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

12 December 2002 [shall come into force on 1 January 2003];

22 January 2004 [shall come into force on25 February 2004];

11 November 2004 [shall come into force on 1 January 2005];

20 October 2005 [shall come into force on 3 November 2005];

27 October 2005 [shall come into force on 25 November 2005];

4 November 2005 (Constitutional Court Judgment) [shall come into force on 4 November 2005];

22 December 2005 (Constitutional Court Judgment) [shall come into force on 29 December 2005];

2 March 2006 [shall come into force on 8 March 2006];

2 November 2006 (Constitutional Court Judgment) [shall come into force on 7 November 2006];

21 February 2007 (Constitutional Court Judgment) [shall come into force on 27 February 2007];

20 September 2007 [shall come into force on 25 October 2007];

8 November 2007 [shall come into force on 1 January 2008];

12 February 2008 (Constututional Court Judgment) [shall come into force on 15 February 2008];

16 June 2009 [shall come into force on 1 July 2009];

22 October 2009 [shall come into force on 1 January 2010];

4 March 2010 [shall come into force on 7 April 2010];

15 November 2012 [shall come into force on 1 January 2013];

17 October 2013 [shall come into force on 20 November 2013];

6 November 2013 [shall come into force on 1 October 2014];

11 September 2014 [shall come into force on 1 October 2014];

18 June 2015 [shall come into force on 16 July 2015];

23 November 2016 [shall come into force on 1 January 2017];

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

28 February 2019 [shall come into force on 6 March 2019];

3 April 2019 [shall come into force on 1 July 2019];

24 November 2020 [shall come into force on 1 January 2021];

6 May 2021 [shall come into force on 1 January 2022];

3 March 2022 [shall come into force on 29 March 2022].

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

The *Saeima*1 has adopted and

the President has proclaimed the following law:

**Law on State Social Allowances**

**Chapter I**

**General Provisions**

**Section 1. Purpose of the Law**

The purpose of this Law is to determine the types of State social allowances, the range of those persons who have the right to the State social allowances, the conditions for the granting thereof, the procedures for granting and disbursement, and also the appeal procedures for decisions related to these allowances.

**Section 2. State Social Allowances**

State social allowances shall be State support in the form of money payments which are received by persons belonging to certain groups of inhabitants in situations when additional expenditures are necessary or when these persons cannot obtain income.

[*11 September 2014*]

**Section 3. Types of State Social Allowances**

(1) Allowances to be disbursed at regular intervals shall be the following:

1) State family allowance;

2) childcare benefit;

3) allowance for the maintenance of a child under guardianship;

4) remuneration for the fulfilment of a guardian’s duties;

5) remuneration for the fulfilment of a foster family’s duties;

6) allowance for the compensation of transport expenses for persons with disabilities who have reduced mobility;

7) State social security benefit;

8) remuneration for the care of an adopted child;

9) care benefit for a child with a disability;

10) allowance for a person with disabilities for whom care is necessary;

11) allowance for adoption of a child.

(2) Allowances to be disbursed once shall be the following:

1) childbirth allowance;

2) funeral allowance;

3) remuneration for adoption.

[*22 January 2004; 11 November 2004; 27 October 2005; 8 November 2007; 28 February 2019; 3 April 2019; 24 November 2020*]

**Section 4. Persons who have the Right to State Social Allowances**

(1) Latvian citizens, non-citizens, foreigners, and stateless persons to whom a personal identity number has been granted, who have an active status in the Register of Natural Persons, and who permanently reside in the territory of Latvia have the right to State social allowances.

(11) The permanent place of residence is the place where a person actually resides and where his or her centre of habitual interests is located. In case of doubt, at the request of the State Social Insurance Agency, the person has the obligation to submit evidence confirming that the person permanently resides in the territory of Latvia and that Latvia is his or her centre of habitual interests.

(12) When examining whether a person or a child permanently resides in the territory of Latvia, the State Social Insurance Agency shall evaluate the centre of habitual interests of the person and the child by taking into account the following criteria:

1) the nature of employment (whether an employment contract has been entered into for at least two years);

2) whether the person is paying the salary tax and making mandatory State social insurance contributions in Latvia;

3) the duration and continuity of residence in the territory of Latvia (has the address of the declared place of residence or/and additional address);

4) whether the child acquires education in Latvia and the duration of the acquisition of education;

5) housing situation (whether a permanent housing is in the ownership or a rental contract has been entered into that has been registered in the Land Register or the State Revenue Service);

6) information on the granted local government social allowances and services;

7) documents submitted by the person which prove that the person in the respective period of time has performed economic activity in Latvia, documents relating to continuous receipt of medical treatment services in Latvia and other documents.

(2) Persons who have received a temporary residence permit in Latvia do not have the right to State social allowances.

(3) All the persons referred to in Paragraph one of this Section have the right to a childbirth allowance, a childcare benefit, an allowance for the compensation of transport expenses for a person with a disability who has reduced mobility, a care benefit for a child with a disability, a remuneration for the care of an adopted child, a remuneration for adoption, an allowance for adoption of a child, a State family allowance, and also a supplement to the State family allowance if a personal identity number has been granted to their children or to the children adopted by them and the status of children is active in the Register of Natural Persons.

(4) All the persons referred to in Paragraph one of this Section have the right to an allowance for the maintenance of a child under guardianship if a personal identity number has been granted to the child under their guardianship and the status of a child is active in the Register of Natural Persons. Latvian citizens, non-citizens, foreigners, and stateless persons to whom a personal identity number has been granted and who have an active status in the Register of Natural Persons have the right to a remuneration for the fulfilment of a guardian’s duties if a personal identity number has also been granted to the child under their guardianship and the status of a child is active in the Register of Natural Persons. These provisions shall not apply to a person if there is a child under his or her guardianship who has received a temporary residence permit in Latvia, except for a child on whom, in accordance with the Asylum Law, a submission for the granting of a refugee status or alternative status (during examination of a submission for asylum) has been submitted or to whom the alternative status has been granted in Latvia.

