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

1 October 2013 [shall come into force from 1 January 2014];

27 February 2018 [shall come into force from 2 March 2018];

7 January 2020 [shall come into force from 16 January 2020].

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

Republic of Latvia

Cabinet

Regulation No. 64

Adopted 29 January 2013

**Procedures for the Licensing of Providers of Debt Recovery Services**

*Issued pursuant to*

*Section 5, Paragraphs four and five of the Law on Extrajudicial Recovery of Debt*

**I. General Provisions**

1. This Regulation prescribes:

1.1. the requirements for a provider of debt recovery services so that it could receive a special permit (licence) for the provision of debt recovery services (hereinafter – the special permit (licence));

1.2. the procedures for the issuance, use, suspension of operation, re-registration and cancellation of the special permit (licence);

1.3. the procedures by which the State fee shall be paid for the issuing and re-registration of the special permit (licence), and the amount thereof.

2. The special permit (licence) shall be issued to a provider of debt recovery services, suspended, re-registered and cancelled by the Consumer Rights Protection Centre.

3. The special permit (licence) shall be issued for three years.

4. A provider of debt recovery services shall place the special permit (licence) or its copy in a place visible to the consumer at the location where debt recovery services are provided, and also present it to the debtor upon a request thereof, if debt recovery activities are performed outside the location where debt recovery services are provided. A location which has been arranged for continuous and systematic provision of services and where consulting of debtors is intended shall be considered as the location where debt recovery services are provided.

5. Information on the number, date of issuance and the term of validity of the issued special permit (licence) shall be published on the website of the provider of debt recovery services, if such has been created.

6. The Consumer Rights Protection Centre shall post the following information on its website within three working days after taking of the relevant decision:

6.1. on providers of debt recovery services which have obtained the special permit (licence) or have re-registered it, including indicating information regarding locations where debt recovery services are provided;

6.2. on suspension and cancellation of the special permits (licences) issued to providers of debt recovery services;

6.3. on changes in the special permit (licence) in the case referred to in Paragraph 24 of the Regulation.

7. The Consumer Rights Protection Centre is entitled to request and receive information from a provider of debt recovery services, and also to carry out the necessary inspections, including at the location where the service is provided, in order to oversee the conformity of the provider of debt recovery services and its activities with the requirements of this Regulation and the laws and regulations in the field of consumer rights protection.

8. Prior to taking a decision to issue, suspend, re-register or cancel the special permit (licence), the Consumer Rights Protection Centre is entitled to give instructions to the provider of debt recovery services regarding activities to be performed by it in order to ensure the conformity of the provider of debt recovery services or its activities with the requirements of this Regulation and the laws and regulations in the field of consumer rights protection.

8.1Within the meaning of this Regulation, a beneficial owner shall be a natural person within the meaning of the Law on the Prevention of Money Laundering and Terrorism and Proliferation Financing.

[*7 January 2020*]

**II. Requirements Stipulated for a Provider of Debt Recovery Services for Obtaining the Special Permit (Licence)**

9. In order to obtain the special permit (licence), a provider of debt recovery services must conform to the following requirements:

9.1. the provider of debt recovery services is an economic operator or natural person – performer of economic activity who provides debt recovery services within the scope of professional activity, and it has not been deprived of the right to perform commercial activities or professional activities in the field of debt recovery;

9.2. a member of the council or board or a member with the right of representation of an economic operator – provider of debt recovery services – has not been deprived of the right to perform commercial activities and the administrative penalty – deprivation of the right to hold specific offices – has not been imposed on such person;

9.2.1the provider of debt recovery services – a natural person or a member of the council or board or a member with the right of representation, a proctor or the person responsible for the fulfilment of the requirements for the prevention of money laundering and terrorism and proliferation financing of an economic operator – has impeccable reputation;

9.3. [25 May 2018 / See Paragraph 2 of Amendments];

9.4. the provider of debt recovery services has developed and approved the internal procedures for the provision of debt recovery services, which determine the procedures for the recovery of a debt, communication with debtors, the positions forming debt recovery expenses and their financial itemised list;

9.5. the provider of debt recovery services has developed and approved the procedures for the examination of consumer complaints in order to ensure examination of the received complaints and provision of replies within a reasonable period of time;

