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13 December 2012 [shall come into force on 11 January 2013];

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12 September 2013 [shall come into force on 15 October 2013];

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19 February 2015 [shall come into force on 24 March 2015];

3 December 2015 [shall come into force on 1 Jaunary 2016];

16 November 2017 [shall come into force on 13 December 2017];

7 March 2019 [shall come into force on 4 April 2019];

3 October 2019 [shall come into force on 1 November 2019];

5 November 2020 [shall come into force on 1 December 2020];

11 February 2021 [shall come into force on 9 March 2021];

9 September 2021 [shall come into force on 4 January 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:

**Military Service Law**

**Chapter I**

**General Provisions**

**Section 1. Purpose of This Law**

The purpose of this Law is to ensure a unified course of military service in the National Armed Forces.

[*29 March 2007*]

**Section 2. Terms Used in this Law**

The following terms are used in this Law:

1) **military service** – a type of State service in the field of national defence that is performed by a soldier and that includes active service and service in the National Armed Forces’ reserve;

2) **active service** – direct performance of military service in the status of a soldier which includes professional service, direct performance of military service in case of mobilization, and military training of reserve soldiers;

21) **service in the National Armed Forces’ reserve** – performance of duties specified for a reserve soldier;

3) [29 March 2007];

31) **extended first aid** – aid that a soldier, while performing his or her service duties, provides to the injured soldiers in a condition critical to their life using equipment, medical materials, and medicinal products necessary for the stabilisation of functions essential for life, for the application of which he or she has acquired the relevant knowledge and skills;

4) **professional service** – military service which is performed by a Latvian citizen on a voluntary basis according to a professional service contract entered into by him or her and the Ministry of Defence;

5) **soldier** – a Latvian citizen who performs active service and who has been awarded a military rank (hereinafter – the rank);

6) **status of a soldier** – the legal condition of a soldier while performing active service;

7) **reserve soldier** – a Latvian citizen who performs service in the National Armed Forces’ reserve;

71) **reservist** – a Latvian citizen who has been included in the National Armed Forces’ reserve and may be conscripted in the active service in case of mobilization;

8) [29 March 2007];

9) **officer** – a soldier who has a lieutenant’s or higher military rank;

10) **specialist officer** – an officer who has a higher academic or second level higher vocational education in a relevant speciality and who has completed the specialist officer course at the National Defence Academy of Latvia or another course equalled thereto;

101) **specialist soldier** – a soldier who has vocational secondary education in the speciality necessary for the position and who has acquired the specialist soldier basic course or another course equalled thereto;

102) **specialist non-commissioning officer** – a non-commissioning officer who has vocational secondary education or higher education in the speciality necessary for the position and who has acquired the specialist non-commissioning officer basic course or another course equalled thereto;

11) [19 February 2015];

12) **unit** – a military formation which has an independent administration and approved staff;

13) **sub-unit** – a military formation within a unit;

14) **garrison** – a body of units which has been permanently or temporarily stationed in a certain administrative territory;

15) **identifying insignia** – an item which is worn on the uniform of a soldier and denotes the rank, identity, speciality, and affiliation to a unit of the National Armed Forces;

16) **circulation of soldier’s uniform or identifying insignia** – ordering, manufacturing (production), acquisition, or distribution of a soldier’s uniform or an identifying insignia.

[*10 June 2004; 17 March 2005; 29 March 2007; 11 March 2010; 21 October 2010; 12 September 2013; 19 February 2015; 16 November 2017; 3 October 2019*]

**Section 3. Corps of Soldiers**

(1) Soldiers (reserve soldiers) shall be divided into corps of officers, non-commissioned officers, and soldiers.

(2) Corps of officers shall be divided into junior, senior and higher officers.

(3) [12 June 2003]

(4) Corps of non-commissioned officers shall be divided into junior, senior and higher non-commissioned officers.

[*12 June 2003; 10 June 2004*]

**Section 4. Oath of a Soldier**

(1) All soldiers shall take the following oath:

“I, a Latvian soldier, recognising my responsibility to my nation and before the law, pledge and swear:

— my allegiance to the Republic of Latvia, its Constitution and lawful government,

— to defend the State of Latvia and its independence not sparing my strength, health and life,

— to conscientiously carry out the soldier’s duties entrusted to me,

— to comply unquestioningly with military discipline, always to fulfil the commands and orders of my superiors in accordance with the laws of the Republic of Latvia.”

(2) The procedures for taking the oath shall be determined by the unit commander in accordance with the Rules of Procedure for the Military Interior Service.

(3) Until taking the oath, a soldier may not be involved in the performance of combat tasks, combat duty, and guard. A soldier may only be sent to study or to perform other military tasks abroad after taking of the oath of a soldier.

[*5 November 2020 /* *See Paragraph 28 of Transitional Provisions*]

**Section 5. Status of a Soldier**

(1) A Latvian citizen shall acquire the status of a soldier when commencing the performance of active service and shall lose it when finishing the performance of active service.

(2) A soldier shall be issued with a soldier service identification document. The Minister for Defence shall determine the content of the soldier service identification document, procedures for its issuance and use thereof.

(3) For a Latvian soldier who performs service duties in the territory of another country, international agreements and other laws and regulations according to the specific situation shall determine the special nature of the status in the specific country.

(4) A soldier who has been taken prisoner or who is interned shall retain the status of a soldier. The Cabinet and the superior military leadership shall take measures to liberate such a soldier.

**Section 6. Military Discipline**

The Military Disciplinary Liability Law prescribes the procedures for military discipline and ensuring thereof.

[*5 November 2020 /* *See Paragraph 28 of Transitional Provisions*]

**Chapter II**

**Obligations and Rights of Soldiers**

**Section 7. General Obligations of a Soldier**

(1) A soldier has an obligation to perform military service in accordance with laws and regulations and the orders of the commander (superior officer).

(2) A soldier shall unquestioningly fulfil the lawful orders of the commander (superior officer).

**Section 8. General Obligations of a Commander (Superior Officer)**

(1) A commander (superior officer) has an obligation to ensure the preparedness of the subordinate unit (sub-unit), combat and mobilisation readiness, successful performance of combat tasks, combat training, conformity with the safety requirements, personnel training and educating, discipline, conformity with the relevant medical, social-legal standards and standards of conduct, as well as the fulfilment of other requirements provided for in laws and regulations.

(2) A commander (superior officer) has an obligation to ensure the conformity with the rights of soldiers of the subordinate unit (sub-unit).

(3) A commander (superior officer) has no right to give a soldier orders and tasks that are not related to the performance of military service duties or are unlawful.

**Section 9. Performance of Military Service**

(1) The performance of military service is:

1) the performance of the duties specified in military rules of procedure and other laws and regulations;

2) the fulfilment of an order of a commander (superior officer);

3) other activities of soldiers in the interests of the public and the State provided for in laws and regulations.

(2) [5 November 2020]

(3) The Rules of Procedure for the Military Service Structure that determine the interrelations between soldiers, the general obligations of soldiers and the obligations of officials, the procedures for the performance of active service and internal procedures of the units (sub-units), the Garrison Rules of Procedure that determine organisation of garrison and performance of service, and Guard (Security Guard) Rules of Procedure that determine guard (security guard) organisation and performance of service, as well as other rules of procedure that determine the performance of military service shall be approved by the Minister for Defence.

[*12 June 2003; 10 June 2004; 29 March 2007; 7 February 2013; 5 November 2020 /* *See Paragraph 28 of Transitional Provisions*]

**Section 10. General Rights of a Soldier**

(1) A soldier is under the protection of the State. His or her life, freedom, honour, and dignity are protected by law.

(2) A soldier has the right to be a member of such associations and foundations which do not have a political nature, as well as to establish associations and foundations for soldiers and participate in other non-political activities if such activities do not interfere with the performance of service duties.

(3) Soldiers have the right to nominate a representative in each unit from amongst their number to protect the interests of soldiers and to solve practical issues in relationships with the unit commander (superior officer) and higher officials. The representative of soldiers shall exercise his or her powers in accordance with the procedures stipulated by the Minister for Defence.

(4) A soldier 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 utilised all means to dispute the decision according to the subordination procedures to higher officials, including the Minister for Defence.

(5) The procedures for submitting and examining service complaints shall be specified in the Rules of Procedure for the Military Interior Service.

[*17 September 2009*]

**Section 11. Right of a Soldier to Acquire Education**

(1) A soldier may acquire education or improve qualification in State and foreign educational institutions, as well as in units of the National Armed Forces which implement adult educational programmes.

(2) According to the procedures stipulated by the Minister for Defence a soldier may be sent to study to a civil educational institution if special education is required for the performance of the duties of his or her position. Expenses related to the training of the soldier shall be covered from budget funds provided for such purpose. Prior to commencement of studies at the civil educational institution the Minister for Defence or his or her authorised commander (superior officer) shall enter into a contract with the soldier where it shall be provided that after graduation from the educational institution the soldier must serve the time specified in the contract that is not less than five years. A soldier who has been expelled from a civil educational institution due to poor progress (except for the case where the poor progress has been the result of health impairment or another valid reason), his or her own free will, violations of internal procedure regulations or enrolment regulations of the educational institution shall repay the financial resources used for training in accordance with the procedures stipulated by the Cabinet.

(3) Upon his or her own initiative a professional service soldier with the permission of the unit commander (superior officer) may also study in civil educational institutions.

[*17 September 2009; 19 February 2015*]

**Section 12. Right of Soldiers to Employment**

(1) A soldier is a defender of the State and he or she shall exercise the right to employment by performing military service.

(2) Norms of the laws and regulations governing employment legal relationships shall not apply to a soldier, except for the norms that determine a prohibition of different treatment, periods of leaves that are not added to the time period which gives the right to annual paid leave, and the rights of pregnant women and women nursing a child and women in a postnatal period up to one year, as well as the norms determining granting of prenatal and maternity leave, granting of leave to the father, adopter of the child or another person who is actually taking care of the child, and granting and using parental leave, insofar as it is not in contradiction with that laid down in this Law and the Law on Remuneration of Officials and Employees of State and Local Government Authorities.

(3) The length of a service day of a soldier shall depend on the necessities of service. A detailed division of time for the performance of service duties and rest and the conditions thereof shall be provided for in the Rules of Procedure for the Military Interior Service and orders issued on the basis thereof. A commander (superior officer) shall grant a leave for a soldier.

[*29 March 2007; 1 December 2009; 19 February 2015; 16 November 2017*]

**Section 13. Right of Soldiers to Employ a Service Firearm**

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

(2) During peacetime a soldier has the right to employ a service firearm in the cases specified by and in accordance with the procedures laid down in laws and military rules of procedure.

(3) The employment of a firearm is shooting on purpose.

(4) While performing service duties a soldier is entitled to employ a service firearm in situations of absolute emergency in order to:

1) defend other persons and himself or herself from an attack that actually endangers life or may do injury to health, and to avert an attempt to violently obtain a service firearm;

2) free hostages;

3) repulse an attack on a person or facility to be guarded, or free facilities occupied by armed persons;

4) arrest a person who is showing armed resistance or who is surprised at the moment of committing a serious or especially serious crime, or has escaped from a place of imprisonment, and to arrest an armed person who refuses to fulfil a lawful requirement to hand over a weapon or explosives;

5) stop a means of transport, causing damage to it, if through his or her actions its driver poses an actual threat to the life or health of persons to be guarded or other persons and does not submit to a request by a soldier to stop the means of transport and if there is no other possibility to arrest him or her;

6) render harmless an animal, which endangers human life and health;

7) capture or destroy a remotely controlled unmanned mechanical device which operates on the land or water and violates the prohibition specified in laws and regulations to enter a military site, is located in the vicinity of a warship or causes substantiated threats to the persons or facilities the security of which is performed by the Military Police in accordance with the law.

