The Saeima has adopted and the President has proclaimed the following Law:

The National Guard of the Republic of Latvia Law

Chapter I
General Provisions

Section 1. Purpose and Scope of Application of This Law

(1) The purpose of this Law is to involve the citizens of Latvia in State defence.
(2) The Law prescribes the tasks and structure of the National Guard of the Republic of Latvia (hereinafter – National Guard), and the course of service of national guardsmen.

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

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

Section 3. Tasks of the National Guard

The National Guard shall:
1) prepare the citizens of Latvia for service in the National Guard and train the National Guard personnel;
2) execute State defence tasks;
3) in accordance with the procedures laid down in laws and international agreements, participate in international operations and rapid reaction forces;
4) participate in the provision of host nation support;
5) destroy explosive objects and perform blasting work;
6) participate in emergency, fire-fighting and rescue work and measures for elimination of the consequences of events that have caused emergency situations;
7) [22 May 2014];
8) provide support to State and local government institutions in crime prevention, guaranteeing of public order and security;

1 The Parliament of the Republic of Latvia

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9) provide support to the Information Technology Security Incidents Response Institution in prevention of information technology security incidents and overcoming the consequences arisen;
10) provide support to the Recruitment and Youth Guard Centre in implementation of a youth guard interest educational programme.

[22 May 2014]

Section 4. Status of a National Guardsman

(1) A national guardsman is a person who has given an oath of the national guardsman, who has been awarded a service rank and who is performing service in the National Guard according to the contract concluded with the National Guard regarding the service in the National Guard.

(2) A person shall acquire the status of a national guardsman after giving of an oath and concluding a contract with the Commander of the National Guard unit regarding the service in the National Guard. The persons status of a national guardsman shall lapse upon termination of the contract regarding the service in the National Guard. The Minister for Defence shall determine the content of the contract and the procedures by which the contract shall be concluded and extended.

(3) A contract regarding the service in the National Guard shall be concluded for five years, observing the maximum age specified for the service in the National Guard.

(4) After expiry of a contract regarding the service in the National Guard, upon agreement of the parties, it may be extended each time for a period specified in Paragraph three of this Section but not longer than until the attainment of the maximum age specified for the service in the National Guard.

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

Section 5. Oath of a National Guardsman

(1) Upon commencing service in the National Guard, a citizen of Latvia shall give the following oath:
“I, upon assuming duties of a national guardsman and recognising responsibility to my nation and law, swear to be faithful to the Republic of Latvia, the Constitution and lawful government thereof, not sparing my strength, health and life, to defend the State of Latvia and its independence. I swear to fulfil conscientiously the duties of a national guardsman, comply unquestioningly with military discipline, always execute orders and directions of my commanders in accordance with the laws of the Republic of Latvia.”

(2) The procedures for giving the oath shall be determined by the Minister for Defence.

Section 6. Performance of the National Guard Service

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

(2) A national guardsman shall, according to the contract regarding the service in the National Guard, be involved in execution of the National Guard tasks and training up to 30 days per year, but if a national guardsman is sent to courses specified by the Minister for Defence – up
to 90 days per year during free time, outside of regular employment or studies, as well as in cases when, in accordance with the conditions of this Law, a national guardsman is released from the regular employment or studies.

(3) A national guardsman may also be involved in execution of the National Guard tasks and training for more than 30 days per year:
   1) in case an emergency situation or exceptional circumstances are announced;
   2) with a consent of the national guardsman for execution of the service tasks specified by the Commander of the National Armed Forces and training;
   3) in accordance with the conditions of this Law, concluding an additional contract regarding fulfilment of the duties of the position specified by the Minister for Defence, related to combat support or combat service support, or training and participation of the national guardsman in an international operation or rapid reaction forces.

