The *Saeima*1 has adopted and

the President has proclaimed the following law:

**National Defence Service Law**

**Chapter I**

**General Provisions**

**Section 1. Purpose of the Law**

The purpose of the Law is to ensure the preparation of Latvian citizens (hereinafter – the citizens) for the performance of national defence tasks and also to strengthen the resilience and response capabilities of the State and society as part of a comprehensive national defence.

**Section 2. National Defence Service**

(1) National defence service is a type of public service which includes the national defence military service and also the national defence civil service (hereinafter – the alternative service).

(2) The citizens, i.e. males, shall be subject to the national defence service within one year after attaining 18 years of age. A citizen who, after attaining 18 years of age, continues the acquisition of education (except for higher education) shall be subject to the national defence service within one year after graduation from an educational institution. If a citizen, after attaining 18 years of age, continues the acquisition of education (except for higher education) and has not graduated from an educational institution until attaining 24 years of age, he shall be subject to the national defence service within one year after attaining 24 years of age.

(3) The citizens, i.e. males, up to 27 years of age shall be subject to the national defence service if the grounds for the deferral of such service specified for them in the decision to defer the national defence service have ceased to exist.

(4) The citizens, i.e. males and females, from 18 to 27 years of age may voluntarily apply for the national defence military service. Unless otherwise specified in the Law, the same legal framework shall be applicable to the citizens who have voluntarily applied for the national defence military service as to other recruits.

**Section 3. Type of Performance of National Defence Military Service**

(1) The national defence military service shall be performed in one of the following ways:

1) for 11 months in a unit of the regular forces of the National Armed Forces or the National Guard of the Republic of Latvia (hereinafter – the National Guard) (hereinafter – the unit of the National Armed Forces);

2) for five years in the National Guard in total, performing the service tasks for not less than 21 individual training days and not more than seven collective training days each year;

3) by completing, within five years, the reserve officer programme intended for students of higher education institutions and colleges at a military education institution and the unit of the National Armed Forces the total period for training and performance of service tasks of which is not less than 180 days.

(2) For the persons subject to the national defence service who cannot perform the national defence military service due to their thoughts, conscience, or religious affiliation, it may be substituted with the alternative service in accordance with the procedures laid down in this Law. The alternative service shall be performed for 11 months in the institutions subordinate to the Ministry of Defence.

(3) The way in which a citizen shall perform the national defence military service shall be determined, taking into account the priorities stipulated by the National Armed Forces and the staffing needs for the performance of the tasks stipulated by the National Armed Forces.

(4) A citizen who is learning the profession of a doctor, doctor’s assistant, or nurse by studying in a medical treatment programme may choose one of the types of performance of the national military service referred to in Paragraph one of this Section regardless of the priorities stipulated by the National Armed Forces. Taking into account the professional knowledge and skills of students, they may be appointed to positions related to the relevant field.

(5) The Cabinet shall determine the set of theoretical and practical knowledge and skills to be acquired during the national defence military service.

**Chapter II**

**Registration, Recording, and Conscription of Citizens into National Defence Service**

**Section 4. Conscription into National Defence Military Service**

(1) The Minister for Defence shall issue an order regarding conscription into the national defence military service, specifying the time of conscription and the number of recruits therein for each type of the national defence military service. The number of recruits shall be determined, taking into account the guidelines and priorities specified in the National Defence Concept, the National Defence Operational Plan, and the National Armed Forces Development Plan for the performance of the national defence tasks. The order shall be published in the official gazette *Latvijas Vēstnesis* not later than six months before the planned conscription.

(2) When organising conscription into the national defence military service, such citizens shall be included therein on a priority basis who have voluntarily applied for the national defence military service. The citizens who have voluntarily applied for the national defence military service in conformity with the provisions of Section 3, Paragraph three of this Law may be offered to choose the type of performance of the national defence military service.

(3) In order to complete the missing number of recruits, conscription into the national defence military service shall take place, using random selection (hereinafter – the selection) in relation to those recruits who have not applied for service voluntarily. Selection shall be organised for the performance of the type of service referred to in Section 3, Paragraph one, Clause 1 of this Law. Selection shall be organised in proportion to the number of the citizens subject to national defence service who are declared in each municipality. The Cabinet shall determine the conditions and procedures for the selection.