(41) A soldier, while performing service duties, is also entitled to employ a service firearm in the cases and in accordance with the procedures laid down in the law On Aviation.

(5) A soldier may utilise a service firearm in order to fire a warning shot, to give a warning signal or to summon help.

(6) Before employment of a firearm a warning regarding intent to do so must be given. If necessary, a warning shot may also be fired.

(7) A firearm may be employed without warning if:

1) an attack is sudden or in the attack weapons, military equipment or any type of mechanical means of transport are used;

2) such is necessary to free hostages.

(8) [16 November 2017]

(9) A soldier has the right to take out a service firearm and prepare it for shooting if he or she believes that in the specific situation its employment or utilisation is possible. If the arrested person intentionally makes sudden movements or other dangerous actions which the soldier may understand as attempted violence, or attempts to approach the soldier closer than the distance indicated by the soldier, the soldier has the right to employ a service firearm in accordance with this Law.

(10) In all cases of the employment and use of service firearms a soldier must do everything possible to guarantee the safety of other persons, as well as to provide necessary first or extended first aid to injured persons according to his or her knowledge and skills. According to subordination procedures, a soldier must notify of every case of the employment of a service firearm to the unit commander (superior officer) without delay, who in turn shall without delay notify the military police of the events that have taken place but also the Office of the Prosecutor if the accident has resulted in the loss of human life.

(11) The provisions of Paragraphs one to ten of this Section shall not apply to the performance of combat tasks in armed conflict. While performing a combat task in an armed conflict a soldier shall comply with the rules of international law regarding the employment of weapons in such conflict.

[*7 February 2013; 16 November 2017*]

**Section 14. Right of Soldiers to Use Physical Force and Special Means**

(1) A soldier while performing service duties is entitled to use physical force, special fighting techniques, special means, non-firearm weapons, special vehicles and other devices and techniques in conformity with the threat and situation, as well as service dogs, if such are necessary in order to:

1) repulse an attack on persons and facilities to be guarded, soldiers or other persons who are performing duties of State service or to free facilities occupied by armed persons;

2) free hostages;

3) control the persons if they do not submit or resist and to stop intentionally wrongful resistance to lawful requests made by a soldier while performing service duties, or if there are grounds to believe that they may flee or cause damage to bystanders or themselves;

4) capture or destroy a remotely controlled unmanned mechanical device which operates on the land or water and violates the prohibition specified in laws and regulations to enter a military site, is located in the vicinity of a warship or causes substantiated threats to the persons or facilities the security of which is performed by the Military Police in accordance with the Law.

(11) A soldier, while performing service duties, is also entitled to use special means in the cases and in accordance with the procedures laid down in the law On Aviation.

(2) The type of special means and the intensity of use of physical force and special means shall be determined by taking into account the specific situation, the nature of the violation and individual characteristics of the violator, maximally restricting the harm done by such means.

(3) If there are injured persons as a result of the use of physical force or special means, a soldier has a duty to provide first or extended first aid to the injured persons without delay according to his or her knowledge and skills and to notify the unit commander (superior officer) thereof in accordance with subordination procedures who in turn shall notify the military police of the events that have taken place, but also the Office of the Prosecutor if the accident has resulted in the loss of human life. A soldier shall notify the immediate direct superior officer of all cases of the use of physical force and special means.

(4) The Cabinet shall determine the types of special means which a soldier performing active service is entitled to use during peacetime, as well as the procedures by which such special means shall be possessed, carried, and used.

[*7 February 2013; 12 September 2013; 16 November 2017*]

**Section 14.1 Right of a Soldier to Provide Extended First Aid**

(1) A soldier who has acquired an extended first aid training course programme, while performing service duties, is entitled to provide extended first aid using equipment, medical materials and medicinal products included on the list approved by the Cabinet.

(2) The Cabinet shall determine an extended first aid training course programme for soldiers, the procedures by which the training in provision of the extended first aid shall be ensured and the procedures by which the training course acquired abroad shall be recognised in the Republic of Latvia, as well as the procedures for storage, use, record, and destruction of equipment, medical materials and medicinal products intended for the provision of the extended first aid.

(3) A soldier who has completed an internationally recognised combat casualty care training programme recognised in accordance with the procedures determined by the Cabinet is entitled to provide extended first aid while performing service duties and using extended first aid equipment, medical materials, and medicinal products included in the list approved by the Cabinet.

[*11 March 2010; 11 February 2021*]

**Section 15. Prohibitions for Soldiers**

(1) Soldiers are prohibited from:

1) engaging in political activities, joining trade unions, organising strikes and participating in them;

2) combining the performance of military service with another position or work not permitted by law;

3) being a representative of another person in matters related to a unit (institution) in which he or she holds a position;

4) taking part, personally or through the intermediation of another person, in transactions, upon the entering into or the fulfilment of which soldiers may unlawfully use their service position or come into a conflict of interest.

(2) A soldier has no right to refuse to perform military service on religious grounds, and to use his or her service position to impose his or her religious conviction on others.

(3) A soldier’s private property and its administration shall not be an obstacle or impediment to the performance of military service or to the transfer of the soldier from one unit to another.

**Chapter III**

**Recruitment of Unit Personnel**

**Section 16. Basic Principles of Recruitment**

(1) During peacetime units shall be recruited from Latvian citizens who:

1) [29 March 2007];

2) are accepted into professional service;

3) [29 March 2007];

4) [7 February 2013];

5) are employed in civil positions provided for in the staff list.

(2) A Latvian citizen shall not be conscripted or accepted into military service:

1) if he or she has been punished for an intentional criminal offence or disclosure of an official secret through negligence – regardless of the extinguishment and setting aside of criminal record, except for the case referred to in Paragraph 2.2 of this Section;

2) if he or she is a suspect or an accused in the criminal proceedings;

3) if he or she has been sentenced for a criminal offence referred to in Clause 1 of this Paragraph by releasing him or her from the punishment, or the criminal proceedings against him or her have been terminated for reasons other than exoneration, except for the case referred to in Paragraph 2.2 of this Section;

4) if he or she has been punished for committing a criminal offence through negligence, except for the criminal offence referred to in Clause 1 of this Paragraph, unless the criminal record has been set aside or extinguished in accordance with the procedures laid down by law;

5) if he or she is not fit for service due to state of health;

6) if he or she 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 country, or an agent, resident or safe-house keeper;

7) if he or she has been retired from military or another State service for violations of discipline, except for the case referred to in Paragraph 2.1 of this Section;

8) if the conscription and acceptance of him or her into service do not correspond to the interests of the national security in accordance with the opinion of the Military Intelligence and Security Service.

(21) A commission established by the Minister for Defence may, in accordance with the procedures stipulated by the Cabinet, allow acceptance into military service of a citizen of Latvia who has been retired from military or another State service for violations of discipline, however, not earlier than five years after the day of retirement.

(22) A commission established by the Minister for Defence may allow acceptance into military service of a citizen of Latvia referred to in Paragraph two, Clause 1 or 3 of this Section if he or she has not committed an intentional serious or especially serious crime and the record has been extinguished or set aside, or if at least five years have passed from the ruling on the termination of criminal proceedings for reasons other than exoneration.

(23) The Cabinet shall determine the procedures by which the commission established by the Minister for Defence evaluates the issue on the provision of the authorisation referred to in Paragraph 2.2 of this Section.

(3) The individual and statistical registration of soldiers shall be carried out in accordance with the procedures stipulated by the Minister for Defence.

(4) The active service of a soldier shall commence on the day he or she has been included in the personnel of a unit and shall terminate on the day he or she has been excluded from the personnel of a unit.

[*29 March 2007; 21 October 2010; 7 February 2013; 16 November 2017; 11 February 2021*]

**Section 17. Conscription into Mandatory Active Military Service**

[29 March 2007]

**Section 17.1 Educating of Youth in the Field of National Defence**

(1) [5 November 2020 / See Paragraph 29 of Transitional Provisions]

(2) Citizens of Latvia who acquire education in an accredited institution of higher education or college and have joined the National Guard of the Republic of Latvia (hereinafter – the National Guard) may complete a special military training course in accordance with the procedures stipulated by the Cabinet. A compensation shall be paid to the persons who have completed this course, as well as acquired higher education. The Cabinet shall specify an amount of compensation, criteria for payment thereof, and the payment procedures.

(3) [5 November 2020 / See Paragraph 29 of Transitional Provisions]

(4) [5 November 2020 / See Paragraph 29 of Transitional Provisions]

(5) [5 November 2020 / See Paragraph 29 of Transitional Provisions]

(6) After attainment of 18 years of age, a youth guard and a person who has completed the national defence programme and who conforms to the requirements referred to in Section 16 of this Law and the conditions specified for the service in reserve, may voluntarily complete the training necessary for inclusion into reserve. After the successful completion of the training, a youth guard and a person who has completed the national defence programme shall take the oath and he or she shall be included in the National Armed Forces’ reserve and awarded the rank of a private. If a youth guard and a person who has completed the national defence programme joins professional service, he or she shall complete a basic training course of a soldier in accordance with the procedures determined by the Minister for Defence.

(7) Young people can acquire the vocational secondary education and the qualification of the junior military instructor in the vocational secondary school (hereinafter – the secondary school) subordinated to the Ministry of Defence.

(8) The inventory, uniform and identifying insignia of the secondary school shall be issued to an educatee and also professional service soldier, national guardsman or reserve soldier who teaches vocational subjects, implements interest education or leads extracurricular activities in accordance with the procedures specified by the Minister for Defence. The sample uniform, identifying insignia and the procedures for the use of the uniform and identifying insignia shall be determined by the Minister for Defence. The abovementioned uniform may be made of such fabric the pattern of which is identical to that of the uniform of a soldier.

(9) The Cabinet shall determine the procedures by which safety of educatees shall be ensured in the lessons and activities organised by the secondary school.

(10) Educatees have the right to receive paid health care. The types and amount of payable health care services, conditions for their receipt and procedures for covering expenditures of payable health care services shall be determined by the Cabinet.

[*29 March 2007; 20 November 2008; 11 March 2010; 21 October 2010; 19 February 2015; 3 December 2015; 16 November 2017; 7 March 2019; 5 November 2020; 9 December 2021*]

**Section 18. Recruitment of Soldiers in Military Educational Institutions and Units of the National Armed Forces which Implement Adult Educational Programmes**

(1) Military educational institutions and units of the National Armed Forces which implement adult educational programmes shall enrol citizens of Latvia who have attained 18 years of age and have acquired at least secondary education, except for the Infantry School of the National Armed Forces in which also citizens of Latvia who have attained 18 years of age and have acquired basic education may be enrolled.

(2) Soldiers for whom the length of professional service which is remaining in the present rank of officer until the attainment of the maximum age specified in Section 41 of this Law is not less than five years shall be enrolled in military educational institutions in the course of junior staff officer and senior staff officer. Soldiers up to 30 years of age shall be enrolled in the basic course for officers, but soldiers with higher academic education or second level higher vocational education – up to 35 years of age.

(3) Prior to the commencement of studies at a military educational institution of unit of the National Armed Forces the Minister for Defence or a commander (superior officer) authorised by him or her shall enter into a contract providing for that after completing the study course it shall be mandatory to serve the time period provided for in the contract, which shall be not less than five years.

(4) After completion of courses for obtaining qualification or qualification improvement a soldier shall serve the time period provided for in the contract which shall be not less than four times the duration of such courses.