(4) An employer or educational institution shall release a national guardsman involved in the National Guard service from performance of work duties or studies, without paying the work remuneration, but retaining the work (position) place or right to continue studies:
   1) up to five working days per year for training of the national guardsman;
   2) up to five working days per year for execution of the National Guard tasks;
   3) in case an emergency situation or exceptional circumstances are announced – until cancellation of the emergency situation or exceptional circumstances;
   4) up to one and a half years for participation in an international operation or rapid reaction forces and the training required for it;
   5) up to one a half years, if the national guardsman has been assigned the fulfilment of duties of an absent soldier or of vacant position in the National Armed Forces.

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

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

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

(7) The Cabinet shall determine the procedures by which a national guardsman shall be involved in execution of the National Guard tasks and training.

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

[22 May 2014]

Section 7. Term of Service of a National Guardsman

(1) Time of service in the National Guard shall be added to the length of service of a national guardsman, if he or she has participated in the execution of the National Guard tasks or training for at least 20 days per year.
(2) The time when a national guardsman performs, in conformity with a contract concluded, the position specified by the Minister for Defence, related to combat support or combat service support shall not be added to the length of service.

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

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

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Section 8. Insignia of the National Guard

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

(2) Each National Guard unit shall have its own identification insignia. The Minister for Defence shall determine the procedures for approval and wearing of identification insignia.

Section 9. Co-operation of the National Guard with State and Local Government Institutions, Private Individuals and Associations Thereof

(1) The National Guard, State and local government institutions, private individuals and associations thereof shall co-operate in executing tasks determined in the Law.

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

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

Chapter II
Structure and Management of the National Guard

Section 10. Management of the National Guard

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

(2) In the National Guard the single command structure shall be observed.

Section 11. Commander of the National Guard

(1) The Commander of the National Guard shall:

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

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

3) ensure continuous management of the National Guard, planning of tasks and control of execution thereof;
4) be responsible for timely submission of a request to the Commander of the National Armed Forces regarding personnel, material, technical and financial resources necessary for execution of tasks, and for lawful and effective use of the abovementioned resources;
5) approve by-laws of the units subordinate thereto.

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

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

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

(1) The headquarters of the National Guard is an institution of the Commander of the National Guard that shall ensure:
   1) a possibility for the Commander of the National Guard to implement continuous management of the National Guard;
   2) information and documentation necessary for decision-making;
   3) control over execution of lawful orders and directions of the Commander of the National Guard;
   4) execution of the National Guard tasks laid down in Section 3 of this Law.
(2) The Chief of the National Guard headquarters shall be responsible for execution of the tasks of the National Guard headquarters. The Chief of the National Guard headquarters shall be appointed to position and released from position by the Commander of the National Armed Forces upon proposal of the Commander of the National Guard.

**Section 13. National Guard Staff Recruitment**

(1) The Staff of the National Guard shall be recruited from:
   1) national guardsmen;
   2) professional service soldiers;
   3) civil employees.
(2) The service legal relationships of those professional service soldiers who serve in the National Guard and the employment legal relationships of the civil employees working at the National Guard shall be determined respectively by the Military Service Law and the laws and regulations governing employment legal relationships.

**Chapter III**

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

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

(1) Such citizens of Latvia in the age from 18 to 55 shall be admitted to the National Guard on a voluntary basis, who
   1) comply with the requirements stipulated by the Minister for Defence concerning the state of health, physical fitness and knowledge of the official language, as well as with moral and psychological characteristics;
   2) do not perform professional service or service in institutions of the Ministry of the Interior system or the Prison Administration, the Constitution Protection Bureau, the Military Intelligence and Security Service, local government police, the Office of the Prosecutor, the
Corruption Prevention and Combating Bureau, the Financial Police, the Customs Criminal Board or the Security Department of the Bank of Latvia;

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

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

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

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

1) who is retired from military or another State service for breach of discipline;
2) who is suspected of or prosecuted for committing a criminal offence;
3) in respect of whom a convicting court judgment or a public prosecutors injunction regarding punishment has entered into effect;
4) who is in the records of a narcologist or psychiatrist, who has chronic mental disorders or equivalent conditions or over whom trusteeship has been established;
5) who is or has been a staff employee or a supernumerary of the security service, intelligence or counter-intelligence service of the U.S.S.R., Latvian S.S.R. or a foreign state, or an agent, resident or safe-house keeper.