(41) Latvian citizens, non-citizens, and foreigners to whom a personal identity number has been granted and who have an active status in the Register of Natural Persons have the right to a remuneration for the fulfilment of the duties of a foster family if a personal identity number has also been granted to the child placed in the foster family and the status of a child is active in the Register of Natural Persons. These provisions shall not apply to a person in whose foster family such child has been placed who has received a temporary residence permit in Latvia, except for the child on whom, in accordance with the Asylum Law, a submission for granting a refugee status or alternative status (during examination of a submission for asylum) has been submitted or to whom the alternative status has been granted in Latvia.

(5) The following have the right to the State social security benefit:

1) in the case of disability or old age – those persons referred to in Paragraph one of this Section who have been living in the Republic of Latvia not less than 60 months, the last 12 months of which continuously;

2) in the case of the loss of a provider – all the persons referred to in Paragraph one of this Section who have lost a provider.

[*22 January 2004; 11 November 2004; 20 October 2005; 27 October 2005; 22 December 2005; 20 September 2007; 28 February 2019; 3 April 2019; 24 November 2020; 3 March 2022 /* *The new wording of Paragraph two shall come into force on 1 July 2023 and shall be included in the wording of the Law as of 1 July 2023.* *See Paragraph 36 of Transitional Provisions*]

**Section 5. Financing of the State Social Allowances**

The State social allowances shall be financed from the State basic budget.

**Chapter II**

**Conditions for the Granting of the State Social Allowances**

**Section 6. State Family Allowance**

(1) A State family allowance shall be granted to a person raising a child. The amount of the allowance shall depend on the number of children to be raised.

(2) A State family allowance shall be granted for each child who:

1) is in the age from one year to 16 years;

2) is older than 16 years, studies in a general education or vocational training institution and has not entered into marriage. In such case an allowance shall be granted until the day when the child attains 20 years of age or enters into marriage.

(21) A State family allowance for a child with a disability in the age from one year to 18 years shall be granted from the day when disability has been determined for the child and the disbursement thereof shall be continued until the day when the child attains 20 years of age if disability has been determined for him or her also after attaining 18 years of age. The disbursement of a State family allowance for a child with a disability shall be discontinued if the person for whom the State family allowance has been granted enters into marriage.

(22) The amount of the State family allowance shall be as follows:

1) EUR 25 per month for one child;

2) EUR 100 per month for two children;

3) EUR 225 per month for three children;

4) EUR 100 per month for each child for four children and more.

(3) A supplement to the State family allowance shall be granted for a child with a disability who has not attained 18 years of age in the amount laid down by the Cabinet. The right to this supplement for a person raising a child with a disability is from the day when disability has been determined for the child until the day when the child with a disability has attained 18 years of age.

(4) [6 May 2021]

[*16 June 2009; 22 November 2017; 24 November 2020; 6 May 2021; 3 March 2022*]

**Section 6.1 Remuneration for the Care of an Adopted Child**

(1) A remuneration for the care of an adopted child shall be granted in the amount stipulated by the Cabinet. The amount of the remuneration shall depend on the conditions referred to in this Paragraph. The remuneration for the care of an adopted child shall be granted to one of the adopters under whose care and supervision the child to be adopted has been transferred by a decision of the Orphan’s and Custody Court before approval of adoption in a court if the adopter:

1) is not employed (is not deemed to be an employee or self-employed person in accordance with the law On State Social Insurance) and takes care of a child regardless of the age of the child;

2) is employed (is deemed to be an employee or self-employed person in accordance with the law On State Social Insurance) and takes care of a child who has attained eight years of age;

3) is employed and is on leave related to care for such a child who has not attained eight years of age;

4) is employed and is not on leave related to care for such a child who has not attained eight years of age;

5) works part-time and takes care of a child who has not attained eight years of age.

(2) The remuneration for the care of an adopted child shall not be granted if a parental benefit has been granted for the same period of time.

(3) If several children to be adopted have been concurrently transferred under care and supervision of the adopter by a decision of the Orphan’s and Custody Court before approval of adoption in a court, a supplement in the amount stipulated by the Cabinet shall be granted in addition for each subsequent child.

[*22 November 2017*]

**Section 7. Childcare Benefit**

(1) [17 October 2013]

(11) A childcare benefit shall be granted to a person who is taking care of a child up to two years of age.

(2) If a person has the right to a parental benefit and a childcare benefit for the same child and for the same period of time, both benefits shall be granted and disbursed to one of the persons referred to in Section 16, Paragraph one, two, or three of this Law. The childcare benefit shall not be granted for a child in relation to whose birth a maternity benefit has been granted for the same period of time.

(3) If the childcare benefit has been granted for twins or more children born during one delivery, a supplement shall be granted for each next child in the amount stipulated by the Cabinet.

(4) [6 November 2013]

[*11 November 2004; 27 October 2005; 4 November 2005; 2 March 2006; 8 November 2007; 17 October 2013; 6 November 2013*]

**Section 7.1 Care Benefit for a Child with a Disability**

(1) A care benefit for a child with a disability shall be granted to a person who cares for a child for whom the State Medical Commission for the Assessment of Health Condition and Working Ability has specified disability and issued an opinion on the necessity for special care. The Cabinet shall determine the criteria according to which the State Medical Commission for the Assessment of Health Condition and Working Ability shall provide an opinion on the necessity for special care for a person up to 18 years of age.

(2) [20 September 2007]

(3) The right to receive the care benefit for a child with a disability arises from the day when the child with a disability has been issued with the opinion of the State Medical Commission for the Assessment of Health Condition and Working Ability on the necessity for special care.

(4) The payment of care benefit for a child with a disability shall be terminated when the time period ends for which the disability and the necessity for special care have been specified, or when the child attains 18 years of age.

[*27 October 2005; 21 February 2007; 20 September 2007; 8 November 2007; 24 November 2020; 3 March 2022*]

**Section 8. Childbirth Allowance**

(1) A childbirth allowance shall be granted in case of childbirth:

1) to one of the parents of a child;

2) to a person who has taken guardianship of a child under one year of age.

(2) [24 November 2020]

(3) A childbirth allowance shall be disbursed for each child in the amount specified on the day of the child’s birth.

[*22 January 2004; 11 November 2004; 24 November 2020*]

**Section 8.1 Remuneration for Adoption**

(1) Remuneration for adoption shall be granted to an adopter after entering into effect of the court decision regarding the approval of adoption.