(5) A soldier who has been expelled from a military educational institution or unit of the National Armed Forces due to poor progress (except the cases where the poor progress has been the result of health impairment or another valid reason), violations of discipline or upon his or her own free will shall be sent to the previous place of service or retired from professional service and he or she shall repay the financial resources used for training in accordance with the procedures stipulated by the Cabinet. If a soldier is discharged from the basic training course of a soldier or a cadet candidate course, he or she need not repay the financial resources used for training.

[*19 December 2002; 10 June 2004; 29 March 2007; 7 February 2013; 19 February 2015; 16 November 2017*]

**Section 19. Acceptance into Professional Service**

(1) Latvian citizens from 18 years of age shall be accepted into professional service.

(2) The persons referred to in Paragraph one of this Section may be accepted into professional service if they meet the requirements stipulated by the Minister for Defence for the state of health, education, professional and physical preparedness, knowledge of the official language, and moral and psychological characteristics, and if such persons, except for specialist officers, specialist non-commissioned officers, and specialist soldiers, may serve not less than five years until the attainment of the maximum age specified for professional service in Section 41 of this Law.

(3) [17 March 2005]

(4) A person who has served in foreign armed forces shall documentarily prove the length of service in foreign armed forces and the rank awarded.

(5) The National Armed Forces shall perform recruitment and selection of candidates for professional service in accordance with the procedures stipulated by the Minister for Defence. When performing recruitment and selection of candidates for professional service the National Armed Forces are entitled to request and receive the necessary information from the Population Register, State administration institutions, local governments, health care institutions, and other legal persons free of charge in order to determine the conformity of the candidates with the professional service.

(6) A probationary period of up to six months may be determined for a soldier accepted into professional service. The probationary period shall not be determined for a soldier who has been transferred to another position.

(7) A person who has not been previously trained for military service, after acceptance into professional service shall complete a military training course specified for the position in accordance with procedures stipulated by the Minister for Defence.

[*17 March 2005; 29 March 2007; 21 October 2010; 7 February 2013; 12 September 2013; 3 December 2015; 16 November 2017*]

**Section 20. Professional Service Contract**

(1) The content of the professional service contract, the procedures for entering into contracts and extension of the term shall be stipulated by the Minister for Defence.

(2) On behalf of the Ministry of Defence the professional service contract with a soldier shall be entered into and extended by the Minister for Defence or a commander (superior officer) authorised by him or her.

(3) The professional service contract shall be entered into with soldiers until the attainment of the maximum age for military service specified in Section 41 of this Law or for a time period that is not less than five years.

(4) After expiry of the contract, by agreement of the parties, it may be extended each time for the time period laid down in Paragraph three of this Section but not longer than until attainment of the maximum age specified for active service.

(5) The contract may be terminated before the end of the term in cases specified in Section 43 of this Law.

(6) The time periods referred to in Paragraph three of this Section shall not be applicable to professional service contracts which the Minister for Defence enters into with persons who are accepted into professional service in order to ensure the participation of the formations of the National Armed Forces in an international operation. In such case the Minister for Defence shall enter into a contract for a period of time of the international operation but for not more than one year.

(7) The time periods referred to in Paragraph three of this Section shall not be applicable to professional service contracts which the Commander of the National Armed Forces enters into with persons who are accepted into professional service in order to ensure fulfilment of the duties of an absent soldier (absent for more than six months) or of a vacant position in the National Armed Forces. In this case a professional service contract shall be entered into for the period of absence of a professional service soldier but not longer than for three years.

[*10 June 2004; 29 March 2007; 7 February 2013; 16 November 2017*]

**Chapter IV**

**Appointment to Position and Discharge from Position, Transfer and Official Travel**

**Section 21. General Provisions for Appointment to Position**

(1) A professional service soldier shall be appointed to a position subsequent to entering into a professional service contract or in conformity with the certification results.

(2) A soldier referred to in Section 19, Paragraph seven of this Law shall be included in the unit personnel and appointed to a position in a temporary acting capacity for the period of military training.

(3) A soldier may be assigned temporarily to perform the duties of the position of an absent or suspended soldier or a vacant position. The unit commander (superior officer) or a higher commander (superior officer) has the right to assign the temporary performance of a position to a soldier.

(31) Within the interests of State defence a soldier may be assigned to perform the position of a defence attaché non-residing in the mission country for a period up to three years retaining his or her present position. The conformity of the soldier with the position of attaché shall be determined by the Higher Certification Committee. The Minister for Defence is entitled to assign the performance of the abovementioned position to a soldier, taking into account the procedures laid down in the Diplomatic and Consular Service Law.

(32) If it is not possible to assign the performance of the duties of the position of an absent soldier to another soldier, another soldier may be appointed to the position for a specific period of time, taking into account the requirements specified for it.

(33) If due to objective circumstances it is not possible to fill the position of soldier in the National Armed Forces, the Commander of the National Armed Forces may, in accordance with the procedures laid down in this Law, enter into a professional service agreement with a reserve soldier who has education and qualification appropriate for the respective position for the time period until appointing of a soldier to the position in order to fulfil the duties of an absent solder or a vacant position in the National Armed Forces, except for the duties of the position of a Commander (Chief).

(4) A soldier shall not be appointed to such position where he or she would be in kinship relations to the third degree or in affinity relations to the second degree with his or her immediate direct superior officer.

(5) If, due to unforeseen circumstances, a commander (superior officer) has suspended the performance of his or her duties of a position, without appointing a person in a temporary acting capacity, the performance of his or her position shall be assumed by a senior by position (rank) held and who shall notify thereof in accordance with subordination procedures.

(6) If a soldier is discharged from a position but is not appointed to another position or is not retired from service he or she may be assigned at the disposal of the commander (superior officer) without appointment to a position, retaining the previous monthly salary, for a time period until the issue regarding further course of service is decided but no longer than for four months.

(7) If a soldier is not granted the security certificate for work with the classified information of the North Atlantic Treaty Organisation or the European Union or it is cancelled, or the category of such certificate is reduced, the soldier shall immediately be discharged from the position for the fulfilment of the duties of which the abovementioned security certificate is required, and the Commander of the National Armed Forces shall decide on the further course of his or her service.

[*10 June 2004; 29 March 2007; 1 December 2009; 7 February 2013; 12 September 2013; 16 November 2017; 7 March 2019*]

**Section 22. Soldier Position Lists**

(1) The list of positions corresponding to the ranks of higher officers shall be approved by the Cabinet.

(2) The military position classification shall be approved by the Minister for Defence. The classification shall specify general professional qualification requirements for military professions.

(3) The Commander of the National Armed Forces shall approve staff of units of the National Armed Forces and specify the necessary education and professional qualification requirements for each position.

[*10 June 2004; 8 June 2006; 16 November 2017*]

**Section 23. Appointment of Officers to Positions**

(1) The Commander of the National Armed Forces and superior officer of the Joint Headquarters of the National Armed Forces shall be appointed and discharged from the position in accordance with the National Armed Forces Law.

(2) In other positions complying with the ranks of higher officers and in the position of the Commander of Military Police officers shall be appointed by the Minister for Defence upon the recommendation of the Commander of the National Armed Forces. The Minister for Defence shall also appoint those officers who are under his direct subordination.

(3) Other officers shall be appointed by the Commander of the National Armed Forces.

(4) Candidature to an officer’s position prior to appointment to any of the positions referred to in Paragraphs one and two of this Section shall be evaluated by the Higher Certification Committee established by the Minister for Defence.

(5) An officer may be appointed to a one rank higher position and only in exceptional cases with the consent of the Minister for Defence – to a two ranks higher position.

(6) [10 June 2004]

[*10 June 2004; 29 March 2007; 20 November 2008; 11 March 2010*]

**Section 24. Appointment to Position of Non-commissioned Officers and Privates**

(1) The soldiers shall be appointed to positions of higher non-commissioned officers by the Commander of the National Armed Forces or by the commander (superior officer) authorised by him or her.

(2) The soldiers of the corps of other non-commissioned officers and privates shall be appointed to positions by the unit commander (superior officer).

(3) A soldier of the corps of non-commissioned officers and privates, except for a specialist non-commissioned officer and specialist soldier, may be appointed to a one rank higher position and only in exceptional case with the consent of the Commander of the National Armed Forces – to a two ranks higher position.

(4) Non-commissioned officers and privates shall not be appointed to positions of officers.

(5) If necessary for service, a private first class (a seaman first class) may continue holding a position corresponding to the rank of private (seaman), or he or she may be appointed to such position.

[*10 June 2004; 11 March 2010; 12 September 2013; 16 November 2017*]

**Section 25. Professional Evaluation and Certification of Soldiers**

(1) Professional service soldiers shall be subject to professional evaluation and certification.

(2) Professional evaluation is the assessment of the performance of service duties and tasks and of personal characteristics of the soldier and it shall be performed by the direct commander (superior officer) of the soldier.

(3) During certification the conformity of the soldier with the requirements laid down in laws and regulations shall be determined within the framework of present and further course of service.

(4) A commander (superior officer) shall substantiate a decision on the course of service of a soldier with the results of certification and professional assessment.

(5) The procedures for the evaluation and certification of soldiers shall be determined by the Minister for Defence.

[*29 March 2007*]

**Section 26. Transfer of Soldiers**

(1) A soldier may be transferred from one unit or institution to another unit or institution in the interests of the service in accordance with procedures stipulated by the Minister for Defence.

(2) An officer shall hold a position for no longer than five years. After the end of this term he or she shall be transferred to another position. The Minister for Defence, taking into account the speciality of the soldier or service necessity, may extend the term in the position for an officer. A specialist officer shall be transferred only in conformity to his or her speciality. The officers referred to in Section 23, Paragraph five of this Law may be transferred on a rotational basis to a position corresponding to their rank.

(3) When abolishing a position or a unit (sub-unit) or when reorganising it a soldier shall be transferred to a position of not lower than in conformity with his or her rank in this or another unit or with his or her consent – to a lower rank position. If it is not possible to transfer a soldier to a position corresponding to his or her rank and he or she does not agree to the transfer to a lower rank position, the soldier shall be retired from active service in accordance with the procedures laid down in law.

(4) A soldier may be transferred from a higher rank position to a lower rank position:

1) due to his or her state of health according to the opinion of the Central Medical Expert-examination Commission of the National Armed Forces;

2) [29 March 2007];

3) if a soldier is expelled from an educational institution or unit of the National Armed Forces which is implementing adult educational programmes, due to poor progress or violations of discipline.

(5) The procedures for selecting soldiers for studies or the acquiring of experience abroad shall be determined by the Minister for Defence. A soldier who is sent to study (acquire experience) abroad for more than six months shall be included in the group of soldiers to be trained in foreign military educational institutions of the National Defence Academy of Latvia for the period of studies, retaining the previous monthly salary. Soldiers who are appointed (approved) in the position by the Cabinet or *Saeima* shall not be included in the group of soldiers to be trained in foreign military educational institutions.

[*12 June 2003; 10 June 2004; 29 March 2007; 1 December 2009; 21 October 2010; 19 February 2015*]

**Section 27. Transfer of a Soldier to a Civil State Institution, State Security Institution or Assigning to an International Organisation or an Institution of a Member State to such International Organisation**

(1) In the interests of national defence a soldier may be temporarily transferred to a civil State institution, appointing him or her to a position of a State civil service official or another position and retaining his or her status of a soldier. The Commander of the National Armed Forces is entitled to transfer a soldier to a civil State institution. The head of the relevant institution shall appoint the soldier to a position. If such transfer has taken place upon request of the State institution, the remuneration of the soldier shall be ensured by the institution.

(2) A soldier may be temporarily assigned to an international organisation, of which the Republic of Latvia is a member state or with which the Republic of Latvia is co-operating, or to an institution of a member state to such international organisation retaining his or her status of a soldier. During this time period the sending institution shall disburse to the soldier only such part of remuneration and retain only such social guarantees, which are not covered by the international organisation or an institution of its member state.