[22 May 2014]

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

The Commander of the National Guard shall, in accordance with the procedures stipulated by the Minister for Defence, approve the list of positions according to the service ranks of professional service soldiers serving in the National Guard or national guardsmen, as well as the staff of the National Guard units and the list of material and technical stock.

Section 16. Appointment of a National Guard to a Position

1) A national guardsman shall be appointed to a position present on the list of positions and conforming to the service rank.
2) A national guardsman shall be appointed to position of an officer by the Commander of the National Armed Forces in accordance with the procedures laid down in the Military Service Law.
3) A national guardsman shall be appointed to a position of a higher non-commissioned officer by the Commander of the National Guard.
4) The commander of the National Guard unit shall appoint national guardsmen to other positions of non-commissioned officers and national guardsmen.
5) If it is necessary for service, a national guardsman may, with his or her consent, be appointed to a position lower than the national guardsman’s rank provides for, but maximum to a two ranks lower position.
6) An officer may be appointed to a one service rank higher position and only in exceptional cases, with the consent of the Minister for Defence — to a two ranks higher position.
7) An officer shall be appointed to the position of an officer only.
8) A non-commissioned officer and a national guardsman of the national guardsmen corps may be appointed to a one service rank higher position and only in exceptional cases, with the consent of the Commander of the National Armed Forces — to a two ranks higher position.
9) A non-commissioned officer and a national guardsman of the national guardsmen corps may not be appointed to the position of an officer.
Section 16. Discharge of a National Guardsman from Position and Exclusion from the Personnel

(1) A national guardsman shall be discharged from the position:
   1) by appointing him or her to another position;
   2) by terminating a contract regarding service in the National Guard.

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

[22 May 2014]

Section 17. Transfer of a National Guardsman

A national guardsman may be transferred to another National Guard unit, appointing him or her to an equivalent position in the following cases:
   1) the position is being abolished in an individual unit or the unit is being reorganised;
   2) the national guardsman has changed the place of residence;
   3) the national guardsman consents to being transferred to another unit.

[22 May 2014]

Section 17.1 Movement of a National Guardsman

(1) The Commander of the National Armed Forces may, in the interests of State defence, move a national guardsman who has the corresponding education and qualification to the regular force unit of the National Armed Forces, retaining the status of a national guardsman. The commander of the regular force unit of the National Armed Forces shall appoint the national guardsman to a position of a national guardsman included in the staff list of the regular force unit of the National Armed Forces and ensure that execution of service tasks and training days of the national guardsman is performed. Such national guardsman may be involved in execution of service duties for a time period up to 30 days per year, and the national guardsman shall be disbursed the same compensations and ensured the same social guarantees for this time period by the National Guard as the national guardsman who is involved in execution of tasks of the National Guard or training up to 30 days per year.

(2) If due to objective circumstances it is not possible to fill the positions of soldiers in the National Armed Forces, the Commander of the National Armed Forces may assign the national guardsman who has education and qualification corresponding for the respective position for the time period until appointing of a soldier to the position:
   1) to fulfil the duties of a soldier in long-term absence or of a vacant position in the regular force unit of the National Armed Forces, except the duties of the position of the Commander (Chief);
   2) to fulfil the duties of a soldier in long-term absence or of a vacant position in a unit of the National Guard, including the duties of the position of a Commander (Chief), which is not higher than the position of a company commander.

(3) An additional contract shall be concluded with a national guardsman who is assigned the fulfilment of the duties of a soldier in long-term absence or of a vacant position. The national guardsman may fulfil the duties of the particular position for not more than one and a half years.

