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

1 December 2005 [shall come into force on 5 January 2006];

6 March 2008 [shall come into force on 9 April 2008];

29 October 2015 [shall come into force on 26 November 2015];

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

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

The *Saeima*1 has adopted and

the President has proclaimed the following law:

**On Social Security**

**Chapter I**

**General Provisions**

**Section 1. Purpose of the Law**

(1) This Law prescribes the principles for the structure and operation of a social security system, the main social rights and duties of a person, the basic conditions for its implementation thereof, as well as regulating the types of social services, including social and instructional assistance, and promoting social fairness and social security. The Law promotes the following:

1) the opportunity to freely select employment and to earn the necessary resources for life with one’s work;

2) equal pre-conditions for the free development of each personality;

3) family protection, support and development;

4) the overcoming or reduction of particular difficulties in life, providing assistance and presenting opportunities for self-assistance.

(2) The purpose of the Law is to ensure that social services are duly provided and that the authorities that are responsible for the provision of services are easily accessible.

(3) In applying this Law and performing practical measures, social rights shall be implemented to the fullest extent possible.

(4) The social rights specified in Chapter II of this Law shall be implemented in accordance with specific laws that prescribe the scope of these rights and the procedures for implementation thereof.

**Section 2. Basic Principles of the Operation of the Social Security System**

The social security system shall operate in accordance with the following basic principles:

1) the prohibition of differential treatment;

2) solidarity;

3) social insurance and assistance;

4) prevention;

5) local government;

6) an individual approach.

[*1 December 2005*]

**Section 2.1 Prohibition of Differential Treatment**

(1) In ensuring social services, differential treatment based on a person’s race, skin colour, gender, age, disability, state of health, religious, political or other persuasion, national or social origin, property or marital status or other circumstances shall be prohibited.

(2) Differential treatment shall include the direct or indirect discrimination of a person, infringement of a person or an implication to discriminate thereof.

(3) Direct discrimination exists if in a comparable situation the treatment towards a person associated with any of the circumstances specified in Paragraph one of this Section is, was or could be less favourable than towards another person

(4) Indirect discrimination exists if in a comparable situation an evidently neutral provision, criteria or practice creates or could create an unfavourable outcome for a person in association with any of the circumstances specified in Paragraph one of this Section.

(5) Infringement of a person within the meaning of this Law is the exposure of a person to such undesirable actions from the point of view of such person, that are associated with any of the circumstances specified in Paragraph one of this Section if the aim of such an action or the result is an infringement of the person’s dignity and the creation of an intimidating, hostile, derogatory, degrading or infringing environment.

(51) Discrimination due to the sex shall also be considered to be the less favourable attitude towards a woman during pregnancy or in the period following the birth up to one year, but if a woman is breastfeeding, throughout the period of breastfeeding.

(6) Differential treatment (excluding the infringement of a person) associated with any of the circumstances specified in Paragraph one of this Section shall only be acceptable in such cases if such treatment is objectively justified with a legal purpose, for the achievement of which the selected means are commensurate.

[*1 December 2005; 6 March 2013; 29 October 2015*]

**Section 2.2 Minimum Income Thresholds**

(1) The minimum income threshold is the amount of the support in the field of social protection (rounded up to whole euros) provided to an individual person or a person living in a single-person household. The amounts of the minimum income threshold shall be determined in the laws and regulations governing the relevant social services by determining the criteria for the application of such thresholds, the procedures for granting and disbursing the services.

(2) The minimum income threshold shall not be lower than EUR 109.

(3) The minimum income thresholds shall be reviewed at least every three years.

[*24 November 2020*]

**Section 3. Operation of the Law in the Territory of Latvia**

(1) The provisions of this Law shall be in force in relation to all persons whose place of residence is the territory of Latvia.

(2) The rights and duties of the social service sector specified in this Law shall be substantiated, determined, modifiable or revocable only in accordance with law.

**Chapter II**

**Social Rights**

**Section 4. Promotion of Education and Employment**

(1) A person who wishes to acquire an education that corresponds with their interests and abilities has the right to individual support for their education if they themselves do not have access to the necessary resources.

(2) A person who is working or wishes to work in paid employment, has the right to the following:

1) a free consultation, on choosing an education and an occupation;

2) individual support for the continuation of vocational education;

3) assistance in the finding of a suitable workplace;

4) material security in the event of unemployment or the insolvency of their employer.

