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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.

LAW OF THE REPUBLIC OF LATVIA

On the Enterprise Register of the Republic of Latvia

Chapter One **General Provisions** *[17 February 2005]*

The objective of the operation of the Enterprise Register of the Republic of Latvia (hereinafter – the Enterprise Register) is to carry out registration of the legal entities specified in this Law in order to establish the legal status of legal entities and to ensure public reliability of the information laid down in laws and regulations (regarding the registered legal entities and legal facts), as well as ensure availability of the information laid down in laws and regulations.

The Enterprise Register is an institution of direct administration which acts under the supervision of the Minister for Justice.

Registration of the legal entities and legal facts laid down in this Law shall be carried out by State notaries of the Enterprise Register.

Chapter Two **Functions and Tasks of the Enterprise Register**

[17 February 2005]

Section 1. Functions of the Enterprise Register

The Enterprise Register shall have the following functions:

1) to carry out the registration and the keeping of the relevant registers for merchants and their branches, representations of foreign merchants and organisations and representatives thereof, co-operative societies, European economic interest groupings, European commercial companies, European co-operative societies, political parties and associations thereof, administrators, insolvent entities, legal protection and measures of insolvency proceedings, associations and foundations, religious organisations and the institutions thereof, trade unions, mass media, public and private partnership contracts, decisive influences, commercial pledges, spousal property relations and arbitration, as well as to ensure the keeping of the list of public persons and institutions and the availability of information regarding the public persons and institutions entered therein;

2) to provide information on the registered legal entities and legal facts;

2¹) to provide the operation and development of the information system of the Enterprise Register;

3) to perform other functions laid down in laws and regulations.

[17 February 2005; 15 June 2006; 8 November 2007; 18 December 2008; 15 October 2009; 6 November 2013; 1 June 2017 / Amendment to Clause 1 determining the function of the Enterprise Register to ensure the availability of information of the list of public persons and institutions regarding the public persons and institutions entered therein shall come into force on 1 June 2018. See Paragraph 31 of Transitional Provisions]

Section 2. Keeping of the Enterprise Register Journal

The Enterprise Register Journal shall be kept by the Enterprise Register in accordance with this Law and other laws and regulations.

[23 March 2017 / The new wording of Section shall come into force on 1 July 2018. See Paragraph 24 of Transitional Provisions]

Section 2.1 Registration of Mass Media

Mass media shall be registered by the State notaries of the Enterprise Register in accordance with the law On the Press and Other Mass Media and other laws and regulations.

[17 April 1997; 14 June 2001]

Section 2.2 Keeping of the Register of Public Organisations

The State notaries of the Enterprise Register shall keep the Register of Public Organisations (including political parties) in accordance with the law On Public Organisations and their Associations, the provisions of this Law regarding the keeping of the Register of Associations and Foundations, the Law on the Procedures for the Coming into Force of the Law on Associations and their Establishment, the Law on the Procedures for the Coming into Force of the Law on Political Parties, and other laws and regulations.

[17 February 2005; 15 June 2006 / See Transitional Provisions]

Section 2.³ Registration of Commercial Pledges

The Register of Commercial Pledges shall be kept by the Enterprise Register in accordance with the procedures laid down in the Commercial Pledge Law.

[14 June 2001]

Section 2.⁴ Registration of Concession Contracts

[15 October 2009]

Section 2.⁵ Registration of Decisive Influence

The State notary of the Enterprise Register shall register a decisive influence in accordance with the Group of Companies Law and other laws and regulations.

[14 June 2001]

Section 2.⁶ Registration of Spousal Property Relations

The Spousal Property Relations Register shall be kept by the Enterprise Register in accordance with the procedures stipulated by the Cabinet in accordance with the Civil Law and other laws and regulations.

A State fee shall be paid for the making of entries in the Spousal Property Relations Register, the amount, payment procedures and relief of which shall be determined by the Cabinet.

[14 June 2001; 5 March 2009]

Section 2.⁷ Keeping of the Commercial Register

The Commercial Register shall be kept by the Enterprise Register in accordance with this Law, the Civil Law, and other laws and regulations.

[14 June 2001]

Section 2.⁸ Registration of Representations and Representatives of Foreign Merchants and Organisations

The registration of the representations and representatives of foreign merchants and organisations shall be carried out by the Enterprise Register in accordance with the procedures stipulated by the Cabinet.

A State fee shall be paid for the registration of the representations and representatives of foreign merchants and organisations, the amount, payment procedures and relief of which shall be determined by the Cabinet.

[14 June 2001; 5 March 2009]

Section 2.⁹ Keeping of the Register of Trade Unions

[16 January 2014 / See Paragraph 22 of the Transitional Provisions]

Section 2.¹⁰ Keeping of the Register of Associations and Foundations

The Register of Associations and Foundations shall be kept by the Enterprise Register in accordance with this Law, the Associations and Foundations Law, and other laws and regulations.

[18 March 2004]

Section 2.¹¹ Keeping of the Register of European Economic Interest Groupings

The Register of European Economic Interest Groupings shall be kept by the Enterprise Register in accordance with laws and regulations.

[18 March 2004]

Section 2.¹² Registration of European Commercial Companies

Entries in the Commercial Register on European commercial companies shall be made by the Enterprise Register in accordance with the laws and regulations governing commercial activities.

The tasks specified in Article 8(8), Article 25(2), Article 26(1), Article 54(2), Article 55(3) and Article 64 of Council Regulation (EC) No 2157/2001 of 8 October 2001 on the Statute for a European company (SE) shall be fulfilled by the Enterprise Register.

[18 October 2004]

Section 2.¹³ Keeping of the Arbitrage Register

The Arbitrage Register shall be kept by the Enterprise Register in accordance with the procedures stipulated by the Cabinet.

[17 February 2005]

Section 2.¹⁴ Keeping of the Register of Political Parties

The Register of Political Parties shall be kept by the Enterprise Register in accordance with this Law, the Law on Political Parties, and other laws and regulations.

[15 June 2006 / This Section shall come into force concurrently with the Law on Political Parties. See Transitional Provisions]

Section 2.¹⁵ Registration of European Co-operative Societies

The Enterprise Register shall make entries in the Enterprise Register Journal on the European co-operative societies in accordance with the laws and regulations governing the activities of European co-operative societies.

The tasks specified in Article 7(8), Article 29(2), Article 30(1), Article 54(2), and Article 73(1) of Council Regulation (EC) No 1435/2003 of 22 July 2003 on the statutes for European co-operative societies (SCE) shall be fulfilled by the Enterprise Register.

[15 June 2006 / This Section shall be applicable starting from 18 August 2006. See Transitional Provisions]

Section 2.¹⁶ Keeping of the Insolvency Register

The Insolvency Register shall be kept by the Enterprise Register in accordance with this Law, the Insolvency Law, and other laws and regulations.

[8 November 2007]

Section 2.¹⁷ Keeping of the Register of Religious Organisations and Institutions Thereof

The Register of Religious Organisations and Institutions Thereof shall be kept by the Enterprise Register in accordance with this Law, the Law on Religious Organisations, and other laws and regulations.

[18 December 2008]

Section 2.¹⁸ Registration of Public and Private Partnership Contracts

A public and private partnership contract shall be entered in the Register of Public and Partnership Contracts.

The Register of Public and Partnership Contracts shall be kept by the Enterprise Register in accordance with the procedures laid down in laws and regulations.

[15 October 2009]

Section 2.¹⁹ Keeping of the Register of Public Persons and Institutions

The Register of Public Persons and Institutions shall be kept by the Enterprise Register in accordance with this Law and other laws and regulations.

[1 June 2017 / This Section shall come into force on 1 March 2018. See Paragraph 30 of Transitional Provisions]

Section 3. Legal Basis of the Activities of the Enterprise Register

The activities of the Enterprise Register shall be governed by this Law, the by-laws of the Enterprise Register approved by the Cabinet, and other laws and regulations.

[5 October 1995; 14 June 2001]

Section 3.¹ Restrictions on the Correction and Deletion of Personal Data

In order to promote the safety and stability of the economic and legal environment, to ensure the public reliability and availability of entries of the registers kept by the Enterprise Register and the integrity and unchangeability of documents, a person does not have the right, in any case, to correct or delete the personal data included in entries of the registers kept by the Enterprise Register, other information registered in registers, as well as in documents that are part of a registration file of legal facts, for such a period of time which conforms to the period of time in which the relevant information or documents must be stored in the registers kept by the Enterprise Register.

[14 November 2019]

Section 4. Tasks of the Enterprise Register

In order to ensure the fulfilment of its functions, the Enterprise Register shall carry out the following tasks:

1) accept and examine the documents laid down in laws and regulations for the registration of entities and legal facts in the Enterprise Register, the documents about changes in the relevant registers or about amendments to the documents of incorporation and documents of operation and store the documents laid down in laws and regulations;

2) decide on the registration of the entities and legal facts to be registered in the Enterprise Register, on changes in the relevant register or amendments to documents of incorporation and documents of operation, and make the relevant entry, or in the cases laid down in laws and regulations take a decision with a substantiated refusal or on postponing the registration, indicating the term for the elimination of deficiencies;

2¹) upon registering the legal entities to be registered in the Enterprise Register as taxpayers in accordance with the procedures laid down in the laws and regulations governing the field of taxes, assign each of them an individual identifier of the recipient of payment of the Single Euro Payments Area;

3) without taking a separate decision, register the decisions and orders of competent authorities or officials by which means of security has been applied;

3¹) ensure execution of the ruling taken in criminal proceedings by which a person has been deprived of the right to perform commercial activities of all types, as well as the ruling rendered in criminal proceedings or administrative offence proceedings by which a person has been deprived of the right to hold specific offices, and shall immediately notify the relevant authorities or officials, as well as the relevant merchant of violations of conditions for execution;

4) notify the relevant authorities of the possible violations of laws and regulations, draw up administrative offence report on the found violations of laws and regulations, examine administrative offence cases and impose sanctions;

5) [14 November 2019];

5¹) confirm signatures in accordance with the procedures laid down in laws and regulations;

5²) update the information to be entered in the registers kept by the Enterprise Register in the cases laid down in laws and regulations;

5³) verify whether the name (firm name) of an enterprise (company), merchant, European economic interest grouping, representative office, association and foundation, trade union, political party, arbitration, religious organisation and institution thereof is different from the names (firm names) entered in or applied for entering in the Enterprise Register Journal, the Commercial Register, the Register of European Economic Interest Groupings, the Register of Representative Offices, the Register of Associations and Foundations, the Register of Political Parties, the Register of Political Organisations (Parties), the Arbitration Register, the Register of Public Organisations, and the Register of Religious Organisations and Institutions Thereof (hereinafter in Sections 5, 8, 14, 18.¹, 18.⁶, 18.¹⁴ of this Law – the registers kept by the Enterprise Register);

5⁴) maintain and improve the information system of the Enterprise Register and ensure its interoperability with other State information systems;

5⁵) in the cases specified in laws and regulations shall ensure access to the data maintained by the Enterprise Register to the public in online data transmission mode;

5⁶) ensure transformation of registration files in electronic form for storage in electronic environment in accordance with the laws and regulations regarding management of archives;

5⁷) in accordance with the procedures laid down in laws and regulations prepare and provide information from the information system of the Enterprise Register;

5⁸) [14 November 2019];

5⁹) provide information to the State Revenue Service about the submitted applications for making entries in the Commercial Register in the cases laid down in Section 14.¹, Paragraph one of this Law in order to ensure making the entries on such merchants the purpose of which is to carry out commercial activity by concurrently extending the time period for the examination of the application in conformity with the time period laid down in the law On Taxes and Duties for the State Revenue Service for the provision of the opinion. Mutual exchange of information about the submitted applications for making entries in the Commercial Register and regularity of the information to be provided shall be determined by interdepartmental agreement which is entered into between the State Revenue Service and the Enterprise Register;

5¹⁰) enter information regarding a public person and institution;

5¹¹) ensure the division of registration files in public and non-public part;

5¹²) for the purpose of identification of the requesters of electronic services store the identifying data and contact details of the requesters of such services and the users of electronic services, as well as verify the accuracy of the data of the users of electronic services in the system for the recording of inhabitants under the management of the Office of Citizenship and Migration Affairs;

6) perform other tasks laid down in laws and regulations.
[17 February 2005; 15 June 2006; 6 March 2008; 28 October 2010; 29 November 2012;
6 November 2013; 16 January 2014; 23 November 2016; 23 March 2017; 1 June 2017;
14 November 2019]

Section 4.1 Confirmation of the Signature of a Person

An official of the Enterprise Register shall confirm the signature of a person in the cases laid down in laws and regulations.