(2) Remuneration for adoption shall be disbursed for each adopted child who has been in out-of-family care in the amount specified on the day when a court judgment on approval of adoption has entered into effect.

(3) The Cabinet shall determine the procedures for the granting, disbursement, and review of the remuneration for adoption, and also the amount of the remuneration.

[*22 January 2004; 11 November 2004*]

**Section 8.2 Allowance for Adoption of a Child**

(1) An allowance for adoption of a child shall be granted to a parent who has adopted and is raising a child who had been in out-of-family care.

(2) The right to receive an allowance for adoption of a child shall be for each adopted child from the day when a court judgment on approval of adoption has entered into effect.

(3) The disbursement of an allowance for adoption of a child shall be discontinued when the child attains 18 years of age.

(4) The Cabinet shall determine the procedures for the granting, disbursement, and review of the allowance for adoption of a child and also the amount of such allowance.

[*3 April 2019*]

**Section 9. Allowance for the Maintenance of a Child under Guardianship**

(1) An allowance for the maintenance of a child under guardianship shall be granted to a person who, in accordance with the procedures laid down in the law, has been appointed as guardian. The allowance shall be granted for each child under guardianship.

(2) A person has the right to receive such allowance from the day when he or she has been appointed as guardian.

(3) If guardianship is cancelled, the disbursement of this allowance shall be terminated from the day of the cancellation of guardianship.

(4) An allowance shall not be granted if the reason for the establishment of guardianship, in accordance with the decision of the Orphan’s and Custody Court, is the working conditions of the parents due to which they cannot take care of the child.

[*20 September 2007; 28 February 2019 /* *The new wording of the title of this Section and amendments to Paragraph one shall come into force on 7 March 2019.* *See Paragraph 26 of Transitional Provisions*]

**Section 10. Remuneration for the Fulfilment of a Guardian’s Duties**

(1) Remuneration for the fulfilment of guardian’s duties shall be granted to a person who, in accordance with the procedures laid down in the law, has been appointed as guardian.

(2) A person has the right to receive this remuneration from the day when he or she has been appointed as guardian.

(3) If guardianship is cancelled, the disbursement of this remuneration shall be terminated from the day of the cancellation of guardianship.

(4) The amount of remuneration shall not depend on the number of children under guardianship.

(5) Remuneration shall not be granted to kin in a direct line if the reason for the establishment of guardianship, according to the decision of the Orphan’s and Custody Court is the working conditions of the parents due to which they cannot take care of the child.

[*20 September 2007*]

**Section 11. Remuneration for the Fulfilment of the Duties of a Foster Family**

(1) Remuneration for the fulfilment of the duties of a foster family (except for a specialised foster family) shall be granted to one member (person) of the foster family for all children who are raised in the foster family, irrespective of the fact which of the members (persons) of the foster family has entered into an agreement with a local government, if the foster family has obtained the status of a foster family and in which, according to the decision of an Orphan’s and Custody Court and the agreement entered into by and between the local government and the foster family, a child has been placed for raising for a period longer than one month. The amount of the remuneration shall depend on the total number of children in the foster family.

(2) A member (person) of a foster family has the right to receive this remuneration from the day on which a child is placed in a foster family for raising.

(3) [22 November 2017]

(4) [22 November 2017]

[*20 September 2007; 22 November 2017; 24 November 2020 /* *The new wording of Paragraphs one and two shall come into force on 1 July 2021.* *See Paragraph 31 of Transitional Provisions*]

**Section 12. Allowance for the Compensation of Transport Expenses for Persons with Disabilities who Have Reduced Mobility**

(1) An allowance for the compensation of transport expenses for a person with a disability who has reduced mobility shall be granted to a person to whom or to whose child a disability has been determined in accordance with the procedures laid down in laws and regulations and the State Medical Commission for the Assessment of Health Condition and Working Ability has issued an opinion on medical indications for special adjustment of a vehicle and for the receipt of an allowance for the compensation of transport expenses. The Cabinet shall determine the criteria according to which the State Medical Commission for the Assessment of Health Condition and Working Ability shall issue the opinion on medical indications for special adjustment of a vehicle and for the receipt of an allowance for the compensation of transport expenses.

(2) The right to receive this allowance arises from the day when the opinion of the State Medical Commission for the Assessment of Health Condition and Working Ability has been issued to a person with a disability.

(3) An allowance shall be disbursed twice a year for each full six-month period, counting from the day when the opinion referred to in Paragraph two of this Section has been issued.

(4) The disbursement of this allowance shall be terminated when the period of time for which the disability has been specified has expired. If the last six-month period for which an allowance is to be disbursed is not complete due to the expiration of the time period of disability, an allowance for this period shall be disbursed to the full extent as for a six-month period.

[*8 November 2007; 24 November 2020; 3 March 2022*]

**Section 12.1 Allowance for a Person with a Disability for whom Care is Necessary**

(1) An allowance for a person with a disability for whom care is necessary shall be granted to a person with a disability in the amount laid down by the Cabinet on the basis of the opinion of the State Medical Commission for the Assessment of Health Condition and Working Ability on the necessity of special care if the abovementioned person conforms to one of the following conditions:

1) has surpassed the age of 18 years and he or she requires special care due to serious functional disorders;

2) has surpassed the age of 18 years and he or she requires special care due to serious functional disorders, and the cause of disability of the person is a disease from childhood.

(11) The Cabinet shall determine the criteria according to which the State Medical Commission for the Assessment of Health Condition and Working Ability shall provide an opinion on the necessity for special care for the persons referred to in Paragraph one of this Section.

(2) The right to an allowance for a person with a disability for whom care is necessary arises from the day when the opinion of the State Medical Commission for the Assessment of Health Condition and Working Ability on the necessity of special care is issued to the person with a disability.

(3) The disbursement of this allowance shall be discontinued when the time period for which the disability has been determined is expired and the necessity for a special care is terminated.

