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

16 June 2009 [shall come into force from 1 July 2009];

15 October 2009 [shall come into force from 1 November 2009];

13 May 2010 [shall come into force from 1 June 2010];

9 September 2010 [shall come into force from 1 January 2011];

9 July 2013 [shall come into force from 18 July 2013];

17 October 2013 [shall come into force from 20 November 2013];

8 November 2013 (Constitutional Court Judgment) [shall come into force from 11 November 2013];

11 February 2016 [shall come into force from 2 March 2016];

11 May 2017 [shall come into force from 1 June 2017];

17 December 2020 [shall come into force from 1 January 2021];

17 February 2022 [shall come into force from 16 March 2022].

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

The *Saeima*1 has adopted and

the President has proclaimed the following law:

**Law on Service Pensions for Officials of the Corruption Prevention and Combating Bureau**

**Section 1. Purpose of the Law**

The purpose of the Law is to ensure the officials of the Corruption Prevention and Combating Bureau with the rights to the service pension laid down in the Law on Corruption Prevention and Combating Bureau and to determine procedures for granting, calculating, and disbursing the service pension, guaranteeing the protection of social interests to officials of the Corruption Prevention and Combating Bureau, compensating the early loss of ability to work, additional restrictions determined during the service, and the amount of work, and also ensuring the stability and high-quality operation of the Corruption Prevention and Combating Bureau.

**Section 2. Right to Service Pension**

(1) Such official of the Corruption Prevention and Combating Bureau (hereinafter – the Bureau) has the right to a service pension who:

1) has reached 50 years of age and whose length of service in accordance with Section 3 of this Law is not less than 20 years, the last ten of which have been worked in the status of the official of the Bureau;

2) regardless of the age, has been dismissed from office in conformity with the opinion of the State Medical Commission for the Assessment of Health Condition and Working Ability due to the health condition or due to the reduction in the number of employees, and whose length of service in accordance with Section 3 of this Law is not less than 20 years.

(11) The Head of the Bureau has the right to a service pension if he or she has reached 50 years of age and his or her length of service in accordance with Section 3 of this Law is not less than 20 years, at least the last five of which have been worked in the position of the Head of the Bureau.

(2) The officials who receive a pension of another state, as well as the officials who have been removed from office based on a conviction for intentional criminal offence or due to disciplinary sanctions shall have no right to a service pension.

[*11 May 2017*]

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

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

1) the time period worked in the status of the official of the Bureau;

2) the time period served (worked) in the status of the official of the State security institutions of the Republic of Latvia;

3) the time period served in the institution of the system of the Ministry of the Interior;

4) the time period worked in the positions of a prosecutor (or in the positions of staff certified by the Office of the Prosecutor that were established in institutions of the Office of the Prosecutor by 1 October 1994) in institutions of the Office of the Prosecutor of the Republic of Latvia or in the positions of a judge at court if the official has worked in the Bureau for at least 10 years or in the position of the Head of the Bureau for at least five years;

5) the time period worked in the status of the employee of the Bureau, performing functions for combatting corruption;

6) 80 per cent of the time period worked in State authorities in the status of an official, provided that the official has worked in the Bureau for at least 15 years;

7) the time period of active military service in the units which were previously under the subordination and supervision of the Ministry of Defence and the security service of the *Saeima* and the President (security guard service of the Supreme Council of the Republic of Latvia, Security Service of the Republic of Latvia).

[*Constitutional Court Judgement of 8 November 2013; 11 February 2016; 11 May 2017; 17 February 2022*]

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

(1) The service pension shall be calculated from the average monthly work remuneration of the official of the Bureau for the last five years prior to dismissal from work. The procedures for the calculation of the service pension shall be determined by the Cabinet.

(2) [17 October 2013]

[*17 October 2013; 17 February 2022*]

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

(1) An official who has reached the age of 50 shall be granted a service pension in the amount of 55 per cent of the average monthly work remuneration which is determined in accordance with Section 4 of this Law, and for every year of the length of service exceeding 20 years the amount of service pension shall be increased by two per cent of the average monthly work remuneration which is determined in accordance with Section 4 of this Law.

(2) An official who, regardless of the age, has been dismissed from office in conformity with the opinion of the State Medical Commission for the Assessment of Health Condition and Working Ability due to the health condition or due to the reduction in the number of employees, and whose length of service in accordance with Section 3 of this Law is not less than 20 years, shall be granted a service pension in the amount of 40 per cent of the average monthly work remuneration which is determined in accordance with Section 4 of this Law, and for every year of the length of service exceeding 20 years the amount of service pension shall be increased by two per cent of the average monthly work remuneration which is determined in accordance with Section 4 of this Law.

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

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

(5) Service pension shall be covered from the State basic budget allocated to the Ministry of Welfare in accordance with the appropriation of the annual State budget law.

(6) The State social insurance old-age pension shall be granted to the recipient of service pension in accordance with the law On State Pensions. Starting from the day when the age for granting old-age pension laid down in the law On State Pensions has been reached until the old-age pension has been granted the disbursement of service pension shall be discontinued. After the old-age pension has been granted, the disbursement of service pension shall be renewed, decreasing the service pension by the amount of old-age pension.