(4) If all citizens subject to service in the relevant year are subject to conscription, the selection referred to in Paragraph three of this Section shall not be organised.

(5) A citizen who has not been selected for conscription into the national defence service within the term indicated in Section 2, Paragraph two of this Law shall be removed from the records of the national defence service and enlisted in the reserve of the National Armed Forces as a reservist.

(6) The Ministry of Defence shall create and maintain a State information system in which the citizens subject to the national defence service, the citizens who have voluntarily applied for the national defence military service, and the citizens conscripted into the national defence service are registered and recorded. The Cabinet shall determine the procedures by which the Ministry of Defence shall register, record, and conscript the citizens subject to the national defence service and those citizens who have voluntarily applied for the national defence military service.

(7) Until conscription into the national defence military service or alternative service, the citizens registered by the Ministry of Defence shall be called recruits.

**Section 5. Conscription Control Commission of National Defence Service**

(1) The Cabinet shall establish the conscription control commission of the national defence service (hereinafter – the control commission). For the period of operation of the control commission, members of this commission are released from the fulfilment of duties at the place of primary employment with retention of remuneration. At least half of the composition of the control commission shall consist of the persons who are not employed by the National Armed Forces, the Ministry of Defence, and the institutions subordinate thereto.

(2) The control commission shall control and review the decisions taken by the Ministry of Defence and also shall take decisions on conscription into the alternative service.

(3) The Cabinet shall determine the procedures by which the commission referred to in Paragraph one of this Section shall control and review the decisions taken by the Ministry of Defence, examine complaints of persons regarding such decisions, and also take decisions on conscription into the alternative service.

**Section 6. Determination of Suitability of Recruits for National Defence Service and Procedures for Obtaining and Provision of Information**

(1) The Ministry of Defence shall, in cooperation with the National Armed Forces, assess and determine the suitability of recruits for the national defence service.

(2) In order to assess the suitability of recruits for the national defence service, the Ministry of Defence shall be ensured with online access to the indicated State information systems and databases free of charge for obtaining the following information:

1) from the Register of Natural Persons – the given name, surname, personal identity number (also previous personal identity number), sex, data of birth, status in the Register of Natural Persons (active/passive), nationality and its type, information on the restriction of the capacity to act of the person or on reviewing the restriction on capacity to act, information on children under guardianship, information on the establishment or termination of out-of-family care or guardianship or the discontinuation, removal, or renewal of custody rights, declared, registered, or indicated address of the place of residence;

2) from the Punishment Register – information on the conviction for a serious or especially serious crime regardless of the extinguishment or setting aside of criminal record, on sentences for a serious or especially serious crime with release from the punishment, or on the termination of criminal proceedings for reasons other than exoneration, the status of the suspect or accused;

3) from the State Education Information System – information on the education acquired or to be acquired, academic performance and status;

4) from the Information System of Disability – information on the disability determined for a person;

5) from the unified electronic information system of the health sector – information on the health condition of the person;

6) from the Register of Patients Suffering from Certain Diseases – information on the diseases registered for a patient;

7) from the Electronic Declaration System – information on the place of employment of a person;

8) from the Database for Recording Certificates of the Proficiency in the Official Language – information on the proficiency in the official language.

(3) The information on the conscription of a Latvian citizen into the national defence service or on the deferral of conscription, and also on the type of the performance of the national defence service and retiring from the national defence service may be requested from the Ministry of Defence:

1) by State administration institutions – for the performance of their functions if the obtaining of the relevant information is provided for in the legal acts governing the operation of the State administration institution;

2) with the intermediation of a credit bureau, by credit institutions and creditors which have received the special permit (licence) for the provision of consumer credit services – in order to assess the ability of the citizen to repay the credit.