Prior to confirming the signature of a person, the official of the Enterprise Register shall verify the status of a natural person in the Population Register and the status of the personal identification document – in the Invalid Document Register.

The official of the Enterprise Register shall confirm the signature of a person only for the natural persons registered in Latvia and the representatives of those legal persons, the rights of representation of which are registered in public registers of Latvia.

When confirming the signature of a person, the official of the Enterprise Register shall verify the identity and right of representation of the signer. The certification shall be written on the relevant document, specifying that the person has signed it or has acknowledged the signature as theirs in the presence of the official of the Enterprise Register.

The official of the Enterprise Register who certifies the signature of the person shall not assume responsibility for the content of the document.

After confirmation of the signature of the person the official of the Enterprise Register shall indicate the following in the signature certification register journal:

- 1) the sequence number (starting a new numeration every year);
- 2) the month and day when the signature of the person was certified or certification of the signature of the person was refused;
- 3) that the person has paid for the service;
- 4) the given name, surname, personal identity number of such person, the signature of which was certified, for the representative of a legal person – also the registration number, date and place of the legal person;
- 5) to whom and when the document was issued.

An official of the Enterprise Register may refuse to certify a signature, if the person is not of legal age, if it cannot verify its identity and authenticity of intent or also the official is not convinced about the identity or authenticity of intent of the person. An official of the Enterprise Register shall refuse to certify a signature, if the person is acting in contradiction to the extent of restriction of the capacity to act stipulated by the court or if the court has restricted the capacity to act for the person and it is laid down in laws and regulations that only a person who has reached legal age and whose capacity to act has not been restricted by the court is entitled to perform specific actions.

[15 June 2006; 6 November 2013; 16 January 2014]

Section 4.2 Imposition of International and National Sanctions of the Republic of Latvia

If an international or national sanction of the Republic of Latvia is imposed on a person for civil legal restrictions, the State notary of the Enterprise Register shall take a decision:

- 1) to postpone making an entry in the Commercial Register if an application for making an entry on the commercial company or European commercial company in the Commercial Register has been submitted and a civil legal restriction has been imposed on the founder or member thereof. If the company is founded by one founder on whom a civil legal restriction has been imposed, the State notary of the Enterprise Register shall take a decision to refuse to make an entry in the Commercial Register;

2) to postpone making an entry in the Enterprise Register Journal if an application for entering a co-operative company or European co-operative company in the Enterprise Register Journal has been submitted and a civil legal restriction has been imposed on the founder thereof;

3) refuse to make an entry on a member of a partnership, if an application for entering the member of the partnership in the Commercial Register has been submitted and a civil legal restriction has been imposed on the relevant person, except when the investment (capital) shares of the member are inherited;

4) to refuse to add a participant register section to the registration file of a limited liability company, if an application for adding a participant register section to the registration file has been submitted and a civil legal restriction has been imposed on the participant thereof, except when the fixed capital shares of the member are inherited;

5) to refuse to add a participant register section to the registration file of a limited liability company, if an application for adding a participant register section to the registration file has been submitted and the number of fixed capital shares of a person on whom a civil legal restriction has been imposed has decreased;

6) to refuse making an entry in the register of commercial pledges on the registration of a commercial pledge, on the registration of the cession of the ensured claim and registration of the commercial pledge novation if the civil legal restriction has been imposed on the provider of commercial pledge or commercial pledgee;

7) to refuse to make an entry in the Spousal Property Relations Register on the registration of a new agreement if a civil legal restriction has been imposed on a spouse.

[4 February 2016 / The new wording of Section shall come into force on 1 March 2016. See Paragraph 9.¹ of Transitional Provisions]

Section 4.³ Merging of Cross-border Capital Companies

If after the cross-border merger it is intended to register the acquiring capital company in another Member State, the Enterprise Register in accordance with the provisions of Section 14 of this Law shall examine, whether the acquiring capital company registered in Latvia has implemented all the activities laid down in this Law, which are required for the completion of the cross-border merger, and shall issue a pre-merger certificate, if the activities specified in this Law have been implemented. The pre-merger certificate shall be issued within the periods of time laid down in the Administrative Procedure Law.

If after the cross-border merger the acquiring capital company is registered in Latvia, the Enterprise Register in accordance with the provisions of Section 14 of this Law shall examine the legality of the cross-border merger in relation to the completion of the cross-border merger or the foundation of a new cross-border capital company.

If after a cross-border merger the acquiring capital company is registered in Latvia, the Enterprise Register shall without delay notify that register to which the relevant acquired company registered in another Member State had to submit documents of the coming into effect of the cross-border merger.

Within the meaning of this Section, a Member State is a European Union Member State, the Republic of Iceland, the Kingdom of Norway, and the Principality of Liechtenstein.

[6 March 2008]

Section 4.⁴ Legal Basis for Making Entries

An official of the Enterprise Register shall make an entry in the registers kept by the Enterprise Register on the basis of an application of the interested person, court ruling, decision of the State administration institution or notice which has been received in the mutual connectivity system of registers from a foreign register.

The Enterprise Register, on the basis of the information from the Population Register, has the right to update information regarding the natural person in the registers kept by the Enterprise Register, without taking a separate decision. The Enterprise Register, on the basis of the information from the State Address Register, has the right to update information regarding the addresses in the registers kept by the Enterprise Register, without taking a separate decision.

Entries, on the basis of the decision of the State administrative institution, shall be made in the event of the suspension, renewal or termination of activity for an entity. The Enterprise Register shall make entries, on the basis of the tax administration decision to suspend economic activity of the entity, to renew economic activity thereof or termination of the activity of a capital company, and entries based on the decision of the Director of the Insolvency Administration on the administration of the insolvency proceeding, without taking a separate decision.

On the basis of the notice which has been received in the interconnection system of registers from a foreign register, entries shall be made on the branch of capital company of a foreign merchant in the case of cross-border merger.

An application shall be submitted for making an entry in the registers kept by the Enterprise register or adding a document to a registration file in which the relevant legal entity or the information laid down in laws and regulation governing the legal fact regarding the entities or legal facts to be registered and registered in the registers kept by the Enterprise Register, and also:

1) the registration number of the entity or legal fact (except for the applications for entering the entity or legal fact in the relevant register kept by the Enterprise Register) and the name of the entity;

2) the documents added to the application (name of the documents, number of copies and pages);

3) information regarding the payment of the State duty and fee for the announcement of entries if laws and regulations provide for the announcement of entries [payment reference number, payment reference (if it is not known – the payment document number), the payment date, the amount paid, the name of the payer – legal person – and the registration number or the given name, surname and personal identity number of the payer – natural person (if the person does not have a personal identity number, the date of birth shall be indicated), and the purpose of the payment – payment of the State duty or fee for the announcement of entries]. Information may be omitted if the payment has been made in the special online form under the Enterprise Register or a document supporting the payment has been appended to the application in which the information referred to in this Clause is provided;

4) the type of receipt of the decision of the State notary of the Enterprise Register;

5) if desired – contact details for communication (electronic mail address or phone number);

6) other information if required by laws and regulations.

A special online form, if any established, available on the website of the Enterprise Register shall be used for submitting the application electronically.

The Enterprise Register shall use the necessary data of the information systems of other countries for its operations in order to ascertain the veracity of the data provided thereto, including in order to verify personal data – the status of the person (alive or dead), capacity to act, legal status – and to ensure notification of documents to the person.

[23 March 2017]

Section 4.⁵ Provision of Execution of the Ruling by which a Person has been Deprived of the Right to Perform Commercial Activities of All Types

On the basis of a ruling made in criminal proceedings by which a person has been deprived of the right to perform commercial activities of all types, the State notary of the Enterprise Register shall take a decision to:

1) postpone making an entry in the Commercial Register, if an application for entering a commercial company or a European commercial company in the Commercial Register has been submitted and the founder or member thereof, member of the executive body or supervisory body, or a proctor has been deprived of the right to perform commercial activities of all types. If the company is founded by one founder, which has been deprived of the right to perform commercial activities of all types, the State notary of the Enterprise Register shall take a decision to refuse to make an entry in the Commercial Register;

2) postpone making an entry in the Commercial Register, if an application for entering a branch of a foreign merchant in the Commercial Register has been submitted and the person who is authorised to represent the foreign merchant in activities related to the branch has been deprived of the right to perform commercial activities of all types;

3) refuse to make an entry in the Commercial Register or the Enterprise Register journal on appointing of a member of the executive body or supervisory body, a person who is authorised to represent a foreign merchant in activities related to the branch, a proctor or a liquidator, if the relevant person has been deprived of the right to perform commercial activities of all types;

4) refuse to make an entry in the Commercial Register on an individual merchant, if an application for entering the individual merchant in the Commercial Register has been submitted and the relevant person has been deprived of the right to perform commercial activities of all types;

5) postpone making an entry in the Commercial Register or the Enterprise Register Journal, if an application for entering the reorganisation of a commercial company or co-operative society in the Commercial Register has been submitted and a member of the executive body or supervisory thereof, or a proctor has been deprived of the right to perform commercial activities of all types;

6) postpone making an entry in the Commercial Register or the Enterprise Register journal, if an application for entering the liquidation of a commercial company or co-operative society in the Commercial Register has been submitted and the liquidator thereof has been deprived of the right to perform commercial activities of all types;

7) postpone making an entry in the Enterprise Register journal, if an application for entering a co-operative society or a European co-operative society in the Enterprise Register journal has been submitted and the founder thereof, a member of the executive body or supervisory, or a proctor has been deprived of the right to perform commercial activities of all types;

8) refuse to make an entry in the Enterprise Register journal, if an application for entering an individual undertaking, farm or fishing undertaking in the Enterprise Register journal has been submitted and the founder thereof has been deprived of the right to perform commercial activities of all types;

9) refuse to make an entry on a member of a partnership, if an application for entering the member of the partnership in the Commercial Register has been submitted and the relevant person has been deprived of the right to perform commercial activities of all types, except when the investment (capital) shares of the member are inherited;

10) refuse to add a participant register section to the registration file of a limited liability company, if an application for adding a participant register section to the registration file has been submitted and the participant thereof has been deprived of the right to perform commercial activities of all types, except when the fixed capital shares of the member are inherited.

If a person who has been entered in the Commercial Register as a member of the executive body or supervisory body of a commercial company or European commercial company, a liquidator or a proctor thereof, or who has been entered in the Enterprise Register Journal as a member of the executive body or supervisory body of a co-operative society or a European co-operative society, a liquidator or a proctor thereof, has been deprived of the right to perform commercial activities of all types, the State notary of the Enterprise Register shall make an entry in the relevant register on the deletion of the person from the register.

If a person who has been entered in the Commercial Register as an individual merchant has been deprived of the right to perform commercial activities of all types, the State notary of the Enterprise Register shall make an entry in the Commercial Register on the suspension of the economic activity of the individual merchant.

If a member of a partnership who has the right of representation has been deprived of the right to perform commercial activities of all types, the State notary of the Enterprise Register shall make an entry on the deletion of the right of representation of such person from the Commercial Register.

If an owner of an individual undertaking, farm or fishing undertaking who has the right of representation has been deprived of the right to perform commercial activities of all types, the State notary of the Enterprise Register shall make an entry in the Enterprise Register Journal on the non-existence of the right to represent the individual undertaking, farm or fishing undertaking.

