Text consolidated by Valsts valodas centrs (State Language Centre) with amending laws of:

8 February 2018 [shall come into force on 6 March 2018];

3 October 2019 [shall come into force on 1 November 2019].

If a whole or part of a section has been amended, the date of the amending law appears in square brackets at the end of the section. If a whole section, paragraph or clause has been deleted, the date of the deletion appears in square brackets beside the deleted section, paragraph or clause.

The *Saeima*1 has adopted and

the President has proclaimed the following law:

**Law on Credit Bureaus**

**Chapter I**

**General Provisions**

**Section 1. Terms Used in the Law**

The following terms are used in the Law:

1) **credit bureau** – a stock company that is carrying out any of the activities to be licensed of a credit bureau laid down in this Law;

2) **user of credit information** – a person specified in this Law who has entered into a written agreement with a credit bureau regarding supply of credit information to the credit bureau or receipt thereof therefrom (hereinafter – the credit information agreement);

3) **potential customer of a user of credit information** (hereinafter – the potential customer) – a natural person who has expressed an intention to become a customer of a user of credit information in an application to the user;

4) **customer of a user of credit information** (hereinafter – the customer) – a natural person:

a) who has concluded a customer contract with the user of credit information or whose payment obligation to the user of credit information arises from laws and regulations,

b) in relation to whom the user of credit information has taken over the rights of claim arising from the customer contract,

c) who has consented that the user of credit information may evaluate or take into account his or her creditworthiness in supplying a credit risk related service to any third party or in taking a decision to supply such service;

5) **credit information** – information obtained from the sources of credit information specified in this Law and characterising creditworthiness of the customer or potential customer;

6) **customer contract** is:

a) a contract according to which the user of credit information is supplying or will supply credit risk related service,

b) a contract according to which the user of credit information is given a guarantee regarding liabilities of another person,

c) the contract referred to in Sub-clause (a) or (b) of this Clause the rights of claim arising from which have been taken over by the user of credit information;

7) **debt** – a payment obligation of the customer in relation to the user of credit information which has not been settled within the time period specified in the customer contract or laws and regulations;

8) **processing of credit information** – any activities performed with credit information, including collecting, obtaining, registration, entering, storage, arranging, transforming, use, transfer, transmitting, disclosing, blocking or deletion of credit information;

9) **creditworthiness** – the probability that the customer or potential customer will carry out his or her obligations in accordance with the customer contract;

10) **credit risk** – the probability that the user of credit information will incur losses if the customer or potential customer will be unable or will refuse to carry out the payment obligations specified in the customer contract in relation to the user of credit information;

11) **credit risk management** – an aggregate of measures which are taken by the user of credit information during the term of operation of the customer contract in order to control its credit risk.

[*8 February 2018*]

**Section 2. Purpose of the Law**

The purpose of the Law is to contribute to promotion of responsible crediting and responsible and honest borrowing, enabling the formation of personal credit history, and also to ensure legal protection of natural persons so that, upon evaluating creditworthiness, true and complete information is accessible and used.

**Section 3. Scope of Application of the Law**

(1) The Law regulates the operation of credit bureaus and the procedures for processing credit information within the scope of activities of credit bureaus to be licensed and specified in this Law.

(2) The processing and protection of the data of the customer or potential customer is regulated by 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) (hereinafter – the data regulation) and the Personal Data Processing Law, insofar as it is not laid down otherwise in this Law.

(3) This Law shall not be applied:

1) to the databases of credit history specified in the Law on Extrajudicial Recovery of Debt;

2) to processing of the data present in a State information system which is performed by the holder of such State information system or data processing performed by the *Saeima*, a derived public person, an institution of direct administration, institution of indirect administration, court or a person belonging to the judicial system, except for that laid down in Section 13 of this Law;

3) in relation to the credit register and also to receipt of information from the credit register and the use thereof. The procedures by which the user of credit information shall receive the information included in the credit register with the intermediation of the credit bureau is determined by the Credit Register Law;

4) if in accordance with other laws and regulations the user of credit information with the intermediation of the credit bureau may receive information from the State information system for the purposes of processing which are not referred to in Section 4 of this Law. The procedures by which the user of credit information with the intermediation of the credit bureau shall receive information from the State information system shall be determined in a respective regulatory enactment.

