The *Saeima* 1 has adopted and

the President has proclaimed the following Law:

**Law on Service Pensions of Employees of the State Emergency Medical Service Involved in Ensuring of Emergency Medical Assistance**

**Section 1. Purpose of the Law**

The purpose of this Law is to ensure the right to a service pension for medical practitioners of emergency medical assistance teams, ambulance emergency response vehicles’ drivers and medical practitioners who accept calls and perform operational management of the emergency medical assistance teams (hereinafter – the employees) of the State Emergency Medical Service (hereinafter – the Service) and to establish the procedures for granting, calculating and disbursing such pension by guaranteeing the employees the protection of social interests and by compensating them the early loss of ability to work caused by a threat to life or health while providing emergency medical assistance to victims (persons who have been taken ill) in everyday, emergency medical situations and disasters.

**Section 2. Right to Service Pension**

(1) The right to a service pension has an employee who:

1) has reached 55 years of age and whose length of service is not less than 20 years of which the last five years have been worked in the Service;

2) regardless of the age in conformity with the opinion of the State Medical Commission for the Assessment of Health Condition and Working Ability has been dismissed from the Service due to his or her health condition and whose length of service is not less than 20 years.

(2) The right to a service pension have the employees referred to in Section 1 of this Law who have been dismissed from work in this Service after coming into force of this Law and have not reached the age laid down in the law On State Pensions for granting an old-age pension.

(3) An employee who receives a pension from another state does not have the right to a service pension.

**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 Service in the status of the employee laid down in Section 1 of this Law in which not less than 160 hours per month on average have been worked in a calendar year;

2) the time worked until 30 June 2010 as a medical practitioner of the emergency medical assistance team, ambulance emergency response vehicle driver of the team or a medical practitioner who accepted calls and performed operational management of the teams in the State or local government institutions, agencies, undertakings or capital companies in the territory of Latvia which ensured emergency medical assistance covered by the State;

3) the time worked until 29 April 2015 in the joint stock company “Riga Sanitary Transport Motor Depot” by performing the duties of an ambulance emergency response vehicle driver in the emergency medical assistance team.

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

(1) A service pension shall be calculated from the employee’s average monthly work remuneration in the Service for the last five years prior to being dismissed from work in this Service.

(2) Work remuneration shall comprise monthly salary, bonus, monetary award and supplements laid down in the laws and regulations governing remuneration.

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

(1) A service pension shall be granted in the amount of 65 per cent of the average monthly work remuneration laid down in accordance with Section 4 of this Law to the employee who has reached the age of 55 years. For each year of the length of service above 20 years the amount of a service pension shall be increased for two per cent from the average monthly work remuneration laid down in accordance with Section 4 of this Law.

(2) A service pension shall be granted in the amount of 40 per cent of the average monthly work remuneration laid down in accordance with Section 4 of this Law to the employee who has the right to a service pension in accordance with Section 2, Paragraph one, Clause 2 of this Law. For each year of the length of service above 20 years the amount of a service pension shall be increased for two per cent from the average monthly work remuneration laid down 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 laid down in accordance with Section 4 of this Law.

(4) The minimum amount of service pension shall not be less than the amount of the State social security benefit.

(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. The payment of a service pension shall be discontinued until the granting of old-age pension starting from the date when the age for granting of old-age pension laid down in the law On State Pensions has been reached. After the granting of old-age pension, the payment of service pension shall be renewed, decreasing it by the amount of old-age pension.

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

A service pension shall be granted from the day when the right to a pension has arisen, however not earlier than six months before the day when the pension was requested and the documents necessary for its granting were submitted.

**Section 7. Requesting, Granting, and Disbursement of Service Pension**

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

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

(3) Upon a request of the State Social Insurance Agency, the Service shall provide information regarding the employee’s length of service and work remuneration from which the service pension is to be calculated.

(4) 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 State Social Insurance Agency director may be appealed to the court in accordance with the procedures laid down in the Administrative Procedure Law.

(5) The procedures for granting, calculating and disbursing the service pension shall be determined by the Cabinet.

(6) The employee who has the right to several service pensions shall be granted only one pension according to his or her choice.

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

**Section 8. 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.

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

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

1) receives unemployment benefit;

2) starts the serving (working) anew in a position which grants the right to service pension.

(2) Disbursement of service pension shall be discontinued or the amount thereof amended in accordance with the procedures laid down in this Law if an old-age pension has been granted to the service pension recipient in accordance with the law On State Pensions.

(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 one, Clause 2 of this Section.

**Section 10. Disbursement of a Service Pension for a Past Time Period**

(1) The amounts of calculated service pension which have not been received by the pension recipient in due time shall be disbursed for the time already elapsed, but not longer than for three years.

(2) If the calculated amounts of a service pension have not been received on time due to the fault of the institution which grants or disburses the service pension, these amounts shall be paid for the period that has passed without any restriction on the time period.

**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 State Social Insurance Agency, in order to collect the amounts overpaid for pension due to the fault of the recipient. Overpaid amounts of the service pension shall be recovered in accordance with the procedures and amount laid down in the law On State Social Insurance.

(2) Maintenance for the support of minor children shall be recovered in the first instance.

(3) If payments of service pension are discontinued before the debt is cleared, the remaining debt shall be collected in accordance with the procedures laid down in the Law.

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

(1) The service pension amounts that 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 death of the recipient of service pension, a person who undertakes to arrange the funeral shall receive a funeral benefit in the amount of two months’ service pension. In order to receive a funeral benefit, the requester of the funeral benefit or a person authorised by the requester shall lodge a written submission to the State Social Insurance Agency department and present a personal identification document not later than within six months of the death of the recipient of service pension.

(3) In case of the death of a recipient of service pension a one-time benefit in the amount of two pensions of the deceased spouse shall be granted and disbursed to the surviving spouse on the basis of his or her request. The right to the benefit shall exist if it has been requested not later than within six months after the day of death of the deceased spouse. A person has the right to receive a one-time benefit if on the date of death of the deceased spouse the surviving spouse is a recipient of old-age, disability, or service pension of the Republic of Latvia.

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

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

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

(1) A certificate of recipient of service pension shall be issued to a recipient of service pension.

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

This Law shall come into force on 1 January 2016.

This Law has been adopted by the *Saeima* on 8 July 2015.

President R. Vējonis

Riga, 21 July 2015