pre-contractual administrative activities Enters into credit agreements Consults consumers |

**7. Employees of the credit intermediary/representative of the credit intermediary the duties of which include the provision of credit intermediation services**

|  |  |
| --- | --- |
| Given name, surname, personal identity number |  |
| Given name, surname, personal identity number |  |
| Given name, surname, personal identity number |  |
| Given name, surname, personal identity number |  |
| Given name, surname, personal identity number |  |

**8. Information on the payer of the State fee**

|  |  |
| --- | --- |
| Given name, surname or name of the payer of the State fee |  |
| Date of payment |  |
| Amount |  |
| Identification number of the payment order assigned by the payment institution |  |

**I hereby certify that:**

8.1. the credit intermediary/representative of the credit intermediary has the minimum knowledge of credit agreements, provision of credit services and credit intermediary services laid down in the laws and regulations governing consumer rights protection;

8.2. employees of the credit intermediary/representative of the credit intermediary are competent in the provision of credit intermediation services;

8.3. the credit intermediary/representative of the credit intermediary has not been deprived of the right to hold certain offices in accordance with the procedures laid down in laws and regulations;

8.4. a member of the council or the board or a member with the right of representation of the credit intermediary/representative of the credit intermediary (if the credit intermediary/representative of the credit intermediary is a merchant) has not been deprived of the right to hold certain offices in accordance with the procedures laid down in laws and regulations;

8.5. professional indemnity of the credit intermediary/representative of the credit intermediary has been insured;

8.6. the credit intermediary/representative of the credit intermediary (if the credit intermediary/representative of the credit intermediary is a natural person) or any of the members of the council or the board or members with the right of representation thereof (if the credit intermediary/representative of the credit intermediary is a merchant) or employees thereof the duties of which include the provision of credit intermediary services have not been sentenced for committing intentional criminal offence for which the liability is provided for Chapter XVIII or XIX, Section 272, 274, 275, 275.1, or 280 of the Criminal Law;

8.7. insolvency proceedings have not been declared for the credit intermediary/representative of the credit intermediary during the last five years;

8.8. the credit intermediary/representative of the credit intermediary has not been a member of the administrative body of such legal person for which insolvency proceedings of a legal person have been declared during the last five years;

8.9. the credit intermediary/representative of the credit intermediary has a registered processing of personal data or a specialist for the protection of personal data in accordance with the laws and regulations regarding personal data protection;

8.10. the credit intermediary/representative of the credit intermediary has developed and approved the internal procedures for the remuneration of the staff and the procedures for maintaining the knowledge and competence requirements of the staff thereof;

8.11. as of the day of the registration, the database of the State Revenue Service does not contain any information on tax (duty) debts administered by the State Revenue Service concerning the credit intermediary/representative of the credit intermediary;

8.12. the credit intermediary/representative of the credit intermediary has not been excluded from the Register (including for significant or systematic violations in the field of consumer rights protection during the last three years).

Appended (mark with an X):

 a statement on criminal and administrative records;

 the internal procedures for the remuneration of the staff approved by the credit intermediary/representative of the credit intermediary and the procedures for maintaining the knowledge and competence requirements of the staff thereof;

 a professional indemnity insurance policy;

 other documents (specify which) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

|  |  |  |  |
| --- | --- | --- | --- |
| Official(-s) with signatory power |  |  |  |
|  | (given name, surname) |  | (signature\*) |

|  |  |  |  |
| --- | --- | --- | --- |
|  |  |  |  |
|  | (given name, surname) |  | (signature\*) |
| (date\*) |  |  |  |

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

Acting for the Deputy Prime Minister, Minister for Economics –

Minister for Education and Science Kārlis Šadurskis