



SJSC LATVIJAS VĒSTNESIS PRIVACY POLICY

Rīga

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1. About Latvijas Vēstnesis

According to the Law On Official Publications and Legal Information (hereinafter [LOPLI](#)) the functions of the SLLC Latvijas Vēstnesis (hereinafter Latvijas Vēstnesis) include:

- 1) issue of the official gazette Latvijas Vēstnesis and its free availability on the website [vestnesis.lv](#) (Part Three of [Section 14](#) of the LOPLI);
- 2) publishing laws and regulations as well as other legal acts and official notices (Part One of Section 3 of the LOPLI);
- 3) maintaining the Official Publications Information System (state information system) (Section 15 of the LOPLI);
- 4) systematisation of laws and regulations published in the official gazette Latvijas Vēstnesis and availability of systematised laws and regulations to the public free of charge on the portal of laws and regulations, website [likumi.lv](#) ([Sections 16](#) and [17](#) of the LOPLI);
- 5) edition of the magazine Jurista Vārds (Part Two of [Section 14](#) of the LOPLI);
- 6) provision of the official information of the state as well as promoting public understanding of the rights and duties of individuals set forth in laws and regulations by issuing legal literature and providing interactive analysis of processes in the state and society, and explanations of laws and regulations in the LV portal ([lvportals.lv](#)) (Part Two of [Section 14](#) of the LOPLI).

More information about the principal activities of Latvijas Vēstnesis is available on its website [lv.lv](#).

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2. Operations of Latvijas Vēstnesis with personal data

In its activities, upon performing the statutory functions, Latvijas Vēstnesis complies with the procedures set forth by the legislature, including the General Data Protection Regulation, which applies as from 25 May 2018. Upon the assessment of activities of Latvijas Vēstnesis in this context, we bring attention to the purpose and legal basis of data processing.

2.1. Purpose of data processing

As a processor of personal data, Latvijas Vēstnesis:

- provides for official publications by issuing the official gazette of the Republic of Latvia Latvijas Vēstnesis available on the website vestnesis.lv,
- provides for the systematisation of laws and regulations that are available on the Latvian legal website likumi.lv.

As a personal data controller, Latvijas Vēstnesis:

- provides for operation of the LV portal (available at lvportals.lv)
- issues the magazine Jurista Vārds (available both in print and electronic format at juristavards.lv)
- publishes legal literature (lv.lv/gramatas).

Should Latvijas Vēstnesis decide to use the data of data subjects for a purpose other than originally intended, prior to starting the processing of personal data (for the new purpose) Latvijas Vēstnesis will inform the data subject of the planned data processing purpose by enabling the data subject to object to such processing of personal data.

2.2. Legal grounds for data processing

Legal grounds for processing arising from the [General Data Protection Regulation](#) (hereinafter the Regulation):

- to accomplish the task that Latvijas Vēstnesis is performing **in the public interest** or to exercise the **official authority vested in the Controller (Subparagraph e) of Article 6** of the Regulation);
- to comply with a **legal obligation** to which the Controller is subject (**Subparagraph c) of Article 6** of the Regulation);
- to pursue the legitimate interests** of Latvijas Vēstnesis (**Subparagraph f) of Article 6** of the Regulation);
- to perform a request of the data subject to enter into **a contract** or to perform a contract entered into already (**Subparagraph b) of Article 6** of the Regulation);
- based on **the consent** of the data subject (**Subparagraph a) of Article 6** of the Regulation).
- Commercial Law
- Consumer Rights Protection Law
- Law On Accounting
- etc.

Legal grounds for processing arising from the following laws and regulations of Latvia:

- [Law On Official Publications and Legal Information](#);
- [Laws and regulations that provide a legal basis for the publishing of certain information in the official gazette Latvijas Vēstnesis](#);
- [Personal Data Protection Law](#);
- [Law On the Press and Other Mass Media](#).

