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

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6 October 2022 [shall come into force on 1 January 2023];

6 October 2022 [shall come into force on 3 November 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:

**National Guard of the Republic of Latvia Law**

**Chapter I**

**General Provisions**

**Section 1. Purpose and Scope of Application of the Law**

(1) The purpose of the Law is to involve the citizens of Latvia in State defence.

(2) The Law prescribes the tasks and structure of the National Guard of the Republic of Latvia (hereinafter – the National Guard) and the course of service of national guardsmen.

**Section 2. National Guard and Its Place in the State Defence System**

The National Guard is a component of the National Armed Forces, the objective of which is to involve the citizens of Latvia in the defence of the State territory and society and which participates in the planning and execution of the State defence tasks in accordance with the tasks determined in the Law.

**Section 3. Tasks of the National Guard**

The National Guard shall:

1) prepare the citizens of Latvia for service in the National Guard and train the National Guard personnel;

2) execute State defence tasks;

3) in accordance with the procedures laid down in laws and international agreements, participate in international operations and rapid reaction forces;

4) participate in the provision of host nation support;

5) destroy explosive objects and perform blasting work;

6) participate in emergency, fire-fighting and rescue work and measures for elimination of the consequences of events that have caused emergency situations;

7) [22 May 2014];

8) provide support to State and local government institutions in crime prevention, guaranteeing of public order and security;

9) provide support to the information technologies security incident prevention authorities;

10) provide support to the Cadet Force Centre in the implementation of national defence training and the interest education programme for youth guards.

[*22 May 2014; 7 March 2019*]

**Section 4. Status of a National Guardsman**

(1) A national guardsman is a person who has given an oath of the national guardsman, who has been awarded with a service rank, and who performs service in the National Guard or a regular force unit of the National Armed Forces according to the contract on the service in the National Guard.

(2) A person shall acquire the status of a national guardsman after giving of an oath and concluding a contract with the Commander of the National Guard unit or the Authorised Commander (Chief) of the National Armed Forces on the service in the National Guard. Person’s status of a national guardsman shall lapse upon termination of the contract on the service in the National Guard. The Minister for Defence shall determine the content of the contract and the procedures by which the contract shall be concluded and extended.

(3) Contract on the service in the National Guard shall be concluded until the maximum age specified for the service in the National Guard.

(4) [6 May 2021 / See Paragraph 17 of Transitional Provisions]

(5) A national guardsman shall be issued with a service identification document. The Cabinet shall determine the sample of the service identification document and the procedures for the issuance, use and returning thereof.

(6) In the case of mobilisation of national guardsmen, the national guardsmen shall be included in the active service. The procedures by which national guardsmen are included in the active service in the case of mobilisation shall be determined by the Minister for Defence.

(7) In the case of partial mobilisation of national guardsmen, the guardsmen who are not mobilised may be subject to increased readiness regime by the Cabinet decision. The procedures by which the National Guard units are kept under the increased readiness regime shall be determined by the Minister for Defence.

[*6 May 2021; 6 October 2022*]

**Section 4.1 Exceptions in Respect of Mobilisation of National Guardsmen and Being Subject to Increased Readiness Regime**

(1) The following persons shall not be subject to that laid down in Section 4, Paragraphs six and seven of this Law:

1) an official of the Chancery of the President;

2) a member of the *Saeima*;

3) the Secretary General of the *Saeima* Administration and an official specified by the Presidium of the *Saeima*;

4) a Member of the European Parliament;

5) a European Commissioner;

6) a member of the Cabinet;

7) a State Secretary of a ministry;

8) the Director of the State Chancellery;

9) the Director General of the State Revenue Service;

10) the Treasurer;

11) the Ombudsman;

12) the President, Vice-president, and a member of the Council of Latvijas Banka;

13) the Auditor General and a member of the Council of the State Audit Office;

14) the Chairperson and a member of the Council of the Financial and Capital Market Commission;

15) the Chairperson, the Vice-chairperson, and a member of the National Electronic Mass Media Council;

16) the Chairperson and a member of the Council of the Public Utilities Commission;

17) a judge of the Constitutional Court;

18) a judge of the Supreme Court;

19) a judge of a regional court;

20) a judge of a district (city) court;

21) an advocate assigned to a military court;

22) an employee of diplomatic and consular missions of the Republic of Latvia abroad;

23) a member of a local government;

24) an executive director of a local government.

(2) Depending on the type, intensity, and nature of threat to national security, the Cabinet may decide to apply the exceptions referred to in this Section also to other officials and employees of State and local government authorities or officials and employees of bodies governed by public and private law who are involved in the implementation of measures for overcoming threat to national security or ensure continuity of operation of critical infrastructure or critical financial services.

(3) The Cabinet shall determine the procedures by which the exceptions are applied to the persons referred to in Paragraph two of this Section in respect of the mobilisation and being subject to increased readiness regime, and also the procedures by which the National Guard is informed of the persons referred to in Paragraphs one and two of this Section.

[*6 October 2022*]

**Section 5. Oath of a National Guardsman**

(1) Upon commencing service in the National Guard, a citizen of Latvia shall give the following oath:

“I, upon assuming duties of a national guardsman and recognising responsibility to my nation and law, swear to be faithful to the Republic of Latvia, the Constitution and lawful government thereof, not sparing my strength, health and life to defend the State of Latvia and its independence. I swear to fulfil conscientiously the duties of a national guardsman, comply unquestioningly with military discipline, always execute orders and directions of my commanders in accordance with the laws of the Republic of Latvia.”

(2) The procedures for giving the oath and mutual relations between national guardsmen, procedures for the performance of the service in the National Guard and internal procedures of units (subunits) shall be determined by the Minister for Defence.

[*22 June 2017*]

**Section 6. Performance of the National Guard Service**

(1) Service in the National Guard shall include execution of the National Guard tasks determined in the Law and training of a national guardsman. A national guardsman shall perform service in the National Guard in accordance with the laws and regulations governing the National Guard service, orders of commanders, contract on the service in the National Guard and other contracts specified in this Law, which have been concluded with the National Guard.

(11) Service in the National Guard shall be counted in days. A day of execution of the service tasks or training shall be considered as equal to:

1) eight hours during twenty-four-hour-term if the time spent on execution of the National Guard tasks or training is at least eight hours within a period of 24 hours;

2) eight hours in several days, if the time spent on execution of the National Guard tasks or training is less than eight hours within a period of 24 hours.

(12) Training of a national guardsman shall include:

1) individual training which includes basic training, qualification training, and career training;

2) collective training which includes a unit or sub-unit of the armed forces, headquarters, combined, joint, and complex training and exercises.

(2) In accordance with the contract on the service in the National Guard, a national guardsman shall be involved in the execution of the National Guard tasks and training for up to 30 days per year, but, if a national guardsman is sent to courses specified by the Minister for Defence or performs the office duties of a qualified specialist of the important profession determined by the Minister for Defence in international or national military training or drills – for up to 90 days per year during free time, outside of regular employment or studies, as well as in cases when, in accordance with the conditions of this Law, a national guardsman is released from the regular employment or studies.

(3) A national guardsman may also be involved in the execution of the National Guard tasks and training for more than 30 days per year:

1) if an emergency situation or state of exception is declared;

2) with a consent of the national guardsman to the execution of the service tasks specified by the Commander of the National Guard or Authorised Commander (Chief) of the National Armed Forces and to training;

3) in accordance with the conditions of this Law, concluding an additional contract on the fulfilment of the duties of the position specified by the Minister for Defence, related to combat support or combat service support, or training and participation of the national guardsman in an international operation or rapid reaction forces;

4) for participation in combat readiness examinations which are organised in accordance with the Cabinet decision.

