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

6 November 1996 [shall come into force on 10 December 1996];

27 December 1996 [shall come into force on 7 January 1997];

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21 October 1998 [shall come into force on 1 January 1999];

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5 August 1999 [shall come into force on 7 December 1999];

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20 December 2001 [shall come into force on 1 January 2002];

19 March 2002 (Constitutional Court Judgment) [shall come into force on 19 March 2002];

19 February 2004 [shall come into force on 10 March 2004];

6 April 2005 (Constitutional Court Judgment) [shall come into force on 7 April 2005];

9 June 2005 [shall come into force on 16 June 2005];

20 October 2005 [shall come into force on 1 January 2006];

2 November 2006 [shall come into force on 1 January 2007];

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

28 February 2008 [shall come into force on 5 March 2008];

10 April 2008 [shall come into force on 1 June 2008];

19 June 2008 [shall come into force on 1 July 2008];

12 March 2009 [shall come into force on 1 April 2009];

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

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

21 January 2010 [shall come into force on 30 January 2010];

20 December 2010 [shall come into force on 1 January 2011];

8 December 2011 [shall come into force on 1 January 2012];

14 June 2012 [shall come into force on 18 July 2012];

31 January 2013 (Constitutional Court Judgment) [shall come into force on 1 February 2013];

23 May 2013 [shall come into force on 1 January 2014];

9 July 2013 [shall come into force on 18 July 2013];

19 September 2013 [shall come into force on 1 January 2014];

3 April 2014 [shall come into force on 16 April 2014];

11 December 2014 (Constitutional Court Judgment) [shall come into force on 16 December 2014];

18 June 2015 [shall come into force on 1 July 2015];

10 March 2016 [shall come into force on 1 June 2016];

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

15 June 2017 (Constitutional Court Judgment) [shall come into force on 19 June 2017];

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

26 April 2018 [shall come into force on 1 July 2018];

27 September 2018 [shall come into force on 1 January 2019];

13 November 2019 [shall come into force on 1 January 2020];

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

17 December 2020 [shall come into force on 1 January 2021];

14 July 2022 [shall come into force on 20 July 2022];

8 March 2023 [shall come into force on 1 July 2023];

5 April 2023 [shall come into force on 19 April 2023];

15 June 2023 [shall come into force on 17 June 2023];

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:

**On State Pensions**

**Chapter I**

**General Provisions**

**Section 1. Terms Used in this Law**

The following terms are used in this Law:

1) **length of the period of insurance**– a period expressed in full years in which a socially insured person (hereinafter – the insured person) has personally made social insurance contributions or such social insurance contributions have been made or had to be made for them which are attributable to those socially insurable persons for whom social insurance contributions are made through a third person or for whom payments are made by another person;

2) [20 December 2001];

3) **insurance contributions**– social insurance contributions for pension and disability insurance that are made for the insured person by their employer or by the insured person themselves or that are made from the State basic budget or from the respective special social insurance budgets, or those contributions that had to be made for those socially insurable persons for whom insurance contributions are made through a third person or for whom payments are made by another person;

4) **insurance contribution wage**– income that is used to calculate the social insurance contributions;

5) **insurance contribution wage index**– the ratio between the totals of the current and previous year’s insurance contribution wages.

[*20 November 1997; 20 December 2001; 20 October 2005*]

**Section 2. Purpose of this Law**

The purpose of this Law is to specify:

1) the principles for the mandatory State pension insurance system based on insurance contributions;

2) the procedures by which a State social insurance pension shall be ensured in the case of old-age, disability, and the loss of a provider.

**Section 3. Right to a State Social Insurance Pension**

(1) In accordance with the conditions of this Law, the right to a State social insurance pension (hereinafter – the State pension) is held by persons living in the territory of Latvia who have been subject to the mandatory State pension insurance scheme. Right to a pension for persons residing in Member States of the European Union, countries of the European Economic Area and countries with which an agreement for cooperation in the field of social security has been concluded and is in effect shall be determined in accordance with Regulation (EC) No 883/2004 of the European Parliament and of the Council of 29 April 2004 on the coordination of social security systems (hereinafter – Regulation No 883/2004) or the international agreements approved by the *Saeima*.

(2) A person who concurrently has the right both to the State pension prescribed under this Law and the pension that is disbursed from the State budget in accordance with another law shall be granted one pension, taking into consideration such person’s chosen option if different procedures have not been laid down in other laws.

(3) For a person who has the right to join the pension scheme that is provided for in Regulation (EEC, Euratom, ECSC) No 259/68 of the Council of 29 February 1968 laying down the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Communities and instituting special measures temporarily applicable to officials of the Commission (hereinafter – Council Regulation No 259/68), the calculation of the pension capital accumulated in the mandatory State pension insurance system, transfer to the pension scheme of the European Union and receipt from it shall be determined by the Cabinet.

(4) Under the provisions of this Law, a person who is permanently residing outside of the territory of Latvia and who does not have the right to pension according to the provisions of Paragraph one of this Section has the right to the old-age pension and survivor’s pension if the length of the period of insurance required for granting the pension has been accrued in accordance with this law.

[*20 December 2001; 20 October 2005; 19 June 2008; 15 June 2023* / *See Paragraph 81 of Transitional Provisions*]

**Section 4. Persons Subject to the Mandatory State Pension Insurance Scheme**

[20 November 1997]

**Section 5. Annual Income from which the Contributions for Social Insurance are Made, and the Amount of such Contributions**

[20 November 1997]

**Section 6. Funds for the Disbursement of the State Pension**

[20 November 1997]

**Section 7. Types of State Pensions**

In accordance with this Law, the following types of State pensions exist:

1) old-age pension;

2) disability pension;

3) survivor’s pension.

**Section 8. Granting of the Highest State Pension in Terms of Amount**

An insured person who has concurrent rights to several different types of State pensions shall be granted the highest State pension in terms of amount. A pension may be requested at any time without restrictions on the time limit, as soon as the right to a pension has arisen.

**Section 9. Necessary Length of the Period of Insurance for Granting the State Pension**

(1) The amount of the State pension shall depend on the length of the period of insurance which shall include the months in which insurance contributions were made or needed to be made for the relevant type of social insurance.

(2) The length of the period of insurance shall be formed by insurance contribution periods during which:

1) the person was a mandatorily socially insurable person as:

a) an employee who, in accordance with the procedures laid down in laws and regulations, was registered with the administration of social insurance contributions and for whom insurance contributions were made or had to be made;

b) a self-employed person who made insurance contributions;

2) an insured person has been classified as a person with disabilities who is not employed and for whom insurance contributions have been made from the disability, maternity and sickness special budget. When calculating the old-age pension, the period of disability of the abovementioned insured person shall only be taken into account until the age required for granting the old-age pension has been attained;

3) the insured person receives, in accordance with the law On Mandatory Social Insurance in Respect of Accidents at Work and Occupational Diseases, a sickness benefit or compensation for the loss of capacity for work due to an illness or loss of the capacity for work and for such person the insurance contributions were made from the occupational accident special budget. An insured person classified as a disabled person in relation to an accident at work or an occupational disease, who is not employed and for whom insurance contributions have been made from the occupational accident special budget. When calculating the old-age pension, the period of disability of the abovementioned insured person shall only be taken into account until the age required for granting the old-age pension has been attained;

4) an insured person receives unemployment benefit and insurance contributions have been made for such person from the employment special budget in accordance with the law On Unemployment Insurance;

5) a person who receives a sickness, maternity, or paternity benefit while being absent from work due to illness and insurance contributions have been made for such person from the disability, maternity, and sickness special budget;

6) a person has voluntarily joined the social insurance and has made insurance contributions to the relevant types of social insurance;

7) the insured person receives a parental benefit in accordance with the law On Maternity and Sickness Insurance and insurance contributions have been made for such person from the disability, maternity and sickness special budget;

8) a person receives an allowance in accordance with Section 15.1 of the Law on the Status of the Councillor of the Local Government Council and insurance contributions have been made for this person to the State pension insurance from funds of the local government budget;

9) a person has been insured in the pension scheme of the European Union, if the pension capital has been received and included in the State pension scheme of Latvia.

(3) If insurance contributions have been made from the State basic budget, the length of the period of insurance is also formed from the following insurance contribution periods:

1) [19 June 2008];

2) [27 December 1996];

3) the childcare period until the child attains one and a half years of age;

4) the period during which a person whose spouse (who has been granted a diplomatic rank in accordance with the Diplomatic and Consular Service Law) performs diplomatic and consular service in foreign countries and who stays in the relevant foreign country as a spouse of the person performing diplomatic and consular service;

5) the period during which a person whose spouse performs military service duties outside the country, except when this soldier is taking part in an international operation, military training, manoeuvres or is on official business and is resident with their spouse abroad;

6) the period during which a person received compensation for caring for an adopted child;

7) the period during which a person receives a child care allowance for a disabled child;

8) the period during which a person performs temporary paid social work;

9) the period during which a person receives an allowance for the fulfilment of the duties of a foster family;

10) the period during which a person stays in the relevant foreign country as a spouse of the person who is a representative or liaison officer of the European Union Agency for Criminal Justice Cooperation (Eurojust);

11) the period during which a person performs national defence service.

[*6 November 1996; 27 December 1996; 20 November 1997; 20 December 2001; 20 October 2005; 19 June 2008; 14 June 2012; 9 July 2013; 17 December 2020; 5 April 2023; 8 March 2023*]

**Section 10. Certification of the Length of the Period of Insurance**

The length of the period of insurance shall be certified by the accumulated data of the State Social Insurance Agency which prove the insurance contributions made.

[*20 November 1997*]

**Chapter II**

**Right to the Old-Age, Disability and Survivor’s Pension**

**Section 11. Right to the Old-Age Pension**

(1) Women and men who have attained the age of 65 years and whose length of the period of insurance is not less than 20 years have a right to the old-age pension.

(2) [5 August 1999]

(3) [20 December 2001]

(4) A parent or guardian of a child who during the period until a child has attained 18 years of age has taken care of five or more children for not less than eight years or of a child who has been recognised as a disabled child in accordance with the procedures laid down in laws and regulations for at least eight years has the right to the old-age pension five years before attaining the age specified in Paragraph one of this Section, if the length of the period of his or her insurance is not less than 25 years. A person who has been deprived of the right of child care or custody right or who has been suspended from fulfilling the duties of a guardian due to negligent fulfilling of such duties does not have such a right.

(5) A person to whom the old-age pension has been granted shall be issued with a pension certificate by the State Social Insurance Agency in accordance with the procedures stipulated by the Cabinet.

(6) Persons whose length of the period of insurance is not less than 30 years have the right to request the old-age pension early two years before attaining the age specified in Paragraph one of this Section.

[*5 August 1999; 4 November 1999; 20 December 2001; 20 October 2005; 19 June 2008; 14 June 2012* / *Paragraph four, insofar it deprives a person of the right to old-age pension before attaining the age specified in this Law and determines the requirement to establish that disability has been declared for a child in conformity with the criteria for determining disability provided for in the USSR laws and regulations applied during his or her care, is repealed by the Constitutional Court judgment of 15 June 2017 from 19 June 2017. See Paragraphs 8.1, 8.2, and 60 of Transitional Provisions*]

**Section 12. Calculation of the Old-age Pension**

(1) The old-age pension shall be calculated according to the following formula:

P= K/G

P – annual pension the twelfth part of which is the monthly pension;

K – pension capital of the insured person which has been registered in the personal account of such person and updated, taking into account annual insurance contribution wage indices. The limit of the actual increase of the insurance contribution wage which does not exceed 15 per cent shall be applied in determining the annual insurance contribution wage index. The procedures for the updating of the pension capital and the calculation of the insurance contribution wage indices shall be determined by the Cabinet. Pension capital to which the insurance contribution wage index has been applied, taking into account the insured person’s choice in requesting an old-age pension, shall be supplemented with:

1) the funded pension capital that has accumulated in accordance with the Law on State Funded Pensions;

2) [20 October 2005];

G – the period (in years) in respect of which, from the year of granting the old-age pension, the disbursement of the old-age pension is planned.

(2) For persons who have the length of the period of insurance specified in this Law which is required for granting the old-age pension, the amount of the old-age pension may not be less than the minimum amount of the old-age pension, and it shall be determined according to the following procedures:

1) if the old-age pension calculated (recalculated) according to Paragraph one of this Section is less than the minimum amount of the old-age pension specified in Paragraph 2.1 of this Section, the part of the pension up to the determined minimum amount shall be disbursed from the funds of the State basic budget;

2) if the person has purchased a life insurance (life annuity) policy and the amount thereof together with the old-age pension calculated (recalculated) according to Paragraph one of this Section is less than the minimum amount of the old-age pension specified in Paragraph 2.1 of this Section, the part of the pension up to the determined minimum amount shall be disbursed from the funds of the State basic budget.

(21) The minimum old-age pension calculation base shall be determined in the percentage amount (rounded to whole euros) from the minimum income median per one equivalent consumer per month (hereinafter – the income median) published on the website of the Central Statistical Bureau, and it shall be in the amount of 25 per cent of the income median, but for persons with disability since childhood – in the amount of 30 per cent of the income median. The minimum amount of the old-age pension shall be determined by applying the coefficient 1.2 to the minimum old-age pension calculation base and the amount shall be increased by two per cent of the minimum old-age pension calculation base for each following year exceeding the length of the period of insurance specified in this Law which is required for granting the old-age pension. When the length of the period of insurance which is required for granting the old-age pension changes, the minimum amount of the old-age pension may not be less than the previously determined amount of the old-age pension according to the specific length of the period of insurance.