* For information purposes, this document also includes references to the provisions of the draft law Personal Data Processing Law. We draw attention to the fact that the above draft law is still pending and has not entered into force.

2.3. Applications and complaints procedure

2.3.1. Personal identification

In order to examine the application or complaint of the data subject, Latvijas Vēstnesis has to ascertain the data subject's identity (identity confirmation).

Latvijas Vēstnesis considers an identified request (identified person) as a person who has contacted Latvijas Vēstnesis in one of the following ways:

- has arrived **personally** and presented a personal identification document;
- has delivered a consignment to Latvijas Vēstnesis by **registered** mail delivery;
- has used the services of a sworn bailiff or a sworn notary for the delivery and issuance of documents;
- has sent a request by regular mail from the prisons or other forms of institutions restricting personal liberty controlled by the Prison Administration where the data subject has already been identified and has limited freedom of action and movement;
- has filed the request by sending it to the email address of Latvijas Vēstnesis;
- has sent the request using a secure electronic signature to the email address of Latvijas Vēstnesis info@lv.lv;
- has sent the request after authorisation in the portal Latvija.lv.

Information sent by regular mail (with the exception specified in Paragraph 2.3.1 of this Policy) or email does not provide for identification of the person, in which case Latvijas Vēstnesis will ask the data subject to provide additional identity verification.

If the data subject refuses to identify himself/herself or will not pass identification in the procedures and by the deadline specified by Latvijas Vēstnesis, Latvijas Vēstnesis is entitled to refuse to accept the application of the data subject or to perform the request. When refusing to accept the application of the data subject, Latvijas Vēstnesis will return all the submitted documents to the data subject if possible. In cases where return of the documents is not possible Latvijas Vēstnesis will permanently destroy all of the submitted materials and data.

2.3.2. Provision of a reply

Latvijas Vēstnesis provides the information requested no later than within one month from the date of receipt of the request. Latvijas Vēstnesis may prolong execution of the request, taking into account the complexity of the request or for other valid reasons, for two months, regarding which the applicant will be informed individually.

2.3.3. Communication with the data subject

Latvijas Vēstnesis will communicate with the data subject by using the contact details provided to Latvijas Vēstnesis by the data subject himself/herself (such as telephone number,

email address, mailing address, etc.) as well as by using the app notices (notifications) on all websites maintained by Latvijas Vēstnesis.

Communication regarding the performance of services under the agreement will be carried out by Latvijas Vēstnesis based on the concluded agreement (by using the contact information specified in the agreement).

Latvijas Vēstnesis may also use the information available on the public information space (on the web) for communication with the data subject.

2.3.4. The right to refuse to issue information

The events where Latvijas Vēstnesis **may refuse** to issue the information regarding the processing of data to the data subject:

- if Latvijas Vēstnesis cannot identify the applicant and after the request of Latvijas Vēstnesis the data subject is not additionally identified himself/herself. Procedure of identification is described in Paragraph 2.3.1 of this Policy;
- if requests of the data subject are manifestly unreasonable or excessive (repeated several times) and during the last year the data subject has already been issued with information of identical content, and the content of it has not changed since the last issue;
- if data of the data subject are publicly available in the content on the official publication;
- if Latvijas Vēstnesis has processed the data in the status of the Processor (in accordance with Paragraph 2.1 of this Policy), in which case Latvijas Vēstnesis will forward the application of the data subject to the competent controller (submitter of the publication), regarding which it will inform the data subject.

2.4. Data processing "based on consent"

The data subject is free to provide consent to the processing of personal data when there is no other legal basis for processing. Consent may be provided in any manner provided by Latvijas Vēstnesis, including on its portals and other websites (such as newsletter subscription forms, feedback provision, receipt of a response, choosing the type of communication with Latvijas Vēstnesis, etc.).

To terminate further processing of personal data of the data subject, the data subject is entitled to revoke his/her consent in the same manner as it has been provided, or in accordance with Paragraph 2.3 of this Policy.

Revocation of consent does not affect the processing of data carried out while the consent of the data subject was effective.

