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

23 November 2017 [shall come into force on 1 January 2018];

17 June 2020 [shall come into force on 1 July 2020];

21 January 2021 [shall come into force on 16 February 2021];

10 June 2021 [shall come into force on 12 July 2021].

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:

**Account Register Law**

**Section 1. Terms Used in this Law**

The following terms are used in this Law:

1) **account**– a demand deposit, payment account or investment account opened in a credit institution, savings and loan association or a provider of payment services (within the meaning of the Law on Payment Services and Electronic Money);

2) **savings and loan association**– a savings and loan association within the meaning of Section 2 of the Law on Savings and Loan Associations;

3) **credit institution**– a credit institution within the meaning of Article 4(1)(1) of Regulation (EU) No 575/2013 of the European Parliament and of the Council of 26 June 2013 on prudential requirements for credit institutions and investment firms and amending Regulation (EU) No 648/2012;

4) **provider of payment services**– a provider of payment services laid down in Section 2, Paragraph two, Clauses 2, 3, 4 and 7 of the Law on Payment Services and Electronic Money;

5) **beneficial owner**– a natural person within the meaning of the Law on the Prevention of Money Laundering and Terrorism and Proliferation Financing;

6) **authorised person** – a natural person who is authorised to act in the name of another natural person, legal person or a legal arrangement (within the meaning of the Law on the Prevention of Money Laundering and Terrorism and Proliferation Financing) and who acts with the account opened in a credit institution, provider of payment services or savings and loan association or with the funds in such an account;

7) **investment account** – an account within the meaning of the law On Personal Income Tax opened in a credit institution or a provider of payment services;

8) **individual safe-deposit box service** – service ensured by a credit institution or a payment service provider with which the service recipient has acquired the right to use an individual safe-deposit box on the basis of a lease or rental contract.

[*23 November 2017; 17 June 2020*]

**Section 2. Purpose of this Law**

The purpose of this Law is to establish and maintain the account register (hereinafter – the Register) and ensure processing of data of a personʼs account with a view:

1) to prevent the use of the Latvian and international financial system in criminal activities, including money laundering, terrorism and proliferation financing, and to ensure international co-operation in this field;

2) to protect State and public security;

3) to promote investigation of criminal offences, prosecution and trial of criminal cases;

4) to ensure possibilities for the State authorities and officials to receive information which is necessary for the performance of State administrative tasks laid down in this Law;

5) to ensure efficient operation of tax administration system.

[*17 June 2020*]

**Section 3. Manager and Holder of the Account Register, Obligations Thereof**

(1) The Register is the State information system, and the manager and holder thereof is the State Revenue Service.

(2) The State Revenue Service shall permanently maintain and develop the Register, and also ensure the management of the security of the Register in conformity with the security requirements laid down for the State information system in the laws and regulations.

(3) The State Revenue Service has the right to issue the data included in the Register only to users of the Register information laid down in Section 6 of this Law in accordance with the procedures laid down in Section 8 of this Law.

(4) The State Revenue Service shall supervise:

1) verification whether the content of the request of the user of the Register information complies with the requirements of Section 8 of this Law;

2) so that access to the Register data is ensured only to the users of the Register information laid down in Section 6 of this Law and only in the laid down amount.

**Section 4. Status of Data Included in the Register**

Data included in the Register shall be restricted access information. The manager of the Register and user of the Register information is entitled to use the data included in the Register for the purposes laid down in this Law.

**Section 5. Inclusion of Data in the Register**

(1) Data for inclusion in the Register shall be provided by:

1) credit institutions;

2) savings and loan associations;

3) providers of payment services.

(2) Providers of data referred to in Paragraph one of this Section (hereinafter – the provider of data) shall provide the following data:

1) on the provider of data with which a demand deposit, payment or investment account is opened or from which the individual safe-deposit box service is received – the name, registration number;

2) on an account holder who is a natural person and a resident of the Republic of Latvia – the given name, surname, personal identity number, the account number, the date of opening and closing the account;

3) on an account holder who is a natural person and non-resident of the Republic of Latvia – the given name, surname, the number of the personal identification document and the name of issuing country, the account number, the date of opening and closing the account;

4) on an account holder who is a legal person and a resident of the Republic of Latvia or a permanent representation in Latvia of a non-resident of the Republic of Latvia – the name, registration number, the account number, the date of opening and closing the account;