(4) An educational institution shall release a national guardsman involved in the execution of the National Guard tasks or training from training (studies), retaining the right to continue training (studies) under the same conditions as before the national guardsman was involved in the execution of the National Guard tasks or training:

1) up to five working days per calendar year for the training of the national guardsman;

2) up to five working days per calendar year for the execution of the National Guard tasks;

3) if an emergency situation or state of exception is declared – until revocation of the emergency situation or state of exception;

4) up to one and a half years for participation in an international operation or rapid reaction forces;

5) up to 72 hours once in two years – for participation in combat readiness examinations which are organised in accordance with the Cabinet decision.

(41) An employer shall release a national guardsman involved in the execution of the National Guard tasks from the fulfilment of work duties, without paying the remuneration, but retaining the workplace (position):

1) up to five working days per calendar year for the execution of the National Guard tasks;

2) if an emergency situation or state of exception is declared – until revocation of the emergency situation or state of exception;

3) up to one and a half years for participation in an international operation or rapid reaction forces;

4) in the case of mobilisation of national guardsmen if state of exception has not been declared – up to the day when the Cabinet decision is no longer in effect;

5) up to 72 hours once in two years – for participation in combat readiness examinations which are organised in accordance with the Cabinet decision.

(42) An employer shall release a national guardsman involved in the training of national guardsmen from the fulfilment of work duties for up to five working days per calendar year, retaining the workplace (position). The employer may, in compliance with the provisions of the Labour Law, disburse the employee a remuneration for the period spent in the training of national guardsmen.

(43) The employer shall release a national guardsman involved in the collective training of national guardsmen from the fulfilment of work duties not longer than for five consecutive working days once per calendar year, retaining the workplace (position). The employer shall, in compliance with the provisions of the Labour Law, disburse the employee a remuneration for the period spent in the collective training of national guardsmen.

(5) Special military training for those students of accredited institutions of higher education, who perform service in the National Guard, shall be carried out in accordance with the procedures determined by the Cabinet.

(51) The procedures, by which a national guardsman shall be sent to improve qualification in training or to a military educational institution, or a unit of the National Armed Forces, the tasks of which include implementation of adult educational programmes, for acquisition of education necessary for the fulfilment of respective service duties, and the conditions and procedures for covering and reimbursing the expenses related to improving qualification or training of a national guardsman, as well as the cases when a national guardsman shall not be reimbursed the expenses related to improving of his or her qualification or training, shall be determined by the Cabinet.

(6) A national guardsman shall inform the immediate commander thereof, if circumstances have occurred, due to which the national guardsman cannot be present for the execution of the National Guard tasks or training.

(7) The Cabinet shall determine the procedures by which a national guardsman shall be involved in the execution of the National Guard tasks and training. The procedures by which the National Guard is involved in the execution of the task referred to in Section 3, Clause 9 of this Law shall be stipulated by the Minister for Defence.

(8) While a national guardsman executes the National Guard tasks, the requirements of the laws and regulations governing employment legal relationships shall not apply thereto, except for the norms laying down prohibition of differential treatment, and the rights provided for pregnant women, breastfeeding women and women during the period following childbirth up to one year.

(9) A national guardsman who is subject to increased readiness regime has an obligation:

1) during six hours since coming into force of the increased readiness regime, to be accessible when the unit of the National Guard is contacting the national guardsman by using his or her official electronic address or phone number indicated by him or her;

2) to stay in the Republic of Latvia or, if the national guardsman is located outside the Republic of Latvia, to immediately inform the unit of the National Guard of the possibility to return and act in conformity with further instructions of the National Guard.

[*22 May 2014; 3 November 2016; 7 March 2019; 6 October 2022*]

**Section 7. Length of Service of a National Guardsman**

(1) Time of service in the National Guard shall be added to the length of service of a national guardsman, if he or she has participated in the execution of the National Guard tasks or training for at least 20 days per year.

(2) The time when a national guardsman performs, in conformity with the concluded contract, the position specified by the Minister for Defence, related to combat support or combat service support shall not be added to the length of service.

(3) The length of service of a national guardsman shall be taken into account when a service rank is being awarded to the national guardsman and when calculating the remuneration and compensation: the coefficient 0.8 shall be applied to each year of service.

(4) The coefficient laid down in Paragraph three of this Section shall not be applied, if a national guardsman executes service tasks in conformity with the contracts concluded additionally on the training and participation in an international operation or rapid reaction forces, or for the fulfilment of the duties of an absent soldier – absent for more than six months – (hereinafter – the long-term absence) or of a vacant position in the National Armed Forces.

(5) When a reserve soldier joins the National Guard, the time of service in the active service shall be included in the length of service of a national guardsman.

[*22 May 2014; 22 June 2017*]

**Section 8. Insignia of the National Guard**

(1) The National Guard and National Guard units have their flags. The Minister for Defence shall determine the procedures by which flags shall be made and used.

(2) Each National Guard unit shall have its own identifying insignia.

[*24 October 2019*]

**Section 9. Cooperation of the National Guard with State and Local Government Institutions, Private Individuals and Associations Thereof**

(1) The National Guard, State and local government institutions, private individuals and associations thereof shall cooperate in the execution of the tasks determined in the Law.

(2) Campaigns of political parties (movements) in the National Guard are prohibited.

(3) The Cabinet shall determine the procedures by which the National Guard shall provide support to State and local government institutions in crime prevention, guaranteeing of public order and security.

**Chapter II**

**Structure and Management of the National Guard**

**Section 10. Management of the National Guard**

(1) Management of the National Guard shall be implemented by the Commander of the National Guard, who shall be appointed to position and released from position by the Cabinet according to the proposal of the Minister for Defence.

(2) In the National Guard, the single command structure shall be complied with.

**Section 11. Commander of the National Guard**

(1) The Commander of the National Guard shall:

1) be responsible for the execution of the National Guard tasks and organisation of service;

2) be responsible for the readiness of the units subordinate thereto for combat and mobilisation, military training of the personnel, military discipline and fulfilment of other requirements;

3) ensure continuous management of the National Guard, planning of tasks and control of execution thereof;

4) be responsible for timely submission of a request to the Commander of the National Armed Forces for personnel, material, technical and financial resources necessary for the execution of tasks, and for lawful and effective use of the abovementioned resources;

5) approve by-laws of the units subordinate thereto.

(2) The lawful orders and directions of the Commander of the National Guard shall be mandatory for all national guardsmen, soldiers of professional service who serve in the National Guard and working civil employees.

(3) The Commander of the National Guard has the right to request and receive from all State and local government institutions information concerning issues related to the execution of tasks of the National Guard.

**Section 12. Headquarters of the National Guard**

(1) The headquarters of the National Guard is an institution of the Commander of the National Guard that shall ensure:

1) a possibility for the Commander of the National Guard to implement continuous management of the National Guard;

2) information and documentation necessary for decision-making;

3) control over execution of lawful orders and directions of the Commander of the National Guard;

4) execution of the National Guard tasks laid down in Section 3 of this Law.

(2) The Chief of the National Guard headquarters shall be responsible for the execution of the tasks of the National Guard headquarters. The Chief of the National Guard headquarters shall be appointed to position and released from position by the Commander of the National Armed Forces upon proposal of the Commander of the National Guard.

**Section 13. Recruitment of the National Guard Staff**

(1) The staff of the National Guard shall be recruited from:

1) national guardsmen;

2) professional service soldiers;

3) civil employees.

(2) The service legal relationships of those professional service soldiers who serve in the National Guard and the employment legal relationships of the civil employees working at the National Guard shall be determined respectively by the Military Service Law and the laws and regulations governing employment legal relationships.