**Section 5. Social Insurance**

(1) Everyone has the right to social insurance in accordance with law.

(2) A person who is insured with social insurance institutions has the right to the following:

1) measures that are necessary for the protection, maintenance, improvement and rehabilitation of health and ability to work,

2) material security in case of illness, pregnancy and childbirth, disability and old age, as well as unemployment. In case of the death of such a person the family members who were formerly supported by him or her have the right to material security.

(3) The following shall be subject to mandatory social insurance:

1) persons that are in employment and receive remuneration for their work;

2) self-employed persons;

3) representatives of the liberal professions;

4) unemployed persons.

(4) The range of persons, as well as types of insurance, for whom these are mandatory, shall be prescribed by law.

**Section 6. Right to Health Care**

Everyone has the right to the minimum defined preventive and curative health care that is prescribed by law.

**Section 7. Social Guarantees Associated with Particular Circumstances in the Case of Loss of Health**

(1) A person whose health has deteriorated, if the cause for the loss of health is associated with the fulfilment of State or public duties, has the right to receive the following:

1) the necessary services for the maintenance, improvement and rehabilitation of health and ability to work;

2) material security.

(2) If a person, on performing State or public duties, has died, the family members that have formerly been supported by him or her have the right to the appropriate material security.

**Section 8. Reimbursement of Family Expenses**

A person that supports and has to support children has the right to partial reimbursement of the expenses that have arisen due to this in accordance with law and other laws and regulations.

**Section 9. Benefit for the Ensuring of a Suitable Apartment**

Everyone has the right to a benefit to cover the expenses associated with the ensuring of a suitable apartment or to a relief from rental payments in accordance with law.

**Section 10. Assistance for Children and Youths**

Children and youths have the rights to a State benefit in receiving services provided for them. These services should promote the improvement of children and youths and shall support their instruction in a family.

**Section 11. Social Assistance**

A person, who is unable by their own efforts to provide for themselves or overcome particular difficulties in life and who does not receive sufficient assistance from any other persons, has the right to individual and material assistance, that corresponds with their needs, provides the opportunity for self-assistance and promotes their involvement in social life.

**Section 12. Involvement of Disabled Persons in Social Life**

Disabled persons irrespective of the cause of disability and persons with long-term or permanent loss of health have the right to assistance as follows:

1) the performance of such measures that are associated with involving these persons in social life, creating suitable working conditions for them according to the ability to work and interests of the relevant person thereof;

2) the improvement of the state of health, in creating such circumstances and performing measures that would avert the deterioration of health and promote the reduction of the degree of loss of health and the ability to work.

**Chapter III**

**Social Services**

**Section 13. Social Services and their Providers**

(1) Within the meaning of this Law social services are measures that are ensured by State or local government monies or material support or other type of service, in order to promote the full implementation of a person’s social rights.

(2) Social service providers shall use tax relief according to the procedures specified by tax laws.

[*1 December 2005*]

**Section 14. Duties of Social Service Providers**

(1) The duty of a social service provider is to ensure the following:

1) that everyone receives free consultations regarding their social rights, their implementation and their duties thereof;

2)that everyone, who has the rights thereof, shall duly receive the relevant social services and in their full extent;

3) that the requesting and receiving of social services is as straightforward as possible.

(2) Social service providers shall co-operate with other institutions in the interests of social service recipients.

**Section 14.1 Welfare Information System**

(1) The purpose of the Welfare Information System (*LabIS*) (hereinafter – the information system) is to produce statistics in order to plan, develop, and evaluate the State policy in the field of social services which will ensure the provision of timely and quality social services. The Ministry of Welfare shall be the manager of the information system.

(2) The following authorities and persons have the right to process the information included in the information system in relation to social services, including personal data, for carrying out the functions specified for or tasks delegated to such authorities and persons in the laws and regulations governing their activities:

1) the Ministry of Welfare;

2) the State Employment Agency;

3) the State Social Insurance Agency;

4) the State Labour Inspectorate;

5) the Social Integration State Agency;

6) the State Medical Commission for the Assessment of Health Condition and Working Ability;

7) the State Inspectorate for Protection of Children’s Rights;

8) the Ministry of Education and Science;

9) the Central Statistical Bureau;

10) *valsts sabiedrība ar ierobežotu atbildību “Nacionālais rehabilitācijas centrs “Vaivari””* [State limited liability company National Rehabilitation Centre Vaivari];

11) the Free Trade Union Confederation of Latvia.