5) on an account holder who is a legal person and non-resident of the Republic of Latvia – the name, registration number, the name of the country of registration, the account number, the date of opening and closing the account;

6) on a recipient of the individual safe-deposit box service who is a natural person and resident of the Republic of Latvia – the given name, surname, personal identity number, number of the individual safe-deposit box or contract or another unique identifier of the safe-deposit box service, date of entry into and termination of the lease or rental contract;

7) on a recipient of the individual safe-deposit box service who is a natural person and non-resident of the Republic of Latvia – the given name, surname, date of birth, number of a personal identification document and name of its issuing country, number of the individual safe-deposit box or contract or another unique identifier of the safe-deposit box service, date of entry into and termination of the lease or rental contract;

8) on a recipient of the individual safe-deposit box service who is a legal person and a resident of the Republic of Latvia or a permanent representation of a non-resident in Latvia – the name, registration number, number of the individual safe-deposit box or contract or another unique identifier of the safe-deposit box service, date of entry into and termination of the lease or rental contract;

9) on a recipient of the individual safe-deposit box service who is a legal person and non-resident of the Republic of Latvia – the name, registration number, the name of the country of registration, number of the individual safe-deposit box or contract or another unique identifier of the safe-deposit box service, date of entry into and termination of the lease or rental contract.

(3) If a beneficial owner has been identified for the person referred to in Paragraph two of this Section, the following data shall be provided concurrently with the data referred to in Paragraph two of this Section:

1) on a beneficial owner who is a resident of the Republic of Latvia – the given name, surname, personal identity number of a natural person;

2) on a beneficial owner who is a non-resident – the given name, surname, date of birth of a natural person, the number of personal identification document, the name of the issuing country.

(31) If the authorised person has been identified for the person referred to in Paragraph two of this Section, the following data shall be provided concurrently with the data referred to in Paragraph three of this Section:

1) on the authorised person who is a resident of the Republic of Latvia – the given name, surname, personal identity number of a natural person;

2) on the authorised person who is a non-resident – the given name, surname, date of birth of a natural person, the number of personal identification document, the name of the issuing country.

(4) A provider of data shall electronically provide the data laid down in Paragraphs two and three of this Section in conformity with the Electronic Documents Law, by using the data distribution network of the State information system’ integrator under supervision of the State Regional Development Agency at least once in two working days.

(5) The provider of data shall provide information for entry in the Register if an account is opened or closed, a lease or rental contract for an individual safe-deposit box is being entered into or terminated, and also in the case when the provider of data has become aware of changes in the personal data of the natural or legal person related to an account holder, lessor or renter of an individual safe-deposit box, beneficial owner or the authorised person which are referred to in Paragraphs two, three, and 3.1 of this Section.

(6) A provider of data shall be responsible for the conformity of the provided data with the information at the disposal thereof.

(7) The State Revenue Service shall be responsible that the data included in the Register corresponds to the data provided by the provider of data.

(8) A provider of data shall provide the data for inclusion in the Register and the data shall be included in the Register in the Latvian language. The given name and surname of such natural person who is not a citizen or non-citizen of Latvia, and also the name of a person registered in other country shall be included in the Register in Latin transliteration.

(9) A manager of the Register shall store the data included in the Register for five years after closing the account. After the end of the abovementioned time period, a manager of the Register shall delete data from the Register.

(10) The procedures and form for including the data indicated in Paragraphs two, three and 3.1 of this Section in the Register by the providers of data referred to in Paragraph one of this Section shall be determined by the Cabinet.

[*23 November 2017; 17 June 2020* / *See Paragraphs 7 and 8 of Transitional Provisions*]

**Section 6. Users of the Register Information and Purposes for Processing the Data Included in the Register**

(1) A manager of the Register shall issue the data included in the Register to the following users of the Register information upon a justified request and for the following purposes in the amount laid down by the Cabinet:

1) to the Financial Intelligence Unit of Latvia – for the performance of the functions laid down in the Law on the Prevention of Money Laundering and Terrorism and Proliferation Financing, including for ensuring international co-operation with foreign notified institutions, in order to prevent money laundering and financing of criminal offences related thereto, terrorism and proliferation;

2) to bodies performing investigatory operations – for the performance of investigatory operations in the investigatory recording file;

3) to investigative institutions – for the performance of investigative operations during pre-trial criminal proceedings;

4) to the Financial and Capital Market Commission – implementation of the supervisory functions laid down in the laws and regulations;

