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

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

19 April 2022 [shall come into force on 22 April 2022].

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

Republic of Latvia

Cabinet

Regulation No. 1159

Adopted 21 December 2010

**Procedures for Granting, Calculating, and Disbursing Service Pensions to Officials of the Corruption Prevention and Combating Bureau**

[*19 April 2022*]

*Issued pursuant to*

*Section 4, Paragraph one and Section 8, Paragraph six of the Law on Service Pensions for Officials of the Corruption Prevention and Combating Bureau*

[*19 April 2022*]

1. The Regulation prescribes the procedures for granting and disbursing service pensions to the officials of the Corruption Prevention and Combating Bureau (hereinafter – the Bureau) who have the right to receive the service pension in accordance with the law.

2. In order to receive the service pension, a person requesting service pension shall submit a request for service pension to any office of the State Social Insurance Agency (hereinafter – the Agency) accompanied by the following:

2.1. documents confirming the length of service which gives the right to the service pension;

2.2. a statement regarding the service periods worked by the person requesting service pension at the Bureau which give the right to the service pension (Annex 1);

2.3. a statement regarding dismissal from office of the person requesting service pension and his or her remuneration at the Bureau (Annex 2);

2.4. a payroll tax booklet.

3. If the person requesting service pension has failed to submit the documents referred to in Sub-paragraphs 2.2 and 2.3 of this Regulation, the Agency shall request the necessary information from the Bureau.

4. The Bureau shall, within 10 working days after receipt of the request for information, prepare and submit to the Agency the following:

4.1. a statement regarding the service periods worked by the person requesting service pension at the Bureau which give the right to the service pension (Annex 1);

4.2. a statement regarding dismissal from office of the person requesting service pension and his or her remuneration at the Bureau (Annex 2).

5. If the request for service pension of the person requesting service pension has not been accompanied by the documents which, in accordance with Section 3, Clauses 2, 3, 4, and 6 of the Law on Service Pensions for Officials of the Corruption Prevention and Combating Bureau, confirm the time served and worked, the Agency shall obtain the necessary information from the relevant authorities.

6. The total length of service of the person requesting service pension shall be expressed in years, months, and days. If the periods to be included in the length of service of the person requesting service pension overlap, only one period which is more advantageous to the person requesting service pension shall be included in the length of service.

7. When determining the right to the service pension, the number of full years of the length of service shall be taken into account without counting months and days. When determining the remuneration from which the service pension is calculated, the number of years, months, and days shall be taken into account.

7.1 The average monthly remuneration for granting the service pension shall be calculated by using the following formula:

 where

Ds – the average monthly remuneration;

A – the calculated total amount of monthly salary for the last 60 months (starting from the last day of work);

P – the calculated total amount of the supplements determined in the laws and regulations governing remuneration for the last 60 months (starting from the last day of work);

Pr – the calculated total amount of bonuses and gratuities for the last 60 months (starting from the last day of work);

Tn – the actual period worked (in hours) for the last 60 months (starting from the last day of work);

8 – regular working time (in hours);

21 – the average number of working days per month.

[*19 April 2022*]

7.2 The actual period worked referred to in Paragraph 7.1 of this Regulation shall not include time when the person requesting service pension has been in service without holding specific office, has been on leave, has not fulfilled office duties due to temporary incapacity for work, in the cases referred to in Section 3, Paragraph four and Section 26, Paragraph one of the Law on Remuneration of Officials and Employees of State and Local Government Authorities, in the cases referred to in Section 74, Paragraphs one and two of the Labour Law, and also in any other cases of justified absence determined in external legal acts.

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7.3 The calculation of the average monthly remuneration shall not include the paid sick pay, the payment for the leave, the remuneration paid in the cases referred to in Section 3, Paragraph four (except for the gratuity determined in Clause 5) and Section 26, Paragraph one of the Law on Remuneration of Officials and Employees of State and Local Government Authorities, in the cases referred to in Section 74, Paragraphs one and two of the Labour Law, and other cases of justified absence determined in external legal acts, and also the disbursements made for the previous periods of time.

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8. The Agency shall take the decision to grant the service pension or to refuse to grant the service pension if the requirements laid down in the Law on Service Pensions for Officials of the Corruption Prevention and Combating Bureau and this Regulation have not been complied with and shall notify the person requesting service pension within the time period and in accordance with the procedures laid down in the Administrative Procedure Law.

9. The Agency shall make a note in the payroll tax booklet with regard to the service pension granted to the service pension recipient.

10. In order for the Agency to apply the additional personal income tax reliefs determined in the law On Personal Income Tax to the service pension to be disbursed to the service pension recipient, the service pension recipient shall submit to the Agency the payroll tax booklet in which an entry regarding the additional personal income tax relief has been made.