**Chapter III**

**Admission of a Person to the National Guard, Appointment to Position, Assessment and Transfer of a National Guardsman**

**Section 14. Admission to the National Guard**

(1) Such citizens of Latvia in the age from 18 years shall be admitted to the National Guard on a voluntary basis who:

1) comply with the requirements stipulated by the Minister for Defence concerning the state of health, physical fitness and knowledge of the official language, as well as with moral and psychological characteristics;

2) do not perform professional service or service in institutions of the system of the Ministry of the Interior or the Prison Administration, State security institution, municipal police, port police, the Office of the Prosecutor, the Corruption Prevention and Combating Bureau, the Tax and Customs Police of the State Revenue Service, the Internal Security Department of the State Revenue Service;

3) are not subject to restrictions laid down in law regarding combining of positions with service in the National Guard.

(2) The Minister for Defence shall determine the procedures by which admission to the National Guard shall be performed.

(3) A person wishing to join the National Guard shall be considered to be a candidate for the national guardsman starting from the day when the application is submitted until the day of concluding a contract on the service in the National Guard.

(4) A national guardsman may not be a person:

1) who is retired from military or another State service for breach of discipline;

2) who is suspected of or prosecuted for committing a criminal offence;

3) who has been sentenced for an intentional criminal offence or disclosure of an official secret through negligence – regardless of the extinguishment and setting aside of criminal record, except for the case referred to in Paragraph five of this Section;

31) who has been sentenced for committing criminal offence through negligence, except for the criminal offence referred to in Clause 3 of this Paragraph, during serving such sentence;

32) who has been sentenced for the criminal offence referred to in Clause 3 of this Paragraph by releasing him or her from the punishment, or the criminal proceedings against him or her have been terminated for reasons other than exoneration, except for the case referred to in Paragraph five of this Section.

4) who is in the records of a narcologist or psychiatrist, who has chronic mental disorders or equivalent conditions or over whom trusteeship has been established;

5) who is or has been a staff employee or a supernumerary of the security service, intelligence or counter-intelligence service of the U.S.S.R., Latvian S.S.R. or a foreign state, or an agent, resident or safe-house keeper;

6) whose admission to the National Guard does not correspond to the interests of the national security in accordance with the opinion of the Military Intelligence and Security Service.

(5) A commission established by the Minister for Defence may authorise the admission of the person referred to in Paragraph four, Clause 3 or 3.2 of this Section to the National Guard if this person has not committed an especially serious intentional crime and the criminal record has been extinguished or set aside, or at least five years have passed from the ruling on the termination of criminal proceedings for reasons other than exoneration.

(51) A commission established by the Minister for Defence may, in accordance with the procedures stipulated by the Cabinet, allow admission of a citizen of Latvia into the service in the National Guard who has been retired from military or another State service, or excluded from the National Guard for violations of discipline, however, not earlier than five years after the day of retirement or exclusion.

(6) The Cabinet shall determine the procedures by which the commission established by the Minister for Defence evaluates the authorisation referred to in Paragraph five of this Section.

[*22 May 2014; 22 June 2017; 30 January 2020; 11 February 2021; 6 May 2021; 15 September 2022; 23 September 2021; 6 October 2022; 6 October 2022*]

**Section 15. Lists of Positions of the National Guard and Material and Technical Stocks**

The Commander of the National Armed Forces shall, in accordance with the procedures specified by the Minister for Defence, approve the list of positions corresponding to the service ranks of professional service soldiers serving in the National Guard or national guardsmen, except for the positions of higher officers, as well as the staff of the National Guard units and the list of material and technical stock. The list of positions corresponding to the service ranks of higher officers of national guardsmen shall be approved by the Cabinet.

[*22 June 2017* / *Amendment to Section regarding the approval of the list of positions corresponding to the service ranks of higher officers of national guardsmen in the Cabinet shall come into force on 1 January 2018.* *See Paragraph 12 of Transitional Provisions*]

**Section 16. Appointment of a National Guardsman to a Position**

(1) A national guardsman shall be appointed to a position present on the list of positions and conforming to the service rank.

(2) A national guardsman shall be appointed to position of an officer by the Commander of the National Armed Forces in accordance with the procedures laid down in the Military Service Law.

(3) A national guardsman shall be appointed to a position of a higher non-commissioned officer by the Commander of the National Guard.

(4) The Commander of the National Guard unit shall appoint national guardsmen to other positions of non-commissioned officers and national guardsmen.

(5) If it is necessary for service, a national guardsman may, with his or her consent, be appointed to a position lower than the national guardsman’s rank provides for, but maximum to a two ranks lower position.

(6) An officer may be appointed to a one service rank higher position and only in exceptional cases, with the consent of the Minister for Defence – to a two ranks higher position.

(7) An officer shall be appointed to the position of an officer only.

(8) A non-commissioned officer and a national guardsman of the national guardsmen corps may be appointed to a one service rank higher position and only in exceptional cases, with the consent of the Commander of the National Armed Forces – to a two ranks higher position.

(9) A non-commissioned officer and a national guardsman of the national guardsmen corps may not be appointed to the position of an officer.

**Section 16.1 Discharge of a National Guardsman from Position and Exclusion from the Personnel**

(1) A national guardsman shall be discharged from the position:

1) by appointing him or her to another position;

2) by terminating a contract on the service in the National Guard.

(2) A national guardsman who is dead, has perished or is missing without information shall be excluded from the personnel.

[*22 May 2014*]

**Section 17. Transfer of a National Guardsman**

A national guardsman may be transferred to another National Guard unit, appointing him or her to an equivalent position in the following cases:

1) the position is being abolished in an individual unit or the unit is being reorganised;

2) the national guardsman has changed the place of residence;

3) the national guardsman consents to being transferred to another unit.

[*22 May 2014*]

**Section 17.1 Movement of a National Guardsman**

(1) The Commander of the National Armed Forces may, in the interests of State defence, move a national guardsman who has the corresponding education and qualification to the regular force unit of the National Armed Forces, retaining the status of a national guardsman. The commander of the regular force unit of the National Armed Forces shall appoint the national guardsman to a position of a national guardsman included in the staff list of the regular force unit of the National Armed Forces and ensure that execution of service tasks and training days of the national guardsman is performed.

(2) If due to objective circumstances it is not possible to fill the positions of soldiers in the National Armed Forces, the Commander of the National Armed Forces may assign the national guardsman who has education and qualification corresponding for the respective position for the time period until appointing of a soldier to the position:

1) to fulfil the duties of a soldier in long-term absence or of a vacant position in the regular force unit of the National Armed Forces, except the duties of the position of the Commander (Chief);

2) to fulfil the duties of a soldier in long-term absence or of a vacant position in a unit of the National Guard, including the duties of the position of a Commander (Chief), which is not higher than the position of a company commander.

(3) An additional contract shall be concluded with a national guardsman who is assigned the fulfilment of the duties of a soldier in long-term absence or of a vacant position.

(4) A national guardsman, in fulfilling the duties of the position of a soldier, in addition to the provision and social guarantees laid down by law, is entitled to receive remuneration in conformity with the service rank determined for the position, the length of service of a national guardsman, and the relevant category of the monthly wage, food rations determined for a soldier or compensation thereof, paid annual leave – 30 calendar days, excluding public holidays, leave allowance in the amount up to 50 per cent of the monthly wage once per calendar year upon going on annual leave, and also the determined special supplement for the execution of such service tasks which are related to increased risk to health (life) when fulfilling the office duties of the specialist in neutralising unexploded ammunition and neutralising improvised explosive devices or a sapper (mine laying expert, mine clearance expert, shotfirer). The rights specified for a soldier to maternity leave, parental leave and leave for the father of the child shall apply to the national guardsman.

(5) If circumstances have arisen due to which the national guardsman cannot continue the fulfilment of the duties of a soldier in long-term absence or of a vacant position, the Commander of the National Armed Forces shall transfer him or her for further service back to the unit of the National Guard.

(6) The procedures, by which a national guardsman shall be assigned the fulfilment of the duties of a soldier in long-term absence or of a vacant position and the positions of soldiers, which may assigned for fulfilment to a national guardsman, shall be determined by the Minister for Defence.