(4) The Cabinet shall determine:

1) the requirements for and procedures for the examination of the health condition of recruits;

2) the procedures and terms within which the health condition may be re-assessed and suitability for the national defence service may be determined if a recruit has been recognised as unfit for such type of service due to temporary health problems;

3) the procedures by which the Ministry of Defence shall obtain information from State information systems, process and store such information;

4) the procedures by which State administration institutions and also credit institutions and creditors which have received a special permit (licence) for the provision of consumer credit services shall request and the Ministry of Defence shall provide information on conscription of a citizen into the national defence service or on the deferral of conscription, and also on the type of the performance of the national defence service and retiring from the national defence service, and the amount of the information to be provided.

**Section 7. Decision Regarding a Recruit**

(1) After suitability of a recruit for the national defence service has been assessed, the Ministry of Defence shall take one of the following decisions on each recruit:

1) to conscript into the national defence military service, indicating the location for the performance of service and the time of arrival for the commencement of service;

2) to defer the national defence service, indicating the reason and the term for the deferral;

3) not to conscript into the national defence service and to delete from the records of the national defence service if the recruit does not meet the requirements laid down for the national defence service.

(2) If an application of a recruit for the performance of the alternative service has been received, the Ministry of Defence shall send it to the control commission for taking a decision. When taking the decision on conscription into the alternative service, the control commission shall indicate the place for the performance of the alternative service. If the control commission has rejected the application of the recruit for the performance of the alternative service, the Ministry of Defence shall ensure the enforcement of the decision specified in Paragraph one, Clause 1 of this Section.

**Section 8. Citizens who are not Subject to National Defence Service**

(1) The following persons shall not be subject to the national defence service:

1) a citizen whose health condition does not meet the requirements laid down for the national defence service;

2) a citizen who has a child under guardianship if the other parent of the child is deceased or the other parent is unable to implement guardianship, or the other parent has been conscripted into the national defence service, and also a citizen who, by a decision of the Orphan’s and Custody Court, is the sole guardian or the sole carer in a foster family;

3) a citizen who, based on the law or a court ruling, has the obligation to take care of his or her spouse or parents if he or she is the sole carer;

4) a citizen who also holds a citizenship (nationality) of any other country if he or she has served in the foreign military service or performed the national defence civil service (alternative service) in a foreign country, except when he or she applies for the national defence service voluntarily;

5) a graduate of the Colonel Oskars Kalpaks Military High School;

6) a citizen who has continuously served in the professional service for not less than 11 months;

7) an official with a special service rank of the institutions of the system of the Ministry of the Interior of the Republic of Latvia and the Prison Administration who has continuously served at the abovementioned institutions for not less than two years;

8) a citizen who has been convicted for a serious or especially serious crime – regardless of the extinguishment or setting aside of criminal record;

9) a citizen who has been convicted for the criminal offence referred to in Clause 8 of this Paragraph by releasing him or her from the punishment, or the criminal proceedings against him or her have been terminated for reasons other than exoneration;

10) a citizen if he or she is a parent, guardian, or foster parent of a child for whom a disability has been determined.

(2) The citizens referred to in Paragraph one of this Section shall be deleted from the records of the national defence service.

**Section 9. Grounds for Deferral of National Defence Service**

(1) The national defence service shall be deferred for:

1) an official with a special service rank of the institutions of the system of the Ministry of the Interior of the Republic of Latvia and the Prison Administration unless he or she is serving and has not continuously served at the abovementioned institutions for two years, and also an official of State security institutions who is serving at the abovementioned institutions;

2) a citizen for whom the national defence service needs to be deferred due to the health condition;

3) a citizen who has been recognised as the suspect or accused in criminal proceedings;

4) a citizen who has been convicted for a criminal offence, except for the criminal offence referred to in Section 8, Paragraph one, Clause 8 of this Law, if the criminal record has not been set aside or extinguished in accordance with the procedures laid down by law;

5) a citizen who is serving in the professional service and has not continuously served for 11 months.

(2) The national defence service may be deferred for a citizen who, due to important reasons (a scholarship in a higher education institution, participant of the national team in any type of sport, being on parental leave, taking care of a child up to 18 months of age in accordance with the law, important family circumstances, and other reasons), wishes to perform the national defence service at another time but not later than until he or she reaches 26 years of age.

