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30 July 2013 [shall come into force on 1 January 2014].

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

Republic of Latvia

Cabinet

Regulation No. 1160

Adopted 21 December 2010

Procedures for Granting and Disbursing Service Pensions to Diplomats

*Issued pursuant to
Section 8, Paragraph five of
the Law On Service Pensions for Diplomats*

1. This Regulation prescribes the procedures, by which service pensions of diplomats (hereinafter – service pension) shall be granted and disbursed.

2. In order to receive a service pension, the requester of the service pension shall submit a request for service pension at any division of the State Social Insurance Agency (hereinafter – the Agency) and shall append thereto:

2.1. the document certifying the insurance length of service and the length of service considered as equivalent thereto (up to 31 December 1995) regarding at least 20 years before the 15-year period worked in the diplomatic and consular service, if the requester of the service pension obtains the right to the service pension in accordance with Section 2, Paragraph one, Clause 3 of the Law On Service Pensions for Diplomats;

2.2. a statement issued by the Ministry of Foreign Affairs regarding the service periods of the requester of the service pension – the person who has been granted a diplomatic rank – giving the right to the service pension (Annex 1);

2.3. a statement issued by the Ministry of Foreign Affairs regarding removal of the requester of the service pension from the office of the diplomatic and consular service and the work remuneration (Annex 2);

2.4. the payroll tax booklet.

3. If the requester of the service pension has not submitted the documents referred to in Sub-paragraph 2.2 and 2.3 of this Regulation, the Agency shall request the necessary information from the Ministry of Foreign Affairs.

4. The Ministry of Foreign Affairs shall prepare and send to the Agency within 10 working days after receipt of the request for information:

4.1. a statement regarding service periods of the requester of the service pension, giving the right to the service pension (Annex 1);

4.2. a statement regarding removal of the requester of the service pension from the office of the diplomatic and consular service and the work remuneration (Annex 2).

5. The total length of service of the requester of the service pension shall be expressed in years, months, and days. If the periods to be included in the length of service of the requester of the service pension overlap, only one period that is more advantageous for the requester of the service pension shall be included in the length of service.

6. In determining the right to service pension, the number of full years of the length of service shall be taken into account, not including months and days. In determining the work remuneration, from which the service pension is calculated, the number of years, months and days shall be taken into account.

7. The Agency shall take a decision to grant the service pension or to refuse to grant the service pension, if the requirements referred to in the Law On Service Pensions for Diplomats and in this Regulation are not conformed to, and notify to the requester of the service pension in accordance with the procedures and within the time period laid down in the Administrative Procedure Law.

8. The Agency shall make a note in the payroll tax booklet regarding the service pension granted to the requester of the service pension.

9. So that the Agency could apply the additional personal income tax reliefs laid down in the Law On Personal Income Tax to the service pension to be disbursed to the recipient of the service pension, the recipient of the service pension shall submit a payroll tax booklet to the Agency, in which a note regarding additional personal income tax reliefs is made.

10. The Agency shall disburse the service pension from the fifth to the twenty-fourth date. Upon request of the recipient of the service pension the service pension shall be transferred to the account of a credit institution of the Republic of Latvia or the postal settlement system or delivered to the place of residence of the recipient of the service pension for a fee, deducting its delivery expenses from the service pension according to the fee for the delivery of pension, benefit or remuneration laid down in the law on the State budget for the current year.

11. For a recipient of the service pension for whom the amount of the service pension has been reduced by the amount of the old-age pension granted, the difference between the amount of the service pension and the amount of the old-age pension shall be disbursed concurrently with the old-age pension.

12. From 2011 the disbursement of the service pension referred to in Paragraph 18 of this Regulation, which upon request of the recipient of the service pension is transferred to the account of a credit institution of the Republic of Latvia or the postal settlement system, shall be continued to the account of the credit institution of the Republic of Latvia or the postal settlement system each month from the eleventh up to the fifteenth date.

13. In delivering a part of the service pension and the old-age pension to the place of residence of the recipient of the service pension, the Agency shall deduct the expenses for delivery of the pension from the recipient of the pension as a fee for delivery of one payment.

14. Disbursement of the service pension shall be discontinued with the following month when information regarding the cases referred to in Section 2, Paragraph two of the Law On Service Pensions for Diplomats has become known to the Agency.