[*8 November 2007; 3 April 2019; 24 November 2020; 3 March 2022*]

**Section 13. State Social Security Benefit**

(1) A State social security benefit shall be granted to a person who does not have the right to receive a State pension (except for a survivor’s pension for a person with a disability) or insurance compensation in relation to an accident at work or occupational disease if the person:

1) has attained the age which, in accordance with the law On State Pensions, has been specified for a person in order for him or her to obtain the right to the old-age pension. The State social security benefit shall be granted to these persons for life;

2) has been recognised as a person with a disability and has surpassed 18 years of age. The State social security benefit shall be granted to these persons for the specified period of time of disability;

3) has not attained the age of legal majority, has lost one or both providers, and has not entered into marriage. In this case the State social security benefit shall be granted until the attaining of the legal age. The disbursement of the allowance shall be continued if, after attaining of the legal age, the person referred to in this Paragraph is studying at an institution of general education or vocational education and is not older than 20 years of age or is studying in the day division (full time studies) at a higher education institution and who is under the age of 24.

(11) The State social security benefit for the person referred to in Paragraph one, Clause 1 of this Section shall be EUR 109.

(12) The State social security benefit for the person referred to in Paragraph one, Clause 2 of this Section who has a Group III disability regardless of employment shall be:

1) EUR 109;

2) if the cause of disability of the person is a disease from childhood – EUR 136.

(13) The State social security benefit for the person referred to in Paragraph one, Clause 2 of this Section who has a Group I and II disability shall be:

1) EUR 109 to which the coefficient of 1.4 is applied for the person with a Group I disability and the coefficient of 1.2 is applied for the person with a Group II disability;

2) if the cause of disability of the person is a disease from childhood – EUR 136 to which the coefficient of 1.4 is applied for the person with a Group I disability and the coefficient of 1.2 is applied for the person with a Group II disability.

(14) For the person referred to in Paragraph one, Clause 2 of this Section who has a Group I and II disability, if the person is not employed (is not considered to be an employee or self-employed person in accordance with the law On State Social Insurance), a supplement to the State social security benefit shall be fixed as a percentage from the amount of the State social security benefit laid down in Paragraph 1.3 of this Section:

1) for the person who has a Group I disability – in the amount of 30 per cent;

2) for the person who has a Group II disability – in the amount of 20 per cent.

(15) For the person referred to in Paragraph one, Clause 3 of this Section until attaining the age of seven years, the State social security benefit shall be EUR 136 and for the person who has attained seven years of age – EUR 163.

(16) If the person has the right to receive concurrently several benefits referred to in Clauses 1, 2, and 3 of this Section, the largest benefit in terms of amount shall be granted to the person.

(2) If a person receives a pension from another state which is less than the amount of the State social security benefit, the State social security benefit to be granted to the person shall be reduced by the amount which complies with the amount of the pension granted by the other state.

(3) The State social security benefit shall not be granted to a person who receives a pension from another state that is equal to the amount of the State social security benefit or exceeds it.

(4) If the recipient of the benefit departs from the Republic of Latvia for permanent residence in a foreign country, the disbursement of the State social benefit shall be terminated, disbursing the benefit for the next two months to the person by applying such amount of the benefit in the calculation to which the person had the right on the day of departure.

(5) The State social security benefit for the person referred to in Paragraph one of this Section shall be reviewed in accordance with the procedures for reviewing the minimum income threshold laid down in the law On Social Security.

[*18 June 2015; 23 November 2016; 24 November 2020; 3 March 2022 /* *Amendment to Paragraph one, Clause 1 in relation to the deletion of the employment condition shall come into force on 1 July 2022.* *See Paragraph 37 of Transitional Provisions*]

**Section 14. Funeral Allowance**

A funeral benefit shall be granted to a person who has undertaken the funeral in case of the death of the persons referred to in Section 13, Paragraph one, Clauses 1, 2, and 3 of this Law in the following amount:

1) in case of death of the person referred to in Section 13, Paragraph one, Clause 1 of this Law – in double the amount of the State social security benefit laid down in Section 13, Paragraph 1.1 of this Law;

2) in case of death of the person referred to in Section 13, Paragraph one, Clause 2 of this Law who has a Group III disability – in double the amount of the State social security benefit laid down in Section 13, Paragraph 1.2 of this Law, but in case of death of the person who has a Group I and II disability – in double the amount of the State social security benefit by taking into account that laid down in Section 13, Paragraph 1.4 of this Law;

3) in case of death of the person referred to in Section 13, Paragraph one, Clause 3 of this Law – in double the amount of the State social security benefit laid down in Section 13, Paragraph 1.5 of this Law.

[*24 November 2020*]

**Section 15. Amount of the State Social Allowances and Supplements**

(1) The amount of the State social allowances and supplements and the procedures for the reviewing thereof shall be determined by this Law and the Cabinet.

(2) [22 November 2017]

(3) [22 November 2017]

(4) [12 December 2002]

(5) [12 December 2002]

(6) [20 September 2007]

[*12 December 2002; 2 March 2006; 2 November 2006; 20 September 2007; 23 November 2016; 22 November 2017*]

**Chapter III**

**Granting and Disbursement of the State Social Allowances**

**Section 16. Granting of the State Social Allowances**

(1) The allowances for a child laid down in Sections 6, 7, 7.1, 8, 8.1, 8.2, and 12 of this Law shall be granted to one of the parents of the child in accordance with the procedures laid down by the Cabinet. The allowance specified in Section 6 of this Law may be granted to the spouse who is not a parent, adopter, guardian of a child, a member of a foster family, or another person who is actually raising the child and to whom the allowance specified in Section 6 of this Law has been granted by the decision of the Orphan’s and Custody Court if the parent, adopter, guardian of a child, the member of the foster family, or another person who receives the allowance specified in Section 6 of this Law submits to the State Social Insurance Agency a submission for the renouncing the abovementioned allowance, and the spouse who is not the parent, adopter, guardian of the child, the member of the foster family, or another person submits a submission for the receipt of the allowance specified in Section 6 of this Law for the child under care of his or her spouse.

(2) The allowances laid down in Sections 6, 7, 7.1, 8, and 12 of this Law shall be granted to a guardian if:

1) the child custody rights have been terminated or removed from the parents of the child;

2) the parents of the child are dead or absent without information as to their whereabouts;

3) the parents of the child have not attained the age of social legal capacity specified in the law On Social Security;

4) the parents of the child are unable to implement guardianship due to illness.

(3) If it is necessary for the defence of the personal interests of the child, a State social allowance may be granted upon the special decision of the Orphan’s and Custody Court to any person referred to in Section 4, Paragraph one of this Law who is actually raising the child, or to the child himself or herself if he or she has attained the age of 15.