(3) The Ministry of Defence shall control whether the circumstances due to which the national defence service was deferred for a recruit have changed. If the grounds for deferral have ceased to exist, the citizen shall be conscripted into the national defence military service or alternative service.

**Section 10. Contesting and Appeal of Decisions**

(1) A recruit may contest the decision referred to in Section 7, Paragraph one of this Law in accordance with the procedures laid down in the Administrative Procedure Law by submitting a relevant submission to the control commission. The recruit may appeal the decision of the control commission before a court in accordance with the procedures laid down in the Administrative Procedure Law.

(2) A recruit may appeal the decision of the control commission on the refusal to replace the national defence military service with alternative service before a court in accordance with the procedures laid down in the Administrative Procedure Law.

**Section 11. Notification of Sending to the Place of the National Defence Service**

(1) The Ministry of Defence shall ensure timely arrival of the citizen conscripted in the national defence military service or alternative service at the place of service, issuing the decision on conscription into the national defence service to him or her against a signature or sending it to the official electronic address or declared address of the place of residence not later than three months before the date when he or she must appear at the place of service.

(2) Compulsory enforcement of the administrative act referred to in Paragraph one of this Section shall be ensured by the Military Police in accordance with the procedures laid down in the Administrative Procedure Law.

**Chapter III**

**Performance of National Defence Military Service**

**Section 12. General Provisions for Performance of National Defence Military Service**

(1) The performance of the national defence military service shall be governed by this Law, the Military Service Law, and other legal acts, including also military rules of procedure.

(2) A citizen shall perform the national defence military service in accordance with the procedures laid down in this Law in the status of a soldier of the national defence service.

(3) When commencing the national defence military service, a soldier of the national defence service shall give the oath of a soldier in accordance with the Military Service Law.

(4) Soldiers of the national defence service shall be awarded military service ranks in accordance with the procedures laid down in the Military Service Law.

**Section 13. Commencement of the Performance of the National Defence Military Service**

(1) Performance of the national defence military service shall begin on the day when a citizen has, based on the decision on conscription into the national defence military service, arrived at the place of service and has been included in the personnel list of the particular unit of the National Armed Forces. The commander (chief) of the place of service shall record the period of the performance of the national defence military service and also, within 10 days, inform the Minister for Defence of the commencement of the national defence military service training.

(2) When assessing the appointment of a soldier of the national defence service to a position in the unit of the National Armed Forces, the National Armed Forces may request an opinion of the Defence Intelligence and Security Service on the conformity of the appointment of the soldier of the national defence service with the interests of national security.

**Section 14. Provisions for Changing the Type of the National Defence Military Service**

(1) After six months in the national defence military service, a soldier has the right to enter into a professional service contract in conformity with the conditions and procedures specified in the Military Service Law for acceptance in professional service.

(2) If a soldier of the national defence service serving in the National Guard does not perform the national defence military service (does not complete the training programme provided for the service year) without a justifying reason, he or she shall be transferred for the performance of the national defence military service lasting 11 months in the unit of the National Armed Forces. The period spent in the service of the National Guard shall not be taken into account in the performance of the national defence military service in the unit of the National Armed Forces.

(3) If a soldier of the national defence service does not perform (does not complete the training programme provided for the service year) the national defence military service within the scope of the reserve officer programme intended for the students of higher education institutions and colleges at a military education institution and the unit of the National Armed Forces without a justifying reason, he or she shall be transferred for the performance of the national defence military service lasting 11 months in the unit of the National Armed Forces. The period spent in the completion of the reserve officer programme intended for the students of higher education institutions and colleges shall not be taken into account in the performance of the national defence military service in the unit of the National Armed Forces.

(4) If a professional service contract with a soldier who has entered into such contract after six months in the national defence military service is terminated early due to disciplinary violations or upon his or her own wish, the soldier shall be transferred for the continuation of the national defence military service lasting 11 months to a unit of the National Armed Forces if the total period served in the national defence military service and professional service is less than 11 months. The period served in the professional service shall be included in the period of the national defence military service lasting 11 months.

