Republic of Latvia

Cabinet

Regulation No. 99

Adopted 8 February 2022

**Procedures by which the Consumer Rights Protection Centre and the Health Inspectorate Restrict Access to an Online Interface in the Electronic Communications Network, Right to Use a Domain Name, and Access to an Online Interface or Content in an Information Society Service**

*Issued pursuant to*

*Section 26.15, Paragraph ten of the Consumer Rights Protection Law*

**I. General Provisions**

1. The Regulation prescribes the procedures by which the Consumer Rights Protection Centre and the Health Inspectorate (hereinafter – the institution) prepare and send the decision referred to in Section 26.15, Paragraph five of the Consumer Rights Protection Law to the electronic communications merchant, the top level domain registry, or the domain name registrar, or to the information society service provider, and also the standard form of the request to be included in the decision, the way of sending the decision, the time period for the execution and operation thereof.

2. The institution that has taken the decision referred to in Section 26.15, Paragraph five of the Consumer Rights Protection Law is entitled to include the information indicated in the decision or annex thereto on the machine readable list maintained by the institution after having notified the addressee of the decision.

**II. Decision to Restrict Access to an Online Interface in the Electronic Communications Network**

3. The decision to restrict access to an online interface in the electronic communications network shall envisage restriction (blocking) of access to an online interface in the electronic communications network of an electronic communications merchant by restricting (blocking) access or using other technological means if such are available to the electronic communications merchant, and also, if the institution has indicated so in the decision, redirecting (readdressing) of requests for access to the website indicated by this institution if the electronic communications merchant has technological means which may ensure that requests for access are redirected (readdressed).

4. The decision to restrict access to an online interface in the electronic communications network shall be sent to the electronic mail address or official electronic address of the addressee of the decision which is the electronic communications merchant. If the electronic mail address or official electronic address of the possessor of the online interface (third person) is known, the decision to restrict access to the online interface in the electronic communications network shall be sent to the possessor to its electronic mail address or official electronic address.

5. In addition to the components of an administrative act specified in Section 67, Paragraph two of the Administrative Procedure Law, the following information shall be indicated in the decision to restrict access to an online interface in the electronic communications network:

5.1. characteristics identifying the online interface against which the decision to restrict access to the online interface in the electronic communications network is directed, i.e. at least the Internet Protocol address or domain name;

5.2. the Internet Protocol address to which the requests for access to such online interface are to be redirected (readdressed) against which the decision to restrict access to the online interface in the electronic communications network has been directed if this decision envisages redirection (readdressing) of the requests for access;

5.3. the time period within which the decision is to be executed in accordance with Paragraph 7 of this Regulation;

5.4. the date until which the decision is in force.

6. If the decision to restrict access to an online interface in the electronic communications network envisages restriction (blocking) of access to several online interfaces in the electronic communications network of the electronic communications merchant, the institution is entitled to send to the electronic communications merchant the decision accompanied by the request which has been indicated in the Annex to this Regulation and contains the information referred to in Sub-paragraph 5.1 of this Regulation.

7. The decision to restrict access to an online interface in the electronic communications network shall be executed within five working days from the day of notification thereof until the date indicated in the decision but not longer than two years or until the moment when the institution that has taken this decision notifies another decision which changes the legal obligations indicated in the previous decision.

**III. Decision to Restrict the Right to Use a Domain Name**

8. The decision to restrict the right to use a domain name shall envisage deactivation of technical information of a domain name or a prohibition to change a domain name user, or transfer of the right to use a domain name to the institution taking such decision.

9. The decision to restrict the right to use a domain name shall be sent to the electronic mail address or official electronic address of the addressee of the decision which is the maintainer of the top level domain registry or domain name registrar. The decision to restrict the right to use a domain name shall be sent to the domain name user (third person) to its electronic mail address or official electronic address.