(22) The minimum amount of the old-age pension shall be determined on the day of granting (recalculating) the pension, and also when reviewing the minimum old-age pension calculation base. The minimum old-age pension calculation base shall be reviewed in accordance with the procedures for reviewing the minimum income thresholds laid down in the law On Social Security.

(22) [*Paragraph shall come into force on 1 November 2023 and shall be included in the wording of the Law as of 1 November 2023. See Paragraph 82 of Transitional Provisions*]

(3) [2 November 2006]

(4) If the annual insurance contribution wage index calculated in accordance with Paragraph one of this Section for the updating of the pension capital is less than “1”, the index value of “1” shall be applied to the updating of the pension capital. The index value of “1” is attributed to the year with the pension capital index value of less than “1” and the following years with the calculated pension capital index value of more than “1” until the year in which the product of multiplication of the previous negative index and the following positive index is more than “1”. In this year the insurance contribution wage index is applied to the updating of the pension capital which consists of multiplication of the negative indices of the preceding years and the following positive indexes.

[*22 May 1997; 20 November 1997; 4 November 1999; 20 December 2001; 20 October 2005; 2 November 2006; 14 June 2012; 18 June 2015; 13 November 2019; 24 November 2020; 17 December 2020; 8 March 2023*]

**Section 13. Period (in Years) to be Applied in the Calculation of Pension for which the Disbursement of the Old-age Pension is Planned from the Year of Granting the Pension**

The Cabinet shall, on the basis of data of the Central Statistical Bureau and calculations by the Ministry of Welfare, determine the planned period (in years) for the disbursement of the old-age pension to be applied in the calculation of pension in respect of which the disbursement of the old-age pension is planned from the year of granting the old-age pension.

[*19 June 2008; 8 December 2011*]

**Section 14. Right to the Disability Pension**

(1) Insured persons with a length of the period of insurance which is not less than three years have the right to a disability pension before attaining the age specified in Section 11 of this Law if such persons have been recognised as disabled persons, except for persons for whom the cause of disability is an accident at work or an occupational disease and to whom the old-age pension (also old-age pension of another country), if it has not been specified otherwise in Regulation No 883/2004 or international agreements ratified by the *Saeima*, has been granted before attaining the abovementioned age.

(2) Persons whose disability has been caused by an accident at work or occupational disease shall be granted a compensation for the loss of capacity for work and it shall be disbursed in accordance with the law On Mandatory Social Insurance in Respect of Accidents at Work and Occupational Diseases.

[*27 December 1996; 19 June 2008; 8 December 2011; 14 June 2012*]

**Section 15. Determination of Disability**

A disability shall be determined for a person in accordance with the Disability Law.

[*8 December 2011*]

**Section 16. Calculation of the Disability Pension**

(1) The disability pension shall be granted depending on the disability group – first, second or third:

1) in the case of Group I and II disability, on the basis of the following formula:

Group I disabled persons

|  |  |  |
| --- | --- | --- |
| P = 0.45 x Vi + | ASi | x Vi x 0.1 |
| ASie |

Group II disabled persons

|  |  |  |
| --- | --- | --- |
| P = 0.4 x Vi + | ASi | x Vi x 0.1 |
| ASie |

P – the pension,

Vi – the average monthly insurance contribution wage of the insured person for any consecutive 36 months (irrespective of the length of the interruption of work) in the last five years before the granting of disability pension;

ASi – the individual length of the period of insurance of the insured person;

ASie – the maximum length of the period of insurance possible from attaining the age specified in the law On Social Insurance up to attaining the age specified in Section 11, Paragraph one of this Law;

2) in the case of a Group III disability – at the level of the disability pension calculation base (rounded to whole euros) which is 25 per cent of the income median, but for persons with disability since childhood in the amount of 30 per cent of the income median (hereinafter – the disability pension calculation base).

(2) The amount of Group I and II disability pension may not be less than the disability pension calculation base to which coefficient 1.6 has been applied in the case of Group I disability or coefficient 1.4 has been applied in the case of Group II disability. If the calculated (recalculated) Group I or II disability pension is less than the amount of the disability pension specified in this Paragraph, the part of the pension up to the abovementioned amount of Group I or II disability pension shall be disbursed from the funds of the State basic budget.

(21) The amount of a disability pension which has been determined in Paragraph one, Clause 2 of this Section and Paragraph two of this Section according to the disability group shall be reviewed in accordance with the procedures for reviewing the minimum income thresholds laid down in the law On Social Security.

(3) If a person, five years prior to the granting of disability pension, has not been subject to disability insurance, the disability pension shall be granted from the funds of the State basic budget in an amount that has been specified in Paragraph two of this Section in accordance with the disability group.

(4) If the disability group changes, the amount of the Group I and II disability pension shall be recalculated from the day when the disability is redetermined in accordance with the procedures laid down in this Section, taking into account the insured personʼs individual and maximum possible length of the period of insurance, the average insurance contribution wage that was taken into account when granting (recalculating) the disability pension, and parts of pension which were recalculated until the day of change of the disability group in accordance with Section 24, Paragraph five of this Law.  If the person has an insurance period that has been accrued after the pension has been granted (recalculated) until the previous month in which the disability group changes, upon the change of disability to Group I or Group II disability, a pension recalculation part shall be determined for such insurance period in accordance with Section 24, Paragraph five of this Law and it shall be added to the pension calculated in accordance with the procedures laid down in this Paragraph. If the disability group is changed from a less severe to a more severe one or the previously determined more severe disability group is renewed, the amount of the recalculated disability pension may not be less than the amount of the previously received disability pension.

(5) The Cabinet shall determine the conditions for calculating the average insurance contribution wage for the purpose of determining the disability pension, including the calculation formula and the amount of the contribution wage applicable in the cases when the insured person has had no insurance contribution wage during the period specified in Paragraph one of this Section, and also the procedures for calculating the contribution wage.

[*27 December 1996; 21 October 1998; 20 December 2001; 20 October 2005; 9 July 2013; Constitutional Court judgment of 11 December 2014; 18 June 2015; 24 November 2020; 17 December 2020; 8 March 2023*]

**Section 17. Discontinuation of the Disbursement of a Disability Pension**

(1) Persons with disability who have attained the age specified in Section 11, Paragraph one of this Law shall receive the old-age pension instead of the disability pension.

(2) [5 August 1999]

(3) The old-age pension shall be calculated in accordance with the procedures laid down in Section 12 of this Law.

[*5 August 1999* / *See Transitional Provisions of the Law of 5 August 1999*]

**Section 18. Right to a Survivor’s Pension**

(1) The right to a survivor’s pension, if the provider was an insured person, in accordance with this Law belongs to his or her family members irrespective of the cause of death of the provider, except for the case referred to in Paragraph two of this Section.

(2) If the cause of death of the provider is an accident at work or occupational disease, the compensation for the loss of a provider shall be granted and disbursed in accordance with the law On Mandatory Social Insurance in Respect of Accidents at Work and Occupational Diseases.

[*19 June 2008*]

**Section 19. Family Members who have the Right to a Survivor’s Pension**

(1) The right to receive a survivor’s pension belongs to the dead provider’s family members without the capacity for work who were his or her dependants (Section 20). Children of the deceased provider shall be granted the survivor’s pension irrespective of whether they were dependents of the deceased.

(2) Family members considered to not have the capacity for work are:

1) children who are younger than 18 years of age, as well as children irrespective of their age if they have become disabled persons before attaining 18 years of age;

2) brothers, sisters, and grandchildren who are younger than 18 years of age if they do not have parents with the capacity for work, as well as brothers, sisters, and grandchildren irrespective of their age if they do not have parents with the capacity for work and if they have become disabled persons before attaining 18 years of age.

(3) The provisions of this Law that are applicable to the family of the deceased shall also apply to members of the family of a person whose whereabouts are not known, if the unknown whereabouts of the provider have been recognised in accordance with the procedures laid down in the law.

(4) Persons indicated in Paragraphs two and three of this Section who have not attained 24 years of age shall also be considered as family members not having the capacity for work, if they, at the time of the provider’s death or later, are studying at general, vocational education institutions, colleges or higher education institutions in full time studies, except for the period when the person has stopped studies.

[*20 December 2001; 9 July 2013*]

**Section 20. Family Members who are Considered to be Dependants**

Family members of the deceased shall be considered to have been dependent upon him or her if he or she maintained them or they received assistance from him or her which was permanent and their main source of the means of existence.

**Section 21. Right of an Adoptee to a Survivor’s Pension**

(1) An adoptee has the same rights to a survivor’s pension as those of legitimate children.

(2) The right to a survivor’s pension that the adoptee had acquired before adoption shall be lost from the month which follows the month in which the respective department of the State Social Insurance Agency receives information on the fact of the adoption. A court shall send information on the fact of adoption to the State Social Insurance Agency within 15 days from the day of the coming into effect of the judgment.

[*2 November 2006*]

**Section 22. Right of a Stepson and Stepdaughter to a Survivor’s Pension**

[2 November 2006]

**Section 23. Calculating the Survivor’s Pension**

(1) The amount of a survivor’s pension for the family members of the deceased referred to in Section 19 of this Law shall be calculated from the provider’s prospective old-age pension as follows:

1) for one child – 50 per cent of the pension;

2) for two children – 75 per cent of the pension;

3) for three or more children – 90 per cent of the pension.

(2) For children who have lost both parents, a survivor’s pension shall be granted for each parent and it shall be calculated in accordance with the procedures laid down in Paragraph one of this Section.

(3) The prospective old-age pension shall be calculated in accordance with the procedures laid down in Section 12, Paragraphs one and two of this Law, assuming that social insurance contributions have been made from such an insurance contribution wage which the provider had on average during work or equivalent periods until the month in which the provider would have attained the necessary age to be granted an old-age pension, but if the average insurance contribution wage in these periods was less than 40 per cent of the average insurance contribution wage determined the State (in a calendar year that ended the year before the year in which the old-age pension is granted), or also if the provider has had no work at all after this Law came into force or in an equivalent period thereof – 40 per cent of the average insurance contribution wage determined in the State (in a calendar year that ended the year before the year in which the old-age pension is granted). When calculating the prospective old-age pension, the funded pension capital shall be taken into account if, in the event of the death of the provider, the funded pension capital is transferred to the State pension special budget.

(4) If the length of the period of insurance of the provider for a prospective old-age pension is not less than that specified in this Law on the day of granting the old-age pension and the calculated (recalculated) survivor’s pension is less than the minimum amount of a survivor’s pension per each child specified in Paragraph nine of this Section, the part of the pension up to the determined minimum amount shall be disbursed from the funds of the State basic budget.

(5) If the amount of a survivor’s pension which has been calculated in conformity with the insurance contributions of the provider and the length of the period of insurance does not reach the minimum amount specified in Paragraph nine of this Section for each child, the difference between the specified minimum amount and the survivor’s pension calculated for each child is covered from the State basic budget in conformity with the conditions referred to in Section 26 of this Law, and the disbursement thereof shall be ensured from the State basic budget subsidy provided for in the annual State budget law which is transferred to the State pension special budget.

(6) If a survivor’s pension has already been granted for one of the parents (irrespective of when it was granted), it shall not be recalculated upon the loss of the other parent. In such case a separate survivor’s pension shall be granted for the other parent within the time limits specified in Section 30, Paragraph four of this Law, and it shall be calculated in accordance with the procedures laid down in Paragraph one of this Section in conformity with the conditions in relation to the amount of a survivor’s pension referred to in Paragraph two of this Section.

(7) A recipient of a survivor’s pension has the right to ask for his or her rightful share of the pension to be separated from the total amount of the pension. The pension share shall be separated according to the time limits specified in Section 30, Paragraph four of this Law, taking into account the sums that have already been disbursed from the pension. If one of the recipients of a share of the separated pension loses the right to the pension, the disbursement of the previously determined share of pension to other recipients shall be continued (except when the disbursement of pension has been discontinued due to attainment of the age referred to in Section 19, Paragraph four of this Law). If the lost rights have not been renewed within three months, the pension for other recipients of the survivor’s pension shall be recalculated in accordance with the procedures laid down in Section 25, Paragraph three of this Law.

(8) If, when calculating the prospective old-age pension in accordance with Paragraph three of this Section, the prospective length of the period of insurance until the day when the provider would have attained the age required for granting the old-age pension overlaps in two or more countries, the prospective length of the period of insurance applicable in the calculation of pension shall be calculated according to the following formula:

|  |  |  |
| --- | --- | --- |
| AS =  | ASie | x ASL |
| ASi |

AS – length of the period of insurance;

ASi – individual length of the period of insurance of the deceased provider (the total for all countries);

ASie – length of the period of insurance which would have been accumulated from the day of the provider’s death to the day when the provider would have attained the age required for granting the old-age pension;

ASL – the accrued length of the period of insurance of the deceased provider which has been determined in accordance with this Law.

(9) The minimum amount of a survivor’s pension per each child shall be determined in the percentage amount (rounded to whole euros) of the income median, and it shall be:

1) for a child up to the attainment of seven years of age – in the amount of 25 per cent of the income median;

2) for a child from seven years of age – in the amount of 30 per cent of the income median.

(10) The minimum amount of a survivor’s pension shall be reviewed in accordance with the procedures for reviewing the minimum income thresholds laid down in the law On Social Security.

(11) If the funded pension capital accumulated by the deceased provider in the State funded pension scheme is transferred to the State pension special budget and the deceased provider had a disability determined for life and granted a disability pension or the State social security benefit, then the prospective old-age pension calculated in accordance with Paragraph three of this Section may not be less than the disability pension or State social security benefit received before.