9.6. on the day of issuance of the special permit (licence) there is no information about the provider of debt recovery services in the data base of the State Revenue Service in relation to overdue tax payments, fee payments or payments determined by the State into the State budget;

9.7. the special permit (licence) of the provider of debt recovery services has not been cancelled within the last three years;

9.8. the provider of debt recovery services (if the provider of debt recovery services is a natural person) or any of the members of the council or board or members with the right of representation (if the provider of debt recovery services is an economic operator), or its employees whose duties include debt recovery, a proctor or the person responsible for the fulfilment of requirements for the prevention of money laundering and terrorism and proliferation financing has not been criminally punished for the committing of an intentional criminal offence for which the liability is provided in Chapter IX, IX.1, X, XII, XIII, XIV, XV, XVI, XVII, XVIII, XIX or XX of the Criminal Law, except when the criminal record has been extinguished, and has not been punished for violations of laws and regulations in the field of prevention of money laundering and terrorism and proliferation financing;

9.9. the provider of debt recovery services has developed an internal control system for the prevention of money laundering and terrorism and proliferation financing in conformity with the requirements of the Law on the Prevention of Money Laundering and Terrorism and Proliferation Financing;

9.10. the provider of debt recovery services is able to prove legal origin of the attracted financing.

[*27 February 2018; 7 January 2020*]

10. Sub-paragraph 9.7 of this Regulation shall also apply to a case if:

10.1. a natural person has been a member of the council or board or a member with the right of representation, a proctor or the person responsible for the fulfilment of requirements for the prevention of money laundering and terrorism and proliferation financing of such economic operator – provider of debt recovery services – whose special permit (licence) has been cancelled or refused;

10.2. a member of the council or board or a member with the right of representation, a proctor or the person responsible for the fulfilment of requirements for the prevention of money laundering and terrorism and proliferation financing of the economic operator has been a member of the council or board or a member with the right of representation, a proctor or the person responsible for the fulfilment of requirements for the prevention of money laundering and terrorism and proliferation financing of such economic operator – provider of debt recovery services – whose special permit (licence) has been cancelled or refused.

[*7 January 2020*]

11. Sub-paragraph 9.7 of the Regulation shall not apply to the case when the special permit (licence) has been cancelled in accordance with Sub-paragraph 36.1, 36.2, 36.3 or 36.4 of the Regulation.

**III. Issue of the Special Permit (Licence)**

12. A provider of debt recovery services shall submit a signed application (Annex 1) to the Consumer Rights Protection Centre for obtaining the special permit (licence). The documents referred to in Annex 1 to the Regulation prepared in accordance with the laws and regulations regarding developing and drawing up of documents shall be appended to the application.

13. Documents of foreign legal and natural persons must be legalised, unless other procedures have been laid down in laws of the Republic of Latvia or international agreements approved by the *Saeima* of the Republic of Latvia. If a document is in a foreign language, it shall require a notarised translation or translation certified in accordance with the laws and regulations regarding the procedures for the certification of document translations in the official language.

14. If the application referred to in Paragraph 12 of the Regulation has been submitted electronically, a provider of debt recovery services shall certify the application and the electronic copies of the documents appended thereto with a secure electronic signature and time stamp in accordance with the laws and regulations regarding drawing up of electronic documents.

15. In order to prepare documents for taking the decision to issue, re-register, suspend or cancel the special permit (licence), the Consumer Rights Protection Centre shall obtain the following information, where necessary:

15.1. from the data base of the State Revenue Service – information about overdue tax payments, fee payments or payments determined by the State into the State budget of a provider of debt recovery services;

15.2. from the Enterprise Register – information in the current wording about the provider of debt recovery services, members of its board or council or members with the right of representation, a proctor, and a beneficial owner if the provider of debt recovery services is an economic operator;

15.3. from the Punishment Register maintained by the Information Centre of the Ministry of the Interior (hereinafter – the Punishment Register) – information about criminal and administrative record of providers of debt recovery services – a natural person or members of the council and board or members with the right of representation, a proctor and the person responsible for the fulfilment of requirements for the prevention of money laundering and terrorism and proliferation financing of an economic operator – and the criminal record of such employees whose duties include recovery of debts;

15.4. [25 May 2018 / See Paragraph 2 of Amendments].