[*3 October 2019*]

**Section 4. Purposes of Processing Credit Information**

(1) The credit bureau shall, within the scope of the credit bureau activities to be licensed and laid down in this Law, process credit information so that the user of credit information could obtain and use it for the purposes of processing credit information specified in Paragraph two of this Law.

(2) The user of credit information shall obtain credit information from the credit bureau within the scope of the credit bureau activities to be licensed and laid down in this Law and use it for evaluation of creditworthiness of the customer or potential customer or for management of its credit risk.

**Section 5. User of Credit Information**

The user of credit information may be:

1) a merchant;

2) a performer of professional activity within the meaning of the law On Personal Income Tax;

3) an individual undertaking, a farm or fishing undertaking, crafts undertaking or family undertaking;

4) a cooperative society;

5) an institution of direct administration and a derived public person or its institution if it is concluding a contract that involves a credit risk or the customer’s payment obligation to the user of credit information arises from laws and regulations if the law or regulation provides for a legal ground for the processing of data.

[*8 February 2018*]

**Section 6. Sources of Credit Information**

The credit bureau shall obtain credit information only from the following sources of credit information:

1) from the information supplied by the user of credit information;

11) from the information supplied by the user of credit information of another credit bureau if it is laid down in a law or regulation;

2) from the information which has been obtained by the credit bureau in accordance with the procedures laid down in this Law from a State information system;

3) from the information on the customer (hereinafter – the foreign credit information) which has been received by the credit bureau from:

a) a person registered in a European Union Member State or Member State of the European Economic Area whose type of activity is personal data processing and transfer thereof to third parties which use such data for the evaluation of creditworthiness or management of their credit risk,

b) a State information system of a European Union Member State or Member State of the European Economic Area, or a database considered as equivalent to a State information system.

[*3 October 2019*]

**Chapter II**

**Requirements for the Operation of the Credit Bureau**

**Section 7. Requirements for the Operation of the Credit Bureau**

(1) The credit bureau must have a licence in order to supply any of the following services:

1) processing of credit information obtained regarding a natural person in order to transfer it to third parties for the use for any of the purposes specified in Section 4, Paragraph two of this Law;

2) obtaining of restricted access information from a State information system regarding a natural person upon request of such person who has legal grounds to receive information from a State information system, and transfer of the obtained information to the abovementioned person for any of the purposes specified in Section 4, Paragraph two of this Law.

(2) The requirements of Paragraph one of this Section shall not apply to:

1) data processing of its customer or potential customer;

2) data processing of such customer or potential customer of a merchant with whom the person is in one group of companies.

(3) The credit bureau shall insure civil legal liability for the performance of activities to be licensed.

(4) The credit bureau shall inform the issuer of the licence regarding other commercial activity which is performed by the bureau in addition to any of the activities to be licensed.

**Section 8. Licence**

(1) A licence for the operation of the credit bureau (hereinafter – the licence) shall be issued by the Data State Inspectorate for five years.

(2) The Cabinet shall determine the requirements for the receipt of the licence, including the requirements for civil liability insurance of the credit bureau, and the procedures for issuing the licence, and also the procedures for and cases of suspending, re-registration and cancellation of the licence.

(3) The credit bureau shall pay a State fee for the issuance and re-registration of the licence. The credit bureau shall pay an annual State fee for the supervision of the operation of the credit bureau. The amount and payment procedures of the State fee shall be determined by the Cabinet.

(4) If the credit bureau terminates operation or loses the licence, the accumulated credit information shall be deleted, except for the case when it shall be transferred to the State archives in the amount specified in the Law or also – within the time period stipulated by the Data State Inspectorate – to another licensed credit bureau.

**Section 9. Involvement of Other Persons in Ensuring the Carrying out of Licensed Activities of the Credit Bureau**

(1) If a written consent of the Data State Inspectorate has been received, the credit bureau may entrust, on the basis of a written contract, the performance of activities to another person which are necessary for ensuring the carrying out of the licensed activities of the credit bureau specified in Section 7 of this Law.

(2) After receipt of the written consent referred to in Paragraph one of this Section, the credit bureau or the other person referred to in Paragraph one of this Section is responsible in relation to third parties for the operation of such person who has been entrusted the performance of the particular activities. The Data State Inspectorate has the right to revoke the previously given written consent if the credit bureau or the other person referred to in Paragraph one of this Section does not fulfil the requirements of this Law. Contesting or appeal of a decision of the Data State Inspectorate to revoke the previously given written consent does not suspend the operation thereof.