Withdrawal of consent cannot terminate the processing of data that is carried out based on other legal grounds.

2.5. Information that Latvijas Vēstnesis will provide if personal data have not been obtained from the data subject

To provide the official publication, Latvijas Vēstnesis is generally receiving data from third parties (such as the Register of Enterprises of the Republic of Latvia, sworn notaries,

sworn bailiffs, etc.). Only in cases where the data subject personally submits an application for announcing the official publication, are the data obtained directly from the data subject.

Latvijas Vēstnesis will provide the information in respect of obtaining personal data of the data subject from third parties as specified in the Regulation, unless any exception specified in Paragraph 4 of this Policy exists.

Personal data obtained in the process of announcing the official publication are announced in line with the texts of publications submitted by the applicants (controllers).

Before transferring data for publication in the official gazette, each controller shall assess the purpose, scope and legal basis of the published personal data.

Latvijas Vēstnesis shall not evaluate the amount of personal data submitted, the data processing minimising preconditions, etc. and it is not entitled to intervene in the text of the submitted publication, to change or edit it independently (Part 1 of [Section 11](#) of the Law On Official Publications and Legal Information).

2.6. Personal data recipients or categories of recipients

Categories of data recipients is a general term for data recipients if it is not possible to precisely define or indicate the specific recipients (such as service providers, postal operators, system maintainers, researchers, etc.).

In the status of the Processor, Latvijas Vēstnesis provides for the promulgation of official publications and systematisation of laws and regulations. This information, including personal data of the data subject, are made public and available free of charge to any person on the websites vestnesis.lv and likumi.lv.

Publishing of data may result in their recipients being any individuals or legal entities in the European Union and beyond.

Latvijas Vēstnesis may transfer data of data subjects to third parties if such a need arises from the principal activity of Latvijas Vēstnesis (for example to re-users of official publications ([Section 18](#) of the LOPLI), information processing system maintainers, postal operators certifying publication, delivering invoices and other documentation to data subjects, etc.).

2.7. Data storage periods

Pursuant to Part Two of [Section 12](#) of the LOPLI, Latvijas Vēstnesis is under the obligation to ensure the integrity of the official information and the possibility of ascertaining that the information published is not changed after publishing. Therefore:

- personal data collected, which are announced in the official publication, are stored **without a time limit** (forever);
- personal data related to ensuring the official publication, but not included in the specific text of the publication (such as details of the applicant, the payer, etc.) shall be stored by the official publisher for **10 (ten)** years from the moment of the announcement of the official publication. Such deadline has been set in relation to the general limitation of civil claims as well as to the entitlement of the competent authorities to obtain information related to promulgation of the official publication;
- video surveillance records made for the purpose of public security and property guarding will be kept for 3 months from the date the record was made;

- information system auditing records will be stored in accordance with the statutory minimum storage period;
- mass media publications that have been published for the implementation of the right to freedom of expression and the right to information will be available to the public for an unlimited period of time.

2.8. Profiling

In relation to the promulgation of the official publication, Latvijas Vēstnesis is not carrying out the profiling of data of data subjects or making automated decisions concerning data subjects.

In providing maintenance of its information services, Latvijas Vēstnesis carries out statistical accounting on the websites lv.lv, vestnesis.lv, likumi.lv, lvportals.lv, juristavards.lv. Their visitors are profiled within this process (without interfering with the privacy of visitors) by using cookies, which does not constitute a violation of rights of persons.

More information about the use of cookies is available on any given website.

2.9. Commercial communications

Communication regarding commercial communications about services provided by Latvijas Vēstnesis (such as informing subscribers of the magazine Jurista Vārds about the subscription campaign, the latest legal literature, etc.) is carried out in accordance with the procedure set forth in external laws and regulations or according to the consent of the data subject.

Consent of the data subject to receive commercial notices is valid until its withdrawal.

2.10. Transfer of personal data to third countries

Latvijas Vēstnesis is not transferring data to third countries or international organisations.