5) to the State Revenue Service – to apply enforcement securing measures, to carry out recovery on an uncontested basis, partially or completely suspend payment operations, to plan and ensure tax control measures, to plan tax administration, to repay State taxes, fees overpaid or paid incorrectly and payments related thereto, and also amounts of fines, to refund amounts recovered incorrectly, to find out information on the existence of the account in the administrative proceedings and administrative offence proceedings, plan and ensure monitoring of the automatic exchange of information on financial accounts (within the meaning of Chapter XII of the law On Taxes and Fees);

6) to courts — within the framework of the cases in their proceedings;

7) to a prosecutor's office – in the pre-trial criminal proceedings, in the cases laid down in the laws and regulations for the protection of the rights and lawful interests of persons and the State and for the maintenance of prosecution in a court;

8) to the Corruption Prevention and Combating Bureau – in order to ensure the control of complying with restrictions laid down for the State officials in the law On Prevention of Conflict of Interest in Activities of Public Officials and also the control of complying with the Law on Financing of Political Organisations (Parties);

9) to sworn bailiffs – for the performance of the duties laid down in the laws and regulations within the framework of an enforcement case, and also for the protection of the estate and drawing up an inventory of the estate, for the performance of property inventory for the purpose of the property division;

10) to sworn notaries, Orphan’s and Custody Courts – for the performance of the duties laid down in the laws and regulations for the protection of the estate and drawing up an inventory of the estate;

11) to Latvijas Banka – for the performance of statistical and analytical tasks provided for in the laws and regulations;

12) to the local governments – to perform the recovery of immovable property tax on an uncontested basis, to refund the overpaid or incorrectly paid immovable property tax and the payments related thereto, and also the amounts of fines, to refund amounts of immovable property tax recovered incorrectly, and to find out information regarding the existence of the account or individual safe-deposit box lease or rental contract in the administrative proceedings, and also to find out information regarding the existence of the account or individual safe lease or rental contract for a person who has requested social assistance or social services within the assessment process of income and financial situation in accordance with the Law on Social Services and Social Assistance;

13) to the administrator of insolvency proceedings – for the performance of the obligations and exercising the rights laid down in the Insolvency Law in insolvency proceedings of a legal and natural person;

14) to the Insolvency Control Service – for the implementation of the monitoring of administrators of insolvency proceedings in accordance with the Insolvency Law;

15) to credit institutions – in order to obtain data on the existence of accounts of a consumer within the meaning of the Law on Payment Services and Electronic Money with another credit institution if the client has submitted an application to the credit institution for the opening of a basic account within the meaning of the aforementioned law;

16) to credit institutions and providers of payment services – in order to obtain data on the number of accounts opened by a client and its beneficial owner, and also a person who has expressed a wish to establish business relationship with the credit institution or provider or payment services and its beneficial owner and the number of credit institutions and providers of payment services with whom these accounts are opened for the application of the enhanced due diligence;

17) to the Ministry of Finance – in order to ensure the fulfilment of the obligations laid down in the Law on the Aid to be Provided to the European Anti-Fraud Office;

18) the Consumer Rights Protection Centre – for the performance of the supervisory functions specified in the Consumer Rights Protection Law, implementing the powers specified in point (b) of Article 9(3) of Regulation (EU) 2017/2394 of the European Parliament and of the Council of 12 December 2017 on cooperation between national authorities responsible for the enforcement of consumer protection laws and repealing Regulation (EC) No 2006/2004.

(2) The users of the Register information referred to in Clauses 1, 2, 3, 4, 5, 6, 7, 8, 12, 14, 15, 16, 17 and 18 of Paragraph one of this Section, and also Orphan’s and Custody Courts shall determine the responsible persons who are the specific users of the Register information, and the amount of requested data regarding which the manager of the Register is to be informed in accordance with the procedures laid down by the Cabinet. All obligations of a user of the Register information laid down in this Law shall be binding on the abovementioned responsible persons.

[*23 November 2017; 17 June 2020; 21 January 2021; 10 June 2021*]

**Section 7. Obligations of the User of the Register Information**

(1) The user of the Register information has the following obligations:

1) to indicate in the request the legal basis for the issuing of the data laid down in this Law and the purpose for processing data, and also to process personal data only in conformity with the purposes of information processing laid down in this Law in the amount necessary for them;

2) to record and store information for five years:

a) regarding each request of information, by indicating its date and data which identify the person regarding whom the request of information was made (personal identity number or registration code, the number of the case within the framework of which the information was requested),

b) regarding a reply to the request of information by indicating the date of received reply and reply information,

c) regarding the cases when a reply to the request of information was not received;

3) to comply with the requirements of the laws and regulations of personal data protection in processing of a natural person’s data.