**Section 10. Availability of Information on Credit Bureaus**

(1) The Data State Inspectorate shall publish and update the following information on a credit bureau on its website:

1) a decision to grant the licence;

2) the name of the credit bureau;

3) the registration number of the credit bureau;

4) the contact details of the credit bureau (legal address and postal address, telephone, electronic mail address);

5) shareholders of the credit bureau whose participation in the credit bureau is five per cent or more from the equity capital with voting rights of the credit bureau;

6) the date of granting the licence;

7) the date of suspending or cancelling the licence.

(2) If any of the information referred to in Paragraph one, Clause 2, 3, 4 or 5 of this Section changes, the credit bureau shall, within three working days after changes enter into effect, submit a submission to the Data State Inspectorate regarding changes. The Data State Inspectorate shall, within five working days after receipt of the submission, update the relevant information on its website.

**Chapter III**

**Processing of Credit Information and Time Periods for Storage**

**Section 11. Inclusion of Information on Debts in the Database of the Credit Bureau**

(1) The user of credit information has the right to include information in the database of the credit bureau regarding a debt if one of the following conditions exists:

1) the debt is confirmed with a court ruling or an arbitration award which has entered into effect;

2) at least 60 days have passed from the first day of late payment and at least 30 days from the day when the warning referred to in Paragraph two of this Section regarding the relevant debt has been sent; however, the debt has not been covered and the customer has not expressed written objections regarding existence or amount of the debt;

3) at least 60 days have passed from the first day of late payment and at least 30 days from the day when the warning referred to in Paragraph two of this Section regarding the relevant debt has been sent; however, the debt has not been covered and the customer has expressed written objections regarding existence or amount of the debt but the user of credit information has sent a motivated reply to the customer, issuing copies of documents confirming the existence and amount of the debt, and has informed him or her that information on the debt will be included in the database of the credit bureau;

4) the customer has consented that the user of credit information includes information on the debt of the customer in the database of the credit bureau. Such consent of the customer shall conform to the requirements of the data regulation regarding consent of the data subject, and the consequences of such consent are explained to the customer.

(2) In the case referred to in Paragraph one, Clause 2 or 3 of this Section, the user of credit information shall send a warning to the customer regarding the debt prior to inclusion of the information on the debt in the database of the credit bureau. The warning shall include information on whether the information on the debt will be transferred to the credit bureau, and on the purposes for which the information on the debt included in the database of the credit bureau will be processed.

(3) In the case referred to in Paragraph one, Clause 3 of this Section, if the user of credit information has not yet included information on the debt of the customer in the database of the credit bureau and after sending of a motived reply regarding existence or amount of the debt to the customer has received repeated written objections of the customer, then, upon including information on the debt of the customer in the database of the credit bureau, the user of credit information shall indicate at least whether written objections of the customer regarding existence or amount of the debt have been received.

(4) In the case referred to in Paragraph one, Clause 4 of this Section, information on the debt of the customer shall be included in the database of the credit bureau for a time period not exceeding 60 days from the first day of late payment. When 60 days have passed, information on the debt in the database of the credit bureau shall be processed in any of the cases referred to in Paragraph one, Clauses 1, 2, and 3 of this Section.

(5) The user of credit information shall supply the current information on the debt included in the database of the credit bureau to the credit bureau not less than once in a quarter.

[*3 October 2019*]

**Section 12. Information to be Included in the Database of the Credit Bureau**

(1) The following information related to the debt of the customer shall be included in the database of the credit bureau:

1) the given name, surname, and personal identity number of the customer or other information identifying the customer;

2) information on the amount of debt, including information on the initial amount of debt, the actual amount of debt, and the first day of late payment;

3) the date when information on the debt was included in the database of the credit bureau, and the date when information on the debt was last updated;

4) information on the fact that the debt no longer exists, the date since which the debt no longer exists, and also the way the debt was settled;

5) information on the user of credit information who included information on the debt in the database of the credit bureau;

6) information on the sector of such user of credit information which included information on the debt in the database of the credit bureau in accordance with Regulation (EC) No 1893/2006 of the European Parliament and of the Council of 20 December 2006 establishing the statistical classification of economic activities NACE Revision 2 and amending Council Regulation (EEC) No 3037/90 as well as certain EC Regulations on specific statistical domains (Text with EEA relevance), insofar as the description of the sector corresponds to the purpose of processing the respective data;

7) information on whether the customer has expressed written objections against the existence or amount of the debt, including whether there is a dispute regarding the rights which is examined by a court in relation to the existence or amount of the debt.