[*6 November 1996; 21 October 1998; 20 December 2001; 20 October 2005; 23 November 2016; 24 November 2020; 17 December 2020; 8 March 2023* / *Amendment to the introductory part of Paragraph nine regarding its supplementation with the words and number “except when the survivor’s pension has been granted in accordance with Section 3, Paragraph four of this Law” after the words “per each child” shall come into force on 1 November 2023 and shall be included in the wording of the Law as of 1 November 2023. See Paragraph 82 of Transitional Provisions*]

**Section 24. Increasing the Amount of the Pension due to Insurance Contributions Made during the Period after the Pension has been Granted**

(1) If during the period after an old-age or disability pension (in case of Group I or II disability) was granted (recalculated) insurance contributions were made or had to be made, the pension shall be recalculated based on the request of its recipient, but not more often than once per year.

(2) The recalculated old-age pension is formed from the pension calculated (recalculated) earlier and the part of pension recalculation which has been calculated in accordance to the procedures laid down in Section 12, Paragraph one of this Law, taking into account the pension capital which the person has accumulated after the pension was granted (recalculated).

(3) [5 August 1999]

(4) [5 August 1999]

(5) The recalculated Group I and II disability pension is formed from the pension calculated (recalculated) earlier and the part of pension recalculation which is calculated using the following formula:

Group I disabled persons:

P1 = (Asi 1/Asie 1) x Vi 1 x 0.45

Group II disabled persons:

P1 = (Asi 1/Asie 1) x Vi 1 x 0.4, where

P1 – the part of pension recalculation;

Asi 1 – the number of those months during which the social insurance contributions for disability insurance were made or had to be made after the pension was granted (recalculated);

Asie 1 – the maximum possible length of the period of insurance (in months) from attaining the age specified in the law On State Social Insurance until the attainment of the age specified in Section 11, Paragraph one of this Law;

Vi 1 – the average insurance contribution wage of a person for the additional months during which the social insurance contributions for disability insurance were made or had to be made after the pension was granted (recalculated).

(6) If Group I and II disability pension is determined in accordance with Section 16, Paragraph three of this Law, the part of pension recalculation which is calculated in accordance with the formula specified in Paragraph five of this Section shall be the calculated pension.

[*6 November 1996; 27 December 1996; 5 August 1999; 20 December 2001; 20 October 2005; 2 November 2006; 9 July 2013; 18 June 2015; 8 March 2023*]

**Section 24.1 Increasing the Amount of the State Pension due to the Added Funded Pension Capital**

[17 December 2020 / See Paragraph 77 of Transitional Provisions]

**Section 25. Cases when and Time Limits by which the Granted State Pensions shall be Recalculated**

(1) The right to an increase in the State pension may be acquired due to:

1) supplementing the insurance contributions in accordance with the procedures laid down in Section 24 of this Law;

2) increasing the number of such family members who have the right to receive the survivor’s pension;

3) the addition of funded pension capital;

4) [20 October 2005].

(2) If the right to an increase in the State pension has been acquired, the pension shall be recalculated within the following time limits:

1) in the case specified in Paragraph one, Clause 1 of this Section – on the first day of the month in which the pensioner has requested the recalculation of pension, if the relevant submission and all the necessary documents have been submitted by him or her by and including the 15th day of the month, and from the first day of the next month, if the submission and all the necessary documents have been submitted after the 15th day of the month;

2) in the case laid down in Paragraph one, Clause 2 of this Section – in the time limit specified in Section 30, Paragraph four of this Law;

3) in the case laid down in Paragraph one, Clause 3 of this Section – from the day when the request for granting the pension has been submitted;

4) [20 October 2005].

(3) If the number of family members who have the right to receive the survivor’s pension has decreased, the survivor’s pension shall be recalculated from the day the relevant circumstances occurred.

[*20 December 2001; 20 October 2005; 17 December 2020* / *Amendment to Clause 3 of Paragraph two shall come into force on 1 January 2022. See Paragraph 77 of Transitional Provisions*]

**Section 26. Review of the State Pension**

(1) State pension or the amount of its part which does not exceed 50 per cent of the average insurance contribution wage of the State (rounded up to whole euros) in the previous calendar year shall be reviewed once a year on 1 October, considering the actual consumer price index and 50 per cent of the percentage of the actual increase in the amount of insurance contribution wages (hereinafter – the contribution wage index) in conformity with the provisions laid down in Paragraphs four and five of this Section, as well as the following conditions:

1) if the value of the actual consumer price index and contribution wage index is lower than “1”, the State pension shall not be reviewed;

2) if the percentage of the actual increase in the insurance contribution wage is higher than 15 per cent, the value of 15 per cent is used to determine the contribution wage index;

3) if the sum of the calculated pension of the current year used for the review of the pension is lower than the pension of the previous year, the pension shall be recalculated up to the amount of pension specified in the previous year.

(2) Regardless of the amount of the pension granted to politically repressed persons, Group I disabled persons, and participants in liquidation of the consequences of the accident at the Chernobyl Atomic Power Plant, it shall be reviewed once per year on 1 October, considering the actual consumer price index and contribution wage index, and also complying with the conditions laid down in Paragraph one of this Section.

(3) The Cabinet shall determine the procedure for determining the actual consumer price index and the contribution wage index applied in the review of the State pension and also the procedures for reviewing the State pension.

(4) Instead of 50 per cent, the following percentage of the actual increase in the amount of insurance contribution wages shall be applied to the review of the old-age pension depending on the length of the period of insurance of the person for which the pension has been granted (recalculated):

1) 60 per cent – if the length of the period of insurance is from 30 to 39 years or if the old-age pension has been granted for work in hazardous and difficult or particularly hazardous and particularly difficult working conditions;

2) 70 per cent – if the length of the period of insurance is from 40 to 44 years;

3) 80 per cent – if the length of the period of insurance is 45 years and more.

(5) If it is possible to apply several conditions referred to in Paragraph four of this Section to reviewing the amount of the old-age pension, the highest percentage for the increase in the amount of contributions shall be applied to the review of the pension.

(6) When reviewing the pension or part of the pension which is disbursed from the funds of the State basic budget up to the minimum amount of the old-age pension, disability pension, and survivor’s pension, the reviewed pension or part of the pension shall be financed from the funds of the State basic budget in compliance with the conditions specified in this Section.

[*3 April 2014; 10 March 2016; 22 June 2017; 27 September 2018; 8 March 2023*]

**Section 26.1 Average Insurance Contribution Wage**

(1) The average insurance contribution wage in the State for a reporting period shall be calculated by the State Social Insurance Agency on the basis of the data at the disposal thereof on the amount of insurance contribution wages of socially insured persons within the reporting period from which insurance contributions have been or had to be made, and the number of those months within this period for which insurance contributions have been or had to be made for insured persons.

(2) When determining the theoretical pension amount [in the calculation, several insurance and equivalent periods accrued in European Union (EU) and European Economic Area (EEA) Member States are taken into account] in accordance with Regulation No 883/2004, it shall be assumed in relation to insurance periods of other EU and EEA Member States that the insurance contribution wage of a person for the specific year is equal to the average insurance contribution wage of Latvia in the previous year.

(3) For a person who is subject to Council Regulation No 259/68, the average insurance contribution wage for the period worked in the institutions of the European Union during which he or she has received the pension capital from the pension scheme of the European Union shall be calculated in accordance with the procedures stipulated by the Cabinet.

[*21 October 1998; 20 October 2005; 2 November 2006; 19 June 2008; 8 December 2011; 15 June 2023*]

**Chapter III**

**Granting of State Pensions**

**Section 27. Procedures for Requesting State Pensions**

The State pension shall be requested in accordance with the procedures laid down in the law On State Social Insurance.

[*18 June 2015*]

**Section 28. Granting and Recalculation of State Pensions in the Department of the State Social Insurance Agency**

(1) The documents necessary to the request and grant (recalculate) a pension and also the data on the period and amount of the insurance contributions made by the applicant for the pension shall be examined by a department of the State Social Insurance Agency, and an official thereof shall take a relevant decision.

(2) If the request for pension is rejected, the reasons for the rejection shall be indicated in the decision.

(3) The Cabinet shall determine the provisions and procedures for the granting, recalculation, and payment of the State pension.

[*20 December 2001; 20 October 2005; 18 June 2015*]

**Section 29. Contesting and Appeal of Administrative Acts of the State Social Insurance Agency**

Administrative acts issued by the officials of the State Social Insurance Agency or actual actions may be contested within one month from the day of the coming into effect of the administrative act by submitting a submission to the Director of the State Social Insurance Agency. A decision of the Director of the State Social Insurance Agency may be appealed to a court within one month from the day of its coming into effect.

[*20 October 2005; 19 June 2008*]

**Section 30. Time Limits for Granting the State Pension**

(1) The old-age pension shall be granted for life.

(2) The disability pension shall be granted for the period during which disability has been determined for a person, but for not longer than until the attainment of the age specified in Section 11 of this Law.

(3) The survivor’s pension shall be granted for the period while the family member of the deceased is considered to be incapable for work in accordance with Section 19 of this Law.

(4) The pension shall be granted from the day when the right to a pension has arisen, but not earlier than six months before the day when the pension was requested and the documents necessary for granting the pension were submitted.

(5) A pension to which the right has been lost in the cases specified in law shall be renewed on the day when the right is acquired anew, but not earlier than six months before the day when the documents necessary for the renewal of the pension were submitted. When renewing a pension, it shall be reviewed in accordance with Section 26 of this Law. If more than five years have elapsed since the day when the disbursement of the disability pension was discontinued, the disability pension shall be granted anew.

(6) [20 October 2005]

[*20 November 1997; 5 August 1999; 20 December 2001; 20 October 2005; 8 December 2011; 14 June 2012* / *Amendments regarding the replacement of the number “12” with the word “six” shall come into force on 1 January 2014. See Paragraph 59 of Transitional Provisions*]

**Section 31. Periods for the Granting of the State Pension in Relation to Changes in the Type of Pension**

When switching from one type of State pension to another, the periods for the granting of the new type pension shall be determined in accordance with the provisions of Section 30 of this Law.

**Chapter IV**

**Disbursement of the State Pension**

**Section 32. Procedures for the Disbursement of the State Pension**

(1) State pensions shall be disbursed for the current month; whereas survivor’s pensions – for the previous month. Upon request of the recipient of pension, the State pension shall be transferred to his or her account with a credit institution of the Republic of Latvia or in the postal settlement system (PNS), or delivered to the place of residence of the recipient of pension for a fee, deducting delivery expenditures from pension according to the fee specified in the annual State budget law for the delivery of pension, benefit, or remuneration.

(2) The recipient of a pension may authorise another person to receive his or her pension.

(3) [5 August 1999]

(4) [20 December 2001]

(5) A pension the disbursement of which has been discontinued on the basis of a submission from the recipient of pension shall be renewed (irrespective of the period when the disbursement was discontinued) from the day when a submission for the renewal of disbursement of the pension has been received. The renewed pension for the period when the disbursement was discontinued shall be reviewed in accordance with Section 26 of this Law.

(6) A pension granted in the Republic of Latvia the disbursement of which has been discontinued due to the departure of the person for residence in a foreign country shall be renewed from the day when a request has been received, if the person has returned to live in the Republic of Latvia or live in the territory of another EU or EEA Member State, or in a country with which a contract in the field of social security has been signed. If a person who resides in the territory of the EU or EEA submits a request for the renewal of pension by 30 April 2006, the disbursement of the pension shall be renewed as of 1 May 2004. The renewed pension for the period when the disbursement was discontinued shall be reviewed in accordance with Section 26 of this Law.

(7) The recipient of pension who permanently (longer than for two months) stays at a medical treatment institution or prison may submit a submission to the State Social Insurance Agency for the transfer of the pension to the account of such institution in order to ensure its disbursement. Transfer of the pension to the account of a medical treatment institution shall be possible if the recipient of the pension has agreed thereupon in advance with the administration of the relevant institution and has received a written agreement.

(8) When the recipient of pension no longer stays at a medical treatment institution or prison, or in case of his or her death, the abovementioned institution shall, within one month, reimburse to the State Social Insurance Agency the sum of pension that was not disbursed to the recipient of the pension.

(9) The State Social Insurance Agency shall examine a request for the State pension disbursed for the previous period, but not longer than for three years.

(10) The recipient of pension who stays at a long-term social care and social rehabilitation institution shall submit a submission to the State Social Insurance Agency for the transfer of the pension and supplement to the account of the institution. When the provision of service to the recipient of pension in a long-term social care and social rehabilitation institution has been discontinued or suspended or in case of his or her death, the abovementioned institution shall, within seven days, repay to the State Social Insurance Agency the sum of pension and supplement not disbursed to the recipient of pension, and also the sum not used for payment for the service provided by the institution.

(11) If the old-age pension is granted for a period during which a compensation for the loss of capacity for work was disbursed, the pension to be disbursed shall be reduced by the amount of the compensation received.

(12) The old-age pension which has been granted early in accordance with Section 11, Paragraph six of this Law shall be disbursed in the amount of 50 per cent until the attainment of the age specified in Section 11, Paragraph one of this Law. If a person to whom the old-age pension has been granted early becomes a person subject to mandatory social insurance (employee, self-employed person, or a person who participates in temporary paid social works) in the period until attaining the age specified in Paragraph one of Section 11, the disbursement of the old-age pension to such person shall be discontinued for the relevant period.