(3) In the interests of national defence a soldier may be temporarily transferred to a State security institution retaining his or her status of a soldier. The head of the State security institution shall appoint the soldier to a position, and the soldier shall receive only the remuneration and social guarantees laid down in the laws and regulations governing the activities of the State security institutions.

(4) The period of time when a soldier performs the duties of the position provided for in this Section shall be included in the length of service that shall be taken into account when granting the current rank.

[*10 June 2004; 17 March 2005; 29 March 2007; 1 December 2009; 7 February 2013*]

**Section 28. Official Travel of Soldiers**

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

(2) A unit commander (superior officer) is entitled to send a soldier on official travel in the territory of Latvia, but the Minister for Defence, the Commander of the National Armed Forces, the Chief of the Joint Headquarters of the National Armed Forces or a deputy thereof – also abroad.

(3) A soldier who is sent to perform service duties at the disposal of another unit commander (superior officer) shall be considered as attached to this unit.

(4) The provisions of this Section shall not apply to a soldier who participates in an international operation.

[*7 February 2013; 16 November 2017*]

**Section 29. Suspension of Soldiers from Positions**

(1) If an internal investigation against a soldier is commenced or he or she is a suspect or the accused in criminal proceedings and the holding of the position by the soldier may interfere with the investigation process, he or she shall be suspended from the position until the matter is decided. The commander (superior officer) who has the right to appoint a soldier to a position or a higher commander (superior officer) has the right to suspend a soldier from the position and appoint another person to the position in a temporary acting capacity.

(2) The suspended soldier shall hand over all documents and State property at his or her disposal to the person in the temporary acting capacity in accordance with the procedures laid down in the Rules of Procedure for the Military Interior Service.

[*21 October 2010*]

**Section 30. Discharge of Soldiers from Position**

(1) A soldier shall be discharged from his or her position:

1) by appointing him or her to another position;

2) without appointing him or her to another position, however, retaining the status of a soldier in the cases indicated in Paragraph two of this Section;

3) by retiring him or her from active service.

(2) A soldier shall be discharged from the position by retaining the status of a soldier, however, without retaining the monthly wage and supplements in the following cases:

1) the soldier is moving together with his or her spouse – a defence attaché or military representative – to his or her service location in a foreign country;

2) the soldier is accompanying his or her spouse – a soldier who has been sent on a training visit to a military training course of senior or higher officers included in the list approved by the Commander of the National Armed Forces or his or her authorised person the duration of which exceeds 10 months.

(3) The period of absence referred to in Paragraph two of this Section shall not be included into the term of service which gives the right to the awarding of a regular service rank. After returning to Latvia, the soldier shall be appointed to a position according to his or her rank. If the soldier, after his or her spouse’s service or training abroad has ended, does not return to military service, he or she shall be retired.

[*7 March 2019*]

**Chapter V**

**Awarding and Removing of Ranks**

[*12 June 2003*]

**Section 31. Ranks of Soldiers**

(1) Ranks of soldiers shall be divided into the general and Naval Forces ranks.

(2) Soldiers shall have the following ranks:

1) for the corps of privates: Private, Private First Class (in the Naval Forces – Seaman, Seaman First Class);

2) for the corps of non-commissioned officers:

a) for the junior non-commissioned officers: Corporal, Sergeant;

b) for the senior non-commissioned officers: First Sergeant (in the Naval Forces – Boatswain), Sergeant First Class (in the Naval Forces – Chief Petty Officer);

c) for the higher non-commissioned officers: Master Sergeant (in the Naval Forces – Senior Chief Petty Officer), Sergeant Major (in the Naval Forces – Master Chief Petty Officer);

3) [10 June 2004];

4) for the corps of officers:

a) for the junior officers: Lieutenant, First Lieutenant, Captain (in the Naval Forces – Lieutenant Commander),

b) for senior officers: Major, Lieutenant Colonel, Colonel (in the Naval Forces – Sub-commander, Commander Senior Grade, Navy Captain),

c) for higher officers: Brigadier General, Major General, Lieutenant General (in the Naval Forces – Flotilla Admiral, Rear Admiral, and Vice Admiral).

[*10 June 2004; 16 November 2017*]

**Section 32. General Provisions for Awarding Ranks**

(1) A person conscripted or accepted into active service concurrently with inclusion in the unit personnel shall be awarded the first rank. A reserve soldier accepted into active service or conscripted and a reservist shall retain the existing rank irrespective of the position held.

(2) Ranks shall be awarded to soldiers:

1) officer ranks – by the President upon recommendation of the Minster for Defence, if the conformity of a soldier with the requirements laid down in the Law has been evaluated and awarding of the rank has been supported by the Higher Certification Committee;

2) higher non-commissioned officer ranks – by the Commander of the National Armed Forces;

3) ranks of lower and higher non-commissioned officers transferred to a civil State institution or State security institution or appointed to an international organisation, of which the Republic of Latvia is a member state or with which the Republic of Latvia is co-operating, or to an institution of a member state to such international organisation – by the Chief of the Joint Headquarters of the National Armed Forces upon recommendation of the head of the respective institution, but ranks of other non-commissioned officers and soldiers – by a unit commander (superior officer) upon recommendation of a sub-unit commander.

(3) A soldier shall acquire the right to be awarded the next rank, if he or she has received a positive evaluation of attestation and meets all the requirements specified for the awarding of the next rank in general and for each rank separately, such requirements of physical preparedness, which are determined by the Minister for Defence, and he or she has no non-expunged (non-extinguished) punishments.

(4) A soldier shall be awarded next ranks gradually, except for corporal and lieutenant ranks, as well as in the cases provided for in Sections 32.1 and 32.2 of this Law.

(5) A soldier shall be awarded the next rank:

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

2) for achievements in battle and other achievements – outstanding heroism, courage or achievements during the performance of combat and other tasks – prior to the determined term of service in the existing rank or performance of other requirements laid down in Section 33, Paragraphs one and two of this Law – as an award;

3) [17 March 2005];

4) a soldier transferred to a State security institution – after serving the specified time period in the current rank if the soldier holds corresponding position in the State security institution.

(6) [29 March 2007]

[*12 June 2003; 10 June 2004; 17 March 2005; 8 June 2006; 29 March 2007; 20 November 2008; 11 March 2010; 7 February 2013; 12 September 2013; 16 November 2017*]

**Section 32.1 Awarding of Rank to Specialist Officers**

(1) A soldier who has successfully completed a basic specialist officer course shall be awarded the rank of First Lieutenant.

(2) A soldier who is a certified physician, after successfully completing a basic specialist officer course, shall be awarded the rank of Captain (Lieutenant Commander).

(3) [16 November 2017]

(4) During peacetime a specialist officer shall be awarded a current rank in the following sequence:

1) Captain (Lieutenant Commander) – to a first lieutenant who has completed a basic specialist officer course or another course equivalent thereto after serving for four years in the rank of the first lieutenant;

2) Major (Commander Junior Grade) – to a captain (lieutenant commander) after completing a senior specialist officer course or the course equivalent thereto and serving for five years in the rank of captain (lieutenant commander);

3) Lieutenant Colonel (Commander Senior Grade) – to a major (commander junior grade) who has completed a senior specialist officer course or another equivalent course thereto and after serving for five years in the rank of major (commander junior grade);

4) Colonel (Navy Captain) – to a lieutenant colonel (commander senior grade) after completion of a senior staff officer course or other equivalent course thereto and after serving for five years in the rank of lieutenant colonel (commander senior grade).

[*12 June 2003; 10 June 2004; 7 February 2013; 16 November 2017 / See Paragraph 23 of Transitional Provisions*]

**Section 32.2 Awarding of Rank to Specialist Soldiers and Specialist Non-commissioning Officers**

(1) A soldier shall be awarded the rank of a Private First Class (First Seaman) according to the rank of the position held without having served the specific time period in the current rank after successful completion of a specialist soldier basic course or other equivalent course.

(2) A specialist non-commissioning officer shall be awarded the rank according to the rank of the position held without having served the specific time period in the current rank after successful completion of a specialist non-commissioning officer basic course or other equivalent course.

[*12 September 2013 /* *See Paragraph 20 of the Transitional Provisions*]

**Section 33. Sequence for Awarding Ranks**

(1) During peacetime a soldier shall be awarded the next rank in the following sequence:

1) Private First Class (Seaman First Class) – to a private (seaman) no sooner than after military service of three months or as an award;

2) Corporal – to a private (seaman) and private first class (first seaman) with at least secondary education after completion of a junior non-commissioned officer course;

3) Sergeant – to a corporal after completion of a non-commissioned officer course and serving for four years in the rank of corporal;

4) First Sergeant (Boatswain) – to a sergeant after completion of a senior non-commissioned officer course and serving for five years in the rank of sergeant;

5) Senior First Sergeant (Chief Petty Officer) – to a first sergeant (boatswain) after completion of a senior non-commissioned officer course and serving for five years in the rank of a first sergeant (boatswain);

6) Master Sergeant (Senior Chief Petty Officer) – to a senior first sergeant (chief petty officer) who has completed a higher non-commissioned officer course with at least first level vocational higher education after serving for three years in the rank of a senior first sergeant (chief petty officer);

7) Sergeant Major (Master Chief Petty Officer) – to a master sergeant (senior chief petty officer) who has completed a higher non-commissioned officer course with at least first level vocational higher education after serving for three years in the rank of a master sergeant (senior petty officer);

8) Lieutenant – to a soldier after graduation from an officer training military educational institution and to a soldier with higher education after completion of a basic officer’s training course;

9) First Lieutenant – to a lieutenant after graduation from an officer training military educational institution or to a lieutenant with higher education who has completed a basic officer’s training course after serving for two years in the rank of a lieutenant;

10) Captain (Lieutenant Commander) – to a first lieutenant after completion of a junior staff officer course or another course equivalent thereto and after serving for three years in the rank of the first lieutenant;

11) Major (Commander Junior Grade) – to a captain (lieutenant commander) who has completed a junior staff officer course or another course equivalent thereto and after serving for five years in the rank of captain (lieutenant commander);

12) Lieutenant Colonel (Commander Senior Grade) – to a major (commander junior grade) with higher education after completion of a senior staff officer course or another course equivalent thereto and serving for five years in the rank of major (commander junior grade);

13) Colonel (Navy Captain) – to a lieutenant colonel (commander senior grade) who has completed a senior staff officer course or other course equivalent thereto with higher education after serving for five years in the rank of lieutenant colonel (commander senior grade);

14) Brigadier General (Rear Admiral) – to a colonel (navy captain) with higher education after completion of a higher commanding officer course or another course equivalent thereto and serving for three years in the rank of colonel (navy captain);

15) Major General (Counter Admiral) – to a Brigadier General (flotilla admiral) with higher education after completion of a higher commanding officer course or course equivalent thereto and after serving for three years in the rank of Brigadier General (flotilla admiral);

16) Lieutenant General (Vice Admiral) – to a major general (rear admiral) if he has been appointed the Commander of the National Armed Forces.

(2) Ranks of officers shall only be awarded to those soldiers who are fluent in at least one of the official languages of the North Atlantic Treaty Organisation. The knowledge of language shall be examined in accordance with the procedures stipulated by the Minister for Defence.

(3) The rank of colonel and higher ranks shall be awarded to soldiers who have served in positions of unit commanding personnel for at least three years. This requirement shall not apply to specialist officers.

(4) If a soldier has completed a military education course that is not specified in this Law, a commander (superior officer) of his or her unit shall request that a special commission evaluate the compliance of the military education of the soldier with the rank to be awarded in accordance with the procedures stipulated the Minister for Defence.