[*7 January 2020*]

15.1The Consumer Rights Protection Centre has the right to verify information regarding the members of the economic operator – provider of debt recovery services – and also to obtain information regarding its beneficial owners. Legal persons are obliged to provide the Consumer Rights Protection Centre with all information required for the verification of the information referred to in this Paragraph, except for the information available to the Consumer Rights Protection Centre in public registers.

[*7 January 2020*]

16. If all the documents referred to in this Regulation have not been appended to the application or the information indicated therein is incomplete or inaccurate, the documents have not been drawn up in accordance with the requirements laid down in laws and regulations or additional information for taking of the decision referred to in Paragraph 19 of the Regulation is necessary, the Consumer Rights Protection Centre shall inform the provider of debt recovery services thereof in writing, indicating a time period until which the relevant documents or information must be submitted, and shall extend the time period for taking of the decision accordingly.

17. After examining the application and evaluating the information at the disposal thereof, the Consumer Rights Protection Centre shall take the decision to refuse to issue the special permit (licence) if:

17.1. the provider of debt recovery services does not meet the requirements referred to in Paragraph 9 of the Regulation;

17.2. the provider of debt recovery services does not submit the information which is necessary for taking the decision within the time period indicated in Paragraph 16 of the Regulation.

18. According to the information at its disposal, the Consumer Rights Protection Centre shall take the decision to refuse to issue the special permit (licence) if:

18.1. the economic operator, a member of its council or board or a member with the right of representation, or a proctor has committed a significant administrative offence in the field of trade, provision of services and finances, consumer rights or personal data protection during the last year. In evaluating whether the administrative offence should be recognised as significant, the Consumer Rights Protection Centre 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;

18.2. the provider of debt recovery services has not complied with the decisions of the Consumer Rights Protection Centre addressed thereto in relation to the protection of collective interests of consumers;

18.3. actions or planned actions of the provider of debt recovery services in provision of debt recovery services does not conform to the requirements of the laws and regulations in the field of consumer rights protection and the prevention of money laundering and terrorism and proliferation financing;

18.4. the provider of debt recovery services has not fulfilled the written commitment stipulated in the laws and regulations in the field of consumer rights protection to eliminate violations within a specific period of time;

18.5. it is established that the provider of debt recovery services has provided false information;

18.6. the provider of debt recovery services has not carried out the instructions of the Consumer Rights Protection Centre referred to in Paragraph 8 of the Regulation;

18.7. public information of negative nature that can be verified is available regarding the provider of debt recovery services – a natural person or a member of the board or council, or a member with the right of representation, a proctor, or a beneficial owner of the economic operator –, and such information attests to a potential relation to proceeds of crime or their laundering, terrorism or proliferation.

[*7 January 2020*]

19. The Consumer Rights Protection Centre shall take the decision to issue the special permit (licence) or to refuse to issue the special permit (licence) within a month from the day when the application referred to in Paragraph 12 of the Regulation and the documents appended thereto was received.

20. The Consumer Rights Protection Centre shall notify the decision referred to in Paragraph 19 of the Regulation to the provider of debt recovery services in accordance with the Law on Notification.

21. After taking the decision to issue the special permit (licence), the Consumer Rights Protection Centre shall issue the standard special permit (licence) (Annex 2) to the provider of debt recovery services. The Consumer Rights Protection Centre shall issue the special permit (licence) in the form of an electronic or printed document.

22. The special permit (licence) shall enter into effect when the decision referred to in Paragraph 19 of the Regulation to issue the special permit (licence) has been notified to the provider of debt recovery services or on the date indicated in the special permit (licence). If the special permit (licence) is re-registered, it shall enter into effect on the day following expiry of the term of validity indicated in the previous special permit (licence).

23. If the special permit (licence) has been damaged, stolen or lost, the provider of debt recovery services shall inform the Consumer Rights Protection Centre thereof in writing without delay after establishing the abovementioned fact by lodging an application for the issuance of a duplicate of the special permit (licence). Within five working days after receipt of the application, the Consumer Rights Protection Centre shall issue a duplicate of the special permit (licence). Until the issuance of the duplicate of the special permit (licence), the provider of debt recovery services is entitled to provide debt recovery services.