(11) Paragraph one, Clause 6 of this Section shall not apply to special categories of personal data and the sector of the user shall be “Other services”.

(12) The content and amount of information, with the exception of the information specified in Paragraph one of this Section, on the customer’s payment obligations which is included in the database of the credit bureau by creditors in accordance with the requirements of the Consumer Rights Protection Law, and also the time periods and procedures for the inclusion of information in the database of the credit bureau shall be determined by the Cabinet.

(2) The user of credit information or the credit bureau is entitled to include in the database of the credit bureau other credit information not referred to in Paragraph one and 1.2 of this Section if such inclusion has any of the grounds specified in the data regulation for the processing of personal data.

(3) The credit bureau, upon supplying information to the user of credit information on the credit information included by another user of credit information, shall not indicate the information that allows to identify the user of credit information which included the respective information in the database of the credit bureau.

(4) The credit bureau shall delete the information referred to in Paragraph one, Clause 7 of this Section if it has received a court ruling or arbitration award which has entered into effect and by which the debt amount is established, or a written certification of the customer regarding withdrawal of his or her objections.

(5) The credit bureau is entitled to determine the minimum debt amount for each sector from which information on the debt may be included in the database of the credit bureau.

(6) The credit bureau is entitled to process special categories of personal data as long as such processing of the data is related to the processing of information on a person’s debt, provided that special categories of personal data are not disclosed to third parties. Special categories of personal data shall only be processed in the amount and in accordance with the procedures specified in this Section.

[*8 February 2018; 3 October 2019* / *The new wording of Paragraph two on the inclusion of such information in the database of the credit bureau which is not referred to in Section 12, Paragraph one and 1.2 shall come into force on 1 March 2020.* *See Paragraph 6 of Transitional Provisions*]

**Section 13. Information from a State Information System**

(1) Upon legal request of such user of credit information which, in accordance with the laws and regulations, has the right to receive restricted access information from a State information system, the credit bureau shall request and receive information from the respective State information system on the customer or potential customer. The credit bureau shall not use the received information for purposes other than transfer of such information to the user of credit information in unchanged form and shall not store it after transfer to the user of credit information.

(2) The procedures by which the credit bureau shall receive restricted access information from a State information system, and also the obligations, rights and liability arising from the processing of such information are determined in the data regulation, the regulatory enactment governing the operation of the respective State information system and other laws and regulations.

(3) The credit bureau and the holder of State information system shall enter into a contract regarding processing of generally accessible information. The credit bureau shall purchase the licence for re-use of information or shall obtain generally accessible information in another way determined by the regulatory enactment regarding the particular State information system. The credit bureau shall process generally accessible information for the processing purposes of credit information specified in this Law, except for the case referred to in Section 7, Paragraph four of this Law when the credit bureau is performing another commercial activity.

(4) If the manager of a State information system uses a State information systems’ integrator, then the credit bureau is entitled to obtain information from the respective State information system, using the State information systems’ integrator in accordance with the laws and regulations regarding the State information systems’ integrator.

[*3 October 2019*]

**Section 14. Foreign Credit Information**

(1) The credit bureau shall request foreign credit information from a foreign source of credit information upon request of the user of credit information.

(2) The credit bureau shall immediately transfer the foreign credit information received, without changing its content, to the user of credit information which requested it. The credit bureau shall not use the received information for purposes other than transfer of such information to the user of credit information in unchanged form and shall not store it after transfer to the user of credit information.

(3) The credit bureau is entitled to supply credit information to a person registered in a European Union Member State or a Member State of the European Economic Area whose type of activity is personal data processing and transfer thereof to third parties which use such the data for the evaluation of creditworthiness or management of their credit risk if all of the following conditions exist:

1) the data subject has given a respective consent and it conforms to the requirements of the data regulation or another condition referred to in the data regulation exists which allows the processing of personal data;

2) third parties in relation to such person registered abroad are to be considered as users of credit information and they comply with the requirements laid down for users of credit information in Section 4, Paragraph two of this Law in relation to the purpose of processing credit information;

3) the person registered in a European Union Member State or a Member State of the European Economic Area transfers, without delay, the credit information supplied by the credit bureau to the third party which requested it, and the information received is not used for other purposes other than transfer of such information to the third party in unchanged form and they are not stored after the transfer.