12) the association Latvian Association of the Deaf;

13) the association Latvian Society of the Blind;

(3) The association Latvian Association of Local and Regional Governments, local governments have the right to process the information included in the information system in relation to social services, excluding personal data, for carrying out the functions specified in the laws and regulations governing their activities.

(4) The Cabinet shall determine the data to be included in the information system, their amount, the conditions and procedures for the processing of data.

[*29 October 2015*]

**Chapter IV**

**Application of the Law in Providing Social Services**

**Section 15. Nullity of an Agreement that Deteriorates the Position of a Person**

Private legal agreements that do not correspond to this Law and worsen the position of such a person that has rights to social services shall not create legal consequences thereof.

**Section 16. Protection of Information**

(1) Everyone has the right to the non-disclosure of information regarding their personal or material relations received by a social service provider, excluding in those cases prescribed by law.

(2) It is the duty of a social service provider to perform technical and organisational measures, as well as develop the official instructions that are necessary to fulfil the rights of a person according to Paragraph one of this Section.

**Section 17. Social Capacity to Act**

(1) A person that has reached the age of 15 may submit a request for social services and receive these. A social service provider shall inform the parents, guardian or trustee regarding the receipt of a request and the provision of services.

(2) If the parents, guardian or trustee wish to restrict the receipt of social services, they shall submit a submission to the social service provider thereof. For the retraction of the request or refusal to receive social services, the agreement of the parents, guardian or trustee shall be necessary.

**Section 18. Creation of Rights**

(1) The right to social services shall exist from the day that the conditions provided for by law or other laws and regulations have set in.

(2) If the rights apply to social services, which in accordance with law are provided following performance of an evaluation and a decision taken by a social service provider, the rights shall exist from the day that the decision has been taken regarding the provision of services.

**Section 19. Claims**

(1) A claim for social services shall be submitted to the relevant social service provider.

(2) It is the duty of the social service provider to ensure a person with the opportunity to submit a clear and sound claim and, if necessary, to expand on the information provided.

**Section 20. Setting In of Time Periods**

A request for social services shall be satisfied from the relevant day of the existence of the rights thereto if the law does not provide otherwise.

**Section 21. Advances**

(1) If a person has the right to monetary payments, but it is anticipated that a longer period of time will be necessary to define the amount thereof, a social service provider may pay an advance, the amount of which shall be specified on the basis of their own evaluation. An advance shall be paid if a person, who has the right to a social service, requests it . An advance payment shall be commenced within one month from the date of the receipt of a claim.

(2) The advance paid shall be calculated in the amount of monetary payments that a person is due. If the advance paid exceeds the amount that a person is due, the overpaid amount shall be reimbursed by the recipient.

(3) A social service provider may not request that the amount overpaid be reimbursed if he or she determines that the recovery thereof:

1) will not be possible or if the expenses associated with this are disproportionate compared to the amount to be recovered;

2) would present particular difficulties to the recipient of the social services

**Section 22. Prescription Period of Rights**

(1) The right to social services shall be maintained for three years following the end of that calendar year in which they have emerged. The provisions of Part IV of the Civil Law shall be applied for the termination or suspension of this prescription period.

(2) The prescription period shall also be considered as suspended if the social service provider is submitted the following:

1) a written request for social services;

2) the submission of a public prosecutor or a protest regarding violation of a person’s social rights or a warning issued regarding the inadmissibility of the violation of a person’s social rights.

**Section 23. Withdrawal from Social Services**

(1) A person may withdraw from social services, by submitting a written submission to the social service provider. This submission may be recalled at any time.

(2) The withdrawal shall not be in effect if in association with this difficulties arise for other persons or the social service provider or if the law is being violated.

**Section 24. Delivery of Monetary Payments**

(1) If other laws, that regulate social rights, do not provide otherwise, money shall be transferred free of charge into the recipient’s account or, if the recipient requests, shall be delivered free of charge to his or her place of residence.