[*22 May 2014; 22 June 2017; 7 March 2019; 6 May 2021*]

**Section 18. Official Travels**

(1) A national guardsman may be sent on an official travel for a specified period of time for fulfilment of the direct duties of service or execution of an individual task in accordance with the procedures stipulated by the Minister for Defence.

(2) A unit commander is entitled to send a national guardsman on an official travel in the territory of Latvia, but the Minister for Defence, the Commander of the National Armed Forces and the Chief of the Joint Headquarters of the National Armed Forces or his or her deputy – also to foreign countries.

(3) This Section shall not apply to a national guardsman who participates in an international operation.

[*22 May 2014; 22 June 2017*]

**Section 19. Assessment of a National Guardsman**

(1) A national guardsman shall be subject to assessment, the purpose of which is to evaluate his or her compliance with the service course requirements.

(2) A national guardsman shall be assessed at least once every five years or due to proposal for a higher position or awarding a service rank, if more than a year has elapsed since the previous assessment.

(3) A commander is only entitled to assess a subordinate after a total of six months service in the National Guard.

(4) The assessment procedures shall be determined by the Commander of the National Armed Forces.

[*22 May 2014*]

**Chapter IV**

**Obligations and Rights of a National Guardsman**

**Section 20. General Obligations of a National Guardsman**

A national guardsman has the following general obligations:

1) to fulfil in good faith the oath of a national guardsman given and the contract concluded with the National Guard on the service in the National Guard;

2) to conscientiously fulfil the requirements of the regulations and other regulatory enactments, and lawful orders of commanders;

3) to notify the immediate commander without delay of the circumstances preventing from being a national guardsman or fulfilling the duties of service.

[*22 June 2017*]

**Section 21. General Rights of a National Guardsman**

(1) A national guardsman has the right to appeal the decisions of officials taken in respect of him or her to a court, if such decisions unduly restrict his or her rights or infringe upon his or her honour and dignity, and if he or she has used all means to dispute the decision in accordance with the subordination procedures to higher officials, including the Minister for Defence.

(2) A national guardsman has the right to submit complaints and proposals on the service course issues. The Minister for Defence shall determine the procedures by which complaints and proposals shall be submitted and examined.

**Section 22. Right of a National Guardsman to Use a Firearm, Physical Force and Special Means**

(1) A national guardsman has the right to keep and carry a service firearm in accordance with the procedures stipulated by the Minister for Defence.

(11) In performing service, a national guardsman has the right to keep, carry and use special means in accordance with the procedures stipulated by the Cabinet.

(2) When a national guardsman fulfils service duties, the norms laid down in the Military Service Law on the right of a soldier to use a firearm, physical force and special means shall apply thereto.

[*22 May 2014*]

**Section 22.1 Right of a National Guardsman to Provide Extended First Aid**

(1) A guardsman who has completed the extended first aid training course programme, while performing his or her service duties, is entitled to provide extended first aid using the equipment, medical materials and medicinal products included on the list approved by the Cabinet.

(2) The Cabinet shall determine the extended first aid training course programme for guardsmen, the procedures by which the training in provision of the extended first aid shall be ensured and the procedures by which the training course acquired abroad shall be recognised in the Republic of Latvia, as well as the procedures for the storage, use, record and destruction of the equipment, medical materials and medicinal products intended for the provision of the extended first aid.

(3) A guardsman who has completed an internationally recognised combat casualty care training programme which is recognised in accordance with the procedures stipulated by the Cabinet is entitled to provide extended first aid while fulfilling service duties and using extended first aid equipment, medical materials, and medicinal products included in the list approved by the Cabinet.

[*22 June 2017; 11 February 2021*]

**Chapter V**

**Awarding, Promotion and Removal of Service Ranks**

**Section 23. Service Ranks**

(1) National guardsmen shall have the following service ranks:

1) for the corps of national guardsmen: national guardsman, senior national guardsman;

2) for the corps of non-commissioned officers:

a) for the junior non-commissioned officers: Corporal, Sergeant;

b) for senior non-commissioned officers: first sergeant, senior first sergeant;

c) for higher non-commissioned officers: warrant officer, senior warrant officer;

3) for the corps of officers:

a) for the junior officers: Lieutenant, First Lieutenant, Captain;

b) for senior officers: Major, Lieutenant Colonel, Colonel;

c) for higher officers: Brigadier General, Major General, Lieutenant General.

(2) Service ranks of national guardsmen different from the service ranks of soldiers specified in the Military Service Law shall be equalised to the ranks of soldiers in the following way:

1) national guardsman – private;

2) senior national guardsman – private first class.

[*22 June 2017; 7 March 2019*]

**Section 24. Awarding of a Service Rank**

(1) A person admitted to the National Guard shall, concurrently with inclusion in the unit personnel, be awarded the first service rank – a national guardsman. A reserve soldier admitted to the National Guard and a reservist shall retain the existing service rank.

(2) Service ranks shall be awarded to national guardsmen:

1) service ranks of officers, except for the service rank of Lieutenant – in accordance with the procedures laid down for the soldiers in the Military Service Law;

2) warrant officer service ranks – by the Commander of the National Armed Forces upon proposal of the Commander of the National Guard;

3) other non-commissioned officer service ranks – by the Commander of the National Guard upon proposal of a unit commander;

4) national guardsmen corps service ranks – by a unit commander upon a proposal of a sub-unit commander.

(3) A national guardsman shall acquire the right to be awarded the next service rank if he or she meets all the requirements laid down for the awarding of the next service rank, as well as for each service rank separately, has received a positive assessment and he or she has no punishments in force.

(4) A national guardsman shall be awarded the next service rank:

1) after serving the specified period in the existing service rank if the position held provides for a higher service rank;

2) for achievements in battle and other achievements (outstanding heroism, courage or achievements during the execution of combat or other tasks) before the specified term of service in the existing service rank or fulfilment of other requirements laid down in the Law – as an award.

(5) During peacetime a national guardsman shall be awarded with service ranks sequentially and in accordance with the conditions provided for in the Military Service Law for awarding service ranks to soldiers, except for the following service ranks:

1) a senior national guardsman – to a national guardsman not earlier than after one year of service in the National Guard;

2) a lieutenant – to a national guardsman, if at least secondary education has been acquired and the course of the Commander of the section of the National Guard has been successfully completed.

(5¹) The rank of the first lieutenant may be granted to a lieutenant after serving three years in the rank of the lieutenant, if a higher service rank is provided in the position and the lieutenant has acquired a higher education and has successfully graduated from the basic course of the officer in the military educational institution.

(6) When awarding a service rank to a national guardsman, the term of service shall be calculated in accordance with the conditions for the term of service laid down in Section 7 of this Law.

(7) A national guardsman who resumes service in the National Guard shall retain the service rank awarded previously.

[*22 June 2017* / *See Paragraph 13 of Transitional Provisions*]

**Section 25. Awarding of a Service Rank to a National Guardsman Specialist, National Guardsman Specialist Non-commissioning Officer, and a National Guardsman Specialist Officer**

(1) A national guardsman specialist may be a national guardsman who has at least first level vocational qualification in the speciality necessary for the position and who has completed a basic course for a specialist soldier or another course equivalent thereto.

(2) A national guardsman specialist non-commissioning officer may be a national guardsman non-commissioning officer who has at least second level vocational qualification in the speciality necessary for the position and who has completed a course for a specialist non-commissioning officer or another course equivalent thereto.

(3) A national guardsman specialist officer may be a national guardsman who has academic or second level vocational higher education in the relevant speciality and who has completed a general course for a specialist officer or another equal course.