(5) A course of military education shall conform to the requirements of military education laid down in this Law in accordance with the procedures stipulated by the Minister for Defence.

[*12 June 2003; 10 June 2004; 29 March 2007; 21 October 2010; 7 February 2013; 16 November 2017 / See Paragraph 24 of Transitional Provisions*]

**Section 34. Removal and Renewal of a Rank**

The rank of a soldier shall be removed if he or she is convicted of committing a serious or especially serious crime or if the criminal proceedings initiated against him or her have been terminated conditionally releasing such soldier from criminal liability for a serious crime. In such case the officer rank shall be removed by the President, the rank of higher non-commissioned officer – by the Commander of the National Armed Forces, the rank of privates and other non-commissioned officers – by the unit commander (superior officer) and it may be renewed only in accordance with a decision or judgment rehabilitating the soldier.

[*21 October 2010*]

**Section 35. Awarding of Ranks under Equalisation Procedures**

(1) A former State specialised civil service official who has been accepted into active service or conscripted, an official of the institutions of the Ministry of the Interior system and Latvian Prison Administration with a special rank, a Latvian citizen who has served in state security institutions and the Office of the prosecutor and foreign armed forces, in accordance with equalisation procedures, may be awarded a soldier rank equal to his or her service (special) rank that is documentarily proven and a rank corresponding to his or her military preparedness in accordance with the procedures laid down in this Law, but not higher than the rank that has been documentarily proved.

(2) A soldier who has been accepted into active service or conscripted immediately after retirement from service in the institutions referred to in Paragraph one of this Section and to whom in accordance with equalisation procedures has been awarded a military rank, in the term of service period, which gives the right to the awarding of regular military rank, shall also include the time served in such institutions with the relevant service (special) rank.

(3) A former national guard who has been accepted into military service or conscripted may, under equalisation procedures, be awarded a service rank appropriate to his or her military preparedness and education in accordance with the procedures laid down in this Law.

(4) A soldier who has been accepted into active service and retired from mandatory military service may, under equalisation procedures, be awarded a service rank similar to his or her service rank which is documentarily proved and appropriate to his or her military preparedness in accordance with the procedures laid down in this Law but not higher than the service rank documentarily proved.

[*12 June 2003; 8 June 2006; 20 November 2008; 16 November 2017*]

**Section 35.1 Right of Use of a Temporary Rank**

(1) During the service in the international operation, in the North Atlantic Treaty Organisation or European Union military staff or in the multinational staff of the Member States to these organisations the Commander of the National Armed Forces may grant an officer the right to use a temporary rank that is one rank higher than the rank granted to the officer in order to ensure the compliance of the officer’s rank with the rank specified for the international operations and positions of staff of headquarters. A temporary rank shall not be higher than the rank corresponding to the position in which it is intended to appoint an officer for the performance of the service tasks specified in this Section.

(2) During the use of a temporary rank an officer shall receive social and other guarantees specified by the law in compliance with the rank which has been granted to him or her by the President in accordance with the procedures laid down in the law.

(3) The procedures for granting of the right of use of a temporary rank, as well as the procedures for use of a temporary rank shall be determined by the Minister for Defence.

[*21 October 2010*]

**Chapter VI**

**Leave**

[*1 December 2009*]

**Chapter VII**

**Retirement of Soldiers from Military Service**

**Section 41. Maximum Age in Military Service**

(1) The maximum age of a soldier for the performance of military service shall be the following:

1) for corps of privates: in professional service – 45 years; in service of the National Armed Forces’ reserve – 60 years,

2) for corps of non-commissioned officers: in professional service – 50 years; in service of the National Armed Forces’ reserve – 60 years,

3) for a lieutenant: in professional service – 45 years; in service of the National Armed Forces’ reserve – 60 years,

4) for a first lieutenant: in professional service – 45 years; in service of the National Armed Forces’ reserve – 60 years,

5) for a captain (lieutenant commander): in professional service – 48 years; in service of the National Armed Forces’ reserve – 60 years,

6) for a major (commander junior grade): in professional service – 51 years; in service of the National Armed Forces’ reserve – 60 years,

7) for a lieutenant colonel (commander senior grade): in professional service – 55 years; in service of the National Armed Forces’ reserve – 60 years,

8) for a colonel (navy captain): in professional service – 58 years; in service of the National Armed Forces’ reserve – 60 years,

9) for higher officers: in professional service – 65 years; in service of the National Armed Forces’ reserve – 70 years.

(2) A professional service soldier of the corps of privates and non-commissioned officers who holds a qualified specialist position of a significant profession may be retired, in accordance with the list of military specialist positions determined by the Minister for Defence, when he or she has attained the age of 55 years, but a soldier of the corps of officers – when he or she has attained the age of 60 years.

(3) In individual cases, the Minister for Defence may, by taking into account the needs of national defence, prolong the professional service of a soldier whose rank is not higher than the rank of colonel and who has attained the maximum age for professional service specified in Paragraph one of this Section according to the terminated professional service contract for one or several times for a period of not less than one year, however, not longer than until attainment of the maximum age for the relevant service rank for service in reserve specified in Paragraph one of this Section.

(4) An officer who has been approved (appointed) by the *Saeima*, the Cabinet, or the Ministry of Defence in his or her position for a period of time determined in the law shall continue to perform his or her office duties until the end of the term of office, unless upon attaining the maximum age provided for in Paragraph one of this Section another officer is approved (appointed) in the relevant position in accordance with the procedures determined in the law.

[*10 June 2004; 29 March 2007; 19 February 2015; 7 March 2019; 5 November 2020*]

**Section 42. Retirement from Professional Service**

(1) A soldier shall be retired from professional service:

1) upon expiry of the term of the professional service contract in connection with the attainment of the maximum age determined for active service;

2) upon expiry of the term of the professional service contract if the contract is not extended;

3) upon terminating the professional service contract prior to the end of the term.

(2) If a soldier has attained the maximum age prescribed for the military service reserve or the soldier has been recognised as unfit for military service due to the state of health, or his or her rank has been removed, he or she shall be retired, deleting him or her from the military service records.

(3) In other cases of retirement a soldier shall be:

1) retired to the military service reserve;

2) admitted to the National Guard if the soldier has expressed such wish before being retired and meets the requirements stipulated by the National Guard of the Republic of Latvia Law for admission to the National Guard.

(4) Soldiers who are dead, have perished or are missing without information shall be excluded from the personnel.

[*9 December 2021*]

**Section 43. Termination of Professional Service Contract before the End of the Term**

(1) A professional service contract may be terminated before the end of the term at any time by agreement of the parties.

(2) A professional service contract with a soldier shall be terminated on the initiative of management if:

1) the soldier has lost Latvian citizenship;

2) the soldier has been recognised as unfit for active service due to state of health;

3) during examination it is ascertained that the soldier does not conform to service requirements;

4) circumstances have been revealed, which in accordance with the law or Cabinet regulations prevent the soldier from the performance of active service or holding a position and such circumstances cannot be rectified;

5) [29 March 2007];

6) the period of soldier's incapacity for service due to illness is longer than four months (120 days), if the illness or injury (trauma) were not suffered while performing service duties;

7) a unit (sub-unit) is abolished or reorganised or the number of soldiers is reduced, in conformity with the provisions of Section 26, Paragraph three of this Law;

8) retirement from active service has been applied to the soldier as a disciplinary sanction;

9) the soldier has been punished for an intentional criminal offence or disclosure of an official secret through negligence – regardless of the extinguishment and setting aside of criminal record;

10) the soldier has been sentenced for the criminal offence referred to in Clause 9 of this Paragraph by releasing him or her from the punishment, or the criminal proceedings against him or her have been terminated for reasons other than exoneration;

11) the soldier has been punished for committing a criminal offence through negligence, unless the criminal record has been set aside or extinguished in accordance with the procedures laid down by law.

(3) A professional service contract with a soldier shall be terminated by the Minister for Defence or a commander (superior officer) authorised by him or her.

(4) The Minister for Defence is entitled not to terminate a professional service prior to the end of the term thereof by taking into account the speciality of the soldier or necessity of the service, if:

1) the soldier has been punished for committing a criminal offence through negligence with a punishment not related to deprivation of liberty;

2) the soldier has committed a criminal offence through negligence, but has been released from a punishment;

3) the criminal proceedings initiated against the soldier for committing a criminal offence through negligence have been terminated for reasons other than exoneration.

(41) The Minister for Defence or a commander (superior officer) authorised by him or her, upon terminating a professional service contract during probation, is entitled not to indicate the reason for terminating the contract.

(5) When terminating the professional service contract before the end of the term due to circumstances referred to in Paragraph two, Clause 7 of this Section the soldier shall be warned thereof two months in advance.

[*29 March 2007; 21 October 2010; 7 February 2013; 16 November 2017; 11 February 2021*]

**Section 44. Retirement Procedures**

(1) The following are entitled to retire a soldier from active service during peacetime:

1) a higher officer – the President;

2) a senior officer – the Minister for Defence;

3) a junior officer – the Commander of the National Armed Forces;

4) a higher non-commissioned officer – the Commander of the National Armed Forces or the commander (superior officer) authorised by him or her;

5) a soldier of the corps of other non-commissioned officers and privates – by the unit commander (superior officer).

(2) [29 March 2007]

(3) A soldier who has been convicted for committing a criminal offence or the criminal proceedings initiated against whom have been terminated for reasons other than exoneration, or who has been convicted for committing a criminal offence, but has been released from a punishment, shall be retired from active service as of the day the court judgement or decision comes into legal effect. If a soldier, who has been convicted for committing a criminal offence, on the day the court judgement or decision comes into legal effect is in detention, he or she shall be retired from active service as of the day stated in the judgment or decision as the beginning of serving the sentence.

(31) A retired soldier, in accordance with the procedures stipulated by the Minister for Defence, shall return the material and technical resources issued to him or her (equipment, utilities, service inventory, etc.) and the uniform or reimburse their remaining value. The Minister for Defence is entitled to provide for exceptions for retired soldiers, who have been granted the right to wear a uniform.

(4) If a soldier is retired from active service due to the termination of the professional service contract prior to the end of the term, except the cases specified in Section 43, Paragraph two, Clauses 2 and 7 of this Law, as well as the cases where a soldier has been retired due to other inevitable circumstances independent of his or her will which have been recognised as justifiable by the Minister for Defence, he or she shall, proportionally to the period not served, compensate or withhold from him or her a part of expenses for his or her military and professional training or improvement of qualifications, including study expenses incurred at foreign educational institutions (courses) which have been covered by the foreign country as assistance to Latvia.

(41) If a soldier is retired from military service in the case referred to in Section 42, Paragraph one, Clause 1 of this Law or upon termination of the professional service contract prior to the end of the term in the case specified in Section 43, Paragraph two, Clause 2, 6, or 7 of this Law, a compensation for unused annual leave shall be calculated for a full year. If a soldier is retired in the case referred to in Section 43, Paragraph one or two, Clause 1, 4, 8, or 9 of this Law prior to the end of a calendar year and a soldier has used annual leave for a full calendar year, the payment disbursed for leave shall be withheld from him or her for the days not served.

(42) If a soldier retired from professional service is accepted into professional service anew within two years after retirement and serves at least five years, he or she shall not repay the part of training expenses which has not been paid on the day when he or she has been accepted into professional service anew, and the part of the training expenses paid by the soldier shall be reimbursed thereto as a one-time payment. This condition does not apply to cases when a soldier repays training expenses due to suspension from the military education institution or unit of the National Armed Forces which implements adult educational programmes based on academic failure or breaches of discipline, or upon his or her own wish.