[29 November 2012; 2 May 2013]

Section 4.6 Provision of Execution of the Ruling by which a Person has been Deprived of the Right to Hold Specific Offices

On the basis of a ruling made in criminal proceedings or administrative offence proceedings by which a person has been deprived of the right to hold specific offices, the State notary of the Enterprise Register shall take a decision to:

1) postpone making an entry in the Commercial Register, if an application for entering a commercial company or a European commercial company in the Commercial Register has been submitted and the member thereof, member of the executive body or supervisory body, or a proctor has been deprived of the right to hold specific offices;

2) postpone making an entry in the Enterprise Register journal, if an application for entering a co-operative society or a European co-operative society in the Enterprise Register journal has been submitted and a member of the executive body or supervisory body thereof or a proctor has been deprived of the right to hold specific offices;

3) refuse to make an entry in the Commercial Register or the Enterprise Register journal on the appointment of a member of the executive body or supervisory body, a person who is authorised to represent a foreign merchant in activities related to the branch, a proctor or a liquidator, if the relevant person has been deprived of the right to hold specific offices;

4) postpone making an entry in the Commercial Register, if an application for entering a branch of a foreign merchant in the Commercial Register has been submitted and the person who is authorised to represent the foreign merchant in activities related to the branch has been deprived of the right to hold specific offices;

5) postpone making an entry in the Commercial Register or the Enterprise Register journal, if an application for entering the reorganisation of a commercial company or co-operative society in the Commercial Register has been submitted and a member of the executive body or supervisory thereof or a proctor has been deprived of the right to hold specific offices;

6) postpone making an entry in the Commercial Register or the Enterprise Register journal, if an application for entering the liquidation of a commercial company or co-operative society in the Commercial Register has been submitted and the liquidator thereof has been deprived of the right to hold specific offices.

If a person who has been entered in the Commercial Register as a member of the executive body or supervisory body of a commercial company or European commercial company, a liquidator or a proctor thereof, or who has been entered in the Enterprise Register journal as a member of the executive body or supervisory body of a co-operative society or a European co-operative society, a liquidator or a proctor thereof has been deprived of the right to hold specific offices, the State notary of the Enterprise Register shall make an entry in the relevant register on the deletion of the person from the register.

If a member of a partnership who has the right of representation has been deprived of the right to hold specific offices, the State notary of the Enterprise Register shall make an entry on the deletion of the right of representation of such person from the Commercial Register.
[29 November 2012]

Section 4.7 Notice of the Received Applications

An official of the Enterprise Register shall send a notice to a person on each application received in the registration file of the legal entity and the changes registered therein, if the person has submitted a request for sending such notice.

An official of the Enterprise Register shall send the notice on the day when the application has been received.

The nature of the application received at the Enterprise Register and the date of receipt shall be indicated in the notice.

The way and procedures for sending the notification shall be determined by the Cabinet.
[2 May 2013; 14 November 2019]

Section 4.8 Information System of the Enterprise Register

The information system of the Enterprise Register is a State information system the manager and keeper of which is the Enterprise Register.

The software of the information system of the Enterprise Register and its hardware which ensures the operation of such system are State property.

The legal entities and legal facts referred to in this Law shall be registered in electronic form, the registers laid down in this Law shall be kept, the documents specified in the laws and regulations regarding registration of legal entities and legal facts shall be kept, as well as registration files shall be kept in the information system of the Enterprise Register.

The Enterprise Register shall ensure, with the aid of its information system, access to the information specified in laws and regulations regarding registered legal entities and legal facts, as well as carry out other tasks specified in this Law.

The latest (current) data shall be registered in the information system of the Enterprise Register, saving the previously registered (historical) data concurrently.

Entries in the information system of the Enterprise Register shall be made according to the legal grounds for making entries specified in this Law.

The norms of this Law, as well as the norms which are laid down in the laws and regulations regarding registration of legal entities and legal facts in the Enterprise Register shall apply to making entries in the information system of the Enterprise Register.

[6 November 2013]

Section 4.9 Legal Status of Entries in Registers of the Information System of the Enterprise Register

Entries in registers of the information system of the Enterprise Register have public credibility, unless specified otherwise in laws and regulations.

[6 November 2013]

Section 4.¹⁰ The Right of Persons to Use Information of the Enterprise Register

Upon request of the Saeima, the Cabinet, State institutions of direct administration, law enforcement and control authorities and local governments, as well as upon request of other such State administration institutions to which such rights are specified in law, and upon request of bailiffs the Enterprise Register shall provide the information necessary for the performance of their functions from registers free of charge, conforming to the restrictions laid down in laws and regulations.

Anyone has the right to request and receive information from the registers kept by the Enterprise Register in conformity with the restrictions laid down in laws and regulations.

[14 November 2019]

[16 January 2014]

The Enterprise Register shall provide the information and documents which are included in the public part of the registration file (Section 4.¹⁵, Paragraph one) in online data transmission mode (including for bulk download) free of charge.

The Enterprise Register may agree with the person requesting information on permanent co-operation in provision of the information at the disposal of the Register.

The requester shall pay for the preparation, provision, or ensuring the availability of the information in the registers kept by the Enterprise Register, if the information is not provided in accordance with Paragraph five of this Section, in the amount specified in the laws and regulations regarding the paid services provided by the Enterprise Register.

The Cabinet shall determine the procedures for requesting and issuing information to be provided from registers, as well as procedures for paying for the provision of information.

The Enterprise Register may refuse to carry out a request for information in the cases laid down in the laws and regulations regarding freedom of information, as well as if the requirements laid down in the laws and regulations regarding requesting and provision of information from the registers kept by the Enterprise Register are not conformed to.

A decision of the Chief State Notary to refuse to carry out a request for information or on action of the Enterprise Register, which has manifested as non-provision or inadequate provision of information, may be appealed in accordance with the procedures laid down in Section 19 of this Law. A judgment of the Administrative District Court may be appealed in accordance with the procedures laid down in Section 15, Paragraph two of the Freedom of Information Law.

The recipient of the information from the registers kept by the Enterprise Register does not have the right to reuse the documents which are included in the non-public part of the registration file of legal entities and legal facts.

[Paragraph twelve shall come into force on 1 October 2021 and shall be included in the wording of the Law as of 1 October 2021. See Paragraph 35 of Transitional Provisions]
[6 November 2013; 16 January 2014; 14 November 2019]

Section 4.¹¹ Information to be Published on the Website of the Enterprise Register

The Enterprise Register shall ensure that an unidentified user has public access to the following latest (most current) information on its website regarding the legal entities and legal facts registered in the registers kept by the Enterprise Register:

- 1) entries of registers;
- 2) other registered information.

The Enterprise Register shall ensure that entries of the list of public persons and institutions specified in this Law and all entries of the Insolvency Register specified in the Insolvency Law, as well as the agenda of the meeting of creditors and the notice of the

administrator to creditors of the meeting of creditors are publicly available to an unidentified user on its website free of charge.

Anyone has the right to obtain information regarding the right of a person to represent a legal person or regarding the relation of a person with entries of the Enterprise Register, indicating information identifying such person in the request, from the website of the Enterprise Register free of charge.

Information provided by the Enterprise Register on the website from the registers kept thereby shall correspond to entries of the registers kept by the Enterprise Register, other registered information, and the documents in the registration file. The requester of information may be confident that such information is true and reliable.

[14 November 2019]

Section 4.¹² Provision of Execution of a Legal Barrier Registered with the State Revenue Service

On the basis of a decision of the State Revenue Service to include a person in the list of risk persons, the Enterprise Register shall take a decision to:

1) refuse to make an entry in the Commercial Register if an application for the appointment of a member of the executive body or supervisory body of a commercial company, a proctor, a liquidator or a person who is authorised to represent a foreign merchant in activities related to the branch, has been submitted and the person has been included in the list of risk persons;

2) refuse to make an entry in the Commercial Register if an application for entering a member with the right to represent a partnership in the Commercial Register has been submitted and the person has been included in the list of risk persons;

3) postpone making an entry in the Commercial Register, if an application for entering a commercial company has been submitted and its member with the right of representation, member of the executive body or supervisory body, or a proctor has been included in the list of risk persons;

4) postpone making an entry in the Commercial Register, if an application for entering of a foreign branch in the Commercial Register has been submitted and the person who is authorised to represent the branch of the merchant in activities related to the branch has been included in the list of risk persons;

5) postpone making an entry in the Commercial Register, if an application for entering the reorganisation of a commercial company in the Commercial Register or appointing of a member of its executive body or supervisory body or a proctor has been submitted and the respective member of the executive body or supervisory body or proctor has been included in the list of risk persons;

6) postpone making an entry in the Commercial Register, if an application for entering the liquidation of a commercial company in the Commercial Register has been submitted and the respective liquidator has been included in the list of risk persons.

Based on the decision taken by the State Revenue Service to include the address of the taxpayer on the list of risk addresses, the Enterprise Register shall take a decision to postpone making the entry in the Commercial Register, if the application for entering the branch of the merchant or foreign merchant in the Commercial Register or application for changes in the legal address of the branch of the merchant or foreign merchant has been submitted, and the address of the branch of the merchant or foreign merchant has been included in the list of risk addresses.

[6 November 2013; 16 January 2014; 17 December 2014]

Section 4.¹³ Correction of Mistakes in the Entries in the Registers Kept by the Enterprise Register

If a spelling mistake is found in an entry of the registers kept by the Enterprise Register, the State notary of the Enterprise Register shall send a notice to the registered address of the legal entity or the address indicated by the person who has applied the registration of the legal fact, or, if an address has not been indicated in the application, to the address of the declared place of residence (if a mistake is found in the entry of the Insolvency Register, the notice shall be sent to the address of the place of practice of the administrator). The following shall be indicated in the notice:

- 1) what kind of error has been found in the entry;
- 2) how the entry will be corrected;
- 3) a reasonable period of time for raising of an objection.

If the legal entity or person does not raise any objections in the laid down period of time, the State notary of the Enterprise Register shall take a decision to correct the entry and shall make a note thereon in the entry of the relevant register.

The Enterprise Register shall, without delay, publish the decision to correct the entry in the official gazette *Latvijas Vēstnesis* using its own resources if laws or regulations provide for a publication..

The provisions of Paragraph one of this Section shall not be applied if a spelling mistake in the entry has been found by the entity itself, a person who has applied for the registration of the legal fact, a court, an administrator in the entry or the Insolvency Register or in the case when the found mistake is obvious.

[23 March 2017]

Section 4.¹⁴ Sending a Decision of the State Notary of the Enterprise Register to an Electronic Mail Address

If a person does not have an activated account of the official electronic address, the State notary of the Enterprise Register shall notify the decision to enter the legal entity in the Register or to exclude it from the Register, as well as the decision to suspend or refuse entering of the legal entity to the electronic mail address indicated by the person.

[1 June 2017 / *The new wording of Section shall come into force on 1 January 2020. See Paragraph 26.¹ of Transitional Provisions*]

Section 4.¹⁵ Public and Non-public Part of the Registration File

The following shall be included in the public part of the registration file:

- 1) entries of registers;
- 2) other registered information:
 - a) information from the documents in the registration file regarding the means of security specified in decisions and orders of competent authorities or officials, if such have been specified;
 - b) information from a division of the register of shareholders of a limited liability company regarding shareholders and trustees for an estate of the limited liability company;
 - c) information regarding beneficial owners of legal persons;
 - d) other information the availability of which in the Enterprise Register is specified by laws and regulations;
- 3) the following documents which are part of the registration file:
 - a) in the Commercial Register – the articles of association, the annual statement, and other reporting documents received at the Enterprise Register for publishing, the

division of the register of shareholders, the contract (decision) for founding, the regulations for decreasing equity capital, the regulations for increasing equity capital and the reorganisation contract, a certification of a foreign merchant regarding registration of the company in the relevant country, the memorandum of association of the foreign merchant or an equivalent document, documents by which amendments to the previously indicated documents have been made, and a court ruling regarding termination of the operation of the company;

b) in the Enterprise Register Journal – the articles of association, the reorganisation contract, the annual statement, documents by which amendments to the previously indicated documents have been made, and a court ruling on termination of the operation of the company;

c) in the Arbitrage Register – the regulations of the arbitration court and the documents by which amendments to the regulations of the arbitration court have been made;

d) in the Register of Political Parties – the articles of association, the reorganisation contract, the programme, the annual statement, documents by which amendments to the previously indicated documents have been made, and a court ruling regarding termination of the operation of the political party;

e) in the Register of Associations and Foundations – the articles of association, the reorganisation contract, the annual statement, documents by which amendments to the previously indicated documents have been made, and a court ruling on termination of the operation of the association, foundation, trade union, association of trade unions, or permanent unit of the trade union;

f) in the Register of Religious Organisations and Institutions Thereof – the articles of association (constitution, by-laws), documents by which amendments to the previously indicated document have been made, and a court ruling on termination of the operation of the religious organisations and institution thereof;

g) in the Register of Public and Private Partnership Contracts – the contract of public-private partnership and documents by which amendments to the previously indicated contract have been made;

h) in the Insolvency Register – the agenda of the meeting of creditors and the notice of the administrator of the meeting of creditors;

i) in the Register of Representative Offices – the articles of association (by-laws) or another equivalent document of the foreign merchant or organisation, documents by which amendments to the previously indicated documents have been made, and a court ruling on termination of the operation of the representative office;

j) in the Register of Mass Media – a court ruling on termination of the operation of the mass media.