2.11. Data processing for the purposes of commercial activity

Latvijas Vēstnesis, based on the delegation of LOPLI, is entitled to perform commercial activities in the form of publishing the magazine "Jurista Vārds", publishing printed legal literature (books), distributing commercial advertising, etc. Commercial activity is, inter alia, carried out in the form of e-commerce, providing buyers with the possibility to purchase commercial products of Latvijas Vēstnesis online on the website in the e-stores: lv.lv/gramatas and lv.lv/abonesana.

Personal data processing (of buyers and payers) is performed within the framework of the above-mentioned activities. When shopping online, the buyer is obliged to read the book purchase terms and this privacy policy.

The buyer's data, when performing registration of the purchase, are processed on the basis of:

- (Subparagraph b) of section 1 of Article 6 of the Regulation) - processing is necessary for the performance of a contract to which the data subject is party or in order to take steps, at the request of the data subject prior to entering into a contract

- Law On Accounting,

- Commercial Law,

- Consumer Rights Protection Law,

- other regulatory enactments, governing the commercial activity.

Latvijas Vēstnesis, providing the online payment service, processes data in accordance with the [“Terms of Use for the Purchase of a Separate e-Journal and Articles”](#), [“Subscription Terms”](#) and [“Book Purchase Terms”](#).

If the purchase transaction has been successful, Latvijas Vēstnesis receives from the credit institution that made the payment (third party), the payer's data on the purchase (for example, payer's name, surname, personal identity number, payment card number, payer's account number, etc.).

The obtained data are processed and stored in accordance with the requirements specified in regulatory enactments for 10 years from the moment of their acquisition.

If the purchase transaction did not take place (unsuccessful transaction or other reason), Latvijas Vēstnesis will retain the buyer's application data until the next business day and will contact the buyer to clarify the circumstances. The processing of data in this case is based on (Subparagraph f) of section 1 of Article 6 of the Regulation) - the legitimate interest of the controller. Legitimate interest in such a case is expressed as the promotion of sales of commercial products of Latvijas Vēstnesis, prevention of possible errors in the trade process, ensuring customer satisfaction, the provision of high-quality service by Latvijas Vēstnesis.

The acquired personal data from third parties is not sent by Latvijas Vēstnesis to third countries.

3. Rights of the data subject

3.1. To receive information

In order to implement the rights of data subjects to be informed about the processing of their personal data, the data subject has to file a written application specifying the essence of the request with Latvijas Vēstnesis (the means of identification of the applicant are specified in Paragraph 2.3.1 of this Policy).

Latvijas Vēstnesis:

- will provide the answer and/or notify the data subject regarding transfer of the application to the responsible controller in the procedure and by the deadlines set forth in Paragraph 2.3 of this Policy;
- will respond to the data subject regarding the application as to its merits;

- will send the answer in the way that the data subject has specified in the application, or in the same way in which the application was received.

3.2. To access own data

These rights provide for the entitlement of the data subject to receive a response from Latvijas Vēstnesis regarding the fact of whether data of the applicant are being processed. Access to own data - it is the right of the data subject to obtain own data (rather than documents, their derivatives or data of other persons). The procedure, in which the data subject is entitled to obtain own data, is set forth in Paragraph 2.3 of this Policy.

3.3. To file a complaint

The data subject is entitled to file a complaint about the processing of his/her personal data if the data subject sees a breach related to respecting his/her fundamental rights and fundamental freedoms.

The data subject is entitled to submit a reasoned complaint to the submitter of the official publication (data processing **controller**) and where the claims of the data subject are not be satisfied - to **the Supervisory Authority** (Data State Inspectorate).

Supervisory Authority to which the data subject is entitled to apply in relation to a breach in the processing of personal data:

Data State Inspectorate

Contact information: dvi.gov.lv

3.4. To object to the processing of data

The data subject is entitled to object to processing of his/her personal data. Objections of the data subject will be dealt with in the procedure set forth in Paragraph 2.3.