(4) A national guardsman, in fulfilling the duties of the position of a soldier, in addition to the provision and social guarantees specified in the law is entitled to receive remuneration according to the service rank specified for the position, paid annual leave – 30 calendar days, excluding public holidays, leave allowance up to 50 per cent from the monthly wage once in a calendar year upon going on annual leave. The rights specified for a soldier to maternity leave, parental leave and leave for the father of the child shall apply to the national
guardsman. A national guardsman shall not receive food rations or compensation for them for the days when he or she fulfils the duties of the position of a soldier.

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

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

[22 May 2014]

Section 18. Official Travels

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

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

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

[22 May 2014]

Section 19. Assessment of a National Guard

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

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

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

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

[22 May 2014]

Chapter IV

Duties and Rights of a National Guardsman

Section 20. General Duties of a National Guardsman

A national guardsman has the following general duties:

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

2) to execute dutifully the requirements of the military regulations and lawful orders of commanders;

3) to notify the immediate commander without delay regarding circumstances preventing from being a national guardsman or fulfilling the duties of service.
Section 21. General Rights of a National Guardsman

(1) A national guardsman has the right to appeal the decisions of officials taken in respect of him or her to a court, if such decisions restrict his or her rights or infringe upon his or her honour and dignity without grounds and if he or she has used all means to dispute the decision in accordance with the subordination procedures to higher officials, including the Minister for Defence.

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

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

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

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

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

[22 May 2014]

Chapter V
Awarding, Promotion and Removal of Service Ranks

Section 23. Service Ranks

(1) National guardsmen shall have the following service ranks:
   1) for the corps of national guardsmen: national guardsman, senior national guardsman;
   2) for the corps of non-commissioned officers:
      a) for the junior non-commissioned officers: Corporal,
      b) for senior non-commissioned officers: sergeant, first sergeant,
      c) for higher non-commissioned officers: senior first sergeant, warrant officer, senior warrant officer;
   3) for the corps of officers: lieutenant, first lieutenant, captain.

(2) Service ranks of national guardsmen different from the service ranks of soldiers specified in the Military Service Law shall be equalised to the ranks of soldiers in the following way:
   1) national guardsman – private;
   2) senior national guardsman – private first class.

Section 24. Awarding of a Service Rank

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

(2) Service ranks shall be awarded to national guardsmen:
   1) officer service ranks — in accordance with the procedures laid down for soldiers in the Military Service Law;
   2) warrant officer service ranks — by the Commander of the National Armed Forces upon proposal of the Commander of the National Guard;
3) other non-commissioned officer service ranks — by the Commander of the National Guard upon proposal of a unit commander;

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

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

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

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

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

(5) During peacetime a national guardsman shall be awarded service ranks sequentially and in accordance with the conditions provided for in the Military Service Law for awarding service ranks for soldiers, except the service rank “senior national guardsman”, which shall be awarded to a national guardsman not earlier than after one year of service.

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

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

Section 25. Awarding of a Service Rank to a Specialist Officer

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

(2) Service ranks for a national guardsman – specialist officer – shall be awarded in accordance with the same procedures as provided for in the Military Service Law for awarding a service rank to a soldier – specialist officer.

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

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

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

Section 27. Suspension of a National Guardsman from Position

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

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

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

[22 May 2014]

Section 28. Maximum Age for Service in the National Guard

(1) The maximum age for service in the National Guard shall be 55 years.
(2) In individual cases the Commandeer of the National Guard, taking into account the needs of national defence, may extend the service for a national guardsman who has attained the maximum age for service in the National Guard specified in Paragraph one of this Section and complies with the requirements of this Law, for a period not exceeding five years.