(5) The period when a soldier of the national defence service has been in arbitrary absence shall not be included in the period of the national defence military service.

**Section 15. Evasion from National Defence Military Service**

The period when a soldier of the national defence service did not perform service without a justifying reason shall not be included in the period of the national defence military service. The person shall be held liable for evasion from the performance of the national defence military service in accordance with the procedures laid down in the Criminal Law.

**Section 16. Provisioning of Soldiers of National Defence Service and Other Guarantees Related to Service**

(1) A soldier of the national defence service during the period of the national defence military service shall be partially State provisioned. Each soldier of the national defence service shall, during the period of service, receive soldier food rations, a soldier’s uniform, and the necessary service equipment.

(2) Provisioning conditions, norms, and procedures by which a soldier of the national defence service shall be provided with material and technical resources shall be determined by the Minister for Defence, whereas the amount of food rations compensation – by the Cabinet.

(3) A soldier of the national defence service shall not receive the soldier food rations specified in this Section if food rations compensation has been granted to him or her. The food rations compensation shall not be subject to debt recovery.

(4) Children of the soldiers of the national defence service are entitled to be placed in pre-school educational institutions out of turn.

**Section 17. Awards**

Soldiers of the national defence service may be awarded the awards referred to in Section 69 of the Military Service Law, except for the awards indicated in Paragraph one, Clauses 6 and 8 of the abovementioned Section.

**Section 18. Liability of Soldiers of National Defence Service**

A soldier of the national defence service shall be brought to disciplinary liability, administrative liability, or criminal liability for unlawful actions, and compensation for financial losses caused shall be recovered from him or her in accordance with the procedures laid down in laws and regulations.

**Section 19. Retirement from National Defence Military Service**

(1) The commander (chief) of the place of service shall, upon expiry of the period of service, retire a soldier of the national defence service in the reserve.

(2) A soldier of the national defence service shall be retired in the reserve before the end of the period of the national defence military service if:

1) during the period of the national defence military service, he or she has been recognised as unfit for the national defence service due to a health condition;

2) he or she has been convicted for a criminal offence and the criminal record has not been extinguished or set aside;

3) he or she has the status of the suspect or accused and he or a security measure in the form of house arrest or arrest has been imposed on him or her;

4) an opinion of the Defence Intelligence and Security Service on his or her non-conformity for the performance of service with the interests of national security has been received;

5) the cases referred to in Section 8, Paragraph one, Clause 2, 3, or 10 of this Law have set in.

(3) The procedures for retiring a soldier of the national defence service in the reserve shall be determined by the Minister for Defence.

(4) A soldier of the national defence service shall be retired before the end of the period of the national defence military service if he or she loses Latvian citizenship.

**Chapter IV**

**Performance of Alternative Service**

**Section 20. Commencement of the Performance of Alternative Service**

(1) When determining the location for the performance of the alternative service, the control commission shall take into account the personal traits, education, and declared place of residence of the performer of the alternative service. Alternative service shall commence from the day when the performer of alternative service has arrived at the location of the performance of service specified in the decision of the control commission.

(2) The place of service shall be determined for a performer of the alternative service in the administrative territory where his or her declared place of residence is located or where residential space is provided for him or her. If it is not possible, the place of the alternative service shall be determined for him or her in the administrative territory from which it is possible to return to his or her declared place of residence every day.

(3) Change of the place of residence shall not form grounds for determining another location for the performance of the alternative service to a performer of the alternative service.

(4) An institution shall approve the positions which may be filled by a performer of the alternative service and shall determine whether the vetting of the conformity of the performer of the alternative service with the interests of national security is necessary for filling the position. If vetting of the conformity of the performer of the alternative service with the interests of national security is necessary for the appointment to position, the institution shall request it to the Defence Intelligence and Security Service.

**Section 21. Recording of Alternative Service**

(1) The period of the alternative service shall be recorded by the institution at which the alternative service is being performed. The institution shall control the performance of the alternative service. The procedures for recording the period of the alternative service shall be determined by the Minister for Defence.