(4) When the child attains 18 years of age, the allowance referred to in Section 6, Paragraph two, Clause 2 of this Law which has been granted for a child under guardianship or for a child in a foster family or the allowance which has been granted upon the special decision of the Orphan’s and Custody Court to any person referred to in Section 4, Paragraph one of this Law who is actually raising the child shall be granted and disbursed to the child himself or herself. That referred to in this Section shall also apply to children who are in a child care institution and attain 18 years of age.

(5) The allowance specified in Section 13, Paragraph one, Clause 3 of this Law shall be granted to a child who has lost a provider and shall be disbursed to a mother, father, and guardian or to another person who is actually raising the child. Such allowance shall also be granted and disbursed in cases when the child has been placed in a long-term social care and social rehabilitation institution and the stay of the child therein is covered by the local government.

(6) [22 November 2017]

[*22 January 2004; 27 October 2005; 20 September 2007; 8 November 2007; 17 October 2013; 22 November 2017; 3 April 2019; 24 November 2020; 6 May 2021; 3 March 2022*]

**Section 17. Procedures for the Disbursement of the State Social Allowances**

(1) The granting and disbursement of State social allowances in accordance with the appropriations prescribed in the annual State budget law shall be ensured by the State Social Insurance Agency in accordance with the procedures stipulated by the Cabinet.

(2) In order to receive the State social benefit, the applicant thereof shall submit personally or through an authorised representative a written request and the documents stipulated by the Cabinet to the State Social Insurance Agency. The following persons need not submit a request for receipt of the allowances referred to in Sections 7.1, 12, and 121 of this Law:

1) a person for whom a disability has been determined and who is a recipient of the State pension or State social security benefit, or the compensation for the loss of capacity for work, or a recipient of the service pension administrated by the State Social Insurance Agency;

2) a person who raises a child with a disability and receives a supplement to the State family allowance for a child with a disability.

(3) The allowance shall be transferred to the account of the recipient of the allowance in a credit institution of the Republic of Latvia or the postal settlement system (PSS). The State social security benefit, the allowance for a person with a disability for whom care is necessary, and the allowance for the compensation of transport expenses for a person with a disability who has reduced mobility upon a request of the recipient shall be delivered to his or her place of residence in Latvia for a fee by deducting the expenses from an allowance for the delivery thereof in conformity with the fee for the delivery of the pension, allowance, or remuneration laid down in the annual State budget law.

(4) The State social allowances to be disbursed at regular intervals shall be disbursed once a month, except for the allowance disbursed twice a year laid down in Section 12 of this Law for the compensation of transport expenses for persons with disabilities who have reduced mobility.

(41) The allowance referred to in Section 6, 6.1, 7.1, 8.2, 9, 10, 11 and 12.1 of this Law shall be disbursed for the current month, but the allowance referred to in Sections 7 and 13 of this Law – for the previous month.

(5) The spouse of the recipient of an allowance and all first- and second-degree relatives are entitled to receive the amounts of the State social allowance calculated for disbursement that are not disbursed until the death of the recipient of the allowance, if they have requested the abovementioned amounts within a year after the death of the recipient of the allowance. If the undisbursed amount of the allowance is requested by several persons, it shall be disbursed in equal parts to all the persons who have submitted a request and who have the right to it.

(6) [16 June 2009]

[*11 November 2004; 27 October 2005; 16 June 2009; 22 October 2009; 24 November 2020 /* *Amendment regarding the supplementation of Paragraph two with a sentence shall come into force on 1 July 2021.* *See Paragraph 31 of Transitional Provisions*]

**Section 18. Time Periods for the Request of the State Social Allowance**

(1) The State social allowance, except for the allowance referred to in Section 6 of this Law, shall be requested within six months from the day such right arises. If this time period has been exceeded, the monthly allowance shall only be disbursed for the previous six months, counting from the day the State social allowance was requested.

(11) The allowance referred to in Section 6 of this Law shall be requested within 24 months from the day such right arises. If this time period has been exceeded, the monthly allowance shall only be disbursed for the previous 24 months, counting from the day the allowance was requested.

(2) The State social allowance granted which was not received in time by the recipient shall be disbursed for the time elapsed, but not more than for the previous 12 months, counting from the day when the allowance not received was requested.

[*18 June 2015; 6 May 2021*]

**Section 19. Duties of the Applicant for the State Social Allowance**

An applicant for the allowance has a duty to submit all the necessary documents to the institution which grants the State social allowance. After granting of the allowance, the recipient of the allowance has a duty to immediately inform the abovementioned institution of the conditions which may be the basis for discontinuation of the disbursement of the allowance or changing of the amount of the allowance.

**Section 20. Discontinuation of the Disbursement of the State Social Allowances Disbursed at Regular Intervals**

(1) Disbursement of the State social allowances disbursed at regular intervals shall be discontinued:

1) temporarily while the recipient of the allowance is held at a prison or has been placed in a long-term social care and social rehabilitation institution and his or her stay there is either fully or partially covered by the State;

2) if the recipient of the allowance or a child for whom an allowance is disbursed departs from the Republic of Latvia for permanent residence in a foreign country. This condition shall not apply to the disbursement of the allowance referred to in Section 10 of this Law if the guardian and the child for whom the allowance is being paid departs from the Republic of Latvia for permanent residence in a foreign country;

3) if the recipient of the allowance or a child for whom an allowance is disbursed has died or information or documents on his or her absence without information as to their whereabouts has been received;

4) if the recipient of the allowance voluntarily refuses to receive further allowances.

(11) Disbursement of the allowance referred to in Section 16, second sentence of Paragraph one of this Law to a spouse who is not a parent of a child shall also be discontinued in the following cases:

1) the State Social Insurance Agency has received a submission of the spouse who is the parent of the child for the granting of the State family allowance;

2) the spouse who is the parent of the child has died;

3) the custody right over the child for whom the spouse has been granted the State family allowance has been terminated or removed in respect of the spouse who is the parent of the child;

4) the marriage is being dissolved.