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

(1) A contract regarding service in the National Guard shall be terminated in the following cases:
   1) upon initiative of the national guardsman;
   2) upon initiative of the National Guard.
(2) If a contract regarding service in the National Guard is being terminated before term upon initiative of the national guardsman, he or she shall notify the National Guard thereof at least a month prior to it.
(3) A contract regarding service in the National Guard shall be terminated upon initiative of the National Guard by the unit commander, if:
   1) the circumstances referred to in Section 14, Paragraph four of this Law have been found;
   2) the national guardsman has lost Latvian citizenship;
   3) the national guardsman has been recognised as unfit for active service due to state of health;
   4) the national guardsman has attained the maximum age set for service in the National Guard;
   5) the national guardsman does not attend training or does not arrive for execution of service tasks for more than one year without justifying reason;
   6) expulsion from the National Guard has been applied to the national guardsman as disciplinary sanction.
(4) If a contract regarding service in the National Guard is being terminated before term, except the case when the referred to contract is being terminated due to the state of health, a national guardsman shall, in accordance with the procedures stipulated by the Cabinet, compensate for the relevant part of expenses related to his or her military training [including study expenses arisen in foreign educational institutions (courses) covered by the foreign country as aid to Latvia] in proportion to the period not served, as well as shall compensate for the residual value of the equipment, outfit or uniform issued to him or her.
(5) If a national guardsman commences holding the office of a State official where the restrictions laid down in law do not allow for combining of the office with the service in the National Guard, the service in the National Guard shall be suspended.

(6) After termination of a contract regarding service in the National Guard, a former national guardsman shall be included in the reserve of the National Armed Forces in accordance with the procedures laid down in laws and regulations.

[22 May 2014]

Section 30. Returning of Material Values

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

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

Chapter VII

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

[22 May 2014]

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

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

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

[22 May 2014]

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

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

(2) A national guardsman shall participate in an international operation or rapid reaction forces by concluding additional contracts regarding training and participation in an
international operation or rapid reaction forces. The Minister for Defence shall determine the content of the contract and the procedures for concluding thereof.
(3) The Minister for Defence shall determine the procedures by which national guardsmen shall be selected for participation in international operations and rapid reaction forces.
(4) A national guardsman shall, prior to participating in an international operation or rapid reaction forces, complete a training course in accordance with the laws and regulations determining the procedures by which the National Armed Forces shall be prepared for participation in international operations or rapid reaction forces.
(5) After return of a national guardsman from an international operation, the national guardsman has the right to have the same position as he or she had before the participation in the international operation, or an equivalent position.

Chapter VIII
Support and Social Guarantees of a National Guardsman

Section 33. Support of a National Guardsman

(1) When fulfilling the service duties, a national guardsman shall be partially State supported and shall be provided with a uniform. Each national guardsman during training and execution of service tasks shall receive the necessary service equipment and food rations or a compensation therefore. Support conditions, norms and procedures by which a national guardsman shall be provided with material and technical resources shall be governed by the Minister for Defence, while the amount of food ration compensation and the procedures for payment thereof – by the Cabinet.
(2) Medical examination of candidates for national guardsmen and national guardsmen shall be carried out from the State funds in accordance with the procedures stipulated by the Minister for Defence:
   1) for national guardsmen candidates – prior to concluding a contract regarding service in the National Guard;
   2) for national guardsmen – at least once every five years.
(3) The expenses incurred by a national guardsman while using public transport (except a taxi) for going to training and ensuring the fulfilment of service duties shall be covered in accordance with the procedures stipulated by the Minister for Defence.
(4) A national guardsman shall be ensured with the means of communication necessary for the fulfilment of service duties by the relevant National Guard unit in accordance with the procedures stipulated by the Ministry of Defence.

Section 34. Social Guarantees of a National Guardsman

(1) A national guardsman shall be paid compensation for each day of execution of the National Guard tasks or training – up to 30 days per year, except the days when the national guardsman executes the tasks specified in Sections 31 and 32 of this Law, from the funds from the State budget allocated to the Ministry of Defence. The amount of compensation and the procedures for payment thereof shall be determined by the Cabinet.
(2) The compensation referred to in Paragraph one of this Section shall be disbursed to a national guardsman also in cases when he or she is involved in execution of service tasks or training in accordance with the conditions of Section 6, Paragraph three, Clause 1 of this Law for longer than 30 days per year, or has been sent to courses for improvement of qualification or to a military educational institution or a unit of the National Armed Forces, the tasks of which include implementation of adult educational programmes, for acquisition of the education necessary for fulfilment of respective service duties.
(3) If a national guardsman has suffered a health impairment when executing the National Guard tasks or participating in training, he or she has the right to receive paid health care. The conditions for the receipt of paid health care, the types of paid health care services and the payment procedures, as well as health care services and the expenditure not paid shall be determined by the Cabinet.