(2) A performer of the alternative service shall perform service 40 hours per week. The period when the performer of service has not performed service duties without justification shall not be included in the period of the alternative service.

**Section 22. Obligations of Performers of Alternative Service**

A performer of alternative service has the following obligations:

1) to perform alternative service in accordance with the requirements of laws and regulations and of the institution in which alternative service is being performed;

2) to comply with the internal procedure regulations, occupational safety and health protection requirements of the institution at which the alternative service is being performed;

3) to treat the State property with care.

**Section 23. Obligations of Institutions**

(1) An institution at which a performer of the alternative service is performing service has the obligation to train the performer of the alternative service if he or she requires special training for the performance of the specified service duties and also, during the performance of service, to ensure safety and health protection for the performer of the alternative service in accordance with the requirements of the laws and regulations governing labour protection.

(2) An institution shall provide a performer of the alternative service with the working clothes and equipment necessary for the performance of service.

**Section 24. Liability of Performers of Alternative Service**

(1) A performer of the alternative service shall be liable for the direct losses which, due to his or her unlawful, culpable actions, have been caused to the institution at which he or she is performing the alternative service.

(2) For the inadequate performance of the alternative service and violation of the internal working procedure regulations of the institution, a written reproof or reprimand may be issued to the performer of the alternative service, indicating the circumstances attesting to the committing of a violation. The head of the institution shall issue the reproof or reprimand not later than within a month from the day when the violation was detected. Before issuing a reproof or reprimand, the institution shall acquaint the performer of the alternative service with the nature of the violation committed by him or her in writing and afterwards request a written explanation from him or her of the violation committed.

(3) A performer of the alternative service has the right to request the revocation of a reproof or reprimand within a month from the day when the reproof or reprimand was issued by submitting a complaint to the Ministry of Defence. The performer of the alternative service may appeal the decision of the Ministry of Defence in accordance with the procedures laid down in the Administrative Procedure Law.

**Section 25. Retirement from Alternative Service**

(1) Upon expiry of the period of the national defence service, the Ministry of Defence shall retire a performer of the alternative service in the reserve of the National Armed Forces and include in reservists.

(2) The procedures for retiring performers of the alternative service in the reserve shall be determined by the Minister for Defence.

(3) A performer of the alternative service shall be retired from the alternative service in the reserve before the end of the period of this service if:

1) during the performance of service, he or she has been recognised as unfit for the national defence service due to a health condition;

2) he or she has been convicted for a criminal offence and the criminal record has not been extinguished or set aside;

3) he or she has the status of the suspect or accused and a security measure in the form of house arrest or arrest has been imposed on him or her;

4) an opinion of the Defence Intelligence and Security Service on his or her non-conformity for the performance of service with the interests of national security has been received;

5) the cases referred to in Section 8, Paragraph one, Clause 2, 3, or 10 of this Law have set in.

(4) A performer of the alternative service shall be retired before the end of the period of alternative service if he or she has lost Latvian citizenship.

**Chapter V**

**Obligations and Rights of Recruits, Soldiers of National Defence Service, Performers of Alternative Service and Obligations of Employer**

**Section 26. Obligations of Recruits, Soldiers of National Defence Service, and Performers of Alternative Service**

(1) A recruit has the obligation:

1) to become acquainted with the notifications received from the Ministry of Defence;

2) to arrive to examinations at the place and time indicated in the summons of the Ministry of Defence;

3) to arrive at the place and time indicated in the decision of the Ministry of Defence on conscription into the national defence military service or the decision of the control commission on conscription into the alternative service.

(2) Objective circumstances shall be recognised as a justifying reason for the failure to arrive to examinations and the performance of the national defence service.

(3) Each recruit, soldier of the national defence service, and performer of the alternative service shall be responsible for ensuring that the change of the place of residence, leaving the country, or other circumstances under his or her control would not cause obstacles for the performance of the national defence service.