24. If the information indicated in the special permit (licence) has changed during the term of validity thereof, the provider of debt recovery services shall submit an application to the Consumer Rights Protection Centre for the necessary amendments to the special permit (licence) (Annex 3) within 10 working days after the relevant changes occur.

25. If the information indicated in Paragraph 2 of Annex 1 to the Regulation has changed during the term of validity of the special permit (licence), the provider of debt recovery services has an obligation to inform the Consumer Rights Protection Centre thereof and to submit the most current information within 10 working days after occurrence of the changes.

26. If the information indicated in Paragraph 4 of Annex 1 to this Regulation has changed or changes have been made to the composition of the board or council, to the information on the proctor or beneficial owner during the term of validity of the special permit (licence), the provider of debt recovery services has an obligation to inform the Consumer Rights Protection Centre thereof and to submit the most current information within 10 working days after the changes have occurred. If the employee is a foreigner, in addition a statement on criminal records shall be submitted, issued by the institution of the state of permanent place of residence of the person which maintains information about criminal records in accordance with the laws of the relevant country, if such information cannot be obtained from the Punishment Register. The statement must be issued not more than six months ago.

[*7 January 2020*]

27. During the term of validity of the special permit (licence), upon a request of the Consumer Rights Protection Centre, the provider of debt recovery services has an obligation to provide information on the debt recovery services provided in the previous calendar year (the number of debts serviced and recovered, the number of debt recovery contracts entered into, and also information on the sectors (fields) in which debt recovery was performed, information on the amount and legal origin of the financing attracted in the previous calendar year, information on the financing returned in the previous calendar year) and other information.

[*7 January 2020*]

**IV. Re-Registration of the Special Permit (Licence) and the Documents Required Therefore**

28. An application for the re-registration of the special permit (licence) shall be submitted, as well as examined, the decision to re-register or to refuse to re-register the special permit (licence) shall be taken and it shall be notified in accordance with the procedures and the time periods laid down in Chapters II and III of this Regulation, insofar as it is not stipulated by Chapter IV.

29. If a provider of debt recovery services which has received the special permit (licence) wishes to extend the term of validity thereof (to re-register the special permit (licence)), it shall submit an application for the re-registration of the special permit (licence) (Annex 4) to the Consumer Rights Protection Centre not earlier than four months and not later than two months prior to expiry of the term of validity of the special permit (licence) indicated in Paragraph 3 of the Regulation. The documents referred to in Annex 4 shall be appended to the application in accordance with the laws and regulations regarding development and drawing up of documents.

30. If a provider of debt recovery services does not submit an application for the re-registration of the special permit (licence) within the time period referred to in Paragraph 29 of the Regulation, but wishes to continue the provision of debt recovery services, it shall submit the documents referred to in this Regulation for the receipt of a new special permit (licence) in accordance with the procedures laid down in Chapter III of this Regulation, paying a State fee for the receipt of a new special permit (licence) in the amount stipulated in this Regulation.

31. The Consumer Rights Protection Centre is entitled to take the decision to refuse to re-register the special permit (licence) if the provider of debt recovery services has not provided the information referred to in Paragraph 24, 26 or 27 of the Regulation to the Consumer Rights Protection Centre within the stipulated time periods.

**V. Suspension of Operation and Cancellation of the Special Permit (Licence)**

32. The Consumer Rights Protection Centre is entitled to take the decision to suspend the validity of the special permit (licence) issued to a provider of debt recovery services for a time period of up to six months if:

32.1. the provider of debt recovery services does not conform to the requirements referred to in Paragraph 9 of the Regulation;

32.2. the provider of debt recovery services does not provide the documents and information to the Consumer Rights Protection Centre requested thereby, which is necessary for the inspection of the provider of debt recovery services, or does not cooperate with the Consumer Rights Protection Centre in accordance with Paragraph 8 of the Regulation, in order to eliminate violations in the field of the consumer rights protection;

32.3. the provider of debt recovery services has not executed the decision of the Consumer Rights Protection Centre for the protection of collective interests of consumers or does not fulfil the written commitment stipulated in the laws and regulations in the field of the consumer rights protection to eliminate the committed violation within a specific period of time;

32.4. the provider of debt recovery services has not submitted the information referred to in Paragraphs 25, 26, 27 of the Regulation to the Consumer Rights Protection Centre within the specified periods of time;