The documents and information which are part of the registration file and which are not indicated in Paragraph one of this Section shall be included in the non-public part of the registration file.

If the status of restricted access information has been specified for an entry of the Register or information registered in the Register or publishing thereof is restricted by a regulatory enactment, it shall be included in the non-public part of the registration file.

The information and documents included in the non-public part of the registration file (Paragraphs two and three of this Section) are restricted access information, and it may be obtained by law enforcement authorities for the performance of the tasks specified in laws and regulations, as well as by the Financial Intelligence Unit and supervisory and control authorities without restrictions in the field of the prevention of money laundering and terrorism and proliferation financing, but other authorities – by submitting a justified request. Information and documents of the non-public part of registration files of a private individual shall be

requested in accordance with the procedures for requesting restricted access information laid down in the Freedom of Information Law.
[14 November 2019]

Chapter Three

Procedures for the Registration of an Enterprise (Company) and Information to be Entered in the Enterprise Register Journal

Section 5. Name of an Enterprise (Company)

The name of an enterprise (company) shall be formed in accordance with this Law and the laws regarding different forms of entrepreneurial activities.

The name of an enterprise (company) may not include misleading information regarding important circumstances in the entrepreneurship, particularly regarding the legal form of the enterprise (company) or the volume of entrepreneurship.

The name of an enterprise (company) shall be written using the letters of the Latvian or Latin alphabet only. The name of an enterprise (company) may not be in conflict with morals.

The name of an enterprise (company) shall not be translated.

The name of an enterprise (company) shall be clearly and definitely different from the names (firm names) previously entered or applied for entering in the Enterprise Register Journal and other registers kept by the Enterprise Register.

The name of an enterprise (company) may not include names of State and local government institutions (authorities), as well as the words “state” and “local government”. The name of an enterprise (company) may not include the words “Republic of Latvia” and its translation into a foreign language.

If the name of an enterprise (company) includes the name of an administrative territory or populated area, the name of the enterprise (company) may not coincide with the name of the relevant administrative territory or populated area, except for the names of farmsteads.

The name of an enterprise (company) may be used in entrepreneurial activity (in commercial contracts, advertising, etc.) from the moment when it has been registered in the Enterprise Register Journal.

[10 May 2018]

[10 May 2018]

[28 October 2010; 10 May 2018]

Section 6. Information to be Entered in the Enterprise Register Journal

The following information shall be entered in the Enterprise Register Journal regarding each enterprise (company):

- 1) the name, registration number and date of the enterprise (company);
- 2) [10 May 2018];
- 3) the term for which the enterprise (company) has been established;
- 4) [10 May 2018];
- 5) the legal address of the enterprise (company);
- 6) when registering a branch, the legal address of the main enterprise (company) shall be indicated;
- 7) [23 March 2017];
- 8) [23 March 2017];
- 9) [23 March 2017];
- 10) [14 May 1991];
- 11) the firm name of the branch if it differs from the firm name of the enterprise (company), its legal address and the given name, surname, personal identity number and amount

of the authorisation of those persons who are authorised to represent the enterprise (company) in the activities related to the branch.

[23 March 2017]

In addition to that referred to in Paragraph one, Clauses 1–6 of this Section, the following information shall be entered in the Enterprise Register regarding an individual enterprise and farming (fishing) enterprise:

- 1) the given name, surname, and personal identity number of the owner;
- 2) if the individual enterprise or farming (fishing) enterprise is managed by intermediation of the manager or collegial administrative institution – the given name, surname, and personal identity number of the person who has the right to represent the enterprise;
- 3) if the individual enterprise or farming (fishing) enterprise is managed by intermediation of the collegium administrative institution – the name of the collegium administrative institution;
- 4) the area and location of the farm;
- 5) the number and date of issuance of the land ownership or use deed;
- 6) the main type of activity and additional types of activity of the enterprise.

In addition to that referred to in Paragraph one, Clauses 1–6 of this Section, the following information shall be entered in the Enterprise Register regarding co-operative societies:

- 1) [10 May 2018 / See Paragraph 32 of Transitional Provisions];
- 2) the given name, surname, and personal identity number of the members of the council and the board;
- 3) the right of the members of the board to individually or jointly represent the co-operative society;
- 4) the given name, surname, and personal identity number of the proctor, as well as a reference to the total procuration or branch procuration, if such has been issued, and a reference to the granting of rights referred to in Section 34, Paragraph two of The Commercial Law, if such have been granted;
- 5) information on reorganisation.

The following information shall be entered in the Enterprise Register Journal regarding the suspension, renewal, continuation, or termination of activities of the enterprise (company):

- 1) the court decision on the appointment of an insolvency proceedings administrator, indicating his or her given name, surname, and personal identity number (if the person does not have a personal identity number – the date of birth, the number and date of issue of the personal identification document, the country and authority which issued the document);
- 2) the court judgment on the declaration of insolvency proceedings for the enterprise (company) and the court decision on the termination of insolvency proceedings;
- 3) the decision to terminate activities of the enterprise (company) and to commence liquidation thereof, as well as the given name, surname, personal identity number and the right to sign of liquidators, however, if the liquidator is a legal person – the name, registration number and legal address, the right of the liquidators to individually or jointly represent the enterprise (company), as well as the abovementioned information regarding the representatives of the liquidator in the liquidation proceedings;
- 4) [29 November 2012];
- 5) the given name, surname and personal identity number of the guardians (if the person does not have a personal identity number – the date of birth, the number and date of issue of the personal identification document, the country and authority which issued the document), as well as information regarding the establishment of guardianship, if the court has determined a restriction on the capacity to act to the person;
- 6) the decision of an institution of State administration to suspend or renew activities of the enterprise (company).

If the court, by a judgment, prohibits the enterprise (company) from operating or shuts down such enterprise or branch or representation thereof, the enterprise (company) shall apply for registration within seven days after the court judgment enters into effect.

[23 March 2017]

[23 March 2017]

If a natural person does not have a personal identity number, the date of birth of the natural person, the number of the personal identification document and the date of issue thereof, the country and authority that has issued the document shall be entered in the Enterprise Register Journal.

The date when the amendments to basic documents were registered or when the registration entry was made in the Enterprise Register Journal shall be entered in the Enterprise register, as well as the reason for making the registration entry shall be indicated.

The Enterprise Register shall exclude enterprises (companies), their branches, divisions from the Enterprise Register, making a relevant entry thereon in the Enterprise Register Journal.

A State fee shall be paid for making of entries in the Enterprise Register Journal and registration of documents (adding to a file), and the amount, procedures for payment and relief of such fee shall be determined by the Cabinet.

[14 May 1991; 5 October 1995; 14 June 2001; 31 October 2002; 5 June 2003; 17 February 2005; 15 June 2006; 6 March 2008; 5 March 2009; 28 October 2010; 29 November 2012; 16 January 2014; 23 March 2017; 10 May 2018 / Amendments in relation to the information to be entered in the Enterprise Register Journal regarding co-operative societies shall come into force on 1 January 2019. See Paragraph 32 of Transitional Provisions]

Section 7. Documents to be Submitted for Registration and Storage Thereof

An application, all the documents indicated in the law On Entrepreneurial Activity and laws governing the forms and types of entrepreneurial activity, as well as the signature samples of the persons to whom the right to sign has been granted in the enterprise (company) and, if the founder of the enterprise (company) is a legal person registered in a foreign country, a document certifying registration of the legal person in the respective foreign country shall be submitted for the registration of an enterprise (company). The signature sample of the person laid down in the law shall also be submitted on occasions when amendments are made. If a legal person registered in a foreign country becomes a shareholder of a limited liability company or partnership, a copy of the registration certificate of such person shall be attached to the documents to be submitted.

An application for the registration of an enterprise (company) shall be signed by all founders, except for cases where the application is signed by another person on the basis of an authorisation issued according to notarial procedures or where the founders have signed the minutes of the foundation meeting (decision to found) submitted to the Enterprise Register, in which an authorisation for another person to sign the registration application is included. The authorisation issued according to notarial procedures shall be attached to the registration application.

An application for the registration of amendments to basic documents and making of registration entries in the Enterprise Register shall be signed by officials, to whom the right to sign has been granted in the enterprise (company), or a person authorised by the meeting (decision), taking into account the particulars specified in Paragraphs four and five of this Section.

The following persons have an obligation to sign the registration application in person:

- 1) a member who discontinues membership in the company;
- 2) the previous owner of a single-owner enterprise, if a change of ownership has been applied for in the registration;

- 3) members who have taken a decision on amendments to the fixed capital;
- 4) members, who have taken a decision on amendments to the composition of the persons with the right to sign or to their right to sign (right of representation), except for those members of companies who operate in accordance with the law On Privatisation of Agricultural Undertakings and Collective Fisheries.

The provisions of Paragraph four of this Section shall not be applied, if:

- 1) the person referred to therein signs the minutes (decision) of the meeting or a derivative thereof submitted to the Enterprise Register, in which the relevant decision is included;
- 2) another person signs the application instead of the referred to person on the basis of an authorisation issued in accordance with notarial procedures and this authorisation is attached to the application.

Derivatives of the documents to be submitted to the Enterprise Register have to be certified in accordance with the procedures laid down in laws and other laws and regulations. The signature samples of such persons who have been granted the right to sign in the enterprise (company), must be certified in accordance with the procedures laid down in the Law on Orphan's and Custody Courts, by a sworn notary or by an official of the Enterprise Register. The right to act of such persons shall also be certified. Public documents issued in foreign states shall be legalised accordingly, unless otherwise provided for by international agreements, attaching a notarially certified translation in the Latvian language.

When registering a branch of an enterprise (company), all provisions of this Law shall be complied with.

Persons, who sign the registration application or submit documents to the Enterprise Register, shall be liable for the veracity of the submitted documents and the information included therein in accordance with the procedures laid down in laws. The person submitting documents to the Enterprise Register or receiving documents from the Enterprise Register shall present his or her passport or other personal identification document.

[23 March 2017]

[23 March 2017]

The person may indicate the address where he or she may be reached in the application to the Enterprise Register. If the person does not have a declared place of residence or does not have the address indicated in the foreign country according to the information of the Population Register, the person shall indicate such address in the application to the Enterprise Register where he or she can be reached. The Enterprise Register shall provide information regarding the address indicated in the application upon a justified request of the person requesting information.

Each registration number in the Enterprise Register Journal shall correspond to a file (document collection) with the same number.