[*9 September 2010; 17 December 2020* / *Amendment to Paragraph six shall come into force on 1 January 2023 and shall be included in the wording of the Law as of 1 January 2023. See Paragraph 5 of Transitional Provisions*]

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

(1) The service pension shall be granted without any time limitation after the official has been dismissed from the office, provided that the request for service pension has been received.

(2) The service pension shall be granted from the day when it was requested.

**Section 7. Increasing the Amount of Service Pension**

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

[*9 July 2013*]

**Section 8. Requesting, Granting, and Disbursing the Service Pension**

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

(2) An official of the division of the State Social Insurance Agency shall examine the request for service pension and the documents required for its granting, and shall take the decision to grant service pension or to refuse to grant service pension.

(3) Upon a request of the State Social Insurance Agency, the Bureau shall provide information on the length of service and work remuneration of an official from which the service pension is to be calculated.

(4) Only one service pension, at his or her choice, shall be granted to the official who has the right to simultaneously apply for several service pensions.

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

(6) The procedures for granting and disbursing service pensions shall be determined by the Cabinet.

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

[*9 September 2010*]

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

(1) The disbursement of service pension shall be discontinued or the amount of the pension shall be amended if the old-age pension has been granted to the recipient of service pension in accordance with the law On State Pensions.

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

1) starts serving (working) again in a position which grants the right to a service pension;

2) receives unemployment benefits.

(3) The recipient of service pension has an obligation to notify the State Social Insurance Agency within 10 days on setting in of the circumstance referred to in Paragraph two, Clause 1 of this Section.

[*9 September 2010*]

**Section 10. Disbursement of Service Pension for the Time Already Elapsed**

(1) The calculated amounts of a service pension which the recipient of the pension has not received shall be disbursed for the time already elapsed, but which is not longer than three years.

(2) If the calculated service pension was not received in time due to the fault of the institution which grants or disburses the service pension, the undisbursed amount of service pension shall be disbursed for the time already elapsed without any time limitation.

**Section 11. Deductions from Service Pension**

(1) Deductions from service pension may be made:

1) based on a court ruling;

2) based on a decision made by an official of the division of the State Social Insurance Agency, in order to collect the amounts overpaid for pension which have been overpaid to the recipient of the pension due to his or her fault. In this case, 10 per cent shall be deducted monthly from the due amount of service pension, until the overpaid amounts are cleared.

(2) The maintenance for support of minor children shall be recovered first.

(3) The total amount of deductions per month may not exceed 50 per cent of the amount of the service pension, except for the cases laid down in the Civil Procedure Law.

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

[*9 September 2010*]

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

(1) The amount of service pension which have been calculated for disbursement but have not been disbursed by the time of death of the recipient of service pension may be received by the spouse of the recipient of pension or the first- or second- degree relative thereof, or by other person – based on inheritance certificate or court ruling.

(2) In case of the death of the recipient of service pension, the family thereof or a person who undertakes to arrange the funeral shall receive a funeral benefit in the amount of two monthly service pensions. In order to receive the funeral benefit, the requester of the funeral benefit or a person authorised thereby shall, within 12 months of the death of the recipient of service pension, lodge a written submission to the division of the State Social Insurance Agency and present a personal identification document.

(3) In case of the death of the recipient of pension, the surviving spouse shall, based on his or her request, be granted and disbursed a one-time benefit in the amount of two monthly pensions of the deceased spouse. The right to the one-time benefit shall exist if on the day of death of the deceased spouse the surviving spouse is also the recipient of an old-age, disability or service pension and the death occurred after 1 June 2010. The right to the allowance shall exist if it has been requested within 12 months after the day of the death of the deceased spouse.

[*13 May 2010; 9 September 2010*]

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

The service pension granted to persons who depart for permanent life abroad shall be disbursed in accordance with the procedures which have been determined for the disbursement of state pensions by the law On State Pensions.

[*9 September 2010*]

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

(1) A certificate of the recipient of service pension shall be issued to a person who has been granted a service pension.

(2) The procedures for issuing and cancelling a certificate of the recipient of service pension and also the sample thereof shall be laid down by the Cabinet.

[*17 October 2013* / *Section shall come into force on 1 January 2014. See Paragraph 4 of Transitional Provisions]*

**Transitional Provisions**

[*16 June 2009*]

1. [*13 May 2010*]

2. [*13 May 2010*]

3. [*13 May 2010*]

4. Section 14 of this Law shall come into force on 1 January 2014.

[*17 October 2013*]

5. Amendment to Section 5, Paragraph six of this Law shall come into force on 1 January 2023. When the service pension is disbursed in accordance with Section 5, Paragraph six of this Law, the monthly amount of the lifetime pension which has been determined in accordance with the life assurance (lifetime pension) contract for the use of the funded pension capital accrued in the State funded pension scheme (if such has been concluded) shall be ignored if the old-age pension has been granted to the person until 31 December 2022 in accordance with the law On State Pensions.

[*17 December 2020* / *The abovementioned amendment shall be included in the wording of the Law on 1 January 2023*]

6. The Cabinet shall, by 1 April 2022, issue the regulations referred to in Section 4, Paragraph one of this Law.

[*17 February 2022*]

This Law shall come into force on 1 January 2009.

This Law has been adopted by the *Saeima* on 2 October 2008.

President V. Zatlers

Rīga, 22 October 2008