(13) If the old-age pension is granted before attaining the age specified in Section 11, Paragraph one of this Law, the disbursement thereof shall be discontinued for the period while the recipient of the old-age pension receives an unemployment benefit.

[*5 August 1999; 4 November 1999; 20 December 2001; 20 October 2005; 19 June 2008; 16 June 2009; 8 December 2011; 14 June 2012; 9 July 2013; 18 June 2015; 17 December 2020; 8 March 2023* / *Amendment to the second sentence of Paragraph twelve regarding its supplementation with the words and number “or who departs for permanent residence to a foreign country, unless otherwise provided in Regulation No 883/2004 or the international agreements approved by the Saeima” after the words and number “the age specified in Paragraph one of Section 11” shall come into force on 1 November 2023 and shall be included in the wording of the Law as of 1 November 2023. See Paragraph 82 of Transitional Provisions*]

**Section 33. Advances**

(1) If the insured person has the right to a pension, but some of the information necessary to determine the amount of the pension is missing, an advance shall be disbursed to the applicant for pension. The advance shall be disbursed for not longer than six months, counting from the next month after the day the request for the pension was submitted. The period for the disbursement of advance shall not be applicable in cases when Regulation No 883/2004 or international agreements are applied.

(2) If the disbursed advance exceeds the amount which the person is entitled to receive, the amount overpaid shall be recovered in accordance with the provisions regarding the recovery of overpayments laid down in the law On State Social Insurance.

(3) When calculating the advance, the funded pension capital accumulated in the State funded pension scheme shall be taken into account if it has been credited to the State pension special budget.

(4) Until the day when information on the monthly amount of the life annuity which has been determined in conformity with the life insurance (life annuity) contract for the use of the funded pension capital accumulated in the State funded pension scheme is received, the old-age pension which, in accordance with this Law, should be determined in the minimum amount or in the amount of the pension previously received, or in the amount of the State social security allowance shall be disbursed in advance in the calculated amount. The advance shall be disbursed for not longer than one year, counting from the next month after the day when the request for the pension was submitted.

[*20 October 2005; 8 December 2011; 14 June 2012; 18 June 2015; 17 December 2020* / *Paragraphs three and four shall come into force on 1 January 2023. See Paragraph 76 of Transitional Provisions*]

**Section 34. Obligations of a Recipient of the State Pension**

(1) A recipient of the State pension has an obligation to notify the State Social Insurance Agency office of the setting-in of such circumstances which cause the discontinuation of the disbursement of the pension or amend the amount of the pension to be disbursed.

(2) A recipient of the State pension has an obligation to reimburse the overpaid pension amounts that, according to legal norms, do not pertain to the recipient in accordance with the procedures laid down in the law On State Social Insurance.

[*20 November 1997; 5 August 1999; 20 October 2005; 18 June 2015*]

**Section 35. Disbursement of the State Pension for a Previous Period**

(1) Calculated amounts of the State pension which the recipient of pension has not received on time shall be disbursed for the period that has passed, but for not longer than three years before the day when the request for the pension was submitted.

(2) [2 November 2006]

[*2 November 2006*]

**Section 36. Deductions from the State Pension and Recovery of Overpaid Pension**

(1) Deductions from a State pension shall be made:

1) on the basis of court rulings and decisions of other authorities (officials) which are enforced in conformity with the law in accordance with the procedures laid down for the enforcement of court rulings;

2) on the basis of decisions of authorities (officials) which are to be enforced on an uncontested basis;

3) on the basis of a decision taken by an official of the relevant department of the State Social Insurance Agency to recover those pension amounts that were overpaid to the pensioner. The overpaid pensions which, in accordance with legal norms, did not pertain to the recipient thereof shall be recovered in conformity with the procedures laid down in the law On State Social Insurance.

(2) The amounts to be deducted from the State pension shall be calculated from the amount to be disbursed to the recipient of pension. The total monthly deduction amount may not exceed 30 % of the pension. If the disbursement of the pension is discontinued before the debt is extinguished, the relevant department of the State Social Insurance Agency shall recover the remainder of the debt in accordance with the procedures laid down in law. The amount of the disability pension to be disbursed after deductions may not be less than the relevant disability pension calculation base.

[*20 November 1997; 5 August 1999; 20 December 2001; 20 October 2005; 8 December 2011; 18 June 2015; 24 November 2020*]

**Section 37. Disbursement of the Pension Not Received and Allowances due to the Death of the Recipient of Pension**

(1) The spouse and all relatives of the first and second degree of the recipient of the pension have the right to receive the amounts of the pension calculated for disbursement which have not been disbursed until the death of the pensioner, but another person – on the basis of an inheritance certificate or a court ruling.

(2) In case of the death of the recipient of pension, a funeral allowance in the amount of two monthly pensions (including a supplement to the pension for the length of the period of insurance that has been accrued until 31 December 1995) shall be disbursed to his or her family or the person who has undertaken to arrange the funeral. The right to the allowance shall exist if it has been requested within six months from the day of the death of the recipient of the pension.

(3) In case of the death of the recipient of pension, an allowance in the amount of 50 per cent of the pension granted in accordance with this Law to the deceased spouse (including a supplement to the pension for the length of the period of insurance that has been accrued until 31 December 1995) shall be granted to the surviving spouse who is the recipient of the old-age, disability, service or special State pension of the Republic of Latvia on the basis of his or her request. The right to the allowance shall exist for a period of 12 months from the day of the death of the recipient of pension, if the request has been submitted within six months from the day of the death of the recipient of pension. If the request has been submitted later, the right to the allowance shall arise not earlier than six months prior to the date of submitting the request and shall last not longer than until the day when 12 months have passed from the day of the death of the recipient of pension. The allowance shall be disbursed in accordance with the procedures laid down in Section 32, Paragraph one and Section 38 of this Law.

[*2 November 2006; 19 June 2008; 8 December 2011; 14 June 2012; 26 April 2018* / *The new wording of Paragraphs two and three shall come into force on 1 January 2019. See Paragraph 72 of Transitional Provisions*]

**Section 38. Disbursement of Pension to Persons who Depart to a Foreign Country**

(1) The disbursement of the State pension granted in the Republic of Latvia to persons who depart for permanent residence to a foreign country shall be continued in accordance with procedures stipulated by the Cabinet unless specified otherwise by the international agreements ratified by the *Saeima*.

(2) [*Paragraph shall come into force on 1 November 2023 and shall be included in the wording of the Law as of 1 November 2023. See Paragraph 82 of Transitional Provisions*]

(3) [*Paragraph shall come into force on 1 November 2023 and shall be included in the wording of the Law as of 1 November 2023. See Paragraph 82 of Transitional Provisions*]

(4) [*Paragraph shall come into force on 1 November 2023 and shall be included in the wording of the Law as of 1 November 2023. See Paragraph 82 of Transitional Provisions*]

[*20 December 2001* / *The new wording of the title of this Section shall come into force on 1 November 2023 and shall be included in the wording of the Law as of 1 November 2023. See Paragraph 82 of Transitional Provisions*]

**Transitional Provisions**

1. The accrued work and equivalent periods for Latvian citizens in the territory of Latvia and the territory of the former USSR until 31 December 1990, and also the periods accrued outside of Latvia as referred to in Sub-paragraphs 1, 2, and 10 of this Paragraph shall be equivalent to lengths of the period of insurance. The length of the period of insurance of foreigners, stateless persons, and non-citizens of Latvia is equivalent to the work and equivalent periods accrued in the territory of Latvia, and also the work and equivalent periods accrued in the territory of the former USSR which are referred to in Sub-paragraphs 4 and 5 of this Paragraph, and the periods accrued outside of Latvia referred to in Sub-paragraph 10 of this Paragraph. Until 31 December 1990, but in the case referred to in Sub-paragraph 11 of this Paragraph – until 31 December 1995, the length of the period of insurance shall be equated to the following work equivalent periods:

1) mandatory active military service in the USSR Armed Forces and alternative (work) service;

2) service in the Army of the Republic of Latvia, for citizens of Latvia – also in the USSR Armed Forces;

21) [27 September 2018];

3) rank and file service and service in positions of commanding personnel in the institutions dealing with internal affairs, except for the VDK (State Security Committee);

4) periods of study at higher education institutions and also other educational institutions after the completion of secondary education, but not longer than five years in relation to specialisations in which not more than five years were specified for the acquisition of the education, and not longer than six years in relation to a specialisations in which more than five years were specified for the acquisition of the education;

5) the period of full time doctoral studies, but not longer than three years, the period of post-graduate education and the period when qualifications were raised;

6) individual work;

7) the period during which a Group I disabled person or a disabled child up to 6 years of age was cared for, as well as a person who has attained 80 years of age;

8) the period during which a mother has raised a child up to 8 years of age;

9) paid employment in religious organisations;

10) politically repressed persons’ in places of imprisonment, included during the deportation period is the work done during deportation and other work done under the supervision of the USSR Interior Ministry Administration for Industry and Building Provision No. 907, as well as the time spent while escaping from such places is to be multiplied by the amount of three, but that spent in the Far North or the equivalent districts thereof – multiplied by the amount of five. The Cabinet shall determine the districts that are classified as being the Far North and the equivalent districts thereof. The calculated length of the period of insurance shall remain in effect for those persons for whom such length of the period of insurance has been specified as six times the amount;

11) the period when the insured person is recognised as a Group I, II, or III disabled person and does not work (also due to an accident at work or occupational disease), but not longer than until attaining the age required for granting old-age pension, the abovementioned period shall only be taken into account when calculating the initial old-age pension capital;

12) employment in the status of a member of a collective farm from 16 years of age.

[*6 November 1996; 27 December 1996; 20 November 1997; 20 October 2005; 19 June 2008; 14 June 2012; 3 April 2014; 27 September 2018*]

2. From 1 January 1991 to 31 December 1995, the length of the period of insurance shall be formed by the work and equivalent periods that are indicated in Sub-paragraphs 1, 2, and 3 of this Paragraph and in which insurance contributions had to be made, but in relation to self-employed persons – in which insurance contributions have been made, and the periods equated to work periods indicated in Sub-paragraphs 4, 5, 6, and 7 of this Paragraph in which social insurance contributions have been made. Work forms the length of the period of insurance only if the employer has been registered as a payer of social insurance contributions (social tax) in accordance with the procedures laid down in laws and regulations. Length of the period of insurance shall be equated to the following employment periods:

1) mandatory active military service and alternative (work) service;

2) service in the Army of the Republic of Latvia, for citizens of Latvia – also in the USSR Armed Forces;

3) rank and file service and service in positions of commanding personnel in the institutions dealing with internal affairs, except for the VDK (State Security Committee);

4) periods of study at higher education institutions, as well as at other educational institutions after the completion of secondary education;

5) period of postgraduate education and raising of qualification;

6) the period during which a Group I disabled person or a disabled child up to the 16 years of age has been cared for, as well as a person who has attained 80 years of age;

7) the period during which a mother has raised a child up to 8 years of age.

[*27 December 1996; 20 December 2001; 20 October 2005; 3 April 2014; 27 September 2018; 17 December 2020*]

2.1 The procedures for the calculation of the period, provision of proof and method of recording laid down in Paragraphs 1 and 2 of these Transitional Provisions shall be determined by the Cabinet.

[*20 December 2001*]

2.2 In accordance with this Law, the following shall not be taken into account when determining the right to grant and recalculate a State pension:

1) insurance periods if they are taken into account when granting a pension of another country, unless otherwise provided in Regulation No 883/2004 or in the international agreements ratified by the *Saeima*;

2) insurance periods accrued until 31 December 1995 for a person who is subject to Council Regulation No 259/68 and to whom the calculated initial pension capital which has been transferred to the pension scheme of the European Union has not been reimbursed for these periods;

3) insurance periods accrued until 31 December 1990 in another country if Latvia has concluded an international agreement with that country in the field of social security or if the provisions of Regulation No 883/2004 apply.

[*19 June 2008; 14 June 2012; 17 December 2020*]

3. Expenses which are associated with the inclusion of the periods referred to in Paragraphs 1 and 2 of these Transitional Provisions in the calculation of pension shall be covered from the State pension special budget, exception for expenses which are associated with the relief specified in Paragraph 1, Sub-paragraph 10 of these Transitional Provisions. From 1 January 2023, expenses which are associated with increases in the pension amount shall be covered, by applying the relief specified in Paragraph 1, Sub-paragraph 10, as well as in Paragraph 10, Sub-paragraphs 3 and 4 of these Transitional Provisions, from funds of the State basic budget in accordance with the procedures stipulated by the Cabinet.

[*20 December 2001*]

4. Insurance contributions from the funds of the State Social Insurance Agency budget shall be made:

1) for a person to whom the status of an unemployed person has been granted and who receives unemployment benefit until the day when the law On Mandatory Social Unemployment Insurance comes into force;

2) for an unemployed person who has been recognised as a disabled person due to an accident at work or an occupational disease prior to the day when the law On Mandatory Social Insurance in Respect of Accidents at Work or Occupational Diseases came into force.

[*27 December 1996*]

5. A person who has been recognised as a disabled person until day when the law On Mandatory Social Insurance in Respect of Accidents at Work and Occupational Disease came into force due to an accident at work or occupational disease, or in the case of the death thereof, the disability pension or the survivor’s pension to the person who was dependent on him or her shall be granted and disbursed in accordance with the law On State Pensions. It shall also apply to a person:

1) whose disability due to an accident at work or occupational disease has been determined after 1 January 1997, but who suffered such accident at work or worked in circumstances that were the cause of the occupational disease until this date;

2) whose provider has died after 1 January 1997, but whose cause of death was an accident at work which had occurred until this date or occupational disease.