(2) The disbursement of the allowance for a child referred to in Sections 6, 6.1, 7, 7.1, 8.2, 9, 10, and 12 and Section 13, Paragraph one, Clause 3 of this Law to the recipient thereof shall be discontinued if:

1) the child is placed in a long-term social care and social rehabilitation institution or a foster family, is at a prison or a social correction educational institution or a guardian has been appointed for the child, except for the case when guardianship has been established for a parent who is a minor, however has attained the age of social legal capacity specified in the law On Social Security;

2) a special decision was taken for the protection of a child’s personal interests by the Orphan’s and Custody Court on the discontinuation of the disbursement of the allowance to a person who is actually not caring for or raising the child.

(21) [3 March 2022]

(3) The disbursement of the allowances referred to in Sections 6, 7, 7.1, and 8.2 of this Law shall be discontinued also in cases when the custody rights have been terminated or removed, and the disbursement of the allowances referred to in Sections 9 and 10 of this Law also in cases when guardianship has been cancelled.

(4) The disbursement of the allowances referred to in Section 11 of this Law shall be discontinued in cases when:

1) the stay of the child in a foster family has been terminated by a decision of the Orphan’s and Custody Court;

2) the time limit specified in the agreement expires;

3) the recipient of the consideration has obtained the status of a specialised foster family in accordance with the procedures laid down in the laws and regulations regarding foster families and a child has been placed there as in the specialised foster family.

(5) [24 November 2020 / See Paragraph 31 of Transitional Provisions]

(6) The disbursement of the allowance referred to in Section 13 of this Law shall be discontinued also in cases when the right to receive a State pension (except for a survivor’s pension for a person with a disability) or insurance compensation in relation to an accident at work or occupational disease has arisen for a person.

[*22 January 2004; 27 October 2005; 20 September 2007; 8 November 2007; 17 October 2013; 18 June 2015; 22 November 2017; 28 February 2019; 3 April 2019; 24 November 2020; 6 May 2021; 3 March 2022*]

**Section 21. Deductions from the State Social Allowances and the Right to Write-off Debt Amounts that have Accrued**

(1) Deductions from State social allowances shall be performed on the basis of:

1) [4 March 2010];

2) a decision of the official of the division of the State Social Insurance Agency to collect the amounts of the State social allowance which have been overpaid to a person due to the fault of the person himself or herself, if he or she has provided false or incomplete information or has not notified regarding changes which may influence the right to the allowance or the amount thereof. In this case, not more than 10 per cent shall be deducted each month from the amount of an allowance to be disbursed and the deducted amounts shall be paid into the State basic budget;

3) [22 October 2009].

(2) Deductions from the childbirth allowance and funeral benefit shall not be performed.

(3) The State Social Insurance Agency shall write-off and delete from the balance sheet those accounted for existing debt amounts which due to the fault of recipient of the State social insurance allowance have accrued as overpayments the collection of which is not possible because the debtor has died or the period of limitation has set in for the collection of the debt in accordance with that laid down in the law On State Social Insurance.

[*11 November 2004; 27 October 2005; 8 November 2007; 16 June 2009; 22 October 2009; 4 March 2010; 3 March 2022*]

**Section 22. Taxation of the State Social Allowances**

Tax may not be imposed on the State social allowances unless it is laid down otherwise in tax laws.

**Chapter IV**

**Closing Provisions**

**Section 23. Appeal and Contesting of Decisions Issued in Relation to the State Social Allowances**

(1) Administrative acts issued by an official of State Social Insurance Agency or actual action thereof in relation to the State social allowances may be appealed to the Director of the State Social Insurance Agency. The administrative act issued by the Director or actual action thereof, and also a decision on appealed administrative act or actual action may be appealed to the court in accordance with the procedures laid down in the Administrative Procedure Law.

(2) [22 October 2009]

(3) The submitting of a submission for the contestation of the administrative act referred to in Paragraph one of this Section or an application for the appeal of the administrative act shall not suspend the operation of the administrative act, except for the cases when it is suspended by a written decision of a person examining the submission or application.

[*16 June 2009; 22 October 2009*]

**Section 24. Exchange of Information on Persons at a Prison and a Social Correction Educational Institution**

(1) The Prison Administration shall provide information to the State Social Insurance Agency on the persons who are at a prison. The Ministry of Education and Science shall provide information to the State Social Insurance Agency on the persons who are at a social correction educational institution. The following information shall be provided to the State Social Insurance Agency for taking the decision to grant or discontinue the disbursement of State social allowances to the persons referred to in Section 20, Paragraph one, Clause 1 and Paragraph two, Clause 1 of this Law in both cases:

1) the given name, surname, and personal identity number;

2) the date from which the person is at a prison or social correction educational institution;

3) the date when the person was released or when the stay of the person at a prison or social correction educational institution was discontinued.

(2) The State Social Insurance Agency shall process and store data in the Social Insurance Information System on the natural persons referred to in Paragraph one of this Section who receive State social allowances or for whom they are being received. The State Social Insurance Agency shall delete data, without delay after the receipt and processing thereof, on the persons who do not receive State social allowances or for whom they are not being received.

[*3 March 2022*]

**Transitional Provisions**

1. Section 15, Paragraph two of this Law shall come into force on 1 January 2006.

2. The amount of the State family allowance for families which are raising their first child shall be six lats per month until 31 December 2005.

3. [12 December 2002]

4. An allowance shall be disbursed in accordance with the law On Social Assistance of 26 October 1995 to persons for whom a childcare benefit has been granted until the day of the coming into force of this Law, for a period of child care continuing without interruption after the entering into force of this Law.

5. Until the day when the relevant Cabinet regulations come into force, but not later than 30 June 2003, the following Cabinet regulations shall be applicable insofar as they are not in contradiction with this Law:

1) Cabinet Regulation No. 384 of 19 December 1995, Regulations Regarding the Procedures for the Granting and Disbursement of the State Family Allowance, the Childbirth Allowance and the Childcare benefit;

2) Cabinet Regulation No. 325 of 16 September 1997, Regulations Regarding the Amount of the Childbirth Allowance;

3) Cabinet Regulation No. 193 of 26 May 1998, Regulations Regarding the Amount of the Childcare Benefit;

4) Cabinet Regulation No. 87 of 7 March 2000, Regulations Regarding the State Social Allowances for a Guardian;

5) Cabinet Regulation No. 381 of 19 December 1995, Regulations Regarding the Amount of the State Social Security Benefit and the Procedures for the Granting thereof;

6) Cabinet Regulations No. 40 of 1 February 2000, Regulations Regarding the State Social Allowance for Compensation of Transport Expenses for Persons with Disability who have Reduced Mobility.