[30 January 1997; 20 November 1997; 14 June 2001; 31 October 2002; 6 March 2008; 5 March 2009; 2 May 2013; 6 November 2013; 16 January 2014; 23 March 2017; 10 May 2018]

Section 7.1 Information to be Indicated in the Application for Making an Entry or Document Registration (Adding to the File)

For making an entry or document registration (adding to the file) in the Enterprise Register journal, an application shall be submitted where the following information shall be indicated in conformity with the nature of the application:

- 1) in the application for the registration of an enterprise (company) – information which in accordance with the laws and regulations governing the operation of the relevant enterprise (company) are to be entered in the Enterprise Register journal;

2) in the application for the registration of changes in the entries of the Enterprise Register journal or document registration (adding to the file) – the information regarding the nature of changes and new information to be entered regarding the enterprise (company) in the Enterprise Register journal;

3) in the application for the reorganisation – the type of reorganisation, the name of each enterprise (company) involved in the reorganisation, the registration number thereof, the fact whether the enterprise (company) is merging, dividing or acquiring, and also the type of the newly-established enterprise (company), if any;

4) in the application for the commencement of the liquidation of an enterprise (company) – information which is to be entered in the Enterprise Register journal in the case of the termination of its operation, and the place and time period for the application of claims of creditors;

5) in the application for the exclusion of the enterprise (company) from the Enterprise Register journal – justification for the exclusion of the enterprise (company) or a branch thereof from the Enterprise Register journal, the date on which the commencement of liquidation will be notified in the official gazette *Latvijas Vēstnesis*, and confirmation of the liquidator that the enterprise (company) does not have any outstanding debt obligations and liquidation is carried out in accordance with the procedures laid down in the laws and regulations.

The application for the reorganisation of an enterprise (company) shall be accompanied by an application for entering a new enterprise (company) in the Enterprise Register journal, if in the result of reorganisation a new enterprise (company) is established.

[14 November 2019]

[23 March 2017; 14 November 2019]

Section 8. Activities of the Enterprise Register

When examining the submitted documents, a State notary of the Enterprise Register shall verify whether:

1) [23 March 2017 / See Paragraph 24 of Transitional Provisions];

2) all the documents provided for by the laws, which are being registered (added to a file) or on the basis of which an entry is being made in the Enterprise Register Journal, have been submitted;

3) the documents which are being registered (added to a file) or on the basis of which an entry is being made in the Enterprise Register Journal have legal force, and whether other form requirements conform to laws and regulations, as well as whether the amount of information and provisions included therein and content thereof conforms with laws and regulations and other documents in the registration file;

4) another lawful obstacle has not been registered in the Enterprise Register.

The competence of the Enterprise Register shall not include verification of the factual circumstances of the decision-making of the enterprise (company).

After verification of the conditions referred to in Paragraph one of this Section, the State notary of the Enterprise Register shall take a decision to:

1) make an entry in the Enterprise Register Journal or register documents (add to a file), if obstacles have not been found;

2) postpone making an entry or registration of documents (adding to a file), if it is found that the requirements of Paragraph one of this Section have not been fulfilled, but these deficiencies can be eliminated. The State notary of the Enterprise Register shall specify a reasonable period of time for the elimination of deficiencies. The abovementioned period of time shall not be less than one month. If documents in which the deficiencies have been eliminated are submitted after the specified time period, the State fee shall be paid repeatedly;

3) refuse to register (add to a file) the submitted documents or make a registration entry in the Enterprise Register Journal, if the deficiencies determined in the documents are not

rectifiable, the submitted information cannot be registered in the Enterprise Register Journal or unequivocal evidence has been submitted to the Enterprise Register, attesting to the fact that the a signature has been forged. In such cases State fee shall not be reimbursed.

The State notary of the Enterprise Register shall take a separate decision on each application and shall enter, date and sign such decision in the Enterprise Register Journal. A decision to make an entry shall come into effect at the time of its signing, unless a later date for coming into effect is specified in the decision or the coming into effect of this decision is dependent on another decision coming into effect. In such case the relevant note shall be made in the Enterprise Register Journal thereof. The date of coming into effect of the decision may not be determined longer than one month from the day when the decision has been taken. The Enterprise Register Journal may be administered in electronic form.

[23 March 2017]

[5 June 2013]

[23 March 2017]

The Enterprise Register shall, no later than within seven days from the day of taking the decision referred to in Paragraph four of this Section, publish in the official gazette Latvijas Vēstnesis information entered in the Enterprise Register Journal regarding the resources of the enterprise (company), if it has not already been published on the basis of other laws.

All amendments to be registered shall be notified to the Enterprise Register by enterprises (companies) within 15 days from the day of taking the decision. Amendments shall be effective against third parties from the time when they are registered in the Enterprise Register.

If the information entered in the Enterprise Register Journal has been published, it may be used as an official source.

In business relationships with an enterprise (company) or branch thereof the publication and the entry, which has been made by the State notary with on the relevant enterprise (company) or branch thereof, shall prevail.

A specific service fee shall be charged for document derivatives of the enterprise (company) or branch thereof, fulfilment of other activities provided for in the legislation and for the issuance of information.

The activities of the Enterprise Register shall be financed from the State basic budget, as well as from the income which is obtained from paid services and is transferred into the basic budget account of the Ministry of Justice.

In verifying the circumstances specified in Section 5, Paragraph five of this Law, the State notary of the Enterprise Register is entitled to take a decision to postpone making an entry in the cases when:

1) the name of an enterprise (company) coincides with a name (firm name) entered or applied for entering in the Enterprise Register Journal and other registers kept by the Enterprise Register;

2) the only difference between the name of an enterprise (company) applied for entering and a name (firm name) already entered or applied for entering in the Enterprise Register Journal and other registers kept by the Enterprise Register is spacing and punctuation marks between the letters, figures, or the use of lower case and upper case letters in the name (firm name).

In verifying the conformity of a name applied for entering with the provisions of Section 5, Paragraph five of this Law, the State notary of the Enterprise Register shall assess the name of an enterprise (company) and the names (firm names) registered in other registers kept by the Enterprise Register without a reference to the legal form thereof.

The official of the Enterprise Register shall take a decision to make an entry in the Enterprise Register Journal, to refuse to make an entry, or to postpone the making of an entry within three working days after receipt of an application. Within the same time limit, the official

of the Enterprise Register shall take a decision on making an entry in the Enterprise Register Journal on the basis of a court ruling.

[14 May 1991; 7 April 1992; 5 October 1995; 30 January 1997; 11 November 1999; 14 June 2001; 31 October 2002; 5 June 2003; 17 February 2005; 15 June 2006; 6 March 2008; 28 October 2010; 2 May 2013; 6 November 2013; 23 March 2017; 10 May 2018]

Section 9. The Right of Persons to Use Information of the Enterprise Register

[6 November 2013]

Section 9.1 Restrictions on Issuance of Documents of the Enterprise Register

It is prohibited to issue journals of the Enterprise Register and the documents attached thereto for removal from premises of the Enterprise Register.

Individual documents may be withdrawn from the Enterprise Register:

- 1) upon a court judgment;
- 2) as material evidence or for conducting an expert-examination in a criminal case, when conducting pre-trial investigation;
- 3) by a forensic expert-examination institution for performing an expert-examination, if the expert-examination is requested from the forensic expert-examination institution by an entity registered in the Enterprise Register or a person whose rights have been or may be infringed.

If documents are removed, they shall be replaced with certified copies.

After performance of an expert-examination or examination of the matter before a court, the withdrawn documents shall be immediately returned to the Enterprise Register.

[30 January 1997; 14 June 2001; 15 June 2006; 16 January 2014]

Section 10. Procedures for the Examination of Disputes

[5 June 2003]

Section 11. Procedures for the Compensation of the Losses Resulting from Illegal Actions of Officials of the Enterprise Register

[5 June 2003]

Section 12. Liability

[5 June 2003]

Chapter Four Keeping of the Commercial Register

[14 June 2001]

Section 13. Jurisdiction of Registration

[23 March 2017 / See Paragraph 24 of Transitional Provisions]

Section 14. Examination of the Submitted Documents

When examining the submitted documents, a State notary of the Enterprise Register shall verify whether:

- 1) [23 March 2017 / See Paragraph 24 of Transitional Provisions];
- 2) all the documents provided for by the laws, which are being registered (added to a file) or on the basis of which an entry is being made in the Commercial Register, have been submitted;

3) the documents which are being registered (added to a file) or on the basis of which an entry is being made in the Commercial Register have legal force;

4) the form of the document, which is being registered (added to a file) or on the basis of which an entry is being made in the Commercial Register, conforms to that specified in laws and regulations or articles of association, if the regulatory enactment provides for a possibility of specifying a specific form of a document;

5) the amount and content of information and provisions included in the document, which is being registered (added to a file) or on the basis of which an entry is being made in the Commercial Register, comply with laws and regulations and other documents present in the registration file;

6) another lawful obstacle has not been registered in the Enterprise Register.

The following is not within the competence of the Enterprise Register:

1) verification of the actual circumstances of taking a decision of a merchant;

2) verification of a private-legal agreement of the shareholders (stockholders) of a capital company included in the articles of association in accordance with Section 144, Paragraph one, Clauses 8 and 9 of the Commercial Law.

If, upon verifying the circumstances referred to in Paragraph one of this Section, obstacles have not been found, the State notary of the Enterprise Register shall take a decision to make an entry (Section 15) or register documents (add to the file).

If it is found that the requirements of Paragraph one of this Section have not been fulfilled, but these deficiencies can be eliminated, the State notary of the Enterprise Register shall take a decision to postpone making an entry or registration of documents (adding to the file) and shall specify in the decision a reasonable period of time for the elimination of deficiencies. The abovementioned period of time shall not be less than one month. If documents in which the deficiencies have been eliminated are submitted after the specified time period, the State fee shall be paid repeatedly;

In verifying the circumstances specified in Section 28 of the Commercial Law, the State notary of the Enterprise Register is entitled to take a decision to postpone making an entry in the cases when:

1) the firm name applied for by a merchant coincides with a name (firm name) entered or applied for entering in the Commercial Register or other registers kept by the Enterprise Register; or

2) the only difference between the firm name applied for by a merchant and a name (firm name) already entered or applied for entering in the Commercial Register or other registers kept by the Enterprise Register is spacing and punctuation marks between the letters, figures, or the use of lower case and upper case letters in the name (firm name).

If the deficiencies found in the documents cannot be eliminated or the submitted information cannot be registered in the Commercial Register, or the relevant opinion of the State Revenue Service on tax risks of the entity is received, the State notary of the Enterprise Register shall take a decision to refuse to register (add to the file) documents or to make an entry in the Commercial Register. In such cases the State fee shall not be reimbursed.

If clear evidence has been submitted to the Enterprise Register, attesting to the fact that a signature has been forged, the State notary of the Enterprise Register shall take a decision to refuse to register (add to the file) documents or to make an entry in the Commercial Register.

In verifying the conformity of a firm name applied for entering with the provisions of Paragraph five of this Section, the State notary of the Enterprise Register shall assess the firm name of a merchant and the names of subjects registered in other registers kept by the Enterprise Register without a reference to the legal form thereof.

[15 June 2006; 6 March 2008; 28 October 2010; 2 May 2013; 23 November 2016; 23 March 2017]

Section 14.¹ Pre-registration Verification of the Applications Submitted to the Commercial Register in the State Revenue Service

The Enterprise Register shall send to the State Revenue Service the information regarding the submitted applications for making entries in the Commercial Register if:

- 1) more than 10 merchants have already been registered at the legal address applied for entering and indicated in the application;
- 2) the only member of the board indicated in the application is the only member of the board in more than five capital companies;
- 3) one of the members of the board indicated in the application is one of the members of the board or the only member of the board in more than 10 capital companies;
- 4) the only founder of the limited liability company is already the only shareholder in more than five limited liability companies, except when the only founder of the limited liability company is a public person within the meaning of the State Administration Structure Law;
- 5) one of the founders of the limited liability company is already one of shareholders in more than 10 limited liability companies, except when one of the founders of the limited liability company is a public person within the meaning of the State Administration Structure Law.

The information regarding submitted applications for making entries in the Commercial Register shall not be sent in the cases laid down in Paragraph one of this Section if the State Revenue Service has notified the Enterprise Register that the information should not be sent. The procedures by which the State Revenue Service shall notify the Enterprise Register that the information should not be sent are specified in the interdepartmental agreement referred to in Section 4, Paragraph 5.⁹ of this Law which has been entered into between the State Revenue Service and Enterprise Register.

[23 November 2016]

Section 15. Making and Storage of Entries in the Commercial Register

State notaries of the Enterprise Register shall make entries in the Commercial Register electronically, taking the relevant written decision to make entries.