(2) A user of the Register information shall be responsible that the information included in the register is requested and used in accordance with the provisions of this Law.

**Section 8. Receipt of Information Included in the Register**

(1) Users of the Register information laid down in Section 6 of this Law shall receive the data included in the Register free of charge in the online mode in accordance with the procedures laid down in the Cabinet regulations.

(2) The procedures for requesting the Register information and receipt thereof by users and for refusing to provide the data included in the Register by the manager of the Register, the procedures for verification of the conformity of the activities of users of the Register information by the manager of the Register with the requirements of the laws and regulations governing the operation of the Register, and also the amount of electronic information to be received by the user of the Register information and storage procedures shall be determined by the Cabinet.

(3) Latvijas Banka has the right to receive the data included in the Register which are necessary for the performance of statistical and analytical tasks provided for it in the laws and regulations in the form of summary and report so that it, directly or indirectly, is impossible to identify the individual data of a natural or legal person included in the Register. Latvijas Banka is entitled to disclose and publish the abovementioned summary and report in accordance with the procedures laid down in the laws and regulations.

**Transitional Provisions**

1. A credit institution, savings and loan association and provider of payment services has an obligation to submit information to be included in the Register laid down in Section 5, Paragraph two of this Law on demand deposit and payment accounts which have been opened and not closed before 30 July 2017 to the State Revenue Service until 31 July 2017.

2. Starting from 1 August 2017, a credit institution, savings and loan association and provider of payment services shall provide the data laid down in Section 5, Paragraph two of this Law to the State Revenue Service by complying with the time period laid down on Section 5, Paragraph four of this Law.

3. The State Revenue Service shall ensure provision of the Register data to users of the Register information starting from 1 September 2017.

4. The Cabinet shall issue the Regulation referred to in Section 5, Paragraph ten and Section 8, Paragraph two of this Law until 1 February 2017.

5. Until 1 July 2017 the Cabinet shall develop a draft law which provides for procedures by which a credit institution, savings and loan associations or provider of payment services shall provide data to the Account Register on an authorised person within the meaning of the Law on the Prevention of Money Laundering and Terrorism Financing, and submit it for examination to the *Saeima*.

6. A credit institutions, savings and loan association or provider of payment services shall start to provide the data laid down in Section 5, Paragraph three of this Law on a beneficial owner for inclusion in the Register on the following day after coming into force of the amendments to the Law On Prevention of Money Laundering and Terrorism Financing by which the requirements laid down in the amendment proposal 2016/0208 (COD) to Directive (EU) 2015/849 of the European Parliament and of the Council of 20 May 2015 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing, and amending Directive 2005/60/EC of the European Parliament and of the Council and Commission Directive 2006/70/EC are transposed.

7. A credit institution, savings and loan association and provider of payment services has an obligation to submit information to be entered in the Register that is laid down in Section 5, Paragraph two of this Law on recipients of the individual safe-deposit box service who have valid lease or rental agreements for an individual safe-deposit box to the State Revenue Service until 31 August 2020.

[*17 June 2020*]

8. Starting from 1 September 2020, a credit institution, savings and loan association and provider of payment services shall provide the information laid down in Section 5, Paragraph two of this Law on the recipients of the individual safe-deposit box service to the State Revenue Service by complying with the time limit laid down on Section 5, Paragraph four of this Law.

[*17 June 2020*]

**Informative Reference to European Union Directives**

[*17 June 2020*]

This Law contains norms arising from:

1) Directive (EU) 2015/849 of the European Parliament and of the Council of 20 May 2015 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing, amending Regulation (EU) No 684/2012 of the European Parliament and of the Council, and repealing Directive 2005/60/EC of the European Parliament and of the Council and Commission Directive 2006/70/EC;

2) Directive (EU) 2018/843 of the European Parliament and of the Council of 30 May 2018 amending Directive (EU) 2015/849 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing, and amending Directives 2009/138/EC and 2013/36/EU.

This Law shall come into force on 1 July 2017.

This Law has been adopted by the *Saeima* on 23 November 2016.

President R. Vējonis

Rīga, 10 December 2016