6. [11 November 2004]

7. An allowance for a period of child care which continues without interruption after 1 January 2005 shall also be disbursed to persons for whom an childcare benefit for the care of a child under one year of age has been granted until 31 December 2004 in cases when the person works part-time in accordance with the procedures stipulated by the Cabinet.

[*11 November 2004*]

8. Until the day when the relevant Cabinet regulations come into force, but not later than 30 June 2005, the following Cabinet regulations shall be applicable insofar as they are not in contradiction with this Law:

1) Cabinet Regulations No. 355 of 1 July 2003, Regulations Regarding the Amount of the State Family Allowance and Supplements to the State Family Allowance for Children with Disabilities, the Review Procedures thereof and the Procedures for the Granting and Payment of Allowances and Supplements;

2) Cabinet Regulation No. 381 of 8 July 2003, Regulations Regarding the Amount of the Childbirth Allowance, the Procedures for the Review thereof and the Procedures for the Granting and Disbursement of the Allowance;

3) Cabinet Regulation No. 430 of 29 July 2003, Regulations Regarding the Amount of the State Social Security Benefit and the Funeral Benefit, the Review Procedures thereof and the Procedures for the Granting and Payment of Benefits;

4) Cabinet Regulation No. 454 of 1 July 2003, Regulations Regarding the Amount of the Allowance for Compensation of Transport Expenses for Persons with Disabilities who have Reduced Mobility, the Procedures for the Review of the Amount of the Allowance and the Procedures for the Granting and Disbursement of the Allowance;

5) Cabinet Regulation No. 367 of 1 July 2003, Regulations Regarding the Amount of Remuneration for the Fulfilment of Guardian’s Duties, the Procedures for the Review thereof, as well as the Procedures for the Granting and Disbursement of Remuneration;

6) Cabinet Regulation No. 380 of 8 July 2003, Regulations Regarding the Amount of the Guardian’s Allowance for a Dependent Child, the Procedures for the Review thereof and the Procedures for the Granting and Disbursement of Benefit.

[*11 November 2004*]

9. Section 3, Paragraph one, Clause 9, amendments to Section 4, Paragraph three in relation to care benefit for a child with a disability, Section 7.1 and amendments to Section 16, Paragraphs one and two, and also Section 20, Paragraphs two and three which relate to Section 7.1 of this Law shall come into force on 1 January 2006.

[*27 October 2005; 24 November 2020*]

10. Until the day when the relevant Cabinet regulations come into force, but not later than by 30 September 2006, Cabinet Regulation No. 1003 of 7 December 2004, Procedures by which an Allowance for Childcare and a Supplement to Allowance for Child Care for Twins or More Children Born During One Delivery shall be Granted and Disbursed, shall be applied insofar as they are not in contradiction with this Law.

[*2 March 2006*]

11. Amendments to Section 7.1 of this Law regarding the deletion of Paragraph two shall come into force on 1 January 2008.

[*20 September 2007*]

12. Amendments to Section 15 of this Law regarding the new wording of Paragraph three shall come into force on 1 January 2011.

[*20 September 2007*]

13. A State family allowance shall be granted and disbursed until the day when a child has attained the age of one year for a child who has been born until 30 June 2009 or within 306 days from 1 July 2009.

[*16 June 2009*]

14. Amendments to Section 17, Paragraph three of this Law providing for the delivery of a State social security benefit, an allowance for a person with a disability for whom care is necessary and allowance for the compensation of transport expenses for persons with disabilities who have reduced mobility at the place of residence for a fee shall come into force on 1 July 2009.

[*16 June 2009; 24 November 2020*]

15. Until the day when the relevant Cabinet regulations come into force, but not later than until 31 October 2009 Cabinet Regulation No 562 of 26 July 2005, Regulations Regarding the Amount of a State Family Allowance and Supplement to a State Family Allowance for a Child with Disability, the Procedures for Review Thereof and the Procedures for Granting and Disbursement of an Allowance and Supplement, shall be applied insofar as it is not in contradiction with this Law.

[*16 June 2009*]

16. During the time period from 1 July 2009 until 31 December 2014 the amount of a State family allowance specified in accordance with this Law shall be determined in accordance with the law On Payment of State Allowances during the Time Period from 2009 to 2014.

[*15 November 2012*]

17. From 1 October 2014 the childcare benefit until the age of one year of the child shall not be granted to a person who, in accordance with the law On Maternity and Sickness Insurance has been granted the parental benefit for such child until 30 September 2014 and the disbursement thereof continues without interruption from 1 October 2014.

[*6 November 2013*]

18. Amendment to Section 13, Paragraph one, Clause 1 of this Law regarding the replacement of the words “has surpassed by five years” with the words “has attained” and amendment to Section 18, Paragraph one of this Law regarding the replacement of the number “12” with the word “six” shall come into force on 1 January 2017.

[*18 June 2015*]

19. The State Social Insurance Agency shall review the amount of the allowance for a person from 1 January 2017 for whom the State family allowance has been granted until 31 December 2016 and the disbursement thereof continues without interruption after 1 January 2017 and shall disburse the difference not later than by 1 May 2017.

[*23 November 2016*]

20. Amendments to Section 13, Paragraph one, Clause 3 of this Law in relation to the delegation to the Cabinet to determine the minimum amount of the State social security benefit for a child who has lost a provider shall come into force on 1 April 2017. The State Social Insurance Agency shall review the amount of the benefit from 1 April 2017 and shall disburse the difference not later than by 30 September 2017.

[*23 November 2016*]

21. An adopter under whose care and supervision the child to be adopted has been transferred before approval of adoption in court by a decision of the Orphan’s and Custody Court until 31 December 2017, including if the remuneration for the care of an adopted child has been granted to the adopter concurrently with the parental benefit, the disbursement of the remuneration in the specified amount and according to the specified procedures shall be continued until approval of adoption in court in accordance with the provisions which were in force until 31 December 2017, unless the person, upon submitting a relevant submission, requests to recalculate the remuneration in accordance with the provisions which are in force from 1 January 2018. Such person has the right to request recalculation under whose care and supervision there is a child to be adopted on the day of request before approval of adoption in court by a decision of the Orphan’s and Custody Court.