The decision to make an entry shall come into effect from the time when the State notary of the Enterprise Register has electronically certified the completeness and correctness of the entry (has authorised it), unless a later date for coming into effect has been provided for in the decision or the coming into effect of this decision is dependent on another decision coming into effect. In such case a relevant note shall be made in the Enterprise Register Journal.

The date of coming into effect of the decision shall not be specified as more than one month from the day from taking of the decision.

Section 16. Storage of Entries of the Commercial Register

Entries in the Commercial Register shall be stored in electronic form, and they shall have the same legal effect as the decision to make an entry.

If an entry in the Commercial Register does not conform to the decision to make an entry, the decision shall prevail.

Section 17. Documents to be Attached to the Registration File of a Merchant

The registration file of a merchant shall contain the documents on the basis of which entries in the Commercial Register were made, as well as the other documents laid down in the law.

Upon appending a division of the register of shareholders of a limited liability company to the registration file, the State notary of the Enterprise Register shall register the information indicated in the division of the register of shareholders in the registration file of the relevant limited liability company in the Commercial Register.

[14 November 2019]

Section 18. Correction of Errors in Entries of the Commercial Register

[23 March 2017]

Chapter Five Keeping of the Register of Associations and Foundations

[18 March 2004]

Section 18.¹ Examination of the Submitted Documents for the Keeping of the Register of Associations and Foundations

When examining the submitted documents, a State notary of the Enterprise Register shall verify whether:

1) all the documents provided for by the laws, which are being registered (added to a file) or on the basis of which an entry is being made in the Register of Associations and Foundations, have been submitted;

2) the documents which are being registered (added to a file) or on the basis of which an entry is being made in the Register of Associations and Foundations have legal force and if other form requirements conform to laws and regulations, as well as whether the amount and content of the information and provisions included therein conform to laws and regulations and other documents present in the registration file;

3) another lawful obstacle has not been registered in the Register of Associations and Foundations.

The competence of the Enterprise Register shall not include examination of the factual circumstances of the decision-making of an association or foundation.

If, upon verifying the circumstances referred to in Paragraph one of this Section, obstacles have not been found, the State notary of the Enterprise Register shall take a decision to make an entry (Section 15) or register documents (add to the file).

If it is found that the requirements of Paragraph one of this Section have not been fulfilled, but these deficiencies can be eliminated, the State notary of the Enterprise Register shall take a decision to postpone making an entry or registration of documents (adding to the file) (except in the case when a decision must be taken to refuse to make an entry in accordance with the Associations and Foundations Law). In the decision to postpone making an entry or register documents (add to the file) the State notary of the Enterprise Register shall specify a reasonable period of time for the elimination of deficiencies. The abovementioned period of time shall not be less than one month. If documents, in which the deficiencies have been eliminated, are submitted after the specified time period, the State fee shall be paid repeatedly;

In verifying the circumstances specified in Section 6, Paragraph three of the Associations and Foundations Law, the State notary of the Enterprise Register is entitled to take a decision to postpone making an entry in the cases when:

1) the name applied for by an association or foundation coincides with a name (firm name) entered or applied for entering in the Register of Associations and Foundations or other registers kept by the Enterprise Register; or

2) the only difference between the name applied for by an association or foundation and a name (firm name) already entered or applied for entering in the Register of Associations and Foundations or other registers kept by the Enterprise Register is spacing and punctuation marks

between the letters and figures, or the use of lower case and upper case letters in the name (firm name).

If the deficiencies found in the documents cannot be eliminated or the submitted information cannot be registered in the Register of Associations and Foundations, the State notary of the Enterprise Register shall take a decision to refuse to register (add to the file) documents or to make an entry in the Register of Associations and Foundations. In such cases the State fee shall not be reimbursed.

If unequivocal evidence has been submitted to the Enterprise Register, attesting to the fact that a signature has been forged, the State notary of the Enterprise Register shall take decision to refuse to register (add to the file) documents or to make an entry in the Register of Associations and Foundations.

In verifying the conformity of a name applied for entering with the provisions of Paragraph five of this Section, the State notary of the Enterprise Register shall assess the firm name of the association and foundation and the names (firm names) registered in other registers kept by the Enterprise Register without a reference to the legal form thereof.

[15 June 2006; 28 October 2010; 2 May 2013]

Section 18.² Making of Entries in the Register of Associations and Foundations

A State notary of the Enterprise Register shall make entries in the Register of Associations and Foundations electronically, taking the relevant written decision to make the entry.

The decision to make an entry shall come into effect from the time when the State notary of the Enterprise Register has electronically certified the completeness and correctness of the entry (has authorised it), unless a later date for coming into effect has been provided for in the decision or the coming into effect of this decision is dependent on another decision coming into effect. In such case the relevant note shall be made in the entries of the Register of Associations and Foundations.

The date of coming into effect of the decision shall not be specified as more than one month from the day from taking of the decision.

The State notary of the Enterprise Register shall register the decisions of competent State authorities to record a prohibition endorsement in the Register of Associations and Foundations.

Section 18.³ Storage of Entries of the Register of Associations and Foundations and the Documents to be Attached to the Registration File

Entries in the Register of Associations and Foundations shall be stored in electronic form, and they shall have the same legal effect as the decision to make an entry.

If an entry in the Register of Associations and Foundations does not conform to the decision to make an entry, the decision shall prevail.

The association and registration file shall contain all the documents on the basis of which the entry into the Register of Associations and Foundations was made, as well as the other documents laid down in the Law.

Section 18.⁴ Correction of Errors in Entries of the Register of Associations and Foundations

[23 March 2017]

Chapter Six **Keeping the Register of Political Parties**

[15 June 2006 / This Chapter shall come into force concurrently with the Law on Political Parties. See Transitional Provisions]

Section 18.5 Provisions Applicable to the Keeping of the Register of Political Parties

The provisions of Chapter Five of this Law shall be applied to the keeping of the Register of Political Parties, if it is not provided for otherwise in this Chapter.

Section 18.6 Name of a Political Party or an Association of Political Parties

When verifying the circumstances referred to in Section 6, Paragraph one of the Law on Political Parties, the State notary of the Enterprise Register is entitled to take a decision to postpone making an entry in the cases when:

1) the name applied for by a political party or an association of political parties clearly and definitely does not differ from the name of a political organisation (party) or an association of political organisations (parties) or abbreviation thereof previously registered in Latvia;

2) the name applied for by a political party or an association of political parties clearly and definitely does not differ from a name entered or applied for entering in the Register of Political Parties or coincides with a name (firm name) entered or applied for entering in other registers kept by the Enterprise Register;

3) the only difference between the name applied for by a political party or an association of political parties and a name (firm name) already entered or applied for entering in other registers kept by the Enterprise Register is spacing and punctuation marks between the letters, figures, or the use of lower case and upper case letters in the name (firm name).

In verifying the conformity of a name applied for entering with the provisions of Paragraph one of this Section, the State notary of the Enterprise Register shall assess the name of a political party or an association of political parties and the names registered in other registers kept by the Enterprise Register without a reference to the legal form thereof.

[28 October 2010]

Chapter Seven **Keeping of the Insolvency Register**

[8 November 2007]

Section 18.7 Documents to be Submitted to the Enterprise Register for the Keeping of the Insolvency Register

Information based on which new entries are to be made in the Insolvency Register, as well as the documents laid down in the Insolvency Law shall be submitted to the Enterprise Register no later than within five days from the day when the relevant decision was taken or from the time of the relevant change, if it is not otherwise provided for in other laws and regulations.

An entry shall be made in the Insolvency Register on the basis of an application of the administrator, an application of the liquidator, if it fulfils the duties of an administrator in the cases provided for in the Insolvency Law and other laws and regulations, or a court ruling.

In order to make an entry in the Insolvency Register, the application shall be submitted in which the following shall be indicated:

1) the registration number and firm name of the debtor if the debtor is a legal person;

2) the given name, surname, personal identity number (if the person does not have a personal identity number – the date of birth, the number, date of issue of a personal

identification document, the state and authority, which issued the document), if the debtor is a natural person;

3) the given name, surname, certificate or office licence number of the administrator in the insolvency proceeding;

4) the essence of the entry – convening the meeting of creditors, termination or cross-border insolvency proceedings;

5) the date, time and address of the occurrence of the meeting of creditors, if convening the meeting of creditors is applied for entering;

6) the date, time for the termination and resuming of the meeting of creditors, the address of the place of occurrence of the meeting of creditors if termination of the meeting of creditors is applied for entering.

[6 March 2008; 23 March 2017]

Section 18.⁸ Procedures for the Examination of the Submitted Documents

When examining the submitted documents, a State notary of the Enterprise Register shall examine whether:

1) all the documents provided for by laws, which are being registered (added to a file) or on the basis of which an entry is being made in the Insolvency Register, have been submitted;

2) the documents which are being registered (added to a file) or on the basis of which an entry is being made in the Insolvency Register have legal force and if other form requirements conform to laws and regulations, as well as that the amount and content of the information and provisions included therein conforms to laws and regulations and other documents present in the registration file.

The competence of the Enterprise Register shall not include an obligation to verify the actual circumstances with respect to preparation of the documents submitted by an administrator and the conformity of any information indicated in decisions taken within the scope of the insolvency proceedings to the actual circumstances.

If, upon verifying the circumstances referred to in Paragraph one of this Section, obstacles have not been found, the State notary of the Enterprise Register shall without delay, but not later than one day from the day of receiving the application, take a decision to make an entry in the Insolvency Register or register documents (add to the file). The State notary of the Enterprise Register shall, within the same time limit, take a decision to make an entry in the Insolvency Register on the basis of a court ruling.

The entry shall be made in the Insolvency Register on the same day when a decision to make the entry was taken.

If it is determined that the requirements of Paragraph one of this Section have not been fulfilled, but these deficiencies can be eliminated, the State notary of the Enterprise Register shall take a decision without delay, but not later than one day following the day of receiving the application for making an entry or postponing to make an entry or registration of documents (adding to the file) and shall specify in the decision a reasonable period of time for the elimination of deficiencies. The abovementioned period of time shall not be less than five days.

If the deficiencies found in the documents cannot be eliminated or the submitted information cannot be registered in the Insolvency Register, the State notary of the Enterprise Register shall, within five days from the day of receiving the application, take a decision to refuse to register (add to the file) documents or to make an entry in the Insolvency Register.

The Enterprise Register shall send the decisions referred to in Paragraphs three, five and six of this Section to the submitter of the application within five days from the day they were taken.

If unequivocal evidence has been submitted to the Enterprise Register, attesting to the fact that a signature has been forged, the State notary of the Enterprise Register shall take a

decision to refuse to register (add to the file) documents or to make an entry in the Insolvency Register.

Section 18.⁹ Information to be Entered in the Insolvency Register

A State notary of the Enterprise Register shall enter information regarding the administrator, the insolvent entity, the progress of legal protection proceedings, insolvency proceedings of a legal person or insolvency proceedings of a natural person.

Section 18.¹⁰ Storage of Entries in the Insolvency Register

Entries in the Insolvency Register shall be stored in electronic form, and they shall have the same legal effect as the decision to make an entry.

If an entry in the Insolvency Register does not conform to the decision to make the entry, the decision shall prevail.

An insolvency registration file shall contain all the documents on the basis of which entries were made in the Insolvency Register, as well as the other documents laid down in law. The documents to be attached to the insolvency registration file shall be stored in the registration file of the relevant insolvent entity.

[6 March 2008]

Section 18.¹¹ Correction of Errors in Entries of the Insolvency Register

[23 March 2017]

Chapter Eight

Keeping of the Register of Religious Organisations and Institutions Thereof

[18 December 2008]

Section 18.¹² Jurisdiction of the Register of Religious Organisations and Institutions Thereof

[23 March 2017 / See Paragraph 24 of Transitional Provisions]

Section 18.¹³ Documents to be Submitted to the Enterprise Register for the Keeping of the Register of Religious Organisations and Institutions Thereof

Information based on which entries are to be made in the Register of Religious Organisations and Institutions Thereof, as well as the documents specified in the Law on Religious Organisations shall be submitted to the Enterprise Register no later than within 14 days after the relevant decision was taken.