[*27 December 1996; 20 November 1997*]

6. In the contribution periods referred to in Section 9, Paragraph three of this Law, insurance contributions for and insured person shall be made from the State social security budget until 1997, but from 1997 – from the funds of the State basic budget.

7. In the transition period, the documents certifying the length of the period of insurance accrued until 31 December 1995 shall be:

1) work record book;

2) employment contract book;

3) a document that certifies the making of the insurance contributions;

4) other documents that certify the length of the period of insurance (statements, work contracts and the documents certifying the performance thereof, etc.).

[*17 December 2020*]

8. The age required for granting old-age pension which was specified in Section 8, Paragraph two and Sections 9–12 of the law On State Pensions of 29 November 1990 until the date of coming into force of this Law, shall be increased by one year in 1996, and it shall be increased from 1 July of each subsequent year by six months until the age of 65 years is reached.

The age of 60–65 years required for a male to be granted an old-age pension shall increase gradually from 1 January 2000 – by six months every year on 1 January.

[*5 August 1999; 4 November 1999; 20 December 2001; 14 June 2012*]

8.1 The age of 62–65 years required for granting pension specified in Section 11, Paragraph one of this Law shall increase gradually, and it shall be 62 years and three months from 1 January 2014, 62 years and six months from 1 January 2015, 62 years and nine months from 1 January 2016, 63 years from 1 January 2017, 63 years and three months from 1 January 2018, 63 months and six months from 1 January 2019, 63 years and nine months from 1 January 2020, 64 years from 1 January 2021, 64 years and three months from 1 January 2022, 64 years and six months from 1 January 2023, 64 years and nine months from 1 January 2024, 65 years from 1 January 2025.

[*14 June 2012*]

8.2 From 1 January 2014 until 31 December 2024, the length of the period of insurance necessary for granting of the old-age pension specified in Section 11, Paragraph one of this Law shall be 15 years.

[*14 June 2012*]

8.3 When determining the age which gives the right to an old-age pension early or to a pension with preferential conditions, the age specified in Paragraph 8.1 of these Transitional Provisions that is required for granting an old-age pension in the relevant calendar year shall be taken into account.

[*17 December 2020*]

9. Further determination of the length of the period of insurance which gives the right to a pension with preferential conditions for work in particularly hazardous and particularly difficult or hazardous and difficult working conditions shall be discontinued by making amendments to the insurance contribution tariffs, retaining the right to a pension with preferential conditions for the previously worked time based on the age indicated in Paragraph 8 of these Transitional Provisions.

[*20 December 2010; 8 December 2011; 14 June 2012*]

10. When granting a pension in accordance with the procedures laid down in this Law (taking into account the conditions indicated in Sub-paragraph 1 of this Paragraph), the pension capital accrued for its calculation until 2006 shall be indexed by the coefficients specified in this Paragraph in the following cases:

1) the compensate for such rights which were specified in Sections 9-11 and Section 12, Clauses 1 and 2 of the law On State Pensions of 29 November 1990 until the day of the coming in force of this Law, if 65 years of age have not been attained and the following conditions have been met:

|  |  |  |
| --- | --- | --- |
| Categories and conditions | Coefficient for men | Coefficient for women |
| Permanently disabled persons with a length of the period of insurance of not less than: for men – 25 years, for women – 20 years | 1.09 | 1.1 |
| Women with five or more children or a child that has been a disabled since childhood, and who have raised children to the age of 8 years, with a length of the period of insurance of not less than 20 years | - | 1.1 |
| Midgets, dwarfs, and blind persons with a length of the period of insurance of not less than: for men – 20 years, for women – 15 years | 1.33 | 1.37 |
| Persons who have carried out work in particularly hazardous and particularly difficult working conditions and whose length of the period of insurance is not less than: for men – 20 years, and for women – 15 years, if at least one quarter of this time has been spent working in particularly hazardous and particularly difficult working conditions. | 1.2 | 1.22 |
| Persons who have carried out work in hazardous and difficult working conditions and whose length of the period of insurance is not less than: for men – 25 years, and for women – 20 years, if at least one quarter of this time has been spent working in hazardous and difficult working conditions. | 1.09 | 1.1 |

2) when granting survivor’s pensions to children born after the accident at the Chernobyl Atomic Power Plant in families involved in the liquidation of the consequences thereof, the prospective pension capital of the deceased provider shall be indexed by a coefficient of 1.1 for the calculations of the pension;

3) when granting old-age pensions to politically repressed persons with a length of the period of insurance for men – not less than 25 years, and for women – not less than 20 years, the accrued pension capital thereof shall be indexed by a coefficient of 1.1;

4) the State pension which has been granted in relation to the acquisition of the status of a politically repressed person shall be recalculated by taking into account the additional proved length of the period of insurance and complying with Sub-paragraph 3 of this Paragraph or the provisions of Sub-paragraph 7 of Paragraph 16. The pension shall be recalculated within the time limits specified in Section 25, Paragraph two, Clause 1 of this Law.

[*20 November 1997; 5 August 1999; 20 December 2001; 14 June 2012*]

11. When determining the right to a pension in relation to the length of the period of insurance as indicated in Paragraph 10, Sub-paragraph 1 of these Transitional Provisions for work in particularly hazardous and particularly difficult working conditions or hazardous and difficult working conditions in the territory of Latvia, the lists which specified the production unit, work and profession as corresponding to the work which gives the right to a pension on preferential conditions until the day of coming into force of this Law shall be applied.

[*20 October 2005*]

12. Discontinue from 1 January 1998 the determination of the length of the period of insurance that gives the right to a service pension in accordance with the by-law “On the Rank and File and the Unit Commanding Personnel of the Institutions of the Ministry of the Interior Employee Pensions (Employer Pensions)”, but from 1 January 1999 – the determination of the length of the period of insurance that gives the right to the service pension in accordance with the by-law “On Service Pensions”.

Persons who, until 1 January 1999, have worked in their respective professions for not less than three quarters of the length of the period of insurance that is necessary for granting the respective service pension in accordance with by-law “On Service Pensions” shall retain the right to a service pension if all the other provisions laid down in the abovementioned by-law have been conformed to. The service pension shall be disbursed from the State pension special budget.

Until 1 January 1998, the disbursement of the service pensions granted in accordance with the by-law “On the Rank and File and the Unit Commanding Personnel of the Institutions of the Ministry of the Interior Employee Pensions (Employer Pensions)” shall be continued from the State pension special budget.

The service pensions disbursed from the State pension special budget shall be reviewed in accordance with the procedures laid down in Section 26 of this Law, taking into account Paragraph 15 of these Transitional Provisions.

Disbursement of the service pension to be disbursed from the State pension special budget shall be discontinued when the recipient of the service pension receives an unemployment benefit. If the person concurrently is a recipient of both the service pension and the unemployment benefit on 31 December 2007, the disbursement of the service pension shall be discontinued to such person from 1 February 2008 for the remaining period of the disbursement of the unemployment benefit.

In the case of an overpayment of the service pension, the amount overpaid shall be deducted every month in the amount of 10 per cent of the pension to be disbursed in the future on the basis of a decision of an official of a department of the State Social Insurance Agency.

Service pensions to be financed from the State pension special budget shall be disbursed in accordance with the procedures laid down in Chapter IV of this Law.

The Cabinet shall determine the procedures by which the State Social Insurance Agency shall issue a certificate of the recipient of service pension to persons to whom service pension has been granted in accordance with the by-law “On Service Pensions” and the by-law “On the Rank and File and the Unit Commanding Personnel of the Institutions of the Ministry of the Interior Employee Pensions (Employer Pensions)”.

[*20 November 1997; 8 November 2007; 8 December 2011; 14 June 2012; 10 March 2016*]

12.1 Persons to whom service pension has been granted in accordance with the by-law “On Service Pensions” or the by-law “On the Rank and File and the Unit Commanding Personnel of the Institutions of the Ministry of the Interior Employee Pensions (Employer Pensions)” and who have, in conformity with Paragraph 8.1 of Transitional Provisions of this Law, attained the age specified in Section 11, Paragraph one of this Law after the date of the coming into force of this Law shall be granted an old-age pension in conformity with the following conditions:

1) the old-age pension granted instead of the service pension in accordance with the by-law “On Service Pensions” cannot be less that the service pension which was received up to the date on which the old-age pension was granted, except for the case where the right to an old-age pension is acquired only due to an international agreement in the field of social security or application of Regulation No 883/2004, or a case when the length of the period of insurance for which an old-age pension has been calculated is less than the length of the period of insurance for which a service pension has been calculated. If a person has purchased a life insurance (life annuity) policy, the amount of the service pension to be retained from the State budget funds shall be determined as the difference between the monthly amount of the previously received service pension and the monthly amount of the life annuity determined in accordance with the life insurance (life annuity) contract for the use of the funded pension capital accrued in the State funded pension scheme;

2) a supplement shall be determined for the old-age pension granted instead of the service pension in accordance with the by-law “On the Rank and File and the Unit Commanding Personnel of the Institutions of the Ministry of the Interior Employee Pensions (Employer Pensions)”, if the old-age pension is less than the service pension. The supplement shall be calculated as the difference between the amount of the granted service pension and old-age pension, applying the conditions specified in Section 26 of this Law to the amount of the granted service pension and old-age pension. If a person has purchased a life insurance (life annuity) policy, the difference shall be determined also by considering the monthly amount of the life annuity in accordance with the life insurance (life annuity) contract for the use of the funded pension capital accrued in the State funded pension scheme. If the decision to grant the old-age pension is valid, the supplement referred to in this Sup-paragraph shall be determined from the date of granting the old-age pension to persons for whom the amount of the old-age pension granted instead of the service pension in accordance with the by-law “On the Rank and File and the Unit Commanding Personnel of the Institutions of the Ministry of the Interior Employee Pensions (Employer Pensions)” within the period from 1 January 2012 by 31 May 2016 is less than the service pension.

The supplement referred to in Sub-paragraph 2 of this Paragraph shall be disbursed from the State pension special budget by 31 December 2016, whereas from 1 January 2017 – from the funds of the State basic budget allocated to the Ministry of Welfare in accordance with the appropriation of the annual State budget law in 2017 and subsequent years.

[*10 March 2016; 17 December 2020* / *Amendments to Sub-paragraphs 1 and 2 shall come into force on 1 January 2023. See Paragraph 76 of Transitional Provisions*]

13. In the transition period when the State pension is calculated in accordance with the provisions of Section 12, Paragraph one of this Law, the following provisions shall be taken into account:

the insurance period until 1995 (inclusive) shall be credited with the initial capital (Ks) which may be increased with further contributions in accordance with the provisions in Section 12, Paragraph one of this Law:

Ks = Vi x As x 0.2

As – length of the period of insurance for the period until 1995 (inclusive),

Vi – the annual average insurance contribution wage that is applied, taking into account the yearly growth in the pension capital, from 1997 to the level of the insurance contribution wages for 1996.

Depending on time of retirement (if necessary, applying Section 33 of this Law), the average insurance contribution wage shall be determined in the following way:

When retiring:

in 1996 –

Vi is the average insurance contribution wage in 1995;

in 1997 –

Vi is the average insurance contribution wage of the insured person in 1996. If the applicant for pension has worked less than 12 months in 1996, the average insurance contribution wage shall be determined by dividing the amount of average insurance contribution wages for the months worked in 1996 by 12. If the length of the period of insurance of the insured persons in Latvia is not less than 30 years and the average insurance contribution wage of the insured person in 1996 is less than the average insurance contribution wage determined for 1996, or the person has been recognised as an unemployed person, the average insurance contribution wage determined for 1996 shall be taken into for the determination of the pension amount,;

in 1998 –

Vi is the 24-month average insurance contribution wage of the insured person for the period from 1996 to 1998. If the requester of pension has worked for less than 24 months in this period, the average insurance contribution wage shall be determined by dividing the amount of average insurance contribution wages by 24. If the length of the period of insurance of the insured person in Latvia, but for politically repressed persons up to 1 January 1991 in accordance with Paragraph 1 of these Transitional Provisions, the accrued length of the period of insurance is not less than 30 years and the 24-month average insurance contribution wage of the insured person is less than the average insurance contribution wage determined for 1997 or the person has been recognised as an unemployed person, the average insurance contribution wage determined for 1997 shall be taken into account;

In 1999 – Vi is the 36-month average insurance contribution wage of the insured person for the period from 1996 to 1999. If the requester of pension has worked for less than 36 months in this period, the average insurance contribution wage shall be determined by dividing the amount of average insurance contribution wages by 36. If the length of the period of insurance of insured persons and the person recognised as unemployed persons in Latvia, but for politically repressed persons up to 1 January 1991 in accordance with Paragraph 1 of these Transitional Provisions, the accrued length of the period of insurance is not less than 30 years and the 36-month average insurance contribution wage of insured persons is less than the average insurance contribution wage determined for 1998, the average insurance contribution wage determined for 1998 shall be taken into account;

In 2000 and subsequent years – Vi is the 48-month average insurance contribution wage of the insured person for the period from 1996 to 2000. If insurance contributions in this period have been made for less than 48 months, the average insurance contribution wage shall be determined by dividing the amount of average insurance contribution wages by 48.

If insurance contributions have not been made in the period from the coming into force of this Law until the moment when the pension is requested or they have been made after the year 2000, and also if the average insurance contribution wage of the requester of pension in the relevant period was less than 40 per cent of the average insurance contribution wage determined in the State (for the calendar year which ends in the year before the year in which the pension is granted) – from 1 January 2002 Vi shall be 40 per cent of the average insurance contribution wage determined in the State (for the calendar year which ends in the year before the year when the pension is granted).