**Section 27. Release from the Performance of Work (Official) Duties and Training (Studies)**

(1) An employer or an educational institution shall release the following from the performance of work (official) duties or training (studies):

1) a recruit for the performance of examinations before the commencement of the national defence service at the time indicated in the summons of the Ministry of Defence;

2) a soldier of the national defence service and a performer of the alternative service during the period of the performance of the national defence service.

(2) An employer shall retain the previous work (position) for an employee who has been released from the performance of work (official) duties or ensure similar or equivalent work (position) for the employee with working conditions and employment provisions that are not less favourable for the employee. The period of the performance of the national defence service shall not be included in the time giving the right to annual paid leave. An educational institution shall retain the right to continue training (studies) for a citizen who has been released from training (studies) on the same conditions as before conscription.

(3) An employer shall disburse the remuneration provided for in Section 74, Paragraph three of the Labour Law to an employee who has been released from the performance of work (official) duties due to participation in examinations for determining his or her suitability for the national defence service.

**Section 28. Compensation for Soldiers of National Defence Military Service and Performers of Alternative Service**

(1) A soldier of the national defence service and a performer of the alternative service are entitled to receive compensation for the performance of service duties. Soldiers of the national defence service who have voluntarily applied for the national defence military service are entitled to receive compensation for the performance of service duties in an increased amount. The Cabinet shall determine the amount and procedures for the disbursement of compensation. The compensation shall not be subject to debt recovery.

(2) If, during the period of the performance of direct service duties, temporary incapacity for work has set in for the soldier of the national defence service referred to in Section 3, Paragraph one, Clauses 2 and 3 of this Law and a sick-leave certificate has been issued, such soldier shall be discharged from the performance of service duties for the period of incapacity for work and the disbursement of the compensation specified in Paragraph one of this Section shall be suspended. If the employer does not disburse sick pay for the period of temporary incapacity for work which falls within the period of the direct performance of service or the sickness benefit is not paid to the soldier during the period of sick-leave certificate B which falls within the period of performance of service tasks, compensation for sick pay shall be disbursed to the soldier from the funds of the State budget allocated to the Ministry of Defence. The amount of compensation for sick pay shall not exceed the amount of compensation specified in Paragraph one of this Section. The amount of compensation for sick pay and the procedures for its disbursement shall be determined by the Cabinet.

**Section 29. Rights of Soldiers of National Defence Service and Performers of Alternative Service to Living Quarters**

(1) A soldier of the national defence service shall be provided with living quarters in barracks during the period of the direct performance of the national defence military service. When the duties of the national defence military service are performed under field conditions, a soldier of the national defence service shall be provided with accommodation based on the circumstances in which service tasks are being performed.

(2) The institution at which a performer of the alternative service is performing the alternative service may provide him or her with residential space.

**Section 30. Rights of Soldiers of National Defence Military Service and Performers of Alternative Service to Health Care and Safe Environment**

(1) A soldier of the national defence service is entitled to the paid health care provided for the soldiers of the national defence service in the Law on Remuneration of Officials and Employees of State and Local Government Authorities.

(2) The Cabinet shall determine the procedures by which the Ministry of Defence shall cover the costs of the medical treatment and rehabilitation of the health disorders suffered during service for a soldier of the national defence service if the soldier of the national defence service has been retired from service due to unsuitability of health condition for the national defence military service and if it has been caused by an injury suffered during service while performing service duties or a disease the cause of which is related to the national defence military service, and also the amount of the relevant disbursements.

(3) The procedures for the investigation and recording of accidents in which soldiers of the national defence service and performers of the alternative service have been injured shall be determined by the Cabinet.

(4) The Ministry of Defence shall ensure the health of the performers of the alternative service. The premium of health insurance may not exceed the amount specified in the laws and regulations regarding personal income tax.

(5) Soldiers of the national defence service and performers of the alternative service have the right to emotional and physical safety during the period of the performance of the national defence service.

**Section 31. Social Guarantees**

(1) The guarantees specified in Section 21, Paragraphs one, two, three, four, five, six, seven, nine, and eleven and the conditions of Section 23 of the Law on Remuneration of Officials and Employees of State and Local Government Authorities shall be applicable to soldiers of State defence service. The benefit provided for in Section 21, Paragraphs three and six of the abovementioned Law shall be calculated for a soldier of the national defence service, taking the monthly base wage specified for a soldier of professional service with equivalent service rank as the base.

