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

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

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

The *Saeima*1 has adopted and

the President has proclaimed the following law:

**Law on Service Pensions of Employees of the State Emergency Medical Service Involved in Ensuring of Emergency Medical Assistance**

**Section 1. Purpose of the Law**

The purpose of this Law is to ensure the right to a service pension for medical practitioners of emergency medical assistance teams, ambulance emergency response vehicles’ drivers and medical practitioners who accept calls and perform operational management of the emergency medical assistance teams (hereinafter – the employees) of the State Emergency Medical Service (hereinafter – the Service) and to establish the procedures for granting, calculating and disbursing such pension by guaranteeing the employees the protection of social interests and by compensating them the early loss of ability to work caused by a threat to life or health while providing emergency medical assistance to victims (persons who have been taken ill) in everyday, emergency medical situations and disasters.

**Section 2. Right to a Service Pension**

(1) Such employee has the right to the service pension who:

1) has attained the age of 55 years and whose length of service is not less than 20 years of which the last five years have been worked in the Service;

2) regardless of the age in conformity with the opinion of the State Medical Commission for the Assessment of Health Condition and Working Ability has been dismissed from the Service due to his or her health condition and whose length of service is not less than 20 years.

(2) Such employees referred to in Section 1 of this Law have the right to the service pension who have been dismissed from work in this Service after the coming into force of this Law and have not attained the age for granting old-age pension laid down in the law On State Pensions.

(3) An employee who receives a pension from another country does not have the right to the service pension.

**Section 3. Calculation of the Length of Service**

The following shall be included in the length of service which gives the right to the service pension:

1) the time worked in the Service in the status of the employee specified in Section 1 of this Law where at least 160 hours per month have been worked on average in the calendar year;

2) the time worked until 30 June 2010 as a medical practitioner of the emergency medical assistance team, ambulance emergency response vehicle driver of the team or a medical practitioner who accepted calls and performed operational management of the teams in the State or local government institutions, agencies, undertakings or capital companies in the territory of Latvia which ensured emergency medical assistance covered by the State;

3) the time worked until 29 April 2015 in the joint-stock company “Riga Sanitary Transport Motor Depot” by performing the duties of an ambulance emergency response vehicle driver in the emergency medical assistance team.

**Section 4. Remuneration from Which the Service Pension shall be Calculated**

(1) The service pension shall be calculated from the employee’s average monthly remuneration in the Service for the last five years prior to being dismissed from work in this Service.

(2) Remuneration shall comprise monthly wage, bonus, monetary award, and supplements specified in the laws and regulations governing remuneration.

**Section 5. Calculation of the Service Pension and Funds for the Disbursement of the Service Pension**

(1) The service pension in the amount of 65 per cent of the average monthly remuneration specified in accordance with Section 4 of this Law shall be granted to the employee who has attained the age of 55 years. For every year of the length of service exceeding 20 years, the amount of service pension shall be increased by two per cent of the average monthly remuneration which is specified in accordance with Section 4 of this Law.

(2) The service pension in the amount of 40 per cent of the average monthly remuneration specified in accordance with Section 4 of this Law shall be granted to the employee who has the right to a service pension in accordance with Section 2, Paragraph one, Clause 2 of this Law. For every year of the length of service exceeding 20 years, the amount of service pension shall be increased by two per cent of the average monthly remuneration which is specified in accordance with Section 4 of this Law.

(3) The maximum amount of the service pension shall not exceed 80 per cent of the average monthly remuneration which is specified in accordance with Section 4 of this Law.

(4) The minimum amount of the service pension may not be less than the amount of the State social security benefit as specified for the persons referred to in Section 13, Paragraph one, Clause 1 of the Law on State Social Allowances.

(5) The service pension shall be disbursed 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.

(6) The State social insurance old-age pension shall be granted to the service pension recipient in accordance with the law On State Pensions. Disbursement of the service pension shall be discontinued starting from the day when the age for granting old-age pension specified in the law On State Pensions has been attained until granting the old-age pension. After the granting of old-age pension, the disbursement of the service pension shall be renewed, reducing it by the amount of the old-age pension granted and the monthly amount of the life annuity granted 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 (if such contract has been entered into).

[*17 December 2020* / *Amendment to Paragraph six shall come into force on 1 January 2023.* *See Transitional Provisions*]

**Section 6. Time Periods for Granting the Service Pension**

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

**Section 7. Requesting, Granting, and Disbursement of the Service Pension**

(1) A person requesting pension shall submit the request for service pension and the required documents to one of the offices of the State Social Insurance Agency.

(2) An official of the State Social Insurance Agency office shall examine the request for service pension and the documents necessary for the granting thereof and take the decision to grant the service pension or the decision to refuse to grant the service pension.