In relation to persons with disabilities, the procedures laid down in Paragraph 18 of these Transitional Provisions shall be applied.

In the transition period, the old-age pensions shall be calculated on the basis of the following formula:

|  |  |  |
| --- | --- | --- |
| P =  | Ks + K |  |
| G |

P – annual pension the twelfth part of which is the monthly pension;

Ks – the initial capital that is specified in Paragraph two of this Paragraph;

K – the pension capital that is specified in Section 12, Paragraph one of this Law;

G – the period (in years) for which the disbursement of the old-age pension is planned from the year of granting the pension.

[*6 November 1996; 22 May 1997; 20 November 1997; 21 October 1998; 20 December 2001*]

14. [20 November 1997]

15. State pensions shall not be reviewed from 1 January 2009 until 31 December 2012. State pensions the amount of which does not exceed 200 lats in 2013 shall be reviewed on 1 September by applying the index 1.04. State pensions for politically repressed persons shall be reviewed regardless of the amount thereof.

[*9 July 2013*]

15.1 State pensions or parts thereof which do not exceed 285 euro in 2014 shall be reviewed on 1 October by taking into account the actual consumer price index and contribution wage index, and complying with the conditions referred to in Section 26, Paragraph one, Clauses 1 and 2 of this Law. Regardless of the amount of the State pension granted to politically repressed persons, persons with Group I disability, and participants in the liquidation of the consequences of the accident at the Chernobyl Atomic Power Plant, it shall be reviewed by complying with the conditions referred to in this Paragraph.

[*3 April 2014*]

15.2 In 2022, the amount of the State pension or a part thereof which does not exceed 50 per cent of the average insurance contribution wage of the State in the previous calendar year (rounded to whole euros) shall be reviewed on 1 August in conformity with the conditions referred to in Section 26 of this Law. Regardless of the amount of the pension granted in 2022 to politically repressed persons, Group I disabled persons, and participants in the liquidation of the consequences of the accident at the Chernobyl Atomic Power Plant, it shall be reviewed on 1 August, considering the actual consumer price index and the contribution wage index, and also the conditions referred to in Section 26, Paragraphs one, three, four, and five of this Law. The difference in the amount of the revised State pension or a part thereof for the period from 1 August 2022 until 31 August 2022 shall be disbursed concurrently with the pension to be disbursed in September 2022.

[*14 July 2022*]

16. Pensions which have been granted before this Law came into force, but in relation to the disability pension – before 1 January 1997, shall not be recalculated, except when the recalculation shall be made under the following procedures:

1) if the length of the period of insurance accrued until 1 January 1996 has been supplemented, if there have been changes in the family composition which affect the family members who have the right to a survivor’s pension, and if the disability group has changed, except for the case referred to in Paragraph 16.1, Sub-paragraph 2 of these Transitional Provisions, the old-age, disability or survivor’s pension shall be recalculated according to the following formula:

P = 0.3 x VA + 0.004 x AS x ĢL

P – the pension,

VA – the last average insurance contribution wage that was applied to the determination of the pension amount before recalculating the pension;

AS – the length of the period of insurance in complete years,

ĢL – the number of family members who have a right to receive a survivor’s pension.

2) [20 December 2001];

3) when recalculating the disability pension, the supplement to it shall also be recalculated which for the Group I disability pension shall be determined in the amount of 12 per cent and for the Group II disability pension in the amount of six per cent of the last average income contribution wage which was applied to the determination of the pension amount before recalculating the pension;

4) in relation to the length of the period of insurance which has been accrued after this Law came into force, the old-age pension, the service pension, and Group I and II disability pensions shall be recalculated in accordance with the procedures laid down in Section 24 of this Law;

5) when recalculating the pension, the periods specified in Section 25, Paragraph two, Clauses 1 and 2 and Paragraph three of this Law shall be taken into account, except in the cases referred to in Paragraph 23 of these Transitional Provisions. If the disability group of a recipient of the disability pension has changed, the disability pension shall be recalculated from the day when the disability group is changed;

6) a pension shall be increased in accordance with the procedures laid down in Section 26 of this Law, taking into account the Paragraph 15 of these Transitional Provisions;

7) old-age pensions and disability pensions previously granted to politically repressed persons without the supplement which is specified in Sub-paragraph 3 of this Paragraph shall be recalculated by applying the coefficient 1.1;

8) when switching from one type of pension to another, also from service pension to old-age pension, pension shall not be granted anew to persons who have attained the age required for granting the old-age pension until coming into force of this Law, and in such case the time limit specified in Section 25, Paragraph two, Clause 1 of this Law shall be taken into account and the procedures for the calculation of pension laid down in Sub-paragraph 1 of this Paragraph shall be applied;

9) pensions shall be disbursed in accordance with the procedures laid down in Chapter IV of this Law;

10) when granting a pension anew, it shall be granted in accordance with the procedures laid down in this Law;

11) [5 August 1999];

12) an insured person who was granted a State pension up to 1 January 1997 and who, after 1 January 1996 having work for at least three years, and up to 6 December 1999 was granted a pension anew the amount of which at the moment of granting exceeded 100 lats shall continue to reimburse the old-age pension or the service pension to the State pension special budget from 1 January 1996 up to the receipt of the pension is granted anew for an old-age or service pension. The monthly deduction of the amounts to be reimbursed shall not be made in the time period in which the disbursement of the pension has been suspended;

13) [5 August 1999].

[*6 November 1996; 27 December 1996; 20 November 1997; 21 October 1998; 22 April 1999; 5 August 1999; 20 December 2001; Constitutional Court judgment of 23 December 2002; 20 October 2005; 19 June 2008; 8 December 2011; Constitutional Court judgment of 31 January 2013; 9 July 2013* / *Amendments to Sub-paragraph 1 shall come into force on 1 October 2013.*See Paragraph 62 of Transitional Provisions]

16.1 Group I and II disability pensions granted until 31 December 1996 shall be granted anew in accordance with the procedures laid down in Section 16 of this Law:

1) to a person who obtains the right to increase the disability pension due to the reason that from 1 January 1996 to the date the pension is granted anew, contributions for disability insurance were made or had to be made for a period of 36 months. Disability pension shall be granted upon a request of a person complying with the time limits referred to in Section 25, Paragraph two, Clause 1 of this Law;

2) to a person who obtains either Group I or II disability after 1 October 2013 and who has made or had to make contributions for disability insurance for a period of 36 months the past five years until the day when the disability group is changed. Disability pension shall be granted from the day when the disability group is changed. If the disability group is changed from a less severe to a more severe one, the amount of the new pension may not be less than the previously received amount of disability pension.

[*9 July 2013* / *Paragraph shall come into force on 1 October 2013. See Paragraph 62 of Transitional Provisions*]

16.2 When the disability pension is granted anew in accordance with Paragraph 16.1 of Transitional Provisions, a supplement for the length of the period of insurance until 31 December 1995 must be granted to it in accordance with Paragraph 41 of these Transitional Provisions.

[*9 July 2013* / *Paragraph shall come into force on 1 October 2013. See Paragraph 62 of Transitional Provisions*]

17. When granting the disability pension:

1) for the period from 1 January 1997 to 1 January 2001, it shall be calculated in accordance with the procedures as laid down by Section 16, Paragraphs one and two of this Law, taking into account the average insurance contribution wage of the insured person for the months actually worked, but for not more than 36 consecutive months (irrespective of how long the work was interrupted) in the period from 1 January 1996 to the granting of the disability pension;

2) for the calculation of the maximum possible length of the period of insurance specified in Section 16, Paragraph one of this Law (also when recalculating the disability pension), the conditions specified in Paragraph 8 of these Transitional Provisions shall be taken into account.

[*27 December 1996*]

18. Persons whose disability was determined before this Law came into force, but who have attained the age required for granting an old-age pension as laid down in this Law after this Law came into force, shall be granted an old-age pension instead of the disability pension which shall be calculated in accordance with Section 12 of this Law, taking into account the conditions of Paragraph 13 of these Transitional Provisions:

1) if the person with a disability was not an employee or self-employed person in the period between 1 January 1996 and 1 January 2000, Vi shall be average insurance contribution wage determined in the State for 1996;

2) [20 December 2001];

3) for the determination of the initial pension capital for the disability period until 1 January 1996, when the insured person was recognised as a disabled (also due to an accident at work or an occupational disease) and has not worked, but for not longer than until the date of attaining the age required for granting the old-age pension, the following average insurance contribution wage (Vi) shall be taken into account:

for 1996 – Vi shall be 50 % of the average insurance contribution wage determined for 1995;

from 1997 and henceforth – Vi shall be 50 % of the average insurance contribution wage determined for 1996.

[*6 November 1996; 20 December 2001*]

19. An old-age pension granted to replace a disability pension or a State social insurance benefit during the disability period may not be less than the disability pension or the State social insurance benefit that was received until the moment the old-age pension was granted.  If a person has purchased a life insurance (life annuity) policy, the amount of the disability pension to be retained from the State budget funds or the amount of the State social security allowance during the period of disability shall be determined as the difference between the amount of the previously received disability pension or the monthly amount of the State social security benefit and the monthly amount of the life annuity determined in conformity with the life insurance (life annuity) contract on the use of funded pension capital accumulated in the State funded pension scheme. In case where the disability group has been redetermined, if the discontinuance period for the disability was not greater than four months, the disbursement of the old-age pension (also during the period of discontinuance of the disability) shall be continued at the previous amount.

[*20 November 1997; 3 April 2014; 18 June 2015; 17 December 2020* / *Amendments to the Paragraph shall come into force on 1 January 2023. See Paragraph 76 of Transitional Provisions*]

19.1 Section 19 of these Transitional Provisions in relation to the preservation of the amount of disability pension when granting old-age pension shall not be applied, if the right to old-age pension has been acquired only on the basis of international agreements in the field of social security or Regulation No 883/2004, as well as in case when the length of the period of insurance for which an old-age pension has been calculated is less than the length of the period of insurance for which the disability pension has been calculated.

[*8 December 2011*]

20. With the coming into force of this Law the following are repealed:

1) law On State Pensions (*Latvijas Republikas Augstākās Padomes un Valdības Ziņotājs*, 1991, No. 1/2, 51; 1993, No. 18/19, 20/21); *Latvijas Republikas Saeimas un Ministru Kabineta Ziņotājs*, 1993, No. 32; 1994, No. 6);

2) law On Provisional Procedures for Calculating State Pensions (*Latvijas Republikas Saeimas un Ministru Kabineta Ziņotājs*, 1993, No. 32; 1994, No. 6);

3) decision of the Supreme Council of the Republic of Latvia on the Republic of Latvia Law on Procedures for Coming into force of the law On State Pensions (*Latvijas Republikas Augstākās Padomes un Valdības Ziņotājs*, 1991, No. 1/2, 51).

21. In the period between 1 June 1997 and 31 December 1999, the amount of the pension to be disbursed may not exceed the amount that has been calculated by taking into account the limit of the annual work income subject to social insurance.

[*22 May 1997; 20 November 1997*]

22. Until 1 June 1997, the old-age pensions which were granted in 1997 based on the request of the insured person must be recalculated by taking into account the average insurance contribution wage determined for 1996 if the insured person had the status of an unemployed person in 1996 and the length of the period of insurance in Latvia at the moment of requesting the pension was not less than 30 years.

The old-age pension granted to politically repressed persons in 1997 shall be recalculated in accordance with the conditions of Paragraph 13 of these Transitional Provisions.

After 1 January 1998, the old-age pensions granted to replace the disability pension shall be recalculated in accordance with the conditions of Paragraph 19 of these Transitional Provisions based on the request of the recipient of a State pension.

[*22 May 1997; 20 November 1997*]

23. If the right to increase the pension are obtained in relation to supplementary insurance contributions for the period before the pension was granted (recalculated), the pension shall be recalculated from the day it was granted (recalculated). A pension shall be recalculated not more often than once every half year.

[*5 August 1999* / *Paragraph shall come into force on 1 January 2000. See Transitional Provisions of the Law of 5 August 1999*]

24. From 1 September 1999, old-age or service pension shall not be granted anew for insured persons who are recipients of an old-age or service pension.

[*5 August 1999* / *Constitutional Court judgement of 25 October 2004 / Paragraph has been recognised as invalid from the time of coming into force of the judgment in relation to those persons for whom the disbursement of the pension was discontinued on the basis of a submission of the person in accordance with the Paragraph 16, Sub-paragraph 11 of the Transitional Provisions of the law On State Pensions.*]

25. [20 December 2001]

26. [*Recognised as invalid by the judgment of the Constitutional Court of 19 March 2002 from 20 March 2002*]

27. [4 November 1999]

28. For persons have departed for permanent residence to a foreign country as Latvian citizens until 31 December 2001, the disbursement of the pensions granted by Republic of Latvia shall be continued or renewed from the day of submission of a request in accordance with the procedures stipulated by the Cabinet. From 1 January 2002, disbursement of the pension to persons who have departed for permanent residence to a foreign country shall be ensured in accordance with Section 38 of this Law.

[*20 October 2005*]

29. Until 31 December 2013, persons whose length of the period of insurance is not less than 30 years, have the right to request the old-age pension early two years before attaining the age specified in Section 11, Paragraph one of this Law (taking into account Paragraph 8 of these Transitional Provisions), but for men – not earlier than from 60 years of age.