(2) The Ministry of Defence shall make social insurance contributions for soldiers of the national defence service and performers of the alternative service in accordance with the procedures laid down in the law On State Social Insurance.

(3) A benefit shall be granted to a soldier of the national defence service who is performing the national defence military service referred to in Section 3, Paragraph one, Clause 1 of this Law and to a performer of the alternative service for the maintenance of a child during the period of service. The amount of the benefit shall depend on the number of children under care. The Cabinet shall determine the amount of the benefit and the procedures for the granting and disbursement thereof. The benefit shall not be subject to debt recovery.

**Section 32. State Aid to Citizens who have Completed National Defence Service**

State higher education institutions and colleges shall, within the scope of the financing approved for them in the annual State budget and the medium term budget framework law, finance studies in short-cycle vocational higher education and first-cycle higher education stages for citizens who have voluntarily applied for the national defence service and completed it, if these students conform to the provisions for the admission to the higher education institution and study programme. The procedures by which State higher education institutions and colleges shall ensure the possibilities and study directions provided for in this Section shall be determined by the Cabinet.

**Chapter VI**

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

**Section 33. Administrative Offences in the Field of National Defence Service**

For the failure to arrive at the examinations specified for a recruit at the place and time indicated in the summons of the Ministry of Defence without a justifying reason, a warning or a fine of up to seventy units of fine shall be imposed on a recruit.

**Section 34. Competence in Administrative Offence Proceedings**

Administrative offence proceedings for the offences referred to in this Chapter shall be conducted by the Military Police.

**Transitional Provisions**

1. The first conscription into the national defence service shall be implemented on 1 July 2023.

2. The citizens, i.e. males, who have been born after 1 January 2004 shall be subject to conscription into the national defence service.

3. For the enforcement of Sections 4 and 5, Section 6, Paragraph one, and Section 7 of this Law, the Ministry of Defence shall take organisational measures which are necessary for ensuring the new functions and, from 1 July 2023, shall establish a national defence service unit in addition to the current positions in the structure of the ministry within the scope of the current funds from the State budget.

4. Section 3, Paragraph one, Clauses 2 and 3 of this Law shall come into force on 1 January 2024.

5. The activities of the Ministry of Defence referred to in this Law shall, until 1 January 2024, be carried out by the structural unit for the record of reserve of the National Armed Forces. In order to assess the suitability of recruits for the national defence service, online access to the registers and systems referred to in Section 6, Paragraph two of this Law shall be ensured free of charge to the structural unit for the record of reserve of the National Armed Forces until 1 January 2024. In order to assess the suitability of the health condition of recruits for the national defence service, online access to the registers and systems referred to in Section 6, Paragraph two of this Law shall be ensured free of charge to the medical treatment institution of the National Armed Forces until 1 January 2024.

6. The Cabinet shall, by 1 January 2024, issue the regulations referred to in Section 6, Paragraph four, Clause 1 of this Law. Until 1 July 2024, health examination of recruits shall be performed by the medical treatment institution of the National Armed Forces in accordance with the procedures and the requirements for the health condition stipulated by the Minister for Defence.

7. The Ministry of Defence shall, by 1 July 2025, create the State information system referred to in Section 4, Paragraph six of this Law. Until creation of the State information system referred to in Section 4, Paragraph six of this Law, the Ministry of Defence shall process information on the citizens subject to the national defence service, such citizens who have voluntarily applied for the national defence military service, and recruits in accordance with the procedures stipulated by the Minister for Defence.

8. Until 2027, such citizens shall not be conscripted into the national defence service who are permanently living in a foreign country and have notified the address of their place of residence in a foreign country to the Office of Citizenship and Migration Affairs in accordance with the procedures laid down in laws and regulations.

This Law shall come into force on the day following its proclamation.

The Law has been adopted by the *Saeima* on 5 April 2023.

President E. Levits

Rīga, 18 April 2023