[*22 November 2017*]

22. For a person for whom the remuneration for the fulfilment of the duties of a foster family has been granted until 31 December 2017 and the disbursement thereof continues without interruption after 1 January 2018, the State Social Insurance Agency shall review the amount of the remuneration for the period from 1 January 2018 and shall disburse the difference not later than by 31 July 2018.

[*22 November 2017*]

23. Section 6, Paragraph four of this Law shall come into force on 1 March 2018. The State Social Insurance Agency shall calculate the amount of the supplement for the period of time from 1 March 2018 and shall disburse it not later than by 30 April 2018.

[*22 November 2017*]

24. Amendments to Section 6, Paragraph two, Clause 2 of this Law in relation to the replacement of the number “19” with the number “20” and the deletion of the last sentence shall come into force on 1 January 2018. The State Social Insurance Agency shall calculate the amount of the State family allowance for the period of time from 1 January 2018 and shall disburse it not later than by 30 April 2018.

[*22 November 2017*]

25. Section 20, Paragraph four, Clause 3 of this Law shall come into force on 1 July 2018.

[*22 November 2017*]

26. The new wording of Section 3, Paragraph one, Clause 3, Section 4, Paragraph four, and the title of Section 9 of this Law, amendment to Section 9, Paragraph one, and the new wording of Section 20, Paragraph one, Clause 2 shall come into force on 7 March 2019. The person for whom the rights to the remuneration referred to in Section 10 of this Law (for the fulfilment of the duties of a guardian as for a guardian who has departed for permanent residence in a foreign country) have arisen from 7 March 2019 may request such remuneration until 7 March 2020. The State Social Insurance Agency shall grant and disburse the remuneration to such persons for the period of time from 7 March 2019. The State Social Insurance Agency shall grant and disburse the remuneration referred to in Section 10 of this Law for the fulfilment of the duties of a guardian to persons who have requested it in the period of time from 7 March 2019 to 1 July 2019, not later than by 31 July 2019, but to persons who have requested it after 1 July 2019 – within the period of time specified in laws and regulations.

[*28 February 2019*]

27. If a court judgment on approval of adoption has entered into effect until 30 June 2019, the allowance for adoption of a child to one of the adopters shall be granted until the period of time when the child adopted from out-of-family care attains 18 years of age.

[*3 April 2019*]

28. The State Social Insurance Agency shall commence the granting and disbursement of the allowance for adoption of a child for the period of time from 1 July 2019 not later than on 1 October 2019.

[*3 April 2019*]

29. The State Social Insurance Agency shall recalculate the allowance referred to in Section 12.1 of this Law for the period of time from 1 July 2019 to the persons referred to in Paragraph one, Clause 2 of this Section and shall disburse the difference of the allowance by 1 September 2019.

[*3 April 2019*]

30. Amendments to Section 4 of this Law regarding reference to an active status of a person and a child in the Register of Natural Persons shall come into force concurrently with the Law on the Register of Natural Persons.

[*24 November 2020*]

31. Amendments regarding the new wording of Section 11, Paragraphs one and two of this Law and the supplementation of Section 17, Paragraph two of this Law with a sentence, and the amendment regarding the deletion of Section 20, Paragraph five of this Law shall come into force on 1 July 2021.

[*24 November 2020*]

32. The State Social Insurance Agency shall calculate the State family allowance for the period from 1 January 2021 to the persons referred to in Section 6, Paragraph 2.1 of this Law and disburse the difference of the allowance by 1 April 2021.

[*24 November 2020*]

33. The State social security benefit shall be granted, recalculated and disbursed by the State Social Insurance Agency to the persons referred to in Section 13, Paragraph one of this Law in accordance with the following procedures:

1) for the time period from 1 January 2021 until 30 April 2021, the benefit shall be granted and disbursed in such amount that was laid down by regulatory framework until 31 December 2020;

2) for the time period from 1 January 2021 until 30 April 2021, the benefit shall be recalculated in conformity with the amounts laid down in Section 13, Paragraph 1.1, 1.2, 1.3, 1.4 or 1.5 of this Law and the disbursement of the difference of the benefit shall be ensured not later than by 1 June 2021;

3) for a person to whom, in accordance with Sub-paragraph 2 of this Paragraph, in May 2021 the total amount of the difference of the benefit to be disbursed is less than the amount of the benefit granted to the person in April 2021, a lump-sum supplement shall be disbursed not later than by 1 June 2021 in order to reach the amount of the benefit granted to the person in April 2021.

[*24 November 2020*]

34. The disbursement of the State social security benefit laid down in Section 13 of this Law for the previous month in conformity with Section 17, Paragraph 4.1 of this Law shall be commenced from 1 May 2021.

[*24 November 2020*]

35. The State Social Insurance Agency shall grant and disburse the State family allowance for a period of time until 31 December 2021 in the amount and in accordance with the procedures as prescribed by the regulatory framework which was in force before 31 December 2021.

[*6 May 2021*]

36. Amendment regarding the new wording of Section 4, Paragraph two of this Law shall come into force on 1 July 2023.

[*3 March 2022 /* *The abovementioned amendment shall be included in the wording of the Law as of 1 July 2023*]

37. Amendment to Section 13, Paragraph one, Clause 1 of this Law in relation to the deletion of the employment condition shall come into force on 1 July 2022.

[*3 March 2022*]

38. The requirement referred to in Section 24 of this Law in relation to:

1) the Prison Administration shall be applied from 1 November 2022 when the Prison Administration commences handing over of information by using the Information System of Prisoners. Until 31 October 2022 the disbursement of State social allowances shall be discontinued for the persons who are at a prison if the State Social Insurance Agency has information at its disposal on a person being placed in a prison;

2) the Ministry of Education and Science shall be applied from 1 July 2022. Until 30 June 2022 the disbursement of State social allowances shall be discontinued for the persons who are at a social correction educational institution if the State Social Insurance Agency has information at its disposal on a person being placed in a social correction educational institution.

[*3 March 2022*]

The Law shall come into force on 1 January 2003.

The Law has been adopted by the *Saeima* on 31 October 2002.

President V. Vīķe-Freiberga

Rīga, 19 November 2002