32.5. the sum of overdue tax payments, fee payments or other payments stipulated by the State of the provider of debt recovery services exceeds EUR 1420. In such case, the Consumer Rights Protection Centre is entitled to suspend the operation of the special permit (licence) until the moment when it receives information regarding the full payment of the debt;

32.6. the provider of debt recovery services systematically fails to comply with the procedures drawn up for the provision of debt recovery services and examination of consumer complaints;

32.7. the operation of the provider of debt recovery services does not conform to the requirements of the laws and regulations in the field of consumer rights protection and the prevention of money laundering and terrorism and proliferation financing;

32.8. the Consumer Rights Protection Centre has information at its disposal about violations committed by the provider of debt recovery services or members of its council or board, or members with the right of representation (if the provider of debt recovery services is an economic operator) in the field of economic activities or consumer rights protection during the term of validity of the special permit (licence);

32.9. the Consumer Rights Protection Centre has information at its disposal about violations committed by the provider of debt recovery services, its employees or members of its council or board, or members with the right of representation (if the provider of debt recovery services is an economic operator), a proctor or the person responsible for the prevention of money laundering and terrorism and proliferation financing in the field of personal data protection and the prevention of money laundering and terrorism and proliferation financing during the term of validity of the special permit (licence);

32.10. the Consumer Rights Protection Centre has information at its disposal about violations committed by the provider of debt recovery services, members of its council or board, or members with the right of representation (if the provider of debt recovery services is an economic operator), a proctor or the person responsible for the prevention of money laundering and terrorism and proliferation financing in the field of taxes during the term of validity of the special permit (licence).

[*1 October 2013; 7 January 2020*]

33. The Consumer Rights Protection Centre shall notify the provider of debt recovery services of the decision to suspend the operation of the special permit (licence) within three working days after taking of the decision, indicating the justification for the suspension of the operation.

34. If the provider of debt recovery services has eliminated the violations or or the non-conformity with the requirements established in the decision of the Consumer Rights Protection Centre to suspend the operation of the special permit (licence), the Consumer Rights Protection Centre shall take the decision to restore the validity of the special permit (licence) within 10 working days from the day when the provider of debt recovery services or another institution has provided information to the Consumer Rights Protection Centre regarding the elimination of the violation. If additional information or the verification of information is necessary to take a decision, the deadline may be extended for up to one month.

35. The Consumer Rights Protection Centre shall notify the provider of debt recovery services in writing of the decision to restore the validity of a suspended special permit (licence) within three working days after taking of the decision.

36. The Consumer Rights Protection Centre shall take the decision to cancel a special permit (licence) if:

36.1. the provider of debt recovery services has not commenced the provision of the service within six months after the Consumer Rights Protection Centre has taken the decision to issue the special permit (licence) or has discontinued economic activities for a period exceeding six months;

36.2. the provider of debt recovery services has submitted an application (Annex 5) with a request to cancel the special permit (licence);

36.3. the provider of debt recovery services has been declared insolvent;

36.4. a court ruling has been made or information has been included in the Enterprise Register on termination of the operation of the provider of debt recovery services;

36.5. the validity of the special permit (licence) has been temporarily suspended in accordance with Paragraph 32 of the Regulation, and the provider of debt recovery services has not eliminated violation or non-conformity with the requirements due to which the validity of the special permit (licence) was suspended within the specified period of time.

37. The Consumer Rights Protection Centre is entitled to take the decision to cancel the special permit (licence) if:

37.1. significant violations of the laws and regulations in the field of consumer rights protection and the prevention of money laundering and terrorism and proliferation financing have been established. In evaluating whether the respective violations should be recognised as significant, the Consumer Rights Protection Centre shall take into account the nature and duration of the committed violation, the impact caused (losses to consumers), as well as other circumstances of significance to the case;

37.2. the Consumer Rights Protection Centre has information at its disposal that during the validity of the special permit (licence) administrative penalties for significant administrative offences in the field of trade, service provision and finances, consumer rights or personal data protection were imposed on the provider of debt recovery services or members of its council or board, or members with the right of representation, if the provider of debt recovery services is an economic operator, a proctor or the person responsible for the prevention of money laundering and terrorism and proliferation financing;

37.3. the provider of debt recovery services has provided false information to the Consumer Rights Protection Centre.