[*3 October 2019*]

**Section 15. Information which is Prohibited to be Used in Processing of Credit Information**

[8 February 2018]

**Section 16. Time Periods of Storage**

(1) The credit bureau shall store information related to debts:

1) for five years from the day when the debt was settled or from the day when debt liability has expired on other legal grounds, or after the day when the debt has been ceded or otherwise transferred to a person who is not another user of credit information, but not longer than 10 years after the first day of late payment;

2) 10 years after the first day of late payment if the debt is not paid.

(2) The credit bureau shall store information on the request of the user of credit information for one year after the day of receiving such request. Another time period for which the credit bureau shall store the request of the user of credit information to supply information from the respective State information system may be determined in a regulatory enactment governing the operation of a State information system containing restricted access information.

(3) The credit bureau is entitled to store the information included in the database of the credit bureau regarding payment obligations carried out, except for the information referred to in Paragraph one of this Section and the information which may be obtained from public or publicly available registers, until the time when the customer is requesting that the user of credit information deletes it and such request has been notified to the credit bureau. The customer does not have the right to request the deletion of such information if the user of credit information has legal grounds and purpose for inclusion of such information in the database of the credit bureau.

(4) The credit bureau is entitled to store the information which may be obtained from public or publicly available registers for as long as necessary for the processing purposes of credit information, but not exceeding the time period while such information is accessible in the respective register.

**Section 17. Processing of Credit Information after Termination of the Credit Information Agreement**

(1) If the credit bureau or the user of credit information unilaterally withdraws from the credit information agreement or if the credit bureau and the user of credit information agree on termination of the credit information agreement (hereinafter – the former user of credit information), the credit bureau shall immediately delete the credit information from the database of the credit bureau which was obtained from the former user of credit information, except for information on the debt which the credit bureau is entitled to store in accordance with Section 16, Paragraph one, Clause 1 of this Law, and other information on payment obligations if the relevant debt obligation or payment obligation has expired while the credit information agreement was in force.

(2) The credit bureau shall correct, update or delete the information referred to in Paragraph one of this Section on the debt in the following cases:

1) the former user of credit information and its customer or the person who has been indicated as the customer in the database of the credit bureau by mistake signs, at the credit bureau in person according to the procedures stipulated by the credit bureau, a mutual certification to the fact that information on the debt has been corrected or deleted;

2) the credit bureau receives a certification from the former user of credit information and its customer or the person who has been indicated as the customer in the database of the credit bureau by mistake that information on the debt has been corrected or deleted, moreover, the authenticity of the signatures has been certified by a notary;

3) the credit bureau receives a court ruling or an arbitration award establishing that the information included in the database of the credit bureau has different content on its merits;

4) the credit bureau establishes that the information included in its database regarding the debt does not conform to the information on the debt supplied by the former user of credit information;

5) in other cases stipulated by the credit bureau according to the procedures stipulated by such bureau.

(3) The credit bureau shall, in accordance with the requirements of the data regulation in the cases and according to the procedures stipulated by the credit bureau, correct, update or delete the information referred to in Paragraph one of this Section regarding other payment obligations which do not contain information on the debt.

[*3 October 2019*]

**Section 18. Legal Grounds for the User of Credit Information to Request and Receive Credit Information from the Credit Bureau**

The user of credit information is entitled to request and receive credit information from the credit bureau if any of the following conditions exists:

1) the customer or potential customer has consented that the user of credit information receives credit information. Such consent of the customer or potential customer shall conform to the requirements of the data regulation on the consent of the data subject;

2) the right of the user of credit information to obtain credit information arises from the customer contract;

3) another condition referred to in the data regulation allows the processing of personal data.

[*3 October 2019*]

**Section 19. Right of a Natural Person to Receive Information**

(1) A natural person has the right, pursuant to the data regulation, to receive from a credit bureau the information which is processed about him or her as well as the information on the user of credit information which has used the credit bureau in order to request and receive information from a State information system in accordance with the following procedures:

1) to receive information in online mode or in person at the credit bureau – free of charge;

2) to receive information by post – by covering the expenses of the credit bureau for postal services according to the tariffs of the postal service provider in accordance with the procedures stipulated by the credit bureau.