(4) Service ranks for a national guardsman specialist, national guardsman specialist non-commissioning officer, and national guardsman specialist officer shall be awarded in accordance with the same procedures as provided for in the Military Service Law for awarding a service rank to a soldier: specialist soldier, specialist non-commissioning officer, and specialist officer.

(5) The positions in the fulfilment of the duties of which national guardsman specialists, national guardsman specialists non-commissioning officers, and a national guardsman specialists officers may be involved shall be stipulated by the Minister for Defence.

[*24 October 2019*]

**Section 26. Removal and Renewal of Service Ranks for a National Guardsman**

The service rank of a national guardsman shall be removed if he or she is convicted of committing a serious or especially serious crime. In such case, the officer service rank shall be removed by the President, the service rank of the higher non-commissioned officer — by the Commander of the National Armed Forces. Other service ranks of non-commissioned officers shall be removed by the Commander of the National Guard, while the service ranks of the national guardsmen corps – by a unit commander. A service rank may be renewed only in accordance with a court judgment rehabilitating a national guardsman.

**Chapter VI**

**Suspension of a National Guardsman from Position and Termination of a Contract Regarding Service in the National Guard**

**Section 27. Suspension of a National Guardsman from Position**

(1) If an internal investigation against a national guardsman is initiated or he or she is a suspect or accused in commitment of a crime, and the holding of the position by the national guardsman may interfere with the investigation process or the fulfilment of service duties, he or she may be suspended from the position until the matter is decided.

(2) The commander who has the right to appoint a national guardsman to a position or a higher commander has the right to suspend a national guardsman from the position and, if necessary, appoint another person to the position in a temporary acting capacity.

(3) The Commander of the National Guard is entitled to suspend a national guardsman from position, with whom any of the additional contracts provided for in this Law has been concluded, and terminate such contract, if the national guardsman has left the place of service without justifying reason or has not arrived at the place of service at the specified time without a justifying reason. The monthly wage, leave benefit, food rations or compensation for them shall not be disbursed to the national guardsman for this time period, and this time period shall not be added to his or her length of service.

[*22 May 2014*]

**Section 28. Maximum Age for Service in the National Guard**

The maximum age for the service in the National Guard shall be 65 years, except for national guardsmen specialists, national guardsmen specialists non-commissioning officers, and national guardsmen specialists officers. If the health and physical fitness of a national guardsman specialist, national guardsman specialist non-commissioning officer, and national guardsman specialist officer conform to the laid down requirements, he or she may continue the service in the National Guard after reaching the age of 65 years.

[*6 October 2022*]

**Section 29. Termination of a Contract on the Service in the National Guard and Suspension of Service**

(1) A contract on the service in the National Guard shall be terminated in the following cases:

1) upon initiative of the national guardsman;

2) upon the initiative of the National Guard or the regular force unit of the National Armed Forces.

(2) If a contract on the service in the National Guard is being terminated before the maximum age specified for the service in the National Guard upon initiative of the national guardsman, he or she shall notify the National Guard thereof at least a month in advance.

(3) A contract on the service in the National Guard shall be terminated by the commander of the unit upon the initiative of the National Guard or the regular force unit of the National Armed Forces if:

1) the circumstances referred to in Section 14, Paragraph four of this Law have been found;

2) the national guardsman has lost Latvian citizenship;

3) the national guardsman has been recognised as unfit for active service due to state of health;

4) the national guardsman has attained the maximum age set for service in the National Guard;

5) the national guardsman does not attend training or does not arrive for the execution of service tasks for more than one year without a justifying reason;

6) expulsion from the National Guard has been applied to the national guardsman as a disciplinary sanction;

7) during certification, the national guardsman has been assessed negatively and the Commander of the National Guard or the regular force unit of the National Armed Forces has harmonised the assessment.

(4) If the contract on the service in the National Guard is terminated early (except when such contract is being terminated due to the state of health):

1) the national guardsman who has not served the time specified in the training contract after the military training shall, in accordance with the procedures stipulated by the Cabinet, compensate for the relevant part of expenses related to his or her military training proportionally to the period not served (including study expenses incurred in foreign educational institutions (courses), covered by the foreign country in providing aid to Latvia);

2) a national guardsman shall, in accordance with the procedures stipulated by the Minister for Defence, return the material and technical resources issued to him or her (equipment, utilities, and other means) and the uniform or reimburse their value.

(41) The person shall not reimburse the training expenses referred to in Paragraph four of this Section and shall not return the material and technical means issued to him or her if the person concludes the contract on the professional service within one month after termination of the contract on the service in the National Guard.

(5) If a national guardsman commences holding the office of a State official where the restrictions laid down in law do not allow for combining of the office with the service in the National Guard, the service in the National Guard shall be suspended.

(6) If the former national guardsman fails to conclude the contract on the professional service within one month after the termination of a contract on the service in the National Guard, he or she shall be included in the reserve of the National Armed Forces in accordance with the procedures laid down in laws and regulations, and also the former national guardsman shall, in accordance with Paragraph four of this Section, reimburse the training expenses referred to in Paragraph four of this Section and return the material and technical means issued to him or her.

[*22 May 2014; 22 June 2017; 6 May 2021*]

**Section 30. Returning of Material Values**

(1) If a national guardsman is being suspended from the position, suspends service or the contract concluded with him or her regarding service in the National Guard is being terminated, he or she shall, in accordance with the procedures stipulated by the Minister for Defence, transfer all the service documents and State property at the disposal thereof to the person appointed to the position in a temporary acting capacity. If the person in a temporary acting capacity has not been appointed to the position, the national guardsman suspended from the position shall transfer all the service documents and State property at the disposal thereof to the immediate commander.

(2) If a national guardsman has deceased, perished or disappeared without trace, his or her heirs shall transfer to the National Guard the material values in their possession, which have been issued to the national guardsman.

**Chapter VII**

**Involvement of a National Guardsman in the Fulfilment of Specific Duties of Positions Related to Combat Support or Combat Service Support and Participation in International Operations and Rapid Reaction Forces**

[*22 May 2014*]

**Section 31. Involvement of a National Guardsman in the Fulfilment of Specific Duties of Positions Related to Combat Support or Combat Service Support**

(1) If it is necessary for service, the National Guard may, in addition to the contract on the service in the National Guard referred to in Section 4, Paragraph two of this Law for a specific period of time, but no less than a year, conclude a contract with a national guardsman on the fulfilment of duties of a position included on the list of the National Guard unit staff or regular armed force of the National Armed Forces, related to combat support or combat service support. The positions, for the fulfilment of which a contract shall be concluded with a national guardsman, the content of and procedures for concluding a contract shall be determined by the Minister for Defence.

(2) A national guardsman who fulfils the duties of a position specified by the Minister for Defence and related to combat support or combat service support, is not released from the duty of participation in training of the National Guard.

[*22 May 2014*]

**Section 32. Participation of a National Guardsman in International Operations and Rapid Reaction Forces**

(1) A national guardsman shall apply for participation in an international operation or rapid reaction forces on a voluntary basis.

(2) A national guardsman shall participate in an international operation or rapid reaction forces by concluding additional contracts on the training and participation in an international operation or rapid reaction forces. The Minister for Defence shall determine the content of the contract and the procedures for concluding thereof.

(3) The Minister for Defence shall determine the procedures by which national guardsmen shall be selected for participation in international operations and rapid reaction forces.

(4) A national guardsman shall, prior to participating in an international operation or rapid reaction forces, complete a training course in accordance with the laws and regulations determining the procedures by which the National Armed Forces shall be prepared for participation in international operations or rapid reaction forces.

(5) After return of a national guardsman from an international operation, the national guardsman has the right to have the same position as he or she had before the participation in the international operation, or an equivalent position.