[*7 January 2020*]

38. A provider of debt recovery services whose special permit (licence) has been cancelled may submit an application for the receipt of a new special permit (licence) not earlier than three years after the day when the decision to cancel the special permit (licence) has entered into effect, except when the special permit (licence) has been cancelled upon a request of the provider of debt recovery services in accordance with Sub-paragraph 36.2 of the Regulation. If the special permit (licence) is cancelled, the State fee for the issuance or re-registration of the special permit (licence) shall not be reimbursed to the provider of debt recovery services.

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

39. The amount of the State fee for the issuance of the special permit (licence) shall be EUR 3555.

[*1 October 2013*]

40. The amount of the State fee for the re-registration of the special permit (licence) shall be EUR 1420.

[*1 October 2013*]

41. The provider of debt recovery services shall pay the State fee for the issuance or re-registration of the special permit (licence) prior to submitting the application referred to in Paragraphs 12 and 29 of the Regulation to the Consumer Rights Protection Centre.

42. The provider of debt recovery services shall pay the State fee through the intermediation of such payment service provider which has the rights to provide payment services within the meaning of the Law on Payment Services and Electronic Money by indicating the purpose of the payment – State fee for the issuance or re-registration of the special permit (licence).

[27 February 2018]

43. The State fee shall be transferred to the State basic budget income account in the Treasury.

44. If the issuance or re-registration of the special permit (licence) is refused, the State Revenue Service shall repay the paid State fee in the amount of 50 per cent to the provider of debt recovery services in accordance with the procedures laid down in the law On Taxes and Duties on the basis of a decision of the Consumer Rights Protection Centre to refuse to issue or re-register the special permit (licence).

[*7 January 2020*]

**VII. Closing Provision**

45. The Regulation shall come into force on 1 February 2013.

Prime Minister V. Dombrovskis

Minister for Economics D. Pavļuts

**Annex 1**

Cabinet Regulation No. 64

29 January 2013

[*27 February 2018; 7 January 2020*]

**Application for the Receipt of the Special Permit (Licence)**

To the Consumer Rights Protection Centre

1. Information on the provider of debt recovery services

|  |  |
| --- | --- |
| Given name, surname/name (firm name) of the provider of debt recovery services |  |
|  |  |
| Registration code/registration number in the Commercial Register or equivalent competent authority |  |
|  |  |
| Address/legal address of the location of the practice |  |
|  |  |
| Address(es) of the location where debt recovery services are provided |  |
|  |  |
| Phone number |  |
|  |  |
| Fax number |  |
|  |  |
| E-mail address |  |

2. Contact person of the provider of debt recovery services

|  |  |
| --- | --- |
| Given name, surname |  |
|  |  |
| Phone number |  |
|  |  |
| Fax number |  |
|  |  |
| E-mail address |  |

3. Information on the payment of the State fee

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

4. Employees of the provider of debt recovery services whose duties include debt recovery

|  |  |
| --- | --- |
| 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 |  |

4.1Information regarding the person(s) responsible for the fulfilment of requirements for the prevention of money laundering and terrorism and proliferation financing

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| No. | Name | Surname | Position | Contact details  (including telephone number, electronic mail address) |
|  |  |  |  |  |
|  |  |  |  |  |

5. I request the issuance of the special permit (licence) for the provision of debt recovery services in the Republic of Latvia from \_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ 20\_\_\_\_.

To be completed if it is intended that the provision of debt recovery services will be commenced not earlier than four months after the application for obtaining the special permit (licence) has been submitted.

6. I wish to receive a licence (mark as required with an X):

 in the form of an electronic document

 in the form of a printed document

7. I hereby certify that:

7.1. the provider of debt recovery services has drawn up and appended to the application:

7.1.1. internal procedures for the provision of debt recovery services, which determine the procedures for the recovery of debt, communication with debtors, the positions forming debt recovery expenses and their financial itemised list;

7.1.2. the procedures for examining complaints of consumers;

7.1.3. information on the beneficial owners to the extent specified in Section 18.1, Paragraph four of the Law on the Prevention of Money Laundering and Terrorism and Proliferation Financing;

7.1.4. documents certifying the legal origin of the attracted financing;

7.2. the employees of the provider of debt recovery services who recover debts, a proctor or the person(s) responsible for the fulfilment of requirements for the prevention of money laundering and terrorism and proliferation financing has (have) not been punished for the committing of an intentional criminal offence for which liability has been provided in Chapter IX, IX.1, X, XII, XIII, XIV, XV, XVI, XVII, XVIII, XIX or XX of the Criminal Law, except when the criminal record has been extinguished, and has (have) not been punished for violations of laws and regulations in the field of prevention of money laundering and terrorism and proliferation financing;

7.3. the provider of debt recovery services has developed an internal control system for the prevention of money laundering and terrorism and proliferation financing.