(2) [3 October 2019]

[*3 October 2019*]

**Chapter IV**

**Responsibility for Processing of Credit Information and Supervision of Processing of Credit Information**

**Section 20. Responsibility of the Credit Bureau**

(1) The credit bureau shall be responsible for the conformity of the information included in its database with the information supplied by the user of credit information.

(2) The credit bureau shall not be responsible for the completeness and veracity of such information which has been received by the credit bureau upon request of the user of credit information from a State information system or from a foreign source of credit information and, without changing its content, has transferred it to the user of credit information.

**Section 21. Responsibility of the User of Credit Information**

The user of credit information shall be responsible that it:

1) has included complete and true information in the database of the credit bureau which conforms to the obligations specified in the customer contract;

2) according to the procedures stipulated by the credit bureau and in accordance with the requirements of this Law, supplies current information to the credit bureau regarding the information included in its database;

3) has requested credit information only in such case when there are legal grounds for such action and the purpose for processing personal data specified in this Law has existed.

**Section 22. Correction of Inaccuracies**

(1) If the customer is of opinion that inaccurate information is included in the database of the credit bureau, it shall submit a written objection to the credit bureau or user of credit information.

(2) The customer may append copies of documents justifying objections to the written objection. If the written objection is submitted by a person authorised by the customer, the authorisation shall be notarised.

(3) If the customer submits a written objection in relation to the information included in the database of the credit bureau by mistake to the user of credit information:

1) the user of credit information shall review it in accordance with the procedures laid down in the data regulation and, without delay, notify the credit bureau that an objection of the customer has been received in relation to the particular information;

2) until a justified reply of the user of credit information is received, the credit bureau shall make note in its database that an objection of the customer has been received in relation to the information included in the database;

3) the user of credit information shall, within a month after receipt of an objection of the customer, examine it and provide a justified reply to the customer, sending a copy of the reply also to the credit bureau.

(4) If the customer submits a written objection in relation to the information included in the database of the credit bureau by mistake to the credit bureau:

1) the credit bureau shall verify whether the information included in its database conforms to the information supplied by the user of credit information;

2) the credit bureau shall send, without delay, a copy of the objection to the user of credit information if the information included in its database conforms to the information supplied by the user of credit information;

3) until a justified reply of the user of credit information is received, the credit bureau shall make note in its database that an objection of the customer has been received in relation to the information included in the database;

4) the user of credit information shall, within a month after receipt of the request of the credit bureau, examine the objection of the customer and provide a justified reply to the credit bureau and the customer.

(5) If, after evaluating the written objection of the customer referred to in Paragraph four of this Section, the credit bureau establishes that the information included in its database does not conform to the information supplied by the user of credit information, or if the user of credit information informs the credit bureau that inaccurate information has been included in its database, then the credit bureau shall correct or delete such information and shall inform, without delay, such users of credit information regarding correcting or deletion of such information to whom the credit bureau has supplied such information during the last 12 months.

(6) If the user of credit information, having evaluated the written objection of the customer referred to in Paragraph three or four of this Section in relation to the information included in the database of the credit bureau regarding the debt, informs the customer and the credit bureau that the objection is not justified, but the customer, after receipt of the reply of the user of credit information, informs the credit bureau that it does not agree with the reply of the user of credit information and still is of the opinion that inaccurate information on the debt has been included in the database of the credit bureau, the credit bureau shall make a note in its database that written objections of the customer against the existence or amount of the debt have been received.

(7) If the user of credit information, having evaluated the written objection of the customer referred to in Paragraph three or four of this Section in relation to other payment obligation that does not contain information on the debt, informs the credit bureau that the objection is unjustified, but the customer, after receipt of the reply of the user of credit information, does not agree with its reply and still is of the opinion that inaccurate information on the payment obligation has been included in the database of the credit bureau, the customer has the right, according to the rights provided for the customer in Section 16, Paragraph three of this Law, to request that the user of credit information deletes the respective information from the database of the credit bureau. The customer does not have the right to request the deletion of such information if the user of credit information has legal grounds and purpose for inclusion of such information in the database of the credit bureau.

[*3 October 2019*]

**Section 23. Competence of the Data State Inspectorate**

(1) The operation of the credit bureau shall be supervised by the Data State Inspectorate.