An entry in the Register of Religious Organisations and Institutions Thereof shall be made on the basis of an application, the notice laid down in Section 1.² of the Law on the Agreement between the Republic of Latvia and the Holy See (hereinafter – the notice) or a court ruling.

An application for making an entry or document registration (adding to the file) shall be submitted to the Register of Religious Organisations and Institutions Thereof in which the following information shall be indicated in conformity with the nature of the application:

1) in the application for the registration of a religious organisation or institution thereof – information which in accordance with regulatory enactments governing the operation of a religious organisation and institution thereof are to be entered in the Register of Religious Organisations and Institutions Thereof;

2) in the application for registering changes in the Register of Religious Organisations and Institutions Thereof or registering documents (adding to the file) – information regarding

the nature of changes and new information which are applied in respect of the religious organisation or institution thereof for entering in the Register of Religious Organisations and Institutions Thereof;

3) in the application for the re-registration of the religious organisation, reorganisations of the religious organisation or institution thereof, termination of operation, renewal or liquidation of operation thereof – the nature of the applied entry.

[16 January 2014; 23 March 2017]

Section 18.¹⁴ Making an Entry in the Register of Religious Organisations and Institutions Thereof

A State notary of the Enterprise Register shall, within two months from the day when the application was received, take a decision to enter a religious organisation and institutions thereof in the Register of Religious Organisations and Institutions Thereof. The State notary of the Enterprise Register shall, within seven days after receipt of the application or notice, take a decision to make another entry, to refuse to make an entry or to postpone making an entry in the Register. The State notary of the Enterprise Register shall, within the same time limit, take a decision to make an entry in the Register of Religious Organisations and Institutions Thereof on the basis of the notice or court ruling.

The State notary of the Enterprise Register shall take a decision to postpone making an entry in the cases when:

1) not all of the documents laid down in the Law on Religious Organisations and in this Law have not been submitted;

2) the articles of association (constitution, regulations) or other documents submitted to the Enterprise Register contain non-compliances with the requirements of laws and regulations that can be eliminated;

3) another lawful obstacle has been registered in the Register of Religious Organisations and Institutions Thereof;

4) the name applied for by a religious organisation or institution thereof includes misleading information regarding the legal form, purpose and type of activity of the religious organisation or institution thereof;

5) the name applied for by a religious organisation or institution thereof clearly and definitely does not differ from the names entered or applied for entering in the Register of Religious Organisations and Institutions Thereof or coincides with a name (firm name) entered or applied for entering in other registers kept by the Enterprise Register;

6) the only difference between the name applied for by a religious organisation or institution thereof and a name (firm name) already entered or applied for entering in the Register of Religious Organisations and Institutions Thereof and other registers kept by the Enterprise Register is spacing and punctuation marks between the letters, figures, or the use of lower case and upper case letters in the name (firm name);

7) the notice does not conform to the requirements of laws and regulations.

The State notary of the Enterprise Register shall take a decision to refuse to make an entry, if:

1) the objectives and tasks set out in articles of association (in the constitution, by-law) are in conflict with laws and regulations;

2) an opinion has been received from the Ministry of Justice that there are grounds for believing that the operations (teachings) of the religious organisation are in conflict with laws and regulations or threaten human rights, the democratic structure of the State, public safety, welfare and morals;

3) the procedures for founding laid down in the Law on Religious Organisations have been contravened;

4) the non-compliances with the provisions of laws and regulations found in the decision to postpone making an entry have not been eliminated.

The decision to postpone making an entry or to refuse to make an entry shall be justified. The time period for the elimination of deficiencies shall be indicated in the decision to postpone making an entry.

The State notary of the Enterprise Register shall send to the submitter of the application the decision to make an entry within three working days after its taking.

Any entry shall be made in the Register on the same day when the decision to make the entry was taken.

In verifying the conformity of the name applied for entering with the provisions of Paragraph two of this Section, the State notary of the Enterprise Register shall assess the name of the religious organisation or institution thereof and the names (firm names) registered in other registers kept by the Enterprise Register without a reference to the legal form thereof.

The competence of the Enterprise Register shall not include examination of the factual circumstances of the decision-making of a religious organisation or institution thereof.

[28 October 2010; 16 January 2014; 23 March 2017]

Section 18.¹⁵ Registration Number and Registration File of a Religious Organisation or Institution Thereof

A registration number shall be assigned to a religious organisation or institution thereof entered in the Register of Religious Organisations and Institutions Thereof.

[16 January 2014]

The documents submitted to the Enterprise Register shall be stored in the file of the relevant religious organisation or institution thereof.

[16 January 2014]

Section 18.¹⁶ Correction of Errors in Entries of the Register of Religious Organisations or Institutions Thereof

[23 March 2017]

Chapter 8.¹

Keeping of the Register of Public Persons and Institutions

[1 June 2017]

Section 18.¹⁷ Public Persons and Institutions to be Entered in the Register of Public Persons and Institutions

The following shall be entered in the Register of Public Persons and Institutions:

- 1) the Saeima and President's Chancery of the Republic of Latvia;
- 2) the courts and prosecutor's offices;
- 3) the institutions of direct administration;
- 4) the derived public persons;
- 5) the institutions of indirect administration;
- 6) other State authorities.

[1 June 2017]

Section 18.¹⁸ Information to be Entered in the Register of Public Persons and Institutions

The following information shall be entered regarding public persons and institutions in the Register of Public Persons and Institutions:

- 1) the name;

- 2) the type (in accordance with that laid down in Section 18.¹⁷ of this Law);
- 3) registration number;
- 4) the address, the address of the official website (if any) and electronic mail address (if any);
- 5) the information when the legal act by which the public person or institution has been established was adopted, the name, number (if any) of the legal act, the name of the adopter and registration number thereof;
- 6) the information regarding the head of the public person or institution [the given name, surname, personal identity number, position name, the date and time period of appointment (election), if the person has been appointed (elected) in the position for a definite period of time];
- 7) the information regarding the official of the public person or institution who implements its general administrative management (the given name, surname, personal identity number, position name);
- 8) the information regarding the institutional subordination of the public person or institution by indicating the public person or institution to which the relevant public person or institution is subordinated and the form of the subordination (if the public person or institution is under subordination);
- 9) the information regarding the private persons entered in the registers kept by the Enterprise Register (the registration number, name) to which the public person or institution has delegated the task of the State administration;
- 10) the information regarding a branch of the higher education institution (the name, address) and the head thereof (the given name, surname, personal identity number);
- 11) the information on whether an institution of indirect administration is an independent taxpayer;
- 12) the information regarding reorganisation – the legal act on the basis of which it has been carried out (the number and date), consequences of reorganisation;
- 13) the information regarding liquidation – the legal act on the basis of which it has been carried out (the number and date);
- 14) the information regarding exclusion from the register of public persons and institutions.

When publishing the information referred to in Paragraph one of this Section on the website of the Enterprise Register, the information regarding personal identity numbers of officials shall not be published.

[1 June 2017 / See Paragraph 29 of Transitional Provisions]

Section 18.¹⁹ Application for an Entry to be Made in the Register of Public Persons and Institutions

The Enterprise Register shall make entries in the Register of Public Persons and Institutions and entries on the changes in the information entered in the Register of Public Persons and Institutions on the basis of a notice of the head of a public person or institution, without taking a separate decision.

The notice for making an entry in the Register of Public Persons and Institutions by indicating the information laid down in Section 8.¹⁸ of this Law shall be submitted within three working days from the day when the relevant public person or institution was established, reorganised or liquidated or the time when the changes in the information to be entered in the Register of Public Persons and Institutions occurred.

The notice for making an entry in the Register of Public Persons and Institutions shall be submitted electronically through the use of a special online form under the management of the Enterprise Register.

The public person or institution who submits the notice for making an entry in the Register of Public Persons and Institutions and the notice of changes in the entries of the Register of Public Persons shall be responsible for the conformity of the information indicated in the notice with the laws and regulations.

[1 June 2017 / Section shall come into force on 1 March 2018. See Paragraph 30 of Transitional Provisions]

Section 18.²⁰ Making an Entry in the Register of Public Persons and Institutions

The Enterprise Register shall make an entry in the Register of Public Persons and Institutions in electronic form.

When entering a public person or institution in the Register of Public Persons and Institutions, a registration number shall be granted thereto.

The submitter of the notice shall be notified of the entries made in the Register of Public Persons and Institutions by using a special online form under the management of the Enterprise Register.

[1 June 2017 / Section shall come into force on 1 March 2018. See Paragraph 30 of Transitional Provisions]

Section 18.²¹ Publicity of Entries of the List of Public Persons and Institutions

Any person is entitled to rely on the information entered in the list of public persons and institutions.

[1 June 2017 / Section shall come into force from 1 June 2018. See Paragraph 31 of Transitional Provisions]

Chapter Nine Final Provisions

[5 June 2003 / Numbering of the Chapter from six to seven has been amended under the law of 15 June 2006, from seven to eight under the law of 8 November 2007, from eight to nine under the law of 18 December 2008 which comes into force on 31 December 2008]

Section 19. Procedures for Contesting and Appealing the Decisions and Actions of the State Notaries of the Enterprise Register

The decisions and actions of the State notaries of the Enterprise Register may be contested in accordance with the procedures laid down in law by submitting the relevant application to the Chief State Notary of the Enterprise Register. The Chief State Notary of the Enterprise Register shall take a decision within one month from the submission of an application. If due to objective reasons the abovementioned deadline cannot be complied with, the Chief State Notary of the Enterprise Register may extend it in accordance with the procedures laid down in the Administrative Procedure Law. Contesting of a decision of a State notary of the Enterprise Register or appealing a decision of the Chief State Notary of the Enterprise Register shall not suspend its operation. The decisions and actions of the Chief State Notary of the Enterprise Register may be appealed to before a court in accordance with the procedures laid down in law.

[15 January 2004; 6 March 2008; 5 March 2009]

Section 20. Liability of the Officials of the Enterprise Register

The State notaries and other officials of the Enterprise Register shall be liable for the violations of this Law in accordance with the procedures laid down in this Law.

If the action of an official of the Enterprise Register has been found unlawful in accordance with the procedures laid down in laws and other laws and regulations, and an enterprise (company), merchant or group of companies has incurred losses as a result of such action, they shall be compensated.

Section 21. Liability and Obligation of the Recipients of Information to Delete Personal Data

The responsible official of the Enterprise Register shall propose to hold statutory liable the persons who are guilty for the non-submission to the Enterprise Register of the information or documents laid down in the laws and regulations on enterprises (companies), merchants, European economic interest groupings, European commercial companies or European co-operative societies within the time period specified in the laws and regulation or the non-execution of the legal decisions of the officials of the Enterprise Register within the specified time period, or incomplete execution, or the provision of false information.

The relevant persons shall be held statutory liable for the non-submission of the information or documents laid down in the Associations and Foundations Law or the Law on Political Parties within the time period laid down in the law, for the non-provision of information upon the request of the officials of the Enterprise Register in accordance with the procedures laid down in the law, and also for the provision of false information on associations or foundations, political parties, or their associations.

The Enterprise Register has the right to request that the recipient of information deletes the personal data received from the Enterprise Register, including electronically available documents containing personal data, if it is detected that inappropriate processing of personal data has occurred. If the recipient of information does not execute the request of the Enterprise Register, the Enterprise Register shall turn to the Data State Inspectorate.

[18 March 2004; 28 October 2004; 15 June 2006; 14 November 2019]

Section 22. Exemption from the Payment of Court Fees

The Enterprise Register shall be exempted from the payment of court fees if it is bringing an action for the liquidation, termination of operation or recognition of nullity of an enterprise (company) or commercial company, an also in cases when the Enterprise Register brings an action in the interests of such person which has been declared as insolvent.

Transitional Provisions

[30 January 1997]

1. Signature samples of such persons to whom the right to sign have been granted in an enterprise (company) shall be replaceable with signature samples certified in accordance with the procedures laid down in the law, which, similar to the diazo transparency copies of shareholder (stockholder) passports or registration certificates, shall be submitted to the Enterprise Register until 31 December 1997. If during this time period amendments to the basic documents of the enterprise (company) are submitted to the Enterprise Register of the Republic of Latvia, the certified signature samples and diazo transparency copies of passports or registration certificates shall also be submitted concurrently.