8. Appended (mark with an X):

 a statement on the criminal and administrative record from the institution of the state of the permanent place of residence of the person, which maintains information about criminal records in accordance with the laws of the relevant state (if the provider of debt recovery services (natural person) or a member of its council or board, or a member with the right of representation (if the provider of debt recovery services is an economic operator) is foreigner), if such information cannot be obtained in the Punishment Register maintained by the Information Centre of the Ministry of the Interior (hereinafter – the Punishment Register). The statement must be issued not earlier than six months ago;

 a statement on the criminal record from the institution of the country of the permanent place of residence of the person which maintains information about criminal records in accordance with the laws of the relevant state, if the employee of the provider of debt recovery services whose obligations include debt recovery is a foreigner and such information cannot be obtained from the Punishment Register . The statement must be issued not earlier than six months ago;

 internal procedures for the provision of debt recovery services which determine the procedures for the recovery of debt, communication with debtors, the positions forming debt recovery expenses and their financial itemised list;

 the procedures for examining complaints of consumers;

 the authorisation of an authorised representative (if the submission is filed by an authorised representative);

 procedures/procedure for the prevention of money laundering and terrorism and proliferation financing;

 draft initial and repeated notification on debt liabilities;

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



|  |  |  |
| --- | --- | --- |
|  |  |  |
| (given name and surname of the provider of debt recovery services or its official) |  | (signature) |
|  |  |  |
|  |  |  |
| (date) |  |  |

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

Minister for Economics D. Pavļuts

**Annex 2**

Cabinet Regulation No. 64

29 January 2013

**Consumer Rights Protection Centre**

**Special Permit (Licence) No. \_\_\_\_\_\_\_**

|  |  |
| --- | --- |
| Given name, surname/name (firm name) of the provider of debt recovery services |  |
|  |  |
| Registration code/registration number in the Commercial Register or equivalent competent authority |  |
|  |  |
| Legal address |  |

Special permit (licence) issued for the provision of debt recovery services in the Republic of Latvia from \_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ 20\_\_\_\_ on the basis of a decision No. \_\_\_\_\_\_\_\_ of the Consumer Rights Protection Centre of \_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ 20\_\_\_\_.

Special permit (licence) is valid until \_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ 20\_\_\_\_.

|  |  |  |  |
| --- | --- | --- | --- |
| Director of the Consumer Rights Protection Centre |  |  |  |
|  | (given name, surname) |  | (signature) |

Place for a seal

Note. The details of the document “signature” and “place for a seal” shall not be completed if the electronic document has been prepared in accordance with the laws and regulations regarding the drawing up of electronic documents.

Minister for Economics D. Pavļuts

**Annex 3**

Cabinet Regulation No. 64

29 January 2013

**Application for Making Amendments to the Special Permit (Licence)**

To the Consumer Rights Protection Centre

|  |  |
| --- | --- |
| Given name, surname/name (firm name) of the provider of debt recovery services |  |
|  |  |
| Special permit (licence) number |  |
|  |  |
| Registration code/registration number in the Commercial Register or equivalent competent authority |  |
|  |  |
| Legal address |  |
|  |  |

Please make the following amendments to the special permit (licence):

|  |
| --- |
|  |
|  |

Appended (mark as appropriate with an X):

 the authorisation of an authorised representative (if the submission is filed by an authorised representative);

 other documents (specify which)



|  |  |  |  |
| --- | --- | --- | --- |
|  | | | |
|  | |  |  |
| (given name and surname of the official) | |  | (signature) |
|  |  |  |  |
|  |  |  |  |
| (date) |  |  |  |

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

Minister for Economics D. Pavļuts

**Annex 4**

Cabinet Regulation No. 64

29 January 2013

[*7 January 2020*]

**Application for the Re-Registration of the Special Permit (Licence)**

To the Consumer Rights Protection Centre

I request the re-registration of the special permit (licence) for the provision of debt recovery services in the Republic of Latvia from \_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ 20\_\_\_\_.