(5) During an armed conflict, state of war or state of emergency and in case of mobilisation the retirement of soldiers shall be suspended except for cases where a soldier has become unfit for military service.

[*10 June 2004; 29 March 2007; 17 September 2009; 1 December 2009; 11 March 2010; 21 October 2010; 7 February 2013; 9 December 2021 /* *See Paragraph 30 of Transitional Provisions*]

**Chapter VIII**

**Uniform of Soldiers**

**Section 45. Uniform of Soldiers**

(1) The Cabinet shall determine the description of the combat, everyday, dress, and ceremonial uniforms of a soldier of the Latvian National Armed Forces, the components and additional elements of these uniforms, and also the description of cockades, rank, and surname identifying insignia worn on these uniforms. The Minister for Defence shall determine the description of other types of soldier’s uniforms, the components of these uniforms, additional elements and the identifying insignia, and the uniform wearing procedures.

(2) Only a soldier (retired soldier) is entitled to wear the uniform of a soldier and the identifying insignia.

(3) Only the Ministry of Defence, the National Armed Forces, and, in the cases specified in this Law, other persons have the right to order the manufacture of the uniforms of soldiers and the identifying insignia and to purchase them. The handling of a soldier’s uniform and identifying insignia is permitted only for the needs of the National Armed Forces.

[*7 February 2013; 3 October2019*]

**Section 46. Wearing of Soldier’s Uniform in Active Service**

(1) During active service and also while performing work duties at the Cadet Force Centre and secondary school, a soldier shall wear a uniform and the identifying insignia, and depending on the received task shall carry the provided weapons and accoutrements.

(2) During free time outside the performance of service duties, soldiers may also wear civilian clothes. The unit commander (superior officer) shall allow a soldier to wear civilian clothes during the performance of service duties if it is required by service tasks.

(3) The wearing of soldier’s uniforms by soldiers while abroad is prohibited except for the cases where they are performing such service duties abroad for which the wearing of a soldier’s uniform has been provided for.

[*7 February 2013; 7 March 2019; 9 December 2021*]

**Section 47. Right of Retired Soldiers to Wear Soldier’s Uniforms**

(1) An official who is entitled to retire a soldier may grant a retired soldier the right to wear a soldier’s uniform for impeccable service in the following cases:

1) for achievements in battle and other achievements in the performance of the tasks of service – irrespective of the length of the service;

2) if a soldier has been retired due to disability (illness), which has been acquired during service while performing service duties;

3) if a soldier has been retired from service because of attaining the maximum age and his or her total length of service is not less than 20 years.

(2) A soldier of the Latvian Army who has been retired from service with the right to wear a soldier's uniform (also soldiers of the Latvian army who has served in the Latvian Army until 21 July 1940) have the right to purchase, at their expense, and wear the everyday soldier’s uniform according to their rank and position in accordance with the procedures stipulated by the Minister for Defence.

(3) When wearing a soldier’s uniform, the persons referred to in this Section shall fulfil the relevant military rules of procedure and comply with the provisions for wearing a soldier’s uniform, and generally accepted rules of behaviour and military courtesy.

(4) Persons referred to in this Section are permitted to wear the soldier’s uniform on public holidays, days of commemoration and celebration days during events of military units and other events supported by the Ministry of Defence and the National Armed Forces in the Republic of Latvia or abroad.

(5) If a person referred to in this Section fails to comply with the provisions set out in Paragraph two, three, and four of this Section and compromises the honour of a soldier or discredits the National Armed Forces, the Minister for Defence or a commander authorised thereby (commander) may deprive the person of the rights to wear a soldier’s uniform.

[*10 June 2004; 29 March 2007; 7 February 2013; 5 November 2020*]

**Chapter IX**

**Support and Social Guarantees of Soldiers**

**Section 48. Remuneration of Soldiers**

(1) During active service a professional service soldier shall receive a remuneration which is determined in compliance with the Law on Remuneration of Officials and Employees of State and Local Government Authorities.

(2) The length of service of a soldier shall encompass the time of service in professional service (until the day of coming into force of this Law – in active service and in combat service), in mandatory active military service, in the institutions of the Ministry of the Interior system, State security institutions and Office of the Prosecutor in positions with special ranks and the time served in the armed forces of another country, but for a soldier who has been accepted into active service until the day of coming into force of this Law, also 80 per cent of the time served in civil institutions.

(21) The length of service of a soldier, who has served in the National Guard prior to the acceptance into active service, shall encompass the period of the performance of the service tasks and training of the National Guard. The commander of the National Guard unit shall issue a statement which confirms the actual number of service days in the National Guard.

(3) [1 December 2009]

(4) [1 December 2009]

(5) [1 December 2009]

(6) [1 December 2009]

[*17 March 2005; 29 March 2007; 1 December 2009; 16 November 2017*]

**Section 49. Support of Soldiers**

A professional service soldier during the time of military service shall be partially State supported. Each soldier during the time of service shall receive soldier food rations, a soldier’s uniform and the necessary service equipment. Support conditions, norms and procedures by which a soldier shall be provided with material and technical resources shall be determined by the Minister for Defence. A soldier shall not receive soldier food rations specified in this Section if compensation for food rations has been granted for him or her.

[*1 December 2009*]

**Section 49.1 Provision of Educational and Culture Measures in Districts of International Operations**

The Ministry of Defence, covering all the necessary expenses within the scope of the budget resources allocated thereto, may ensure going to the district of an international operation, stay therein and return to Latvia to civilians who implement the educational or culture measures provided for the staff of the unit of the National Armed Forces in the district of the international operation.

[*7 February 2013*]

**Section 50. Allowances and Compensations for Soldiers Serving Outside the State**

[1 December 2009]

**Section 51. Health Care of Soldiers**

(1) [1 December 2009]

(2) [1 December 2009]

(3) If a mandatory active military service soldier is retired from service because of the unsuitability of the state of health for active service and the reason therefor has been a trauma suffered during the time of service while performing service duties or an illness whose cause is related to military service, the expenses for the treatment of health impairments acquired during the time of service and for the rehabilitation of such soldier shall be covered by the Ministry of Defence in accordance with the procedures and in the amount stipulated by the Cabinet.

(4) [29 March 2007]

[*12 June 2003; 8 June 2006; 29 March 2007; 1 December 2009*]

**Section 52. Compensation for Loss of Capacity for Work in relation to Mandatory Military Service**

If the disability of a mandatory military service soldier has been determined during the time of active service or within a year after retirement from active service because of injury (mutilation, concussion) which has been suffered during the time of service, while performing service duties, or due to illness, the cause of which is related to performance of military service (occupational disease), he or she shall be paid a compensation each month for the loss of the capacity for work:

1) to a person with Group I disability – in the amount of EUR 426.86;

2) to a person with Group II disability – in the amount of EUR 284.57;

3) to a person with Group III disability – in the amount of EUR 213.43.

If the group of disability for the persons referred to in this Paragraph is changed, the amount of the compensation specified shall also be changed according to the group of disability specified anew.

[*1 December 2009; 12 September 2013; 7 March 2019*]

**Section 53. Other Guarantees Related to Active Service**

Children of professional service soldiers and of professional service soldiers who have died during fulfilment of service duties may be placed in pre-school educational institutions on a priority basis.

[*7 February 2013*]

**Section 54. Right to Receive Funds for Representation**

[19 December 2002]

**Section 55. Right to Living Quarters**

(1) [29 March 2007]

(2) A reserve soldier conscripted for military training or a Latvian citizen who has voluntarily enlisted for the service into reserve shall be provided with living quarters in barracks or under field conditions – in a tent.

(3) If necessary, a professional service soldier shall be provided with service living quarters in possession of the Ministry of Defence in the place of service in accordance with the procedures stipulated by the Minister for Defence for the time period of service. The soldier’s family (spouse, children, parents) shall be retained the right to stay at the service living quarters not more than one year after death of the soldier, if the soldier has died during active service while performing service duties.

(4) [1 December 2009]

(5) The Ministry of Defence has the right to acquire or build residential buildings or individual flats for the needs of professional service soldiers within the framework of the allocated State budget funds.

[*8 June 2006; 29 March 2007; 1 December 2009; 7 February 2013; 16 November 2017*]

**Section 56. Right to Utilise Means of Transport and Communication**

[1 December 2009]

**Section 57. Retirement Allowance**

[1 December 2009]

**Chapter X**

**Duties and Social Guarantees of Retired Soldiers**

**Section 58. Duties of Retired Soldiers**

(1) A soldier retired from professional service shall register for the military service reserve in the structural unit for the record of the National Armed Forces’ reserve within 10 days after the day of retirement from professional service, by arriving in person.

(2) The duties specified in Paragraph one of this Section shall not apply to a soldier who has been retired from professional service due to the reasons referred to in Section 42, Paragraph two of this Law or admitted to the National Guard.

[*29 March 2007; 7 February 2013; 9 December 2021*]

**Section 59. Social Guarantees of Retired Soldiers**

(1) A retired soldier shall be granted a service pension in accordance with the Law on Service Pensions of Military Personnel.

(2) A retired soldier shall retain the right to receive paid health care in accordance with the procedures and in the amount stipulated by the Cabinet, if:

1) he or she has been retired from active service due to disability, injury (mutilation, concussion) acquired during the time of service, while performing service duties, or due to illness, the cause of which is related to the performance of military service (occupational disease);

2) he or she has been retired from active service due to the attainment of the maximum age determined for active service or after attainment of the maximum age determined for active service in the cases specified in Section 41, Paragraphs two, three, and four of this Law and a service pension has been granted for him or her;

3) he or she has been retired from active service upon expiration of the term of the professional service contract, and within a year after retirement from active service he or she has been determined a disability due to an injury (mutilation, contusion), which has been acquired during service while performing service duties, or due to an illness, the cause of which is related to performing military service. The right to receive paid health care shall be retained only for the time period of disability;

4) he or she has been retired from active service by 12 July 2004, retaining his or her right to wear a soldier’s uniform;

5) he or she has been retired from active service upon expiration of the term of the professional service contract or upon terminating the professional service contract before term due to liquidation or reorganisation of a unit (sub-unit) or reduction of the number of soldiers, he or she has been granted a service pension and he or she has served in professional service for not less than 25 years;

6) he or she has been retired from active service upon expiration of the term of the professional service contract and without extending the contract upon initiative of the management, or upon terminating the professional service contract before term due to liquidation or reorganisation of a unit (sub-unit) or reduction of the number of soldiers, he or she has been granted a service pension and he or she has served not less than 22 years in professional service by 31 December 2014.

(3) A soldier who has been retired from active service due to the attainment of the maximum age if his or her length of service is not less than 35 years or the retirement was due to injury (mutilation) or an illness acquired during the time of service, while performing service duties, in the event of death, which is not related to malicious or indecent behaviour during peacetime shall be buried at the expense of the State in accordance with the procedures stipulated by the Cabinet.

(4) Soldiers of the Latvian Army who have served in the Latvian Army until 21 July 1940 and receive a special supplement to the State pension in accordance with the procedures stipulated by the Cabinet shall retain the right to receive paid health care in accordance with the same procedures as a professional service soldier.

(5) A retired soldier who has been issued a certificate of an international operations veteran has the right, if necessary, to receive paid aid of psychologists of the National Armed Forces.

[*10 June 2004; 8 June 2006; 1 December 2009; 7 February 2013; 19 February 2015*]

**Chapter XI**

**Specific Nature of Work of Civilians in Military Units**

[*10 June 2004*]

**Section 60. Civilians of Military Units**

Civilians of military units shall be the following:

1) [7 February 2013];

2) civil employees.

[*7 February 2013*]

**Section 61. Employment Legal Relations of Military Employees**

[*7 February 2013*]

**Section 62. Civil Employees**

(1) Civil employees are persons who perform a specific job (work) on the basis of an employment contract in units (sub-units) in civil positions of staff in accordance with the laws and regulations governing employment legal relationships.