[*20 December 2001; 9 June 2005; 19 June 2008; 8 December 2011*]

29.1 Participants in the liquidation of the consequences of the accident at the Chernobyl atomic power plant have the right to request an old-age pension five years before attaining the age laid down in Section 11, Paragraph one of this Law.

[*2 November 2006; 14 June 2012*]

29.2 Politically repressed persons whose length of the period of insurance is not less than 30 years have the right to request an old-age pension five years prior to reaching the age specified in Section 11, Paragraph one of this Law.

[*19 June 2008*]

30. For persons to whom the old-age pension has been granted early from 1 July 2009 in accordance with Paragraph 29 of these Transitional Provisions, pension shall be disbursed in the amount of 50 per cent of the old-age pension granted until the attainment of the age specified in Section 11, Paragraph one of this Law. For persons to whom the old-age pension has been granted early until 30 June 2009 in accordance with Paragraph 29 of these Transitional Provisions, the disbursement of the pension shall be continued in the amount of 80 per cent until the attainment of the age specified in Section 11, Paragraph one of this Law.

[*16 June 2009*]

31. The old-age pension to persons who have used the possibility of an early retirement in the period when they have become a person subject to the mandatory social insurance (employee or self-employed) shall no longer be disbursed until the attainment of the age specified in Section 11, Paragraph one of this Law (taking in account Paragraph 8 of these Transitional Provisions).

[*20 December 2001*]

32. [*Recognised as invalid from 20 March 2002 by the judgment of the Constitutional Court of 6 April 2005 which entered into effect on 7 April 2005*]

33. In order to calculate the initial old-age pension capital for the insured persons whose length of the period of insurance is not less than 30 years whereof at least five years have been accrued after 1 January 1996, and whose monthly average insurance contribution wage which has been calculated in accordance with Paragraph 13 of these Transitional Provisions is less than the average insurance contribution wage of the State in the period from 1 January 1996 to 31 December 1999, the 48-month average insurance contribution wage of the State in the previously indicated period shall be taken into account. State pensions which have been granted to insured persons who are subject to the abovementioned conditions from 1 January 2000 to 31 December 2001 shall be recalculated from 1 January 2002 based on their request.

[*20 December 2001; 19 June 2008; 8 December 2011; 14 June 2012; 3 April 2014; 18 June 2015* / *Amendment in relation to the supplementation of Paragraph after the words “30 years” with the words “whereof at least five years have been accrued after 1 January 1996” shall come into force on 1 July 2016. See Paragraph 68 of Transitional Provisions*]

34. Until 31 December 2011, the minimum amount of old-age pension may not be lower than the State social insurance benefit to which following coefficients has been applied:

1) for persons whose length of the period of insurance is up to 20 years – 1.1;

2) for persons whose length of the period of insurance is from 21 years to 30 years – 1.3;

3) for persons whose length of the period of insurance is from 31 years to 40 years – 1.5;

4) for persons whose length of the period of insurance is 40 years and more – 1.7.

[*2 November 2006; 1 December 2009*]

35. The Cabinet shall, by 30 June 2002, draft regulations regarding the procedures for reviewing the amount of a State pension. Up to the day of the coming into force of the abovementioned regulations, Cabinet Regulation No. 99 of 14 March 2000, Procedures for Reviewing the Amount of State Pensions, Compensation for Losing the Capacity for Work, and the Compensation for the Loss of a Provider, shall be applied, insofar as it is not in contradiction with this Law.

[*20 December 2001*]

36. If the right to an increase in a State pension has been obtained (irrespective of the time when it was granted) in relation to the supplementation of the work and equivalent periods referred to in Paragraph 1 of these Transitional Provisions, the pension shall be recalculated based on a request of the recipient of the pension within the time limits referred to in Section 25, Paragraph two, Clause 1 of this Law in conformity with the procedures for calculating the pension applied until the recalculation of pension.

[*20 October 2005*]

37. A State pension which has been granted until 31 December 1995 may not be less than the minimal amount which is determined for the appropriate type of pension in this Law.

[*20 October 2005*]

38. If a person has accrued, from 1 January 1991 to 13 March 2001, the insurance periods referred to in Section 9, Paragraph two, Clause 1, Sub-clause “a” of this Law and Paragraph 2, Sub-paragraphs 1, 2, and 3 of these Transitional Provisions which were not taken into account in calculating the pension, the pension shall be recalculated based on a submission of the recipient of the pension within the time limits specified in Section 25, Paragraph two, Clause 1 of this Law.

[*20 October 2005; 19 June 2008*]

39. If circumstances have arisen which allow to receive a pension on the basis of preferential conditions which are determined by this Law instead of the pension granted early, the pension shall be recalculated in accordance with the procedures laid down in Section 25, Paragraph two, Clause 1 of this Law.

[*20 October 2005; 18 June 2015*]

40. [8 March 2023]

41. Until 31 December 2011, a supplement for each year of the length of the period of insurance which has been accrued by 31 December 1995 and taken into account in granting (recalculating) pension shall be granted to the recipients of an old-age and disability pension who reside in Latvia and Member States of the European Economic Area. When submitting the draft annual State budget to the *Saeima*, the Cabinet shall, from 1 January 2014, provide in the State basic budget the transfer of expenditure for the maintenance of the State budget from the State basic budget to the State special budget in order to ensure the supplement granted by 31 December 2011 to disbursement of old-age and disability pension from the State pension special budget and disability, maternity and illness special budget accordingly.

The Cabinet shall determine the procedures by which a supplement shall be granted and disbursed, as well as determine the amount thereof which shall not be less than 0.70 lats over the period from 1 January 2009 until 31 December 2011.

After the day of introduction of euro, supplements to the old-age and disability pensions shall be converted in accordance with Section 6 of the Law on the Procedure for Introduction of Euro.

[*19 June 2008; 1 December 2009; 20 December 2010; 14 June 2012; 19 September 2013*]

41.1 For persons to whom the old-age pension has been granted instead of the disability pension from 1 January 2012 and, until the date of granting the old-age pension, a supplement to the disability pension was determined for the length of the period of insurance accumulated by 31 December 1995, the relevant supplement shall be granted from the date of granting the old-age pension during the disability period in compliance with Paragraph 41 of these Transitional Provisions.

[*23 May 2013*]

41.2 For the persons referred to in Paragraph 41.1 of these Transitional Provisions who have the right to receive supplements for the length of the period of insurance accumulated by 31 December 1995, supplement for the period from 1 January 2012 to 30 April 2014 shall be granted from the date of granting the old-age pension and shall be disbursed simultaneously with the old-age pension for May 2014.

[*23 May 2013*]

41.3 In accordance with Paragraph 41 of these Transitional Provisions the granted supplement for the length of the period of insurance accrued by 31 December 1995 and taken into consideration when granting (recalculating) the pension shall be determined in the amount of 1.50 euros from 1 July 2018 per one year of the length of the period of insurance for persons to whom:

1) the old-age pension has been granted until 31 December 1996;

2) the disability pension has been granted and the necessary age for granting an old-age pension was attained by 31 December 1996 and persons keep receiving the disability pension or old-age pension.

[*22 June 2017; 26 April 2018*]

41.4 In order to ensure the fulfilment of the requirements laid down in Paragraph 41.3 of these Transitional Provisions, additional costs necessary for 2018 and subsequent years shall be included by the Cabinet in the base expenses of the basic budget of the Ministry of Welfare and State social insurance special budget.

[*22 June 2017*]

41.5 The amount of the supplement to the old-age and disability pension for one year of the length of the period of insurance accrued by 31 December 1995 shall be determined on 1 October of each year, applying the actual consumer price index and 50 per cent of the percentage of the actual increase in the amount of insurance contribution wages determined in accordance with the procedures for the review of the amount of the State pension stipulated by the Cabinet to the previously determined amount of the supplement. If the value of the actual consumer price index and contribution wage index is lower than “1”, the amount of the supplement in the respective year shall not be reviewed. The Cabinet shall determine the procedures for calculating, determining, and reviewing the amount of the supplement.

On 1 October 2019, the respective index shall be applied to the amount of the supplement in the amount of one euro for each year of the length of the period of insurance accrued by 31 December 1995 and the amount of the supplement in the amount of 1.50 euros for each year of the length of the period of insurance accrued by 31 December 1995, if the old-age pension was granted by 31 December 1996 or disability pension was granted and the necessary age for granting an old-age pension had been attained by 31 December 1996.

When submitting the annual draft State budget to the *Saeima*, the Cabinet shall, from 1 January 2019, include in the basic budget expenditure of the Ministry of Welfare the transfer of expenditure for the maintenance of the State budget from the basic budget of the Ministry of Welfare to the State special budget in order to ensure the review of the granted supplement to the old-age and disability pension and disbursement thereof accordingly from the State pension special budget and disability, maternity and illness special budgets.

[*27 September 2018*]

41.6 In 2022, the amount of the supplement to the old-age and disability pension for one year of the length of the period of insurance accrued until 31 December 1995 shall be reviewed on 1 August in conformity with the conditions referred to in Paragraph 41.5 of these Transitional Provisions. The difference of the revised supplement to the old-age and disability pension for the period from 1 August 2022 until 31 August 2022 shall be disbursed concurrently with the supplement to the pension to be disbursed in September 2022.

[*14 July 2022*]

42. If the length of the period of insurance includes periods accrued outside of Latvia, then, upon obtaining the right to another country’s pension (in accordance with Regulation No 883/2004) for the same insurance period, the pension at the request of the person shall be recalculated, omitting this period. The total amount of the pensions granted by all countries may not be less than the pension amount which the person received prior to the recalculation of the pension. The Latvian part of the pension may be reduced from the next month after a decision on a pension granted by another country has been received.

[*20 October 2005; 8 December 2011*]

42.1 If a person has been granted pension of another country for periods of insurance which have been taken into account when granting or recalculating the Latvian pension, the Latvian pension shall be recalculated or disbursement thereof shall be discontinued, excluding such periods, if it has not been laid down otherwise in Regulation No 883/2004 or the international agreements ratified by the *Saeima*.

[*14 June 2012*]

43. Until the coming into force of the relevant Cabinet regulations, but not later than until 30 June 2006, Cabinet Regulation No. 134 of 26 March 2002, Procedures for the Disbursement of the State Pensions Granted in the Republic of Latvia to Persons who have Departed for Permanent Residence in Foreign Countries, shall be applied insofar as it is not in contradiction with this Law.

[*20 October 2005*]

44. Amendments to Section 24, Paragraph one of this Law regarding the recalculation of old-age and disability pensions which may be made not more than once a year shall come into force 1 January 2007.

[*20 October 2005*]

45. Amendments to the introductory part of Paragraph 1 of these Transitional Provisions which determine the work and the equivalent periods to be included into the length of the period of insurance until 31 December 1990 shall come into force on 1 January 2007.

[*20 October 2005*]

46. Persons for whom from the old-age pension has been granted early in the period from 1 January 1996 to 1 July 2005 and who have continuously been persons subject to the mandatory social insurance (employees or self-employed) from the day of granting the pension to attaining the age specified in Section 11, Paragraph one of this Law (taking into account Paragraph 8 of these Transitional Provisions), and for whom the old-age pension in the abovementioned period has not been granted anew have the right to request the granting of an old-age pension anew according to the following procedures:

1) an old-age pension shall be granted anew on the day of attaining the age specified in Section 11, Paragraph one of this Law (taking into account Paragraph 8 of these Transitional Provisions) based on a submission of the person;

2) if the old-pension granted early was recalculated in relation to additions to the pension capital after the granting thereof, then after the granting of the old-age pension anew it shall be recalculated based on the submission by the person in the existing pension file for the recalculation of the pension and taking into account the pension capital which has been accumulated after the granting of the old-age pension anew. The old-age pension granted anew shall be recalculated by taking into account the time limit of the previous recalculation;

3) if the old-pension granted early was not recalculated in relation to additions to the pension capital after the granting thereof, then after granting of the old-age pension anew it shall be recalculated based on the submission by the person and taking into account the time limit specified in Section 25, Paragraph two, Clause 1 of this Law;

4) an old-age pension granted (recalculated) anew which has been reviewed in conformity with Paragraph 15 of these Transitional Provisions shall be disbursed for the period from 1 January 2007 if the abovementioned pension has been requested within 12 months from 1 January 2007. If the granting of an old-age pension anew has been requested after 12 months from 1 January 2007, then the pension shall be disbursed for a period which is not longer than 12 months prior to the day it was requested. When disbursing an old-age pension granted anew for the past period, the previously received old-age pension shall be taken into account;

5) if the amount of an old-age pension granted anew exceeds the amount of old-age pension referred to in Paragraph 41 of these Transitional Provisions, then the right of a person to the previously granted supplement to the old-age pension shall be lost from the day of the granting of the new old-age pension. If the supplement to the old-age pension has been overpaid due to the granting of the old-age pension anew, then deductions shall be made from the old-age pension which has been granted anew in accordance with the procedures laid down in Section 36, Paragraph one, Clause 3 of this Law.

[*2 November 2006*]

47. For persons who in the period from 1 January 2000 to 19 March 2002 were persons subject to the mandatory social insurance (employees or self-employed persons) and received a pension in a restricted amount (in the amount of twice the State social insurance benefit until 31 December 2001 and in the amount of three times the State social insurance benefit from 1 January 2002), the unreceived part of the pension shall be disbursed by transferring it to the account of a credit institution of the Republic of Latvia or postal settlement system (PNS) indicated by the person not later than by 31 December 2007.