15. Disbursement of the service pension in the cases referred to in Section 10, Paragraph one of the Law On Service Pensions for Diplomats shall be discontinued from the day when the abovementioned circumstances have set in.

16. If disbursement of the service pension in the cases referred to in Section 10, Paragraph one, Clauses 1 and 2 of the Law On Service Pensions for Diplomats is discontinued, it shall be renewed, on the basis of a submission of the recipient of the service pension regarding renewal of the service pension, from the day when the right to disbursement of such pension have arisen anew.

17. If disbursement of the service pension in the cases referred to in Section 10, Paragraph one, Clauses 3 and 4 of the Law On Service Pensions for Diplomats is discontinued, the Agency shall renew the service pension from the following day after discontinuation of disbursement of the unemployment benefit or another service pension.

18. The Agency shall perform disbursement of the service pension granted up to 31 December 2010 and its parts from January 2011 on the basis of the information provided by the Ministry of Foreign Affairs in pension matters.

19. For a recipient of the service pension in January 2011 the difference between the service pension and the old-age pension shall be disbursed from 11 January to 15 January, transferring to the account of a credit institution of the Republic of Latvia or the postal settlement system.

20. The Agency shall continue to deduct the overpaid service pensions detected until 31 December 2010, except such overpayments, the recovery of which is not possible because the recipient of the service pension is dead, and overpayments, the recovery of which has not been commenced within three years after detection thereof.

21. This Regulation shall come into force on 1 January 2011.

Prime Minister,
Minister for Regional Development and Local Government Matters

V. Dombrovskis

Minister for Welfare

I. Jurševska

TO THE STATE SOCIAL INSURANCE AGENCY

_____ (date)

_____ (number)

Statement of the Ministry of Foreign Affairs regarding periods of service of the requester of the service pension – the person who has been granted a diplomatic rank – giving the right to the service pension

_____ (given name, surname of the requester of the service pension)

Personal identification number

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Diplomatic rank granted from

_____ (day, month, year)

Time included in the length of service in full extent¹

No.	Name of the institution	Time worked				Length of service (years, months, days)
		from	justification (title, date, number of the document)	until	justification (title, date, number of the document)	

Time included in the length of service in increased extent²

No.	Name of the institution	Time worked				Length of service (years, months, days)
		from	justification (title, date, number of the document)	until	justification (title, date, number of the document)	

Head of the institution _____
(given name, surname, signature) Place for a seal

Person who prepared _____
(surname and telephone)

Notes.

1. ¹ In accordance with Section 3 of the Law On Service Pensions for Diplomats.
2. ² In accordance with Section 4 of the Law On Service Pensions for Diplomats.
3. The details of the document “signature”, “place for a seal” and “date” need not be completed if the electronic document has been drawn up in accordance with the laws and regulations regarding drawing up of electronic documents.

Minister for Welfare

I. Jurševska

TO THE STATE SOCIAL INSURANCE AGENCY

_____ (date)

_____ (number)

Statement regarding exemption of the requester of the service pension from the office of the diplomatic and consular service and the work remuneration

_____ (given name, surname of the requester of the service pension)

Personal identification number

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Removed from the office of the diplomatic and consular service from _____ 20__ by Order No. ____ in accordance with Section ____, Paragraph _____, Clause ____ of the Diplomatic and Consular Service Law.

Reason for removal _____

Opinion of the State Medical Commission for the Assessment of Health Condition and Working Ability (to be completed, if the requester of the service pension is removed from the office due to the state of health)

_____ (number, date)

Work remuneration for the time period from _____ 20__ until _____ 20__

The calculated average monthly work remuneration for the last three years prior to removal of the requester of the service pension from the office of the diplomatic and consular service*

_____ (in euros and cents (in numbers and words))

Head of the institution _____

(given name, surname, signature)

Place for a seal

Person who prepared _____

(surname and telephone)

Notes.

1. * In accordance with Section 6 of the Law On Service Pensions for Diplomats.

2. The details of the document “signature”, “place for a seal” and “date” need not be completed if the electronic document has been drawn up in accordance with the laws and regulations regarding drawing up of electronic documents.

Minister for Welfare

I. Jurševska