(3) Upon request of the State Social Insurance Agency, the Service shall provide information regarding the employee’s length of service and remuneration from which the service pension is to be calculated.

(4) A person may contest the administrative acts issued by or the actual action of the officials of the State Social Insurance Agency to the director of the State Social Insurance Agency. The decision of the Director of the State Social Insurance Agency may be appealed to a court in accordance with the procedures laid down in the Administrative Procedure Law.

(5) The procedures for granting, calculating, and disbursing the service pension shall be determined by the Cabinet.

(6) The employee who has the right to several service pensions shall be granted only one pension according to his or her choice.

(7) The service pension recipient may authorise another person to receive his or her service pension.

**Section 8. Increase in the Amount of the Service Pension**

Service pensions shall be reviewed within the time periods and in accordance with the procedures laid down in the law On State Pensions.

**Section 9. Discontinuation of Disbursement of the Service Pension or Amendments to the Amount Thereof**

(1) Disbursement of the service pension shall be discontinued if the service pension recipient:

1) receives an unemployment benefit;

2) starts the serving (working) anew in a position which grants the right to the service pension.

(2) Disbursement of the service pension shall be discontinued or the amount thereof shall be amended in accordance with the procedures laid down in this Law if an old-age pension has been granted to the service pension recipient in accordance with the law On State Pensions.

(3) The service pension recipient has an obligation to notify the State Social Insurance Agency within 10 days of setting in of the circumstance referred to in Paragraph one, Clause 2 of this Section.

**Section 10. Disbursement of Service Pension for Period that Has Passed**

(1) The amounts of calculated service pension which have not been received by the pension recipient in due time shall be disbursed for the period that has passed but which is not longer than three years.

(2) If the calculated amounts of a service pension have not been received in due time due to the fault of the institution which grants or disburses the service pension, these amounts shall be disbursed for the period that has passed without any restrictions on the time period.

**Section 11. Deductions from the Service Pension**

(1) Deductions from the service pension may be made:

1) based on a court ruling;

2) based on a decision made by an official of the State Social Insurance Agency office in order to recover the amounts overpaid for pension due to the fault of the recipient. Overpaid amounts of the service pension shall be recovered in accordance with the procedures and amount laid down in the law On State Social Insurance.

(2) Maintenance for the support of minor children shall be recovered in the first instance.

(3) If the disbursement of the service pension is discontinued before the debt is extinguished, the remaining amount of the debt shall be recovered in accordance with the procedures laid down in the Law.

**Section 12. Disbursement of the Service Pension not Received due to the Death of Person and Disbursement of the Funeral Allowance**

(1) The spouse or first-level or second-level relative of the service pension recipient has the right to receive the amounts of the service pension calculated for disbursement which have not been disbursed by the time of death of the service pension recipient, but another person – on the basis of an inheritance certificate or a court ruling.

(2) In the case of death of the service pension recipient, a funeral allowance in the amount of two monthly service pensions shall be disbursed to the person who has undertaken to arrange the funeral. In order to receive the funeral allowance, the requester thereof or his or her authorised person shall, not later than within six months after the day of death of the service pension recipient, submit a written submission to the State Social Insurance Agency office and present a personal identification document.

(3) In the case of death of the service pension recipient, a lump-sum allowance in the amount of two pensions of the deceased spouse shall be granted and disbursed to the surviving spouse on the basis of his or her request. The right to the allowance shall exist if it has been requested not later than within six months after the day of death of the deceased spouse. A person has the right to receive the lump-sum allowance if on the day of death of the deceased spouse the surviving spouse is a recipient of old-age, disability, or service pension of the Republic of Latvia.

**Section 13. Disbursement of the Service Pension to Persons who Depart to Foreign Countries**

The service pension granted to the persons who depart for permanent life in foreign countries shall be disbursed in accordance with the procedures which have been laid down for disbursement of State pensions laid down in the law On State Pensions.

**Section 14. Certificate of the Service Pension Recipient**

(1) A certificate of the service pension recipient shall be issued to a service pension recipient.

(2) Procedures for issuing and cancelling a certificate of the service pension recipient and also the sample certificate of the service pension recipient shall be determined by the Cabinet.

**Transitional Provision**

[*17 December 2020*]

Amendment to Section 5, Paragraph six of this Law shall come into force on 1 January 2023. When disbursing a service pension in accordance with Section 5, Paragraph six of this Law, 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 (if such contract has been entered into) shall not be taken into account if the old-age pension has been granted to the person in accordance with the law On State Pensions until 31 December 2022.

[*17 December 2020*]

The Law shall come into force on 1 January 2016.

The Law has been adopted by the *Saeima* on 8 July 2015.

President R. Vējonis

Rīga, 21 July 2015