

Republic of Latvia
Cabinet
Regulation No. 210
Adopted 22 April 2014

**Regulations Regarding Allowances for a Refugee and a Person who has
been Granted Alternative Status**

*Issued pursuant to
Section 37, Paragraph three of the Asylum Law*

1. This Regulation prescribes the procedures for granting and disbursement of the allowance covering the subsistence costs and the costs necessary for learning the official language for a person who has been granted alternative status and for a refugee (hereinafter - the person), and also the amount of the abovementioned allowances.
2. There are the following types of allowances:
 - 2.1. an allowance covering the subsistence costs in the Republic of Latvia (hereinafter - the residence allowance). The amount of the residence allowance is as follows:
 - 2.1.1. in amount of 256.12 euro per month – for a major;
 - 2.1.2. in amount of 30 % of the sum referred to in Sub-paragraph 2.1.1 of this Regulation – for a minor;
 - 2.2. an allowance for learning the official language for a person. The allowance shall be granted for a person from the age of seven years in an amount which covers the actual costs of the official language studies, but does not exceed 49.80 euro per month.
3. In order to receive a residence allowance and allowance for learning the official language, a person shall present a personal identification document to the Office of Citizenship and Migration Affairs (hereinafter - the Office) and lodge a submission and filled out Declaration of Subsistence Means (Annex).
4. It is a duty of a person to inform the Office within five working days when a person:
 - 4.1. has entered into an employment contract for an indefinite period of time or for a certain period of time, if the time period thereof exceeds two months;
 - 4.2. has started economic activity or acquired other income if the amount thereof exceeds the minimum monthly salary laid down in the country.
5. The official of the Office shall, within two weeks after receipt of the documents abovementioned in Paragraph 3 of this Regulation, take a decision regarding to grant an allowance or to refuse to grant an allowance (hereinafter – the decision).
6. The Office shall once a month by the tenth day transfer the residence allowance to the credit institution account indicated in the submission of the person.
7. The residence allowance for a minor shall be transferred to his or her lawful representative.
8. The Office shall take a decision to discontinue payment of the residence allowance if a person:

- 8.1. is dead or declared as dead by the judgment of the court;
- 8.2. acquires income which exceeds the minimum monthly salary laid down in the country;
- 8.3. has been convicted of committing a criminal offence with deprivation of liberty and is in custody;
- 8.4. has indicated false information in the declaration of subsistence means;
- 8.5. has lost refugee status or alternative status.

9. If a decision has been taken to discontinue the payment of the residence allowance due to the conditions abovementioned in Sub-paragraph 8.2 or 8.4 of this Regulation, the person shall pay the allowance, which has been received unjustifiably, into the account of the State basic budget indicated by the Office.

10. On the basis of an invoice received for the provision of a service and information regarding attendance of classes, the Office shall transfer an allowance for learning the official language to the account of the institution or authority at which a person is learning the official language and which ensures the acquisition of the official language within the framework of a licensed programme.

11. The Office shall take a decision to discontinue the payment of the allowance for learning the official language if a person:

- 11.1. has acquired the official language at the first level of proficiency in the official language and has received a document attesting thereto;
- 11.2. without justified reasons has not attended at least half of the classes for which the Office has transferred the allowance;
- 11.3. has lost refugee status or alternative status;
- 11.4. is dead or declared as dead by the judgment of the court;
- 11.5. acquires income which exceeds the minimum monthly salary laid down in the country;
- 11.6. has indicated false information in the declaration of subsistence means.

12. Cabinet Regulation No. 23 of 12 January 2010, Regulations Regarding Allowances for a Refugee and a Person who has been Granted Alternative Status (*Latvijas Vēstnesis*, 2010, No. 8; 2013 No. 153) is repealed.

Informative Reference to European Union Directive

This Regulation contains legal norms arising from Directive 2011/95/EU of the European Parliament and of the Council of 13 December 2011 on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted.

Prime Minister

L. Straujuma

Minister for the Interior

R. Kozlovskis

Declaration of Subsistence Means

To the Office of Citizenship and Migration Affairs

1. Submitter:

1.1. given name, surname _____

1.2. personal identity number _____ – _____

1.3. address of the place of residence _____

2. Monies and securities, as well as other sources of income belonging to me and my children (wards) who have been granted refugee status or alternative status in the Republic of Latvia at the time of completion of the declaration:

3. Account numbers of a credit institution:

4. I, _____,
(given name, surname of the submitter)

4.1. have provided true information regarding the means of subsistence belonging to me and my children (wards);

4.2. undertake to inform the Office of Citizenship and Migration Affairs within five working days when:

4.2.1. an employment contract has been entered into for an indefinite period of time or for a certain period of time, if the time period thereof exceeds two months;

4.2.2. economic activity has been started or other income is acquired if the amount thereof exceeds the minimum monthly salary laid down in the country;

4.2.3. the account numbers of a credit institution specified in this declaration of subsistence means have changed;

4.3. am aware that I must reimburse the allowance, which has been received unjustifiably, to the Office of Citizenship and Migration Affairs.

(date)

(signature)

Minister for the Interior

R. Kozlovskis