(2) A civil employee shall receive remuneration for work in conformity with the regulations for remuneration of employees to be financed from the budget.

**Chapter XII**

**National Armed Forces’ Reserve and Duties Thereof**

[*29 March 2007*]

**Section 63. National Armed Forces’ Reserve**

(1) The National Armed Forces’ reserve shall be composed of reserve soldiers and reservists.

(2) The following shall be included in reserve soldiers:

1) soldiers who have retired from professional service (until coming into force of this Law – active service and rank and file service) if they have successfully completed a basic training course of a soldier at the level of individual training and have not been deleted from the military service records, or admitted to the National Guard;

2) national guards after termination of a contract on the service in the National Guard if they have successfully completed a basic training course of a national guard at the level of individual training and have not attained the maximum age for service in the National Armed Forces’ reserve;

3) Latvian citizens who have voluntarily enlisted for the service in the National Armed Forces’ reserve and have successfully completed a specific training course if they have not attained the maximum age for service in the National Armed Forces’ reserve;

4) the youth guards and persons who have completed the national defence programme, who have successfully completed the training necessary for inclusion into reserve and have taken the soldier’s oath;

5) graduates of the secondary school if they have not been accepted into professional service or admitted to the National Guard.

(3) The following shall be included in reservists:

1) Latvian citizens – men who have attained 18 years of age and are valid for military service;

2) Latvian citizens – women who have attained 18 years of age, are valid for military service and express such wish.

[*16 November 2017; 5 November 2020; 9 December 2021*]

**Section 64. Registration and Record of Reserve Soldiers and Reservists**

(1) Registration, record and conscription into active service of reserve soldiers and reservists shall be performed by the structural unit for the record of the National Armed Forces’ reserve in accordance with the procedures stipulated by the Cabinet.

(2) The structural units for the record of the National Armed Forces’ reserve, for the performance of the functions specified by the law, are entitled to request and receive the necessary information from the Population Register, State administration institutions, local governments, health care institutions and other legal persons free of charge regarding a person subject to military service record. The procedures for requesting and issuance of the information shall be regulated by the Cabinet regulations.

(3) Reserve soldiers shall be in the National Armed Forces’ reserve until the attainment of the maximum age for service in the National Armed Forces’ reserve determined in this Law. Reservists shall be in the National Armed Forces’ reserve until the attainment of 60 years of age.

[*5 November 2020*]

**Section 65. Duties of Reserve Soldiers and Reservists**

(1) A reserve soldier and reservist have a duty:

1) [19 February 2015];

2) in the event of mobilisation to perform that determined in the summons issued by the structural unit for the record of the National Armed Forces’ reserve.

(2) A reserve soldier has a duty:

1) to arrive to military training at the place and time determined in the summons;

2) to arrive to medical examination at the place and time determined in the summons;

3) to maintain and improve the battle knowledge, skills and preparedness necessary for military speciality determined during the time of active service.

[*7 February 2013; 19 February 2015*]

**Section 66. Procedures for Conscription of Reserve Soldiers for Regular and Control Military Training**

(1) A reserve soldier may be conscripted for regular or control military training in the units of the National Armed Forces. Time and place of military training, as well as the number of participants shall be determined by the Commander of the National Armed Forces.

(11) The Commander of the National Armed Forces may, once a year following a reasoned request from a reserve soldier, postpone the planned control military training to another time, if inevitable circumstances independent of will of the reserve soldier have been revealed which the Commander of the National Armed Forces has recognised as justifiable.

(2) During military training a reserve soldier shall perform active service, he or she shall have the status of a soldier, and the time of training shall be included in his or her length of service.

(3) A reserve soldier may be conscripted for military training for the following time period:

1) a soldier of the corps of officers – up to nine months in total, up to 60 days within a year;

2) a soldier of the corps of non-commissioned officers and privates – up to six months in total, up to 30 days within a year.

(4) The interval between the regular military training in which reserve soldiers are involved shall be not less than four years.

(5) In between the regular military training a reserve soldier may be conscripted for control training of up to 10 days both during the time free from work and during the time of work. This time shall be included in the total time of military training.

(51) In between the regular military training a reserve soldier may be conscripted for control training, which exceeds the time period referred to in Paragraph five of this Section, both during the time free from work and during the time of work if the reserve soldier and the employer agree to that. This time shall be included in the total time of military training.

(6) Organisation of military training, materials and technical facilities and financing thereof, as well as all-type provision of a reserve soldier during the military training shall be determined by the Minister for Defence.

(7) An employer or educational institution shall release a reserve soldier conscripted for military training for the time period indicated in the assignment from fulfilment of work (official) duties or training (studies), retaining the work place (position) or the right to continue training (studies) on the same conditions as before conscription for military training, and in conformity with the maximum period of military training indicated in Paragraph three of this Section. The employer may disburse the employee a remuneration for the period spent in military training. A reserve soldier conscripted for military training shall be paid a compensation for each day of military training from the State budget resources allocated to the Ministry of Defence. The amount of compensation and the procedures for payment thereof shall be determined by the Cabinet. Section 21, Paragraphs one, two, and four of the Law on Remuneration of Officials and Employees of State and Local Government Authorities shall apply to a reserve soldier during military training.

(71) A reserve soldier conscripted for military training shall be compensated for transport expenses incurred by using his or her personal or public transport from the declared place of residence to the place of performance of service duties specified in the summons and back, as well as to the place of the check of the state of health and back. Expense for the use of taxi shall not be compensated. The Cabinet shall lay down the conditions, procedures for and extent to which compensation for transport expenses shall be paid to the reserve soldier.

(72) If temporary incapacity for work has occurred to a reserve soldier conscripted for military training during the training and sick-leave certificate has been issued thereto, he or she shall be released from participation in the military training for the period of incapacity for work, and the disbursement of the compensation specified in Paragraph seven of this Section shall be suspended. If the employer does not disburse sickness money for the period of temporary incapacity for work which falls on the period of military training or the sickness benefit is not paid to a reserve soldier during the period of sick-leave certificate B which falls on the period of military training, compensation for the sickness money shall be paid to a reserve soldier from the funds of the State budget allocated to the Ministry of Defence. The amount of the compensation for sickness money shall not exceed the amount of compensation specified in Paragraph seven of this Section. The amount of compensation for sickness money and the procedures for its disbursement shall be determined by the Cabinet.

(8) A reserve soldier shall not be conscripted for the regular or control training:

1) due to the state of health;

2) if the reserve soldier is the sole provider for dependant family members or at least two pre-school age children are dependent on him or her;

3) if the reserve soldier is a suspect or the accused in the criminal proceedings for committing intentional criminal offence, he or she has been punished for committing intentional criminal offence regardless of extinction or setting aside of conviction, he or she has committed intentional criminal offence but has been released from a punishment or the criminal proceedings for committing intentional criminal offence initiated against the soldier have been terminated for reasons other than exoneration; or

4) if the reserve soldier is serving in institutions of the Ministry of the Interior system or the Prison Administration.

[*12 June 2003; 10 June 2004; 29 March 2007; 20 November 2008; 21 October 2011; 19 February 2015; 16 November 2017; 7 March 2019; 9 December 2021*]

**Section 67.1 Voluntary Enlisting for Service in the National Armed Forces’ Reserve**

(1) A Latvian citizen who complies with the conditions specified in Section 16 of this Law and requirements for the service into reserve may voluntarily enlist for service in the National Armed Forces’ reserve and successfully complete a specific military training course. Time and place of the training shall be determined by the Commander of the National Armed Forces.

(2) During military training a Latvian citizen shall perform active service, he or she shall have the status of a soldier, and the time of training shall be included in his or her length of service.

(3) The procedures for organising voluntary military training, as well as materials and technical facilities, financial provision and support shall be laid down by the Minister for Defence.

(4) During military training a Latvian citizen shall be paid a compensation for each day of military training from the State budget resources allocated to the Ministry of Defence. The Cabinet shall lay down the procedures for paying compensation to a Latvian citizen who has voluntarily enlisted for service in the National Armed Forces’ reserve, and amount of the compensation. Section 21, Paragraphs one, two and four of the Law on Remuneration of Officials and Employees of State and Local Government Authorities shall apply to a Latvian citizen during military training.

[*16 November 2017*]

**Section 67. Awarding of Ranks to Reserve Soldiers**

(1) A reserve soldier who has completed a relevant training programme during military training and has passed the necessary tests shall be awarded the current rank, but not higher than the rank of captain (lieutenant commander), in accordance with the procedures stipulated by the Minister for Defence in accordance with the requirements of this Law.

(2) A reserve soldier who has served in the armed forces of another country may be awarded a rank similar to his or her rank that is documentarily proven and a rank of a soldier corresponding to his or her military preparedness in accordance with the procedures laid down in this Law.

[*12 June 2003; 29 March 2007*]

**Section 68. Removal of Reserve Soldiers and Reservists from the Military Service Record**

A reserve soldier and reservist shall be removed from the military service record:

1) if he or she has attained the maximum age determined for the National Armed Forces’ reserve;

2) if he or she has been recognised as unfit for military service due to the state of health;

3) when he or she is accepted into professional service;

31) when he or she has joined the National Guard;

4) if he or she loses the Latvian citizenship;

5) in the event of death.

[*11 March 2010*]

**Chapter XIII**

**Awarding and Liability of Soldiers**

**Section 69. Awards**

(1) The following awards are determined to mark the achievements of a soldier – outstanding heroism, courage during the performance of combat tasks –, to promote exemplary conduct and assiduity:

1) praise and appreciation;

2) [29 March 2007];

3) [29 March 2007];

4) promotion to the private first class (seaman first class) rank;

5) [21 October 2010];

6) monetary prizes and other valuable prizes;

7) decorations and honorary certificates of honour of the Ministry of Defence and the National Armed Forces;

8) a personal firearm or non-firearm weapon – for outstanding heroism, courage during the performance of combat tasks;

9) promotion in the rank for achievements in battle or other achievements prior to the term;

10) honorary State decorations, medals and orders;

11) a supplementary leave up to 10 days.

(2) Procedures for awarding of soldiers shall be laid down in military rules of procedure.

[*29 March 2007; 21 October 2010; 7 February 2013*]

**Section 70. Liability of Soldiers**

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

(2) Holding a soldier subject to disciplinary liability shall not release him or her from possible criminal or civil liability.

**Section 71. Basis and Scope of Civil Liability of Soldiers**

(1) If a soldier has caused losses to a unit, institution which ensures provision of soldiers with material and technical resources, or institution of the National Armed Forces (hereinafter – the legal person) in which he or she holds a position as a result of unlawful, culpable action, the soldier has the obligation to reimburse the losses incurred by the legal person.

(2) If the losses to a legal person have been caused due to the malicious intent of the soldier or due to such unlawful, culpable actions by him or her as are not related to the performance of military service, the soldier shall be liable for all the losses of the legal person.

[*5 November 2020*]

**Section 72. Basis for Release of a Soldier from Civil Liability**

A soldier shall be fully or partially released from civil liability if the legal person itself was also at fault for causing the losses by not providing appropriate conditions for the performance of service or the equipment necessary for service. The extent of the civil liability of a soldier shall be determined depending on the circumstances of the case, especially taking into account the extent to which the prevailing fault has been that of the soldier or of the legal person.

**Section 73. Civil Liability of Several Soldiers**

If losses to a legal person have resulted from the unlawful, culpable action of several soldiers, the liability of each soldier shall be determined in conformity with his or her participation in causing the losses and with the degree of his or her fault.