1. Information about the provider of debt recovery services

|  |  |
| --- | --- |
| Given name, surname/name (firm name) of the provider of debt recovery services |  |
|  |  |
| Special permit (licence) number |  |
|  |  |
| Registration code/registration number in the Commercial Register or equivalent competent authority |  |
| Address(es) of the location where debt recovery services shall be provided |  |

2. Contact person of the provider of debt recovery services

|  |  |
| --- | --- |
| Given name, surname |  |
|  |  |
| Phone number |  |
|  |  |
| Fax number |  |
|  |  |
| E-mail address |  |

3. Information on the payment of the State fee

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

4. I wish to receive the special permit (licence) (mark as required with an X):

 in the form of an electronic document

 in the form of a printed document

5. I hereby certify that:

5.1. the provider of debt recovery services has drawn up:

5.1.1. internal procedures for the provision of debt recovery services, which determine the procedures for the recovery of debt, communication with debtors, the positions forming debt recovery expenses and their financial itemised list;

5.1.2. the procedures for examining complaints of consumers;

5.1.3. procedures/procedure for the prevention of money laundering and terrorism and proliferation financing;

5.2. the employees of the provider of debt recovery services who recover debts, a proctor or the person(s) responsible for the fulfilment of requirements for the prevention of money laundering and terrorism and proliferation financing has (have) not been punished for the committing of an intentional criminal offence for which liability has been provided in Chapter IX, IX.1, X, XII, XIII, XIV, XV, XVI, XVII, XVIII, XIX or XX of the Criminal Law, except when the criminal record has been extinguished, and the relevant person has not been punished for violations of laws and regulations in the field of prevention of money laundering and terrorism and proliferation financing.

6. Appended (mark as required with an X):

 a statement on the criminal and administrative record from the institution of the country of the permanent place of residence of the person which maintains information about criminal records in accordance with the laws of the relevant country (if the provider of debt recovery services (natural person) or a member of its council or board, or a member with the right of representation (if the provider of debt recovery services is an economic operator) is a foreigner) if such information cannot be obtained from the Punishment Register maintained by the Information Centre of the Ministry of the Interior (hereinafter – the Punishment Register). The statement must be issued not earlier than six months ago;

 a statement on the criminal record from the institution of the country of the permanent place of residence of the person which maintains information about criminal records in accordance with the laws of the relevant country if the employee of the provider of debt recovery services whose obligations include debt recovery is a foreigner and such information cannot be obtained from the Punishment Register. The statement must be issued not earlier than six months ago;

 the authorisation of an authorised representative (if the submission is filed by an authorised representative);

 other documents (specify which)



|  |  |  |  |
| --- | --- | --- | --- |
|  | | | |
|  | |  |  |
| (given name and surname of the provider of debt recovery services or its official) | |  | (signature) |
|  |  |  |  |
|  |  |  |  |
| (date) |  |  |  |

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

Minister for Economics D. Pavļuts

**Annex 5**

Cabinet Regulation No. 64

29 January 2013

**Application for the Cancellation of the Special Permit (Licence)**

To the Consumer Rights Protection Centre

I request the cancellation of a special permit (licence) starting from \_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ 20\_\_\_\_.

|  |  |
| --- | --- |
| Given name, surname/name (firm name) of the provider of debt recovery services |  |
|  |  |
| Special permit (licence) number |  |
|  |  |
| Registration code/registration number in the Commercial Register or equivalent competent authority |  |
|  |  |
| Address/legal address of the location of the practice |  |
|  |  |
| Phone number |  |
|  |  |
| Fax number |  |
|  |  |
| E-mail address |  |

Appended (mark as appropriate with an X):

 the authorisation of an authorised representative (if the submission is filed by an authorised representative);

 other documents (specify which)



|  |  |  |  |
| --- | --- | --- | --- |
|  | | | |
|  | |  |  |
| (given name and surname of the provider of debt recovery services or its official) | |  | (signature) |
|  |  |  |  |
|  |  |  |  |
| (date) |  |  |  |

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

Minister for Economics D. Pavļuts