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

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

(5) If a national guardsman has suffered a health impairment when executing the National Guard tasks or participating in training, but has not become disabled, the national guardsman shall be paid the single allowance for the health impairment specified for a soldier.

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

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

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

(9) Losses caused to the property of a national guardsman due to the execution of his or her service duties or participation in training shall be compensated in full from the funds from the State budget allocated to the Ministry of Defence. The procedures for payment of compensation of losses shall be determined by the Cabinet.
(10) The allowances provided for in this Section shall be calculated by taking as the basis the salary specified for a soldier of the relevant position service rank according to the term of service.

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

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

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

[13 December 2012; 22 May 2014]

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

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

1) salary conforming to with the service rank and term of service specified for the position;

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

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

(3) A national guardsman shall not receive food rations or compensation for them for the days when he or she fulfils the duties specified by the Minister for Defence, related to combat support or combat service support.

[15 November 2012; 22 May 2014]

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

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

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

1) salary provided for a soldier having the relevant position service rank according to the term of service, as well as the supplements provided for a soldier by the Cabinet for participation in an international operation;

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

(3) A national guardsman participating in rapid reaction forces outside the territory of Latvia shall, in addition to the support and social guarantees of a national guardsman specified in the Law (except the compensation referred to in Section 34, Paragraph one of this Law), receive the following:
1) salary provided for a soldier having the relevant position service rank according to the term of service, as well as the supplements provided for a soldier by the Cabinet for participation in rapid reaction forces;

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

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

(5) If a national guardsman has deceased when participating in an international operation in the corps of the National Armed Forces contingent in compliance with the mandate approved by the international organisation, or when participating in an international operation where the participation is determined by the decision of the Saeima, or when participating in rapid reaction forces outside the territory of Latvia, the single allowance specified for a soldier, according to the position and the term of service of the national guardsman, shall be disbursed to his or her spouse and descending relatives, but if there are not descending relatives, to the ascending relatives of the closest degree.

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

[13 December 2012]

Chapter IX
Wearing of a Uniform

Section 37. Provisions for Wearing a Uniform

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

(2) Identification insignia and the procedures for using thereof, as well as the procedures for wearing a uniform shall be approved by the Minister for Defence.

(3) A national guardsman is entitled to wear the soldiers uniform on public holidays, days of commemoration, as well as during military events and fulfilling the duties of a non-commissioning officer of youth guards.

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

(5) A national guardsman is prohibited from wearing the soldiers uniform and using the National Guard identification insignia when engaging in political activity and participating in events organised by political parties, partnerships and foundations (except the cases when he or she executes the service tasks).

[22 May 2014]

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

(1) If a contract with a national guardsman regarding service in the National Guard is being terminated, the Commander of the National Guard may grant him or her the right to wear the soldiers uniform:
1) for special achievements for the benefit of the National Guard and the State;
2) for exemplary service in the National Guard;
3) if the contract regarding service in the National Guard is being terminated due to such illness or disability which has resulted from fulfilling the National Guard service duties;
4) in connection with acquiring the status of the National Guard veteran.

(2) A former national guardsman is entitled to wear the soldiers uniform according to his or her service rank only on public holidays, days of commemoration and celebration, as well as during military events.

(3) When wearing the soldier’s uniform, a former national guardsman shall fulfil the relevant rules of procedure and provisions for wearing a uniform, as well as observe the general requirements of military courtesy and discipline.