3.5. To require the correction of data

Latvijas Vēstnesis has no right to correct such personal data that are included in the official publication or pertain to the promulgation of official publication or its processing (for example, declared residence address of the data subject, personal identity number (in the event of its change), billing data regarding payment for the official publication and others) as well as with regard to the processing of data for journalistic purposes.

The data subject is only entitled to require his/her data to be corrected with regard to the further processing of data (such as phone number, email address, residential address, etc.).

3.6. Data erasure or the right "to be forgotten"

The data subject can exercise such rights by contacting the data processing controller with the application or a complaint about the processing of personal data of the data subject by providing the reasoning for disproportionate interference in the private life of the data subject in the application. Latvijas Vēstnesis will erase such data based on the decision of the data controller (submitter of data) or the supervisory authority (Data State Inspectorate).

3.7. To require the transfer of data

Latvijas Vēstnesis will provide for the transfer of personal data of the data subject if such right will not be subject to the exceptions set forth in the Regulation or in other laws and regulations. Restrictions of rights of the data subject are referred to in Paragraph 4 of this Policy.

3.8. To require processing to be limited

Limiting the processing of data is only possible if such a request has been submitted by the data processing **controller** (submitter of information) and it is justified.

4. Exceptions in exercising the rights of the data subject

Parts 1 and 2 of Section 9, Paragraphs 3 and 4 of Part One of Section 10, Part Two of Section 15 and Part Two of Section 16 of the Personal Data Processing Law shall not apply if personal data are processed to provide for official publication.

Also, Sections 7, 8, 9, 11 and 21 of the Personal Data Processing Law shall not apply if personal data are processed for journalistic purposes in accordance with the law [On Press and Other Mass Media](#), for artistic or literary purposes, and unless the law provides otherwise.

Considering the expected changes in the laws and regulations, the Personal Data Processing Law is expected to be adopted soon, Section 39 of which lists the **restrictions with regard to the processing of data in the official publication** by setting forth that with regard to your data the official publisher Latvijas Vēstnesis is not required to carry out:

- **correction** (Article 16 of the Regulation),
- **erasure** (the right to be forgotten) (Article 17 of the Regulation),
- **restriction of processing** (Article 18 of the Regulation),
- **duty to report regarding the correction or erasure of your data, or limiting the processing of them** (Article 19 of the Regulation),
- **transferability** (Article 20 of the Regulation),
- **objections** of the data subject regarding **limiting the making of automated individual decisions** (Article 21 of the Regulation) shall not be taken into account.

The right to the erasure of data is not exercisable in relation to promulgation of the official publication and its public availability, except for in a situation where the information in the official publication creates more interference to the private life of the person than the right (benefit) of the public with respect to the permanence of the official publication.

Pursuant to Section 10 of the Personal Data Processing Law (3¹), personal data published in the official gazette shall be deleted by the publisher of the official gazette on the basis of a resolution of the Data State Inspectorate.

In addition, the legislature will set forth the limitations for the application of the Regulation with regard to the processing of data to provide for the freedom of expression and access to information for journalistic and literary purposes in Section 43 of the draft Personal Data Processing Law. They will determine that in relation to exercising the rights of the data subject, if the data will be processed for those purposes, the Regulation will not apply in this area, with the exception of the requirements set forth in Article 5 of the Regulation (subject to personal data processing principles).

Such claims shall be submitted within the time limits and in the events specified by laws and regulations if the rights of the data subject to privacy have been infringed and if such interests of the data subject, which require protection and are more important than the public interest, exist.

Thus, the legislature has retained consistency with regard to restricting the rights of data subjects related to promulgation of the official publication and processing of personal data for journalistic purposes.

Latvijas Vēstnesis has the right to make changes to the Privacy Policy. Latvijas Vēstnesis shall retain the previous versions of the Privacy Policy. Current version and previous versions of the Privacy Policy are available on the Latvijas Vēstnesis website lv.lv.