**Chapter VIII**

**Support and Social Guarantees of a National Guardsman**

**Section 33. Support of a National Guardsman**

(1) When fulfilling the service duties, a national guardsman shall be partially State supported and shall be provided with a uniform. Each national guardsman during training and execution of service tasks shall receive the necessary service equipment and food rations or a compensation therefore. Support conditions, norms and procedures by which a national guardsman shall be provided with material and technical resources shall be governed by the Minister for Defence, while the amount of food ration compensation and the procedures for payment thereof – by the Cabinet.

(2) Medical examination of candidates for national guardsmen and national guardsmen shall be carried out from the State funds in accordance with the procedures stipulated by the Minister for Defence:

1) for national guardsmen candidates – prior to concluding a contract on the service in the National Guard;

2) for national guardsmen – at least once every five years.

(3) A national guardsman may be compensated for transport expenses incurred by using his or her personal or public transport (except for a taxi) from the declared place of residence to the specified place of fulfilment of service duties or training and back. The Minister for Defence shall lay down the conditions, procedures for and extent to which compensation for transport expenses shall be paid to the national guardsman.

(4) A national guardsman shall be ensured with the means of communication necessary for the fulfilment of service duties by the relevant National Guard unit in accordance with the procedures stipulated by the Ministry of Defence.

[*7 March 2019*]

**Section 34. Social Guarantees of a National Guardsman**

(1) A national guardsman shall be paid compensation for each day of execution of the National Guard tasks or training – up to 30 days per year, except for the days when the national guardsman executes the tasks specified in Sections 31 and 32 of this Law, from the funds from the State budget allocated to the Ministry of Defence. The amount of compensation and the procedures for the payment thereof shall be determined by the Cabinet.

(2) The compensation referred to in Paragraph one of this Section shall be disbursed to a national guardsman also in cases when he or she is involved in the execution of service tasks or training in accordance with the conditions of Section 6, Paragraph three, Clause 1 of this Law for longer than 30 days per year, or has been sent to courses for the improvement of qualification or to a military educational institution or a unit of the National Armed Forces, the tasks of which include implementation of adult educational programmes, for acquisition of the education necessary for the fulfilment of the respective service duties, or fulfils the service duties of a qualified specialist of important profession stipulated by the Minister for Defence in international or national military training or drills, or is involved in the implementation of the national defence training or youth guard interest education programme.

(21) The compensation referred to in Paragraph one of this Section shall be disbursed to a national guardsman also in cases when he or she is involved in the execution of service tasks for more than 30 days per year in accordance with the conditions of Section 6, Paragraph three, Clause 2 of this Law, and upon reasoned request of the National Guard unit, the disbursement of compensation has been approved by the Commander of the National Guard.

(3) If a national guardsman has suffered a health impairment when executing the National Guard tasks or participating in training, he or she has the right to receive paid health care. The conditions for the receipt of paid health care, the types of paid health care services and the payment procedures, as well as health care services and the expenditure not paid shall be determined by the Cabinet.

(31) A former national guardsman shall retain the right to receive paid health care in accordance with the procedures and in the amount stipulated by the Cabinet, if a contract regarding service in the National Guard was terminated due to a disability or injury (mutilation, concussion) suffered in executing the tasks of the National Guard or participating in training, or due to an illness, the cause of which is related to execution of the National Guard tasks or participation in training.

(4) If disability has been determined for a national guardsman during the time of service or within a year after termination of a contract regarding service in the National Guard due to such injury (mutilation, concussion) which has been suffered while executing the National Guard tasks or participating in training, or due to such illness which resulted from executing the National Guard tasks or participating in training, he or she shall be paid a single allowance specified for a soldier.

(5) If a national guardsman has suffered a health impairment when executing the tasks or participating in the training of the National Guard, but disability has not been determined due to it, the national guardsman shall be paid the single allowance for the health impairment specified for a soldier.

(6) If a national guardsman has deceased when executing the National Guard tasks or participating in training, or within a year after his or her suffering an injury has deceased due to the injury (mutilation, concussion) which has been suffered while executing the National Guard tasks or participating in training, the single allowance specified for a soldier shall be disbursed to his or her spouse and descending relatives, but if there are no descending relatives, to the ascending relatives of the closest degree. The Ministry of Defence shall cover expenses for the course of the necessary medical rehabilitation services to the family members (spouse, children, parents) of the deceased national guardsman.

(7) A national guardsman who has deceased or died during service when executing the National Guard tasks or participating in training shall be buried at the expense of the State. In such case, a soldiers tombstone made according to the sample approved by the Minister for Defence shall be erected. If a tombstone different than the soldiers tombstone is erected, the Ministry of Defence shall cover such part of tombstone erection expenses, which corresponds to the value of a soldiers tombstone. The types and amount of expenditure related to the burial of a national guardsman and erection of a soldier’s tombstone shall be determined by the Cabinet. A national guardsman, who retired from service in the National Guard after having served in the National Guard for at least 20 years, shall be buried expressing military honour and respect for him or her in accordance with the procedures specified by the Minister for Defence.

(8) The relation of the cause of death or health impairment of a national guardsman with the fulfilment of direct service duties or participation in training shall be determined by the person performing the internal service investigation. An accident (health impairment) shall be considered as unrelated to the fulfilment of the National Guard service duties or participation in training and the allowance shall not be paid, if a suicide or attempted suicide, use of alcohol or other intoxicating substances, violation of laws and regulations or improper action of a national guardsman has been determined.

(9) Losses caused to the property of a national guardsman due to the execution of his or her service duties or participation in training shall be compensated in full from the funds from the State budget allocated to the Ministry of Defence. The procedures for payment of compensation of losses shall be determined by the Cabinet.

(10) The allowances provided for in this Section shall be calculated by taking as the basis the wage specified for a soldier of the relevant position service rank according to the length of service and the relevant category of the monthly wage.

(11) The social guarantees provided for in this Law shall be ensured from the funds from the State budget allocated to the Ministry of Defence.

(12) The procedures for payment of allowances laid down in this Section shall not be in effect during war.

(13) The Cabinet shall determine the procedures by which accidents in which national guardsmen have suffered during service in the National Guard shall be investigated and registered.

(14) If a national guardsman has successfully participated in the execution of the National Guard tasks and the training process for more than 30 days per calendar year, he or she may be disbursed compensation once a year. The compensation shall not exceed the monthly wage of a professional service soldier in conformity with the service rank determined for the position of the national guardsman and the length of service of the national guardsman.

(15) The compensation in the amount of three monthly wages shall be disbursed to a national guardsman in conformity with the term of service and position held by the national guardsman if the national guardsman has at least secondary education, he or she has completed the training of the Commander of the section of the National Guard, the national guardsman has been appointed to the position of the officer and the service rank of a lieutenant has been granted.

[*13 December 2012; 22 May 2014; 3 November 2016; 22 June 2017; 7 March 2019; 6 May 2021; 6 October 2022* / *See Paragraph 18 of Transitional Provisions*]

**Section 35. Support and Social Guarantees of a National Guardsman in Fulfilling Specific Duties of Positions Related to Combat Support or Combat Service Support**

(1) When fulfilling the duties of a position referred to in Section 31, Paragraph one of this Law, a national guardsman, in addition to the support and social guarantees of a national guardsman provided for in this Law, is entitled to receive:

1) wage in conformity with the service rank laid down for the position, the length of service and relevant category of the monthly wage;

2) paid annual leave – 30 calendar days, not including public holidays, and a leave allowance in the amount of up to 50 per cent from the monthly wage once in a calendar year when taking the annual leave;

3) food rations determined for a soldier or compensation thereof;

4) a supplement of not more than 30 per cent of the monthly wage determined for the national guardsman for the replacement of an absent national guardsman or fulfilment of the service duties of a vacant national guardsman position in addition to his or her service duties.

(2) When a national guardsman fulfils the duties of a position referred to in Section 31, Paragraph one of this Law, the rights specified for a soldier as regards pregnancy and maternity leave, child-care leave and child fathers leave shall apply to him or her.