(2) Money shall be delivered to the recipient of social services from the budget of the social service provider.

**Section 25. Deductions**

A social service provider may perform deductions from monetary payments according to the procedures specified by law if thereby the recipient of social services does not become a person for whom social assistance is necessary.

**Chapter V**

**Participation of a Person in the Implementation of His or Her Social Rights**

**Section 26. Provision of Information**

(1) A person that submits a request for social services or receives these, has a duty to provide the complete information necessary for the receipt of services and at the request of a social service provider:

1) without delay notifies regarding changes to circumstances that determine the receipt of social services or regarding those for which in association with the receipt of services information has been provided previously;

2) submits evidence and the necessary documents.

(2) If prepared forms are provided for the submission of the information specified in Paragraph one of this Section, these shall be used.

(3) The norms of this Section shall also apply to persons who shall reimburse a social service provider with payments received.

(4) Refusal to provide information may be allowed if this could cause suspicion regarding a crime or other type of unlawful action committed by the information provider or his or her relative of the first or second-degree or spouse.

**Section 27. Appearance in Person**

A person who wishes to receive or receives social services, shall appear in person at the request of a social service provider, to consider the request or perform measures that are necessary for taking a decision regarding the provision of services.

**Section 28. Undergoing a Medical Examination**

A person who wishes to receive or receives social services, at the request of a social service provider, if this is necessary for taking a decision, shall approach a doctor to perform a medical examination.

**Section 29. Subjection to Treatment and Rehabilitation Measures**

A person who wishes to receive or receives social services in association with illness or disability, at the request of a social service provider shall comply with treatment and rehabilitation measures if it is anticipated that this will improve the state of health of the person referred to or avert the deterioration thereof.

**Section 30. Involvement in Measures for Promoting Employment**

A person who wishes to receive or receives social services associated with a reduction in earning ability or unemployment, at the request of a social service provider shall participate in measures for the mastering or improvement of vocational skills if, judging from this person’s vocational aptitudes and abilities, it is anticipated that these will promote or maintain this person’s earning ability or opportunity for taking up employment.

**Section 31. Extent of the Participation of a Person**

(1) The duties for the participation of a person provided for in Sections 26-30 of this Law do not have to be fulfilled if:

1) their implementation is not directly associated with the requested social services;

2) their implementation cannot be requested from the relevant person due to important reasons;

3) a social service provider can acquire the necessary information with less expenditure of resources than the submitter of a claim or a person who has rights to social services.

(2) A person may refuse a medical examination or treatment:

1) as a result of which a threat to health and life may occur;

2) the performance of which requires surgical intervention.

**Section 32. The Consequences of Non-Fulfilment of the Participation Duty**

(1) If a person who wishes to receive or receives social services does not fulfil the participation duties specified in Sections 26–30 of this Law in bad faith, the social service provider may completely or partially suspend the provision of social services until the moment that these duties are fulfilled.

(2) If a participation duty is not fulfilled, the provision of social services may be suspended or refused only if a person who has claimed or receives social services has previously been informed of this in writing and according to the time specified in the warning has not fulfilled his or her participation duty.

**Section 33. Late Fulfilment of the Participation Duty**

If a person is late in fulfilling participation duties and all the circumstances necessary for the receipt of social services exist, a social service provider may be late in providing complete or partial services, the provision of which he or she has refused or suspended in accordance with Section 32 of this Law.

**Section 34. Protection of Rights**

(1) A person is entitled to dispute and appeal against the decision of a social service provider according to the procedures specified by the Administrative Procedure Law.

(2) It is prohibited to fine a person or otherwise directly or indirectly create adverse consequences thereto because a person by legal methods implements his or her protection of rights in association with a violation of the prohibition of differential treatment.

[*1 December 2005*]

**Informative Reference to European Union Directives**

[*1 December 2015; 6 March 2008*]

This Law contains legal norms arising from:

1) Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin;

2) Council Directive 97/80/EC of 15 December 1997 on the burden of proof in cases of discrimination based on sex.

3) Council Directive 2004/113/EC of 13 December 2004 implementing the principle of equal treatment between men and women in the access to and supply of goods and services;

The Law has been adopted by the *Saeima* on 7 September 1995.

President G. Ulmanis

Rīga, 21 September 1995