(4) If a former national guardsman does not comply with the provisions for wearing of a soldiers uniform or by improper conduct brings discredit upon the National Guard, the Commander of the National Guard may deprive him or her of the right to wear the soldiers uniform.

Chapter X
Awarding and Liability of a National Guardsman

Section 39. Awards

(1) The following awards are specified to mark the service or battle achievements of a national guardsman:
   1) praise and appreciation;
   2) monetary prizes and other valuable prizes;
   3) honorary decorations, certificates of honour and medals;
   4) for officers – a personal firearm or non-firearm weapon;
   5) promotion in the service rank for achievements in battle and other achievements prior to the term.

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

[22 May 2014]

Section 40. Liability of a National Guardsman

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

(2) If the losses to the National Guard or another unit of the National Armed Forces have been caused due to the malicious intent of a national guardsman or due to such unlawful, culpable action by him or her as is not related to the fulfilment of service, the national guardsman shall be liable for all the losses caused to the unit of the National Armed Forces.

Section 41. Procedures for Compensation of Losses

A national guardsman shall compensate for losses caused to the National Guard or another unit of the National Armed Forces. With the consent of the unit of the National Armed Forces, a national guardsman, in order to compensate for losses, may transfer an item of equivalent value or repair the damage.
Section 42. Disciplinary Sanctions

(1) The following disciplinary sanctions shall be applicable to a national guardsman for breach of military discipline:
   1) reprimand;
   2) arrest up to 10 days and nights. Arrest shall be applicable during continuous training or execution of service tasks, and it shall be applied for no longer than until the end of such training or execution of service tasks;
   3) warning regarding unsuitability for the position;
   5) demotion;
   5) compensation or monthly wage reduction up to 20 per cent for a period not exceeding six months;
   6) expulsion from the National Guard.

(1\textsuperscript{1}) Contesting or appeal of the disciplinary sanctions referred to in Paragraph one, Clauses 4 and 6 of this Section shall not suspend their execution.

(2) During international operations disciplinary sanctions specified in the Military Service Law, which are provided for the professional service soldiers, shall be applied to a national guardsman for breach of military discipline.

(3) The Cabinet shall determine the procedures for military discipline and ensuring thereof.

[22 May 2014]

Chapter XI
National Guard Veterans

Section 43. Status of a National Guard Veteran

(1) A former national guardsman and a soldier retired from professional service, who has attained the age of 55 years or has been recognised as unfit for service due to physical fitness or state of health, but who wishes to maintain a connection with the National Guard, shall acquire the status of a National Guard veteran.

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

Section 44. Tasks of National Guard Veterans

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

(2) During war the Commander of the National Guard has the right to involve veterans in execution of the National Guard tasks.

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

(4) The Minister for Defence shall determine the principles of activity of unions of the National Guard veterans, and the procedures by which the National Guard veterans shall be involved in execution of tasks.
Section 45. Ensuring of Activity of the National Guard Veterans

(1) The National Guard veterans shall form unions of veterans in the National Guard and coordinate the activity thereof with the commander of the relevant unit.
(2) Unions of the National Guard veterans shall be financed from the funds from the State budget allocated to the National Guard.
(3) Activity of the National Guard veterans shall be managed by the chief of the veterans appointed by the Commander of the National Guard.
(4) The chief of the National Guard veterans shall receive the salary in accordance with the procedures and in the amount stipulated by the Cabinet.
(5) The National Guard veterans have the right to wear a uniform in accordance with the procedures laid down in Section 38 of this Law.

[22 May 2014]

Transitional Provisions


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

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

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

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

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

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

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

9. By 31 December 2011, the National Guard staff shall be recruited, in addition to the persons referred to in Section 13 of this Law, also from military employees.
[16 December 2010]

10. The leave allowance specified in Section 35, Paragraph one, Clause 2 of this Law shall not be paid to national guardsmen in 2011.
[16 December 2010]

This Law shall come into force on 1 September 2010.

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

President

V. Zatlers

Riga, 26 May 2010