(3) [7 March 2019]

[*15 November 2012; 22 May 2014; 22 June 2017; 7 March 2019; 6 May 2021; 6 October 2022*]

**Section 36. Support and Social Guarantees of a National Guardsman when Participating in an International Operation or Rapid Reaction Forces**

(1) During the training course, prior to participating in an international operation or rapid reaction forces, a national guardsman shall receive a wage provided for a soldier having the relevant position service rank according to the length of service and the relevant category of the monthly wage.

(2) A national guardsman participating in an international operation shall, in addition to the support and social guarantees of a national guardsman specified in the Law (except the compensation referred to in Section 34, Paragraph one of this Law), receive the following:

1) wage provided for a soldier having the relevant position service rank according to the length of service and the relevant category of the monthly wage, as well as the supplements provided for a soldier by the Cabinet for participation in an international operation;

2) social guarantees specified for a soldier, other guarantees related to the participation in an international operation, and health care.

(3) A national guardsman participating in rapid reaction forces outside the territory of Latvia shall, in addition to the support and social guarantees of a national guardsman specified in the Law (except for the compensation referred to in Section 34, Paragraph one of this Law), receive the following:

1) wage provided for a soldier having the relevant position service rank according to the length of service and the relevant category of the monthly wage, as well as the supplements provided for a soldier by the Cabinet for participation in rapid reaction forces;

2) social guarantees specified for a soldier, other guarantees related to the participation in an international operation, and health care.

(4) A national guardsman participating in rapid reaction forces in the territory of Latvia shall, in addition to the support and social guarantees of a national guardsman specified in the Law (except for the compensation referred to in Section 33, Paragraph one and Section 34, Paragraph one of this Law), receive 50 per cent of the wage referred to in Paragraph three, Clause 1 of this Section.

(5) If a national guardsman has deceased when participating in an international operation in the corps of the National Armed Forces contingent in compliance with the mandate approved by the international organisation, or when participating in an international operation where the participation is determined by the decision of the *Saeima*, or when participating in rapid reaction forces outside the territory of Latvia, the single allowance in the amount of EUR 100 000 laid down for a soldier shall be disbursed to his or her spouse and descending relatives, but if there are no descending relatives, to the ascending relatives of the closest degree.

(6) If a national guardsman, while participating in an international operation or rapid reaction forces has acquired a health impairment or illness or has deceased, the allowances specified in this Section shall be disbursed by taking into account the position, length of service and the relevant category of the monthly wage of the national guardsman at his or her basic place of service in Latvia before he or she was sent to the international operation or rapid reaction forces.

[*13 December 2012; 22 June 2017*]

**Chapter IX**

**Wearing of a Uniform**

**Section 37. Provisions for Wearing a Uniform**

(1) A national guardsman must have a service identification document with him or her and wear a soldier’s uniform with the identifying insignia when fulfilling the service duties.

(2) The national guardsmen shall comply with the procedures for wearing uniforms and identifying insignia determined for soldiers.

(21) The administrative liability for unlawful circulation and wearing of a soldier’s uniform, its components and identifying insignia shall be determined by the Military Service Law.

(3) A national guardsman is entitled to wear a soldier’s uniform on public holidays, days of commemoration, and also during military events and upon fulfilment of work duties at the Cadet Force Centre.

(4) A national guardsman is prohibited from wearing the soldiers uniform abroad (except where he or she executes such service tasks abroad for which the wearing of the soldiers uniform is provided for).

(5) A national guardsman is prohibited from wearing a soldier’s uniform and using the identifying insignia when engaging in political activity and participating in events organised by political parties, associations, and foundations (except when he or she performs the service tasks).

[*22 May 2014; 7 March 2019; 24 October 2019* / *Paragraph 2.1 shall come into force on 1 July 2020.* *See Paragraph 15 of Transitional Provisions*]

**Section 38. Right of a Former National Guardsman to Wear the Uniform**

(1) If a contract with a national guardsman regarding service in the National Guard is being terminated, the Commander of the National Guard may grant him or her the right to wear the soldiers uniform:

1) for special achievements for the benefit of the National Guard and the State;

2) for exemplary service in the National Guard;

3) if the contract regarding service in the National Guard is being terminated due to such illness or disability which has resulted from fulfilling the National Guard service duties;

4) in connection with acquiring the status of the National Guard veteran.

(2) A former national guardsman is entitled to wear the soldier’s uniform according to his or her service rank only on public holidays, days of commemoration and celebration, and also during military events and when performing the National Guard veteran tasks.

(3) When wearing a soldier’s uniform, a former national guardsman shall fulfil the relevant military rules of procedure and comply with the provisions for wearing a soldier’s uniform, and generally accepted rules of behaviour and military courtesy.

(4) If the former national guardsman fails to comply with the requirements of Paragraph two and three of this Section, by his or her conduct compromises the honour of a national guardsman or brings discredit upon the National Armed Forces, the Commander of the National Guard may deprive him or her of the right to wear the soldier’s uniform.

[*5 November 2020; 6 May 2021*]

**Chapter X**

**Awarding and Liability of a National Guardsman**

**Section 39. Awards**

(1) The following awards are specified to mark the service or battle achievements of a national guardsman:

1) praise and appreciation;

2) monetary prizes and other valuable prizes;

3) honorary decorations, certificates of honour and medals;

4) for officers – a personal firearm or non-firearm weapon;

5) promotion in the service rank for achievements in battle and other achievements prior to the term.

(2) The Minister for Defence shall determine the procedures by which national guardsmen shall be awarded.

[*22 May 2014*]

**Section 40. Liability of a National Guardsman**

(1) A national guardsman shall be subject to disciplinary liability, administrative liability or criminal liability for unlawful actions, and compensation for property losses caused shall be recovered from him or her in accordance with the procedures laid down in laws and regulations.

(11) If a national guardsman has caused losses to the National Guard, a unit or institution of the National Armed Forces which ensures provision of the national guardsman with material and technical resources (hereinafter – the legal person) as a result of unlawful, culpable action, the national guardsman has the obligation to reimburse the losses incurred by the legal person.

(2) If the losses to the legal person have been caused due to the malicious intent of the national guardsman or due to such unlawful, culpable actions by him or her which are not related to the performance of service, the national guardsman shall be liable for all the losses of the legal person.

(3) The Military Disciplinary Liability Law prescribes the procedures for military discipline and ensuring thereof.

(4) A national guardsman shall be fully or partially released from civil liability if the legal person itself was also at fault for causing the losses by not providing appropriate conditions for the performance of service or the equipment necessary for service. The extent of the civil liability of a national guardsman shall be determined depending on the circumstances of the case, especially taking into account the extent to which the prevailing fault has been that of the national guardsman or of the legal person.

(5) If losses to the legal person have resulted from the unlawful, culpable action of several persons, the liability of a national guardsman shall be determined in conformity with his or her participation in causing the losses and with the degree of his or her fault.

[*5 November 2020; 6 October 2022*]

**Section 41. Procedures for Compensation of Losses**

With the consent of the legal person, the national guardsman, in order to reimburse losses, may transfer thereto an item of equivalent value or repair the damage.

[*6 October 2022*]

**Section 42. Disciplinary Sanctions**

[5 November 2020 / See Paragraph 16 of Transitional Provisions]

**Chapter XI**

**National Guard Veterans**

**Section 43. Status of a National Guard Veteran**

(1) A former national guardsman and a soldier retired from professional service who has attained the maximum age determined for service or has been recognised as unfit for service due to his or her physical fitness or state of health, but who wishes to maintain a connection with the National Guard, shall acquire the status of a National Guard veteran in accordance with the procedures laid down by the Minister for Defence. Such status in accordance with the procedures laid down by the Minister for Defence may also be acquired by a citizen of Latvia who has completed the military training determined by the Minister for Defence and who wishes to commence service in the National Guard but who has reached the maximum age determined for service in the National Guard or has been recognised as unfit for service due to his or her physical fitness or state of health.