(2) Upon supervising the operation of the credit bureau, the Data State Inspectorate has the following rights:

1) to take the decision to suspend or cancel the operation of the licence;

2) to perform checks and audits at the credit bureau or with the persons specified in Section 9 of this Law in relation to which the Data State Inspectorate has given a written consent for checking the operation of the credit bureau in accordance with the requirements of this Law and other laws and regulations;

3) to receive information and documents free of charge from the credit bureau or the persons specified in Section 9 of this Law in relation to which the Data State Inspectorate has given a written consent for checking the operation of the credit bureau or for examination of the complaint received from the customer regarding the operation of the credit bureau;

4) to request that the information included in the database of the credit bureau by mistake or illegally is corrected or deleted;

5) upon deciding on the issues referred to in this Law, to request additional information that is necessary for taking a decision;

6) to request checking of the information systems, equipment, and procedures of the credit bureau and to determine an independent expert-examination for the studying of the issues to be checked;

7) to exercise other rights which are provided for the Data State Inspectorate in the data regulation and Personal Data Processing Law in the field of personal data protection.

(3) Upon supervising the operation of the credit bureau, the Data State Inspectorate has the following duties:

1) to supervise the compliance of the operation of the credit bureau with the requirements of this Law and other laws and regulations;

2) to take decisions on the operation of the credit bureau and to examine complaints regarding the operation of the credit bureau;

3) to impose administrative penalties for violations in accordance with the procedures laid down in laws and regulations;

4) to decide on transfer of the accumulated credit information in accordance with Section 8, Paragraph four of this Law.

(4) An administrative deed issued by or an actual action of an official of the Data State Inspectorate may be contested to the director of the Data State Inspectorate. An administrative deed issued by or an actual action of the director, and also a decision on the contested administrative deed or actual action may be appealed to a court in accordance with the procedures laid down in the Administrative Procedure Law.

[*3 October 2019*]

**Chapter V**

**Administrative Offences in the Field of Provision of Credit Information Services and Competence in Administrative Offence Proceedings**

[*3 October 2019 /* *Chapter shall come into force on 1 July 2020.* *See Paragraph 4 of Transitional Provisions*]

**Section 24. Provision of Services without the Licence**

For the provision of such services without the licence which are regulated by the law and for the provision of which the credit bureau is required to have the licence, a fine from two thousand to two thousand and eight hundred units of fine shall be imposed on a legal person.

[*3 October 2019 /* *Section shall come into force on 1 July 2020.* *See Paragraph 4 of Transitional Provisions*]

**Section 25. Competence in Administrative Offence Proceedings**

The administrative offence proceedings for the offence referred to in Section 24 of this Law shall be conducted by the Data State Inspectorate.

[*3 October 2019 /* *Section shall come into force on 1 July 2020.* *See Paragraph 4 of Transitional Provisions*]

**Transitional Provisions**

1. The Cabinet shall, by 31 December 2014, issue the regulations referred to in Section 8, Paragraphs two and three of this Law.

2. A commercial company or a person who performs economic activity and provides any of the services referred to in Section 7, Paragraph one of this Law, but does not comply with the requirements of this Law regarding stock company as the supplier of such services or has not received the licence, shall ensure compliance with the respective requirements within a year after the day of coming into force of this Law. Until the licence is received, it is prohibited to supply the service referred to in Section 7, Paragraph one, Clause 2 of this Law. If compliance with the respective requirements of the Law is not ensured within a year, the commercial company or the person who performs economic activity is prohibited from supplying the service referred to in Section 7, Paragraph one, Clause 1 of this Law.

3. The conditions of Section 11 of this Law regarding the right of the user of a credit bureau to include information on the debt in the database of the credit bureau shall also apply to the debt which exists on the day of coming into force of the Law.

4. Chapter V of this Law shall come into force concurrently with the Law on Administrative Liability.

[*3 October 2019*]

5. The Cabinet shall, by 28 February 2020, issue the regulations referred to in Section 12, Paragraph 1.2 of this Law.

[*3 October 2019*]

6. Section 12, Paragraph 1.2 and two of this Law on the inclusion of such information in the database of the credit bureau which is not referred to in Section 12, Paragraphs one and 1.2 shall come into force on 1 March 2020.

[*3 October 2019*]

The Law shall come into force on 1 January 2015.

The Law has been adopted by the *Saeima* on 18 September 2014.

President A. Bērziņš

Rīga, 8 October 2014