11. The Agency shall disburse the service pension from the fifth to the twenty-fourth day of each month. The service pension shall, upon request of the service pension recipient, be transferred to an account with a credit institution of the Republic of Latvia or with a postal settlement system or delivered to the place of residence of the service pension recipient for a fee by deducting its delivery charges from the service pension in accordance with the fee for the delivery of pension, benefit, or remuneration determined in the annual State budget law.

12. The difference between the amount of service pension and the amount of old-age pension shall be disbursed, concurrently with the old-age pension, to the service pension recipient whose amount of service pension has been reduced by the amount of the granted old-age pension.

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

14. Disbursement of the service pension shall be discontinued from the following month when the Agency has become aware of information about the cases referred to in Section 2, Paragraph two of the Law on Service Pensions for Officials of the Corruption Prevention and Combating Bureau.

15. Disbursement of the service pension shall be discontinued in the cases referred to in Section 9, Paragraph two of the Law on Service Pensions for Officials of the Corruption Prevention and Combating Bureau from the day when the relevant circumstances have occurred.

16. If disbursement of the service pension has been discontinued in the case referred to in Section 9, Paragraph two, Clause 1 of the Law on Service Pensions for Officials of the Corruption Prevention and Combating Bureau, it shall be renewed, on the basis of the submission for renewal of service pension of the service pension recipient, from the day when the right to the disbursement of this pension has re-arisen.

17. If disbursement of the service pension has been discontinued in the case referred to in Section 9, Paragraph two, Clause 2 of the Law on Service Pensions for Officials of the Corruption Prevention and Combating Bureau, the Agency shall renew the service pension from the following day after discontinuation of disbursement of the unemployment benefit.

18. Cabinet Regulation No. 442 of 19 May 2009, Procedures for Granting and Disbursing Service Pension to Officials of the Corruption Prevention and Combating Bureau (*Latvijas Vēstnesis*, 2009, No. 81), is repealed.

19. The Regulation shall come into force on 1 January 2011.

Prime Minister, Minister for Regional Development and Local Government Affairs V. Dombrovskis

Minister for Welfare I. Jurševska

**Annex 1**

Cabinet Regulation No. 1159

21 December 2010

**To the STATE SOCIAL INSURANCE AGENCY**

|  |  |  |
| --- | --- | --- |
|  |  |  |
| (date) |  | (number) |

**Statement of the Corruption Prevention and Combating Bureau Regarding the Service Periods Worked by the Person Requesting Service Pension at the Corruption Prevention and Combating Bureau Which Give the Right to the Service Pension**

|  |
| --- |
|  |
| (the given name, surname of the person requesting service pension) |

|  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Personal identity number |  |  |  |  |  |  | - |  |  |  |  |  |

Period included in the length of service\*

|  |  |  |  |
| --- | --- | --- | --- |
| No. | Name of the institution | Time worked | Length of service(years, months, days) |
| from | justification (name, date, number of the document) | to | justification (name, date, number of the document) |
|  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |

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

|  |  |  |
| --- | --- | --- |
| Prepared by |  |  |
|  | (surname and telephone) |  |

Notes.

1. \* In accordance with Section 3, Clauses 1 and 5 of the Law on Service Pensions for Officials of the Corruption Prevention and Combating Bureau.

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

Minister for Welfare I. Jurševska

**Annex 2**

Cabinet Regulation No. 1159

21 December 2010

[*30 July 2013*]

**To the STATE SOCIAL INSURANCE AGENCY**

|  |  |  |
| --- | --- | --- |
|  |  |  |
| (date) |  | (number) |

**Statement Regarding Dismissal from Office of the Person Requesting Service Pension and His or Her Remuneration at the Corruption Prevention and Combating Bureau**

|  |
| --- |
|  |
| (the given name, surname of the person requesting service pension) |

|  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Personal identity number |  |  |  |  |  |  | - |  |  |  |  |  |

Dismissed from office by Order No. \_\_\_\_\_\_ of \_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_ in accordance with Section \_\_\_\_, Paragraph \_\_\_\_, Clause \_\_\_\_ of the Law on Corruption Prevention and Combating Bureau.

|  |  |
| --- | --- |
| Reason for the dismissal from office |  |

|  |  |
| --- | --- |
| Opinion of the State Medical Commission for the Assessment of Health Condition and Working Ability (to be completed if the person requesting service pension has been dismissed from office due to his or her state of health) |  |
|  | (number, date) |

Remuneration for the period of time from \_\_\_ \_\_\_ \_\_\_\_\_\_\_\_\_\_ to \_\_\_ \_\_\_ \_\_\_\_\_\_\_\_\_\_

|  |  |
| --- | --- |
| The calculated average monthly remuneration for the last five years before the person requesting service pension was dismissed from office\*  |  |
|  | (in euros and cents (in numbers and words)) |

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

|  |  |  |
| --- | --- | --- |
| Prepared by |  |  |
|  | (surname and telephone) |  |

Notes.

1. \* In accordance with Section 4 of the Law on Service Pensions for Officials of the Corruption Prevention and Combating Bureau.

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

Minister for Welfare I. Jurševska