(2) A person who due the circumstances referred to in Section 14, Paragraph four of this Law cannot serve in the National Guard, may not become a National Guard veteran.

[*6 October 2022*]

**Section 44. Tasks of National Guard Veterans**

(1) The task of National Guard veterans shall be to pass their knowledge and experience, in order to maintain high moral and patriotic spirit in the National Guard, to support the Young Guard movement and preserve the historical traditions, provide assistance in training of national guardsmen and participate in organising sports and cultural events of the National Guard units.

(2) The Commander of the National Guard has the right to involve veterans in performance of the tasks of the National Guard determined by the Minister for Defence.

(3) In addition to the tasks specified in this Section, upon the initiative of the National Guard veteran, the commander of the relevant unit may involve him or her in the execution of other tasks as well.

(4) The Minister for Defence shall determine the principles of activity of unions of the National Guard veterans, and the procedures by which the National Guard veterans shall be involved in the execution of tasks.

[*6 October 2022*]

**Section 45. Ensuring of Activity of the National Guard Veterans**

(1) The National Guard veterans shall form unions of veterans in the National Guard and co-ordinate the activity thereof with the commander of the relevant unit.

(2) Unions of the National Guard veterans shall be financed from the funds from the State budget allocated to the National Guard.

(3) Activity of the National Guard veterans shall be managed by the chief of the veterans appointed by the Commander of the National Guard.

(4) The chief of the National Guard veterans shall receive the wage in accordance with the procedures and in the amount stipulated by the Cabinet.

(5) The National Guard veterans have the right to wear a uniform in accordance with the procedures laid down in Section 38 of this Law.

(6) A veteran of the National Guard shall receive compensation for the performance of the tasks provided for in Section 44 of this Law in accordance with the procedures and in the amount laid down by the Cabinet, and also food rations or compensation thereof determined for a soldier.

(7) If a veteran of the National Guard has suffered a health impairment while performing the tasks provided for in this Law, he or she has the right to paid health care in accordance with the procedures and amount laid down by the Cabinet.

[*22 May 2014; 6 May 2021; 6 October 2022*]

**Chapter XII**

**Administrative Offences in the Field of Performance of the National Guard Service and Competence in Administrative Offence Proceedings**

[*6 October 2022*]

**Section 46. Non-performance of the Obligations of Increased Readiness Regime**

For the non-performance of the obligations of increased readiness regime, a fine of up to seventy units of fine shall be imposed on a national guardsman.

[*6 October 2022*]

**Section 47. Competence in Administrative Offence Proceedings**

The administrative offence proceedings for the offence referred to in Section 46 of this Law shall be conducted by the Military Police.

[*6 October 2022*]

**Transitional Provisions**

1. With the coming into force of this Law, the law On the National Guard of the Republic of Latvia (*Latvijas Republikas Augstākās Padomes un Valdības Ziņotājs*, 1993, No. 16/17; *Latvijas Republikas Saeimas un Ministru Kabineta Ziņotājs*, 1994, No. 13; 1995, No. 2; 1996, No. 14; 1997, No. 2, No. 8; 2000, No. 20; 2001, No. 1; 2002, No. 16; 2003, No. 22; 2004, No. 2; 2006, No. 1, No. 24; 2008, No. 3) is repealed.

2. Until the day of the coming into force of the relevant Cabinet regulations, but not longer than until 1 October 2010, the Cabinet Regulation No. 245 of 8 April 2008, Regulations Regarding the Amount and Procedures by Which Compensation for the Execution of the National Guard Service Tasks or Training Days and Remuneration for Execution of Service Tasks Outside the Time Provided for in a Contract Shall Be Paid to National Guardsmen and Commanders of the Veterans Subordinate Units of the National Guard, shall be in force.

3. With the coming into force of this Law, the National Guard veterans who wish to continue execution of the tasks specified in Section 44 of this Law, shall retain the status of veteran, but shall be excluded from the National Guard staff lists by 1 October 2010.

4. With the coming into force of this Law, contracts regarding service in the National Guard concluded with national guardsmen for unspecified term shall be in force until 1 January 2015. In accordance with Section 4, Paragraph three of this Law, the contracts shall be concluded repeatedly from 1 October 2010 to 1 January 2015.

5. Service identification documents issued to national guardsmen before the coming into force of this Law shall be valid until 1 January 2015.

6. Until 31 December 2011, when calculating remuneration and compensation for national guardsmen (except for national guardsmen involved in international operations or rapid reaction forces), the basic wage of soldiers during the first year of service shall be taken as the basis.

7. The coefficient specified in Section 7, Paragraph three of this Law shall not be applied to the period of service served by a national guardsman until the coming into force of this Law.

8. Section 6, Paragraph four, Clause 4 of this Law regarding the duty of an employer to release a national guardsman involved in the National Guard service from fulfilment of work duties shall come into force concurrently with the amendments to the law On Enterprise Income Tax, which provide for tax allowance for an employer during the time when a national guardsman participates in an international operation or rapid reaction forces and the training necessary for it.

9. Until 31 December 2011, the National Guard staff shall be recruited, in addition to the persons referred to in Section 13 of this Law, also from military employees.

[*16 December 2010*]

10. The leave allowance specified in Section 35, Paragraph one, Clause 2 of this Law shall not be paid to national guardsmen in 2011.

[*16 December 2010*]

11. Section 22.1 of this Law shall come into force on 2 October 2017.

[*22 June 2017*]

12. Amendment to Section 15 of this Law regarding the approval of the list of positions corresponding to the service ranks of higher officers of national guardsmen in the Cabinet shall come into force on 1 January 2018. Until the day of coming into force of this amendment, the Cabinet shall issue the relevant regulations.

[*22 June 2017*]

13. The conditions provided for in Section 24, Paragraph two, Clause 1 and Paragraph five of this Law for the receipt of the service rank of the lieutenant shall be also applicable to national guardsmen who have acquired the secondary education and successfully completed the course of performers of the duties of commanders of the section of the National Guard before the day of coming into force of these conditions.

[*22 June 2017*]

14. Section 34, Paragraph fourteen of this Law shall come into force on 1 January 2020.

[*22 June 2017; 7 March 2019*]

15. Section 37, Paragraph 2.1 of this Law shall come into force concurrently with the Law on Administrative Liability.

[*24 October 2019*]

16. Amendment regarding the new wording of Section 38, Paragraphs three and four of this Law, amendment to Section 40 of this Law in respect of its supplementation with Paragraph three, and also amendment regarding the deletion of Section 42 of this Law shall come into force concurrently with the Military Disciplinary Liability Law.

[*5 December 2020*]

17. Amendments to Section 4 of this Law regarding the new wording of Paragraph three and deletion of Paragraph four thereof shall come into force on 1 July 2021. Until the day of coming into force of these amendments, contracts on the service in the National Guard concluded with national guardsmen shall be in effect until the term of validity specified therein. In accordance with Section 4, Paragraph three of this Law, the contracts on the service in the National Guard can be concluded repeatedly until the maximum age specified for the service in the National Guard, upon mutual agreement of the parties.

[*6 May 2021*]

18. The compensation laid down in Section 34, Paragraph fifteen of this Law shall be applicable also to the national guardsman who has acquired at least secondary education, has successfully completed the course of the person performing the duties of the Commander of the section of the National Guard, the service rank of lieutenant has been granted to the national guardsman, and he or she is appointed to the position of an officer from 1 September 2020.

[*6 October 2022*]

The Law shall come into force on 1 September 2010.

The Law has been adopted by the *Saeima* on 6 May 2010.

President V. Zatlers

Rīga, 26 May 2010