[*2 November 2006*]

48. From 1 January 2007 until 31 December 2011, the persons whose total length of the period of insurance is not less than 25 years of which at least one-third has been worked in hazardous and difficult working conditions or particularly hazardous and particularly difficult working conditions until 1995 in accordance with the lists included in Paragraph 11 of these Transitional Provisions have the right to request the old-age pension five years prior to attaining the age specified in Section 11, Paragraph one of this Law (taking into account Paragraph 8 of these Transitional Provisions).

[*2 November 2006; 20 December 2010*]

49. The disbursement of a survivor’s pension which, until 31 December 2006, was granted to an adoptee prior to adoption or to a stepson and stepdaughter shall be continued in accordance with the procedures laid down in this Law.

[*2 November 2006*]

50. In relation to persons who in the period from 1 January 2007 to 28 February 2007 have requested the recalculation of old-age pensions in accordance with Section 24 of this Law or the granting of an old-age pension anew in accordance with Paragraph 46 of these Transitional Provisions, an official of a department of the State Social Insurance Agency shall take a decision in the period from 1 March 2007 to 31 March 2007.

[*2 November 2006*]

51. [9 July 2013]

52. Section 3, Paragraph three of this Law regarding the calculation of the pension capital accrued for a person subject to Council Regulation No 259/68 in the mandatory State pension insurance system, transmission thereof to the pension scheme of the European Union and receipt from it shall come into force on 1 January 2009.

[*19 June 2008*]

53. Amendments to the introductory part of Paragraph 15 and Sub-paragraphs 1 and 2 of Transitional Provisions of this Law that revoke the restriction in the amount of fivefold State social security benefit shall come into force on 1 January 2009.

[*19 June 2008*]

54. Section 26.1, Paragraph three of this Law regarding the calculation of the average insurance contribution wage for a person who is subject to Council Regulation No 259/68 for the period worked in the institutions of the European Union shall come into force on 1 January 2009.

[*19 June 2008*]

55. Amendments to Paragraph 41 of Transitional Provisions of this Law that revoke the restriction of the amount of the old-age pension – 225 lats – and determine a supplement not less than 0.70 lats to the recipients of the old-age and disability pension shall come into force on 1 January 2009.

[*19 June 2008*]

56. The Cabinet shall issue the regulations referred to in Section 26 of this Law by 31 December 2009. Until the day of coming into force of the relevant regulations, but not longer than until 31 December 2009, Cabinet Regulation No. 310 of 25 April 2006, Procedures for Reviewing the Amount of State Pensions, Compensation for Losing the Capacity for Work, and Compensation for the Loss of a Provider, shall be applied, insofar as it is not in contradiction with this Law.

[*12 March 2009*]

57. [21 January 2010]

58. The Cabinet shall, by 1 May 2012, submit to the *Saeima* a draft law for the promotion of long-term stability of the pension system, also evaluating the possibilities of increasing the age after attaining of which persons have the right to old-age pension, to extend the length of the period of insurance for the receipt of old-age pension, as well as to specify the right to request old-age pension early without restriction on the period.

[*8 December 2011*]

59. Amendments to Sections 30 and 37 of this Law in relation to replacing of the number “12” with the word “six” shall come into force on 1 January 2014.

[*14 June 2012*]

60. Persons who have carried out the work specified in the lists referred to in Paragraph 11 of these Transitional Provisions and whose total length of the period of insurance does not exceed the following have the right to request the old-age pension two years before attaining the age specified in Section 11, Paragraph one of this Law:

1) for men – 20 years, for women – 15 years from which at least one fourth has been worked in particularly hazardous and particularly difficult working conditions until 31 December 1995;

2) for men – 25 years, for women – 20 years from which at least one fourth has been worked in hazardous and difficult working conditions until 31 December 1995.

[*14 June 2012*]

61. The increasing of the age specified in Paragraph 8 of these Transitional Provisions for persons who have worked in particularly hazardous and particularly difficult working conditions or hazardous and difficult working conditions shall continue until the age specified in Paragraph 60 of these Transitional Provisions is attained.

[*14 June 2012*]

62. Amendments to Section 16, Paragraph four, Section 24, Paragraph five of this Law, Paragraph 16, Sub-paragraph 1 of Transitional Provisions, and Paragraphs 16.1 and 16.2 of Transitional Provisions which lay down the procedures for the recalculation of the disability pension and granting it anew shall come into force on 1 October 2013.

[*9 July 2013*]

63. The amount of State pension and supplement to the old-age and disability pension shall be converted from lats to euros in conformity with the amount thereof as at 31 December 2013 in accordance with Section 6 of the Law on the Procedure for Introduction of Euro.

[*19 September 2013*]

64. The Cabinet shall, by 1 August 2014, issue regulations regarding the procedures for determining the actual consumer price index and contribution wage index applied to the recalculation of the State pension, and also the procedures for the review of the State pension. Until the day of coming into force of the abovementioned regulations, Cabinet Regulation No. 1581 of 22 December 2009, Procedures for Reviewing the Amount of State Pensions, Compensation for Losing the Capacity for Work, and Compensation for the Loss of a Provider, shall be applied insofar as it is not in contradiction with this Law.

[*3 April 2014*]

65. Old-age pension, service pension or survivor’s pension that have been granted or recalculated to persons from 1 January 2010 to 31 December 2015 in accordance with this Law shall be reviewed by recalculating the initial pension capital and pension capital in conformity with the provisions of Section 12, Paragraph four of this Law, conforming to the following conditions:

1) pensions shall be reviewed from 1 January 2016;

2) pensions to be reviewed in specific years and conditions for the review thereof shall be laid down in the annual State budget law and medium-term budget framework law by taking into account the State budget possibilities;

3) when recalculating the initial pension capital and pension capital, the insurance contribution wage indexes for 2009, 2010, and 2011 shall be replaced with the digit “1” during the updating thereof and the indexes calculated for the updating of pension capital that are higher than “1” shall be replaced in the following years by the digit “1” until the year in which multiplication of the negative indexes of the previous years and positive indexes of subsequent years is higher than “1”. In the respective year, the insurance contribution wage index which is formed by multiplication of the previous negative and the following positive index shall be applied the updating the pension capital;

4) the pension amount after review thereof cannot be lower than the pension amount received previously.

[*18 June 2015* / *Paragraph shall come into force on 1 January 2016. See Paragraph 67 of Transitional Provisions*]

66. The provisions of Section 12, Paragraph four of this Law for updating the pension capital shall be applied starting with the insurance contribution wage index determined for 2009.

[*18 June 2015* / *Paragraph shall come into force on 1 January 2016. See Paragraph 67 of Transitional Provisions*]

67. Section 12, Paragraph four of this Law, Paragraphs 65 and 66 of Transitional Provisions and amendments to Section 12, Paragraph one of this Law in relation to the fact that a limit on the actual increase in the amount of insurance contribution wages which does not exceed 15 per cent is applied to the annual insurance contribution wage indexation shall come into force on 1 January 2016.

[*18 June 2015*]

68. Section 32, Paragraph thirteen of this Law, amendments to Section 16, Paragraph one of this Law in relation to the calculation of the average insurance contribution wage, Section 33, Paragraph two of this Law regarding the recovery of advance overpayment, Paragraph 19, second sentence of Transitional Provisions regarding the retaining of the old-age pension in the same amount of the disability pension in the event of redetermining the disability group if the suspension period for the disability is not longer than four months, and amendments to Paragraph 33 of Transitional Provisions in relation to the calculation of the initial old-age pension capital shall come into force on 1 July 2016.

[*18 June 2015*]

69. The Cabinet shall, by 1 July 2016, issue the regulations referred to in Section 28, Paragraph three of this Law.

[*18 June 2015*]

70. Amendments to the introductory part of Section 26, Paragraph one of this Law in relation to the replacement of the number and word “25 per cent” with the number and word “50 per cent” shall come into force on 1 January 2017.

[*10 March 2016*]

71. Survivor’s pensions granted and recalculated by 31 March 2017 shall be reviewed from 1 April 2017 and the difference shall be disbursed by 30 September 2017 in accordance with the following procedures:

1) if the survivor’s pension for each child is less than the minimum amount specified in Section 23, Paragraph four of this Law, the amount of the pension shall be determined in accordance with Section 23, Paragraph five of this Law;

2) a separate survivor’s pension shall be determined for each parent for each child who has lost both parents in accordance with the conditions laid down in Section 23, Paragraphs two and six of this Law, taking into account the date of granting the pension, the procedures applied previously for the calculation of the pension and also Section 26 and Paragraphs 15 and 15.1 of Transitional Provisions of this Law.

[*23 November 2016*]

72. The new wording of Section 37, Paragraph two of this Law where it is stated that also the supplement to the pension for the length of the period of insurance accrued by 31 December 1995 shall be included in the amount of the funeral allowance and the new wording of Paragraph three of the relevant Section where it is stated that the allowance shall be granted to the surviving spouse for a period of 12 months and also the conditions for granting thereof shall come into force on 1 January 2019 and shall apply to cases where the death of the recipient of pension has occurred after 1 January 2019.

[*26 April 2018*]

73. The Cabinet shall, by 1 May 2019, issue the regulations regarding the procedures for calculating, determining, and reviewing the amount of the supplement referred to in Paragraph 41.5 of these Transitional Provisions.

[*27 September 2018*]

74. For the period from 1 January 2021 until 30 April 2021, the old-age pension, the disability pension, and the survivor’s pension determined in the amount of the minimum pension shall be disbursed in the amount of the minimum pension which was determined in accordance with laws and regulations until 31 December 2020, and such minimum pensions shall be recalculated not later than by May 2021 and the difference shall be disbursed simultaneously with the pension to be disbursed in May 2021.

[*24 November 2020*]

75. The survivor’s pension which has been granted before 31 December 2020 and the disbursement of which is continuously continued after 1 January 2021 shall be disbursed for the current month.

[*17 December 2020*]

76. Amendments to Section 12, Paragraph two of this Law regarding the determination of an old-age pension to be ensured from the State budget in the event when the person uses the accrued funded pension capital to acquire a life insurance (life annuity) policy, Section 33, Paragraphs three and four of this Law, and also amendments to Paragraph 12.1, Sub-paragraphs 1 and 2 and Paragraph 19 of these Transitional Provisions in which it is provided for that the monthly amount of the life annuity determined according to the life insurance (life annuity) contract for the use of the funded pension capital accrued in the State funded pension scheme is also taken into account shall come into force on 1 January 2023. Amendments to Section 12, Paragraph two of this Law shall not apply to the cases where the old-age pension has been granted until 31 December 2022 in accordance with this Law.

[*17 December 2020*]

77. Amendment to Section 16, Paragraph one, Clause 1 of this Law regarding the deletion of the second and third sentences from the explanation of the notation “Vi” in the formula, amendment regarding the deletion of Section 24.1, and amendment to Section 25, Paragraph two, Clause 3 regarding the increase of the pension by adding the funded pension capital shall come into force on 1 January 2022.

[*17 December 2020*]

78. When recalculating an old-age pension which has been granted instead of the service or disability pension, it shall be formed from the pension calculated earlier (recalculated), without taking into account the conditions of Paragraphs 12, 12.1, and 19 of these Transitional Provisions, and the part of pension recalculation which has been calculated in accordance with the procedures laid down in Section 12, Paragraph one of this Law, taking into account the pension capital which the person has accrued after the granting (recalculation) of the pension.

[*8 March 2023*]

79. During the period from 1 January 2021 to 31 December 2024, when determining the minimum amount of the old-age pension in accordance with Section 12, Paragraph 2.1 of this Law, the coefficient 1.1 shall be applied to the minimum old-age pension calculation base and the amount shall be increased by two per cent of the minimum old-age pension calculation base for each following year exceeding the length of the period of insurance specified in this Law which is necessary for granting the old-age pension.

[*8 March 2023*]

80. The calculated (recalculated) pension for the old-age pension, disability pension, and survivor’s pension granted (recalculated) until 30 June 2023 shall be all the pension granted (recalculated) until 30 June 2023 and the part of pension determined in accordance with Section 12, Paragraph 2.1, Section 16, Paragraph one, Clause 2, Paragraphs two and three, and Section 23, Paragraph nine of this Law.

[*8 March 2023*]

81. Requests for pension which have been submitted based on Section 3, Paragraph four of this Law shall be examined starting from 1 November 2023. The old-age pension or survivor’s pension to persons who, before the day of coming into force of Section 3, Paragraph four of this Law, have departed for residence to a foreign country which is not a Member State of the European Union, country of the European Economic Area or country with which an agreement for cooperation in the field of social security has been concluded and is in effect, and have commenced the protection of their affected rights with general remedies for the protection of rights on the grounds that the granting of the old-age pension or survivor’s pension to them was refused due to the fact that they do not reside in the territory of Latvia shall be granted and disbursed from the day when the request for pension and the documents required for its granting have been submitted.

[*15 June 2023*]

82. Amendment to Section 11, Paragraph six, Section 23, Paragraph nine, Section 32, Paragraph twelve of this Law regarding the disbursement of pension to a person who permanently resides outside of Latvia and also amendment regarding the new wording of the title of Section 38, Section 12, Paragraph 2.3, Section 38, Paragraphs two, three and four of this Law, and Paragraph 83 of the Transitional Provisions of this Law shall come into force on 1 November 2023.

[*15 June 2023 / The abovementioned amendments shall be included in the wording of the Law as of 1 November 2023*]

83. [*Paragraph shall come into force on 1 November 2023 and shall be included in the wording of the Law as of 1 November 2023. See Paragraph 82 of Transitional Provisions*]

The Law shall come into force on 1 January 1996.

The Law has been adopted by the *Saeima* on 2 November 1995.

President G. Ulmanis

Rīga, 23 November 1995