10. In addition to the components of an administrative act specified in Section 67, Paragraph two of the Administrative Procedure Law, the following information shall be indicated in the decision to restrict the right to use a domain name which envisages deactivation of technical information of the domain name or a prohibition to change a domain name user:

10.1. the domain name against which the decision to restrict the right to use the domain name has been directed;

10.2. the time period within which the decision is to be executed in accordance with Paragraph 13 of this Regulation;

10.3. the date until which the decision is in force.

11. If the decision to restrict the right to use a domain name envisages deactivation of technical information of several domain names or a prohibition to change the user for several domain names, the institution is entitled to send to the maintainer of the top level domain registry or domain name registrar (addressee of the decision) the decision accompanied by the request which has been indicated in the Annex to this Regulation and contains the information referred to in Sub-paragraph 10.1 of this Regulation.

12. In addition to the components of an administrative act specified in Section 67, Paragraph two of the Administrative Procedure Law, the following information shall be indicated in the decision to restrict the right to use a domain name which envisages the transfer of the right to use a domain name to the institution taking such decision:

12.1. the domain name against which the decision to restrict the right to use the domain name has been directed;

12.2. the type of person, name, electronic mail address, telephone number, address, postal code, and registration number of the new user (institution) of the domain name;

12.3. the time period within which the decision is to be executed in accordance with Paragraph 13 of this Regulation;

12.4. the time period by which the right to use the domain name is to be registered for the institution.

13. The decision to restrict the right to use a domain name shall be executed within five working days from the day of notification thereof until the date indicated in the decision but not longer than two years or until the moment when the institution that has taken this decision notifies another decision which changes the legal obligations indicated in the previous decision.

**IV. Decision to Restrict Access to an Online Interface or Content in an Information Society Service**

14. The decision to restrict access to an online interface or content in an information society service shall envisage performance of the activities indicated by the institution which ensure that access to the online interface or specific content in the information society service is restricted.

15. The decision to restrict access to an online interface or content in an information society service shall be sent to the electronic mail address or official electronic address of the addressee of the decision which is the provider of the information society service. If the possessor of the online interface or creator or publisher of the content of the information society service is not the provider of the information society service but another person (third person) and its electronic mail address or official electronic address is known, the decision to restrict access to the online interface or content in the information society service shall be sent to this person to its electronic mail address or official electronic address.

16. In addition to the components of an administrative act specified in Section 67, Paragraph two of the Administrative Procedure Law, the following information shall be indicated in the decision to restrict access to an online interface or content in the information society service:

16.1. characteristics identifying the online interface or content against which the decision to restrict access to the online interface or content in the information society service is directed;

16.2. the territorial activity of the legal obligation;

16.3. the time period within which the decision is to be executed in accordance with Paragraph 18 of this Regulation.

17. If the decision to restrict access envisages restriction of access to several online interfaces or several units of content in the information society service, the institution is entitled to send to the provider of the information society service the decision accompanied by the request which has been indicated in the Annex to this Regulation and contains the information referred to in Sub-paragraph 16.1 of this Regulation.

18. The decision to restrict access to an online interface or content in the information society service shall be executed within five working days from the day of notification thereof until the moment when the institution that has taken this decision notifies another decision which changes the legal obligations indicated in the previous decision.

Prime Minister A. K. Kariņš

Minister for Economics J. Vitenbergs

**Annex**

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| Riga\_\_\_ \_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_ | Administrative act No. \_\_\_\_\_\_\_\_\_\_\_ |

**Request**

On the basis of Section 26.15, Paragraph five of the Consumer Rights Protection Law, restrict:

(mark as required with an X)

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| --- | --- | --- |
| access to an online interface in the electronic communications network |  |  |
| right to use a domain name |  |  |
| access to an online interface or content in an information society service |  |  |

|  |  |  |
| --- | --- | --- |
| No. | Characteristics identifying the online interface or content or domain name | Explanatory information |
| 1. |  |  |
| 2. |  |  |
| .. |  |  |