2. *[14 June 2001]*

3. Amendments to Section 9, Paragraph one of this Law regarding the right of bailiffs to receive information from the Enterprise Register free of charge shall be applicable from 1 January 2003.

[31 October 2002]

4. Until the day of coming into force of the Administrative Procedure Law, the word “sūdzību” (complaint) shall be used instead of the word “iesniegumu” (submission) in Section 19 of this Law.

[5 June 2003]

5. The provisions of this Law regarding the registration of European economic interest groupings and the activities associated therewith shall come into force on 1 May 2004.

[18 March 2004]

6. Until the day of coming into force of the relevant law, the Enterprise Register shall register the individual enterprises and farming and fishing enterprises that are subject to the norms of this Law regarding the registration of enterprises (companies). The norms of this Law regarding the registration of enterprises (companies) shall also be applicable to co-operative societies.

[17 February 2005]

7. Provisions of this Law laying down the function of the Enterprise Register to register arbitrages (Section 1, Clause 1 and Section 2.¹³) shall be applicable from 1 April 2005.

[17 February 2005]

8. Provisions of this Law laying down the function of the Enterprise Register – to register European co-operative societies (amendments to Section 1, Clause 1, new wording of Section 2.¹⁵ and amendments to Section 21, Paragraph one) shall be applicable from 18 August 2006.

[15 June 2006]

9. Section 4.² of this Law shall come into force on 1 January 2007.

[15 June 2006]

9.¹ The new wording of Section 4.² of this Law (regarding the imposition of the international and national sanctions of the Republic of Latvia) shall come into force concurrently with the Law on International Sanctions and National Sanctions of the Republic of Latvia.

[4 February 2016]

10. The norms of this Law, which determine the function of the Enterprise Register – to keep the Register of Political Parties (amendments to Section 1, Clause 1, amendments to Section 2.², the new revision of Section 2.¹⁴, the new Chapter Six, amendments to Section 21, Paragraph two), shall come into force concurrently with the Law On Political Parties.

[15 June 2006]

11. The norms of this Law laying down the right of a person to receive information from the Enterprise Register Journal and the documents present in the registration file of an enterprise (company) in electronic form shall be applied to the information which has been registered in the Enterprise Register Journal after 1 January 1997.

[6 March 2008]

12. Not later than until 20 November 2009, the Enterprise Register shall, without taking a separate decision, include in the Register of Public and Partnership Contracts the entries of the Register of Concession Contracts which based on the Concessions Law have been made until the day of coming into force of the Public and Private Partnership Law.

[15 October 2009]

13. If the decision to transfer concession resources by way of concession has been taken and conditions for granting concession have been approved in accordance with the provisions of the Concessions Law, the Enterprise Register shall register the concession contract in the Register of Public and Partnership Contracts by applying the provisions of the Public and Private Partnership Law to the registration.

[15 October 2009]

14. The norms of this Law which regulate formation of a name (firm name) and lay down that a name (firm name) applied for registration may not coincide with a name (firm name) applied for entering or entered in the registers kept by the Enterprise Register (supplementation of Section 4 with Paragraph 5.³, the new revision of Section 5, supplementation of Section 8 with Paragraphs fifteen and sixteen, the new revision of Section 14, Paragraph five and supplementation of the Section with Paragraph eight, the new revision of Section 18.¹, Paragraph five and supplementation of the Section with Paragraph eight, the new revision of Section 18.⁶, Clauses 2 and 3 and supplementation of the Section with Paragraph two, the new revision of Section 18.¹⁴, Paragraph two, Clauses 4 and 5 and supplementation of the Paragraph with Clause 6, as well as supplementation of the Section with Paragraphs 7 and 8) shall come into force on 1 December 2010.

[28 October 2010]

15. The amendments to Sections 5, 8, 14, 18.¹, 18.⁶ and 18.¹⁴ of this Law regarding the difference of a name (firm name) from the names (firm names) entered or applied for entering in the registers kept by the Enterprise Register shall not affect the right of the subjects of rights to the name (firm name) which has been entered or applied for entering in the relevant register until 30 November 2010.

[28 October 2010]

16. Section 4.⁷ of this Law shall come into force on 1 January 2014.

[2 May 2013]

17. Amendments to Section 6, Paragraph one, Clauses 8 and 9, Paragraph two, Clause 3, Paragraph three, Clause 1 and Paragraph five, Clause 3 of this Law laying down that information regarding the place of residence of a person is not the information to be entered in the Enterprise Register Journal shall come into force on 1 April 2014.

[16 January 2014]

18. Starting from 1 April 2014, when amendments to Section 6, Paragraph one, Clauses 8 and 9, Paragraph two, Clause 3, Paragraph three, Clause 1 and Paragraph five, Clause 3 of this Law laying down that information regarding the place of residence of a person is not the information to be entered in the Enterprise Register Journal come into force, an official of the Enterprise Register shall, without taking a separate decision, make an entry in the Enterprise Register Journal on the exclusion of such information from the Enterprise Register Journal which contains information regarding the place of residence of a person.

[16 January 2014]

19. Amendments to Section 6, Paragraph five, Clause 5 of this Law regarding the establishment of guardianship shall come into force on 1 September 2014.

[16 January 2014]

20. Until 1 October 2014, the Enterprise Register shall, without taking a separate decision, update the information entered in the Enterprise Register Journal until 31 August 2014 by

replacing the given name and surname of the guardian with information on the establishment of guardianship.

[16 January 2014]

21. The Enterprise Register shall assign the identifier of the recipient of payment of the Single Euro Payments Area to each legal entity registered in registers kept by the Enterprise Register, which has been registered thereby as a taxpayer until 16 February 2014 in accordance with the laws and regulations governing the field of taxes (except for such entities the operation of which has been terminated in accordance with the procedures laid down in laws and regulations), on 17 February 2014, without taking a separate decision thereon. Entries in which the name, registration number and the identifier of the recipient of payment of the Single Euro Payments Area of the legal entity is indicated shall be published free of charge in a single publication in the official gazette *Latvijas Vēstnesis*, if the publishing of entries is provided for in laws and regulations.

[16 January 2014]

22. Amendments regarding exclusion of Section 2.⁹, as well as amendments to Section 4, Clause 5.³ of this Law in relation to exclusion of verification of the name (firm name) of the entity and it being different from the names entered or applied for entering in the register of trade unions shall come into force concurrently with the coming into force of the Law On Trade Unions.

[16 January 2014]

23. The new wording of Section 14, Paragraph six of this Law, which determines that the State notary of the Enterprise Register shall take a decision to enter a capital company in the Commercial Register or a decision on the changes in the composition of the board of directors of a capital company only in the case if at least one of the members of the board of directors of a capital company is a citizen of Latvia, non-citizen of Latvia or a citizen of other Member State of the European Union, European Economic Area state or a citizen of the Swiss Confederation, shall come into force concurrently with the relevant amendments to the Commercial Law.

[17 December 2014 / *The abovementioned amendment will be included in the wording of the Law as of the day of coming into force of the relevant amendments to the Commercial Law*]

24. The new wording of Section 2 of this Law and amendments which provide for the deletion of Section 8, Paragraph one, Clause 1, Section 13, Section 14, Paragraph one, Clause 1 and Section 18.¹² of this Law in relation to the refusal from determining jurisdiction of cases shall come into force on 1 July 2018.

[23 March 2017 / *The abovementioned amendments shall be included in the wording of the Law as of 1 July 2018*]

25. Section 4.¹¹, Paragraph one, Clause 9 of this Law shall come into force on 1 July 2017.

[23 March 2017 / *The abovementioned amendments shall be included in the wording of the Law as of 1 July 2017*]

26. Section 4.¹⁴ of this Law shall come into force on 01 January 2020.

[23 March 2017 / *The abovementioned amendments shall be included in the wording of the Law as of 1 January 2020*]

26.¹ The amendment to this Law which provides for a new wording of the text of Section 4.¹⁴ shall come into force on 1 January 2020.

[1 June 2017]

27. Until the day of coming into force of the relevant amendments come to the law On the Press and Other Mass Media which lay down the information to be indicated in the registration certificate of the mass media, the information to be indicated in the application for registration, application for changes in the Register of Mass Media and application for the deletion of the mass medium from the register, Cabinet Regulation No. 433 of 7 June 2011, Regulations Regarding Application Forms for Entries in the Enterprise Register Journal and Mass Media Register, and Registration Certificates, shall be applied to mass media, however no longer than until 31 December 2017, insofar as it is not in contradiction with this Law.

[23 March 2017]

28. The State Revenue Service shall, not later than until 31 December 2017, transfer to the Enterprise Register the information at its disposal that is to be entered in the Register of Public Persons and Institutions.

[1 June 2017]

29. Within the time period from 1 March 2018 until 1 April 2018, the public persons and institutions to be entered in the Register of Public Persons and Institutions shall clarify the information already available in the Enterprise Register that has been acquired in accordance with Paragraph 28 of these Transitional Provisions or submit updated missing information which in accordance with Section 18.¹⁸ of this Law are to be entered in the Register of Public Persons and Institutions.

[1 June 2017]

30. The norms of this Law laying down the function of the Enterprise Register to ensure keeping of the Register of Public Persons and Institutions (Section 2.¹⁹, Section 4, Clause 5.¹⁰, Section 18.¹⁹ and Section 18.²⁰) shall come into force on 1 March 2018.

[1 June 2017]

31. The norms of this Law laying down the function of the Enterprise Register to ensure the availability of the information of the Register of Public Persons and Institutions on the public persons and institutions entered therein (amendment to Section 1, Clause 1, amendment to Section 4.¹¹, Paragraph two and Section 18.²¹) shall come into force on 1 June 2018.

[1 June 2017]

32. Amendments to Section 6 of this Law in relation to the information to be entered in the Enterprise Register Journal regarding co-operative societies shall come into force on 1 January 2019.

[10 May 2018]

33. The Enterprise Register shall, by 30 June 2019 without taking a separate decision, update the information to be entered in the Enterprise Register Journal regarding a co-operative society by excluding the main type of activity and additional types of activity thereof, the date of signing the articles of association, the minimum size of the equity capital, the number of co-operative shares and their nominal value, as well as replacing the information regarding joint representation of the members of the board with a proctor with the information regarding joint representation of the members of the board.

[10 May 2018]

34. Until the day of coming into force of the relevant Cabinet regulations, but not longer than until 10 January 2020 Cabinet Regulation No. 191 of 27 March 2018, Regulations Regarding Services of Provision of Information by the Enterprise Register of the Republic of Latvia and Other Paid Services, shall be applicable, insofar as they are not in contradiction with this Law.

[14 November 2019]

35. Amendments to Section 4.¹⁰ of this Law regarding the supplementation thereof with Paragraph twelve determining information regarding a natural person to which the Enterprise Register shall ensure access in the form of open data shall come into force on 1 October 2021. [14 November 2019 / Amendment shall be included in the wording of the Law as of 1 January 2021]

Informative Reference to European Union Directives

[6 March 2008; 16 January 2014; 23 March 2017]

This Law contains legal norms arising from:

1) Directive 2009/101/EC of European Parliament and of the Council of 16 September 2009 on coordination of safeguards which, for the protection of the interests of members and third parties, are required by Member States of companies within the meaning of the second paragraph of Article 48 of the Treaty, with a view to making such safeguards equivalent;

2) Directive 2005/56/EC of the European Parliament and of the Council on cross-border mergers of limited liability companies;

3) Directive 2012/17/EU of the European Parliament and of the Council of 13 June 2012 amending Council Directive 89/666/EEC and Directives 2005/56/EC and 2009/101/EC of the European Parliament and of the Council as regards the interconnection of central, commercial and companies registers.

Chairperson of the Supreme Council of the Republic of Latvia

A. Gorbunovs

Secretary of the Supreme Council of the Republic of Latvia

I. Daudišs

Riga, 20 November 1990