**Section 74. Procedures for Compensation of Losses and Making Deductions**

(1) A soldier may voluntarily, fully or partly, reimburse the losses caused to a legal person. With the consent of the legal person the soldier, in order to reimburse losses, may transfer an item of equivalent value or repair the damage.

(2) Deductions, which arise from the rights to reclaim of a legal person, may be made from the monthly salary to be disbursed to the soldier, giving a written order regarding making a deduction not later than within two months from the day of disbursement of the overpaid amount or the day of expiry of the time period specified for repayment of advance payment, notifying the soldier thereof without delay, in order to reclaim:

1) the amounts, which have been disbursed due to an error of the legal person, if the soldier knew about the overpayment or he or she should have known according to the circumstances, or the overpayment is based on such circumstances which bear the guilt of the soldier;

2) the advance payment, which has been disbursed on the account of the monthly salary, as well as the unused advance payment not repaid in due time which has been disbursed to the soldier due to official travel.

(3) The legal person has the right to deduct such amount of losses from the monthly salary to be disbursed to the soldier, which has occurred to such person due to unlawful, guilty action of the soldier. A written consent of the soldier is required for making such deduction.

(4) If the soldier contests the grounds or amount of the right to reclaim of a legal person or reimbursement of losses, the legal person may bring a claim to the court within two years from the day of disbursement of the overpaid amount, the day of expiry of the time period specified for repayment of advance payment or the day of causing losses. The amount of deductions shall be determined and they shall be made in conformity with the restrictions laid down in the Civil Procedure Law.

[*7 February 2013*]

**Section 75. Disciplinary Sanctions**

[5 November 2020 / See Paragraph 28 of Transitional Provisions]

**Chapter XIV**

**Administrative Offences in the Field of Performance of Military Service and Competence within the Administrative Offence Proceedings**

[*3 October 2019 /* *Chapter shall come into force on 1 July 2020.* *See Paragraph 26 of Transitional Provisions*]

**Section 76. Unlawful Circulation of a Soldier’s Uniform, its Components, or Identifying Insignia**

For unlawful circulation of the soldier’s combat, everyday, dress, or ceremonial uniform or its components, rank or surname insignia, a fine of up to four hundred units of fine shall be imposed on a natural person, but a fine of up to four thousand units of fine on a legal person.

[*3 October 2019 /* *Section shall come into force on 1 July 2020.* *See Paragraph 26 of Transitional Provisions*]

**Section 77. Unlawful Wearing of a Soldier’s Uniform**

For unlawful wearing of the soldier’s combat, everyday, dress, or ceremonial uniform, whether worn with or without the identifying insignia, a fine of up to four hundred units of fine shall be imposed.

[*3 October 2019 /* *Section shall come into force on 1 July 2020.* *See Paragraph 26 of Transitional Provisions*]

**Section 78. Failure to Comply with the Procedures for Accounting of Reserve of the National Armed Forces**

For failure to comply with the procedures for accounting of reserve of the National Armed Forces, if it is committed by a person subject to such accounting, a fine of up to fourteen units of fine shall be imposed.

[*3 October 2019 /* *Section shall come into force on 1 July 2020.* *See Paragraph 26 of Transitional Provisions*]

**Section 79. Reserve Soldier’s Failure to Attend Military Training**

For failure of a reserve soldier to attend regular or control military training at the place and time specified in the summons issued by the reserve record unit of the National Armed Forces, a fine of up to seventy units of fine shall be imposed.

[*3 October 2019 /* *Section shall come into force on 1 July 2020.* *See Paragraph 26 of Transitional Provisions*]

**Section 80. Competence in Administrative Offence Proceedings**

Administrative offence proceedings for the offences referred to in this Chapter shall be conducted by the Military Police.

[*3 October 2019 /* *Section shall come into force on 1 July 2020.* *See Paragraph 26 of Transitional Provisions*]

**Transitional Provisions**

1. With the coming into force of this Law the following are repealed:

1) the law On Defence Forces (*Latvijas Republikas Augstākās Padomes un Valdības Ziņotājs*,l 1992, No. 46/47/48; *Latvijas Republikas Saeimas un Ministru Kabineta Ziņotājs*, 1994, No. 13, 23; 1995, No. 2; 1996, No. 14; 1997, No. 6, 20; 1999, No. 14, 24; 2001, No. 1);

2) the decision of the Presidium of the Supreme Council of the Republic of Latvia On Ranks and Appointment to Positions of Soldiers of the Defence Forces of the Republic of Latvia (*Latvijas Republikas Augstākās Padomes un Valdības Ziņotājs*, 1992, No. 1, 15/16);

3) the decision of the Presidium of the Supreme Council of the Republic of Latvia On Approving of the Wording of the Oath of Soldier of the Republic of Latvia and the Regulation on Procedures for Taking the Oath of Soldier of the Republic of Latvia (*Latvijas Republikas Augstākās Padomes un Valdības Ziņotājs*, 1991, No. 47/48).

2. Until the day of the coming into force of the relevant Cabinet regulations, but not longer than by 31 December 2003, the following Cabinet Regulations shall be in force insofar as they are not in contradiction with this Law:

1) Cabinet Regulation No. 177 of 21 May 1996, Regulation on Material Provision of Military Personnel of the National Armed Forces;

2) Cabinet Regulation No. 124 of 7 April 1998, Regulation on Remuneration of Mandatory Active Military Service Soldiers;

3) Cabinet Regulation No. 147 of 21 April 1998, Regulation on Soldier Food Rations.

[*19 December 2002*]

3. Cabinet Regulation No. 241 of 29 June 1999, Regulation on the Remuneration System for Soldiers and National Guard Privates, shall be in force until the moment when Cabinet regulations come into force which must be issued in accordance with Section 48 of this Law, but not later than by 31 December 2003.

[*12 June 2003*]

4. With the date of coming into force of this Law rank and file national guards of the National Guard of the Republic of Latvia shall become soldiers, but part-time national guards shall become national guards. The corps of national guards of the National Guard shall retain the National Guard rank “national guardsman” and “senior national guardsman” but the corps of non-commissioned officers and officers of the National Guard shall be determined (awarded) the general soldier ranks in accordance with the procedures stipulated by the Minister for Defence.

5. A soldier for whom the right to the next rank comes up prior to 30 April 2003 shall be granted such rank according to the provisions of law that were in force until 1 July 2002.

6. A person who upon joining the National Guard has taken the oath of a national guard shall not take the oath of a soldier when becoming a soldier.

7. If necessary, the Minister for Defence may prolong the time of service for a professional service soldier who has attained the maximum age for active service prescribed by this Law within six months from the date of coming into force of this Law in accordance with the requirements of this Law by entering into a terminated professional service contract.

8. A soldier for whom the time of service has been prolonged by the order of the Minister for Defence before coming into force of this Law, until the time specified in the service prolongation order shall not be retired from active service on the basis of the requirements of Section 41 of this Law due to the attainment of the maximum age if he or she meets other requirements of this Law. A professional service contract with such soldier shall no longer be entered into.

9. Rank awarding provisions prescribed in Section 33 of this Law with respect to the necessity for education and fluency in a foreign language for soldiers who have been accepted into active service before coming into force if this Law, shall come into force on 1 July 2004.

9.1 The conditions for the awarding of ranks provided for in Section 33, Clause 6 of this Law regarding the necessity for a relevant education, shall, for soldiers who were enlisted for active service prior to the coming into force of this Law, come into force on 31 December 2006.

[*12 June 2003*]

9.2 The following restrictions are determined for enrolment in military educational institutions until 31 December 2006:

1) in the course of junior staff officers – up to 40 years of age;

2) in the course of senior staff officers – up to 47 years of age.

[*10 June 2004*]

10. Section 53, Paragraph five and Section 54 of this Law shall come into force on 1 March 2003.

11. Until 1 March 2003 if retirement from professional service takes place in accordance with Section 57, Paragraph one, Clause 1 of this Law, the retirement allowance in the amount of previous three monthly salaries shall be paid to a soldier whose length of service is 25 years and more, but in the amount of two previous monthly salaries – to a soldier whose length of service is less than 25 years.

12. The maximum age of a soldier provided for in Section 41, Paragraph one, Clause 2, Sub-clause “b” of this Law in relation to higher non-commissioned officers shall come into force on 1 January 2009. By that time the maximum age for higher non-commissioned officers in the professional service shall be 55 years.

[*10 June 2004*]

13. The provision provided for in Section 48, Paragraph two of this Law regarding encompassing the time of mandatory active military service in the length of service shall be applicable from 1 July 2002.

[*17 March 2005*]

14. The provision provided for in Section 27, Paragraph three of this Law regarding social guarantees for a soldier who has been transferred to a State security institution shall come into force concurrently with the relevant amendments to the State Security Institutions Law.

[*17 March 2005*]

15. If within a year after retirement from mandatory active military service a retired soldier has died due to injury (mutilation, concussion) or illness, the cause of which is related to the performance of military service (occupational disease), a compensation shall be paid to the spouse and descending relatives of the deceased soldier, but if there are no descending relatives, then to ascending relatives of the closest degree in the amount of 50 000 lats.

[*29 March 2007; 13 December 2012*]

16. Conditions of Section 50, Paragraph 1.1 of this Law shall be applicable from 1 January 2007.

[*29 March 2007*]

17. The remuneration specified in accordance with this Law (service salary, monetary prizes, benefits, etc.) in 2009 shall be determined in compliance with the Law on Remuneration of Officials and Employees of State and Local Government Authorities in 2009.

[*12 December 2008*]

18. One-time interest-free loan that an officer has received until 30 June 2009, upon entering into the relevant contract thereon, shall be repaid in accordance with the procedures specified by the contract.

19. The conditions for retirement referred to in Section 43, Paragraph two, Clauses 10 and 11 of this Law shall not be applicable to soldiers who have commenced the service until 31 December 2010, if these conditions for retirement have arisen in relation to a criminal offence committed until 31 March 2013.

[*21 October 2010; 7 February 2013*]

20. The conditions for awarding ranks provided for in Section 32.2 of this Law in relation to the necessity to complete the specialist soldier basic course or other courses equivalent thereto, the specialist non-commissioning officer course or other courses equivalent thereto for soldiers who has been recruited in active service prior to the coming into force of such amendments, which introduce the position of a specialist soldier and specialist non-commissioning officer, shall be applicable from 1 July 2016.

[*12 September 2013; 19 February 2015*]

21. Amendment to Section 17.1 of this Law regarding supplementation thereof with Paragraph five (regarding the rights of youth guard to receive paid health care) shall come into force on 1 January 2016. The Cabinet shall issue the regulations referred to in Section 17.1, Paragraph five of this Law by 31 December 2015.

[*19 February 2015*]

22. The maximum age of a soldier in professional service provided for the performance of military service in Section 41, Paragraph one, Clause 3 of this Law shall not be applicable to lieutenants who have been awarded the rank until the day of coming into force of amendment to this Clause and who have not expressed a wish to continue professional service according to the new conditions. The maximum age for such soldiers in professional service in the rank of a lieutenant shall be 35 years.

[*19 February 2015*]

23. Serving time to attain a regular service rank for the junior specialist officers, who have obtained a masters’ degree in law prior to coming into force of the amendment to this Law regarding deletion of Section 32.1, Paragraph three, shall be reduced by one year.

[*16 November 2017*]

24. The conditions regarding service ranks provided for in Section 33, Paragraph one, Clauses 9 and 10 of this Law with regard to the serving of two and three years in the current service rank by the soldiers, who have been accepted into active service prior to coming into force of these amendments, shall be applicable from 1 January 2018.

[*16 November 2017*]

25. Section 16, Paragraph 2.1of this Law shall come into force on 1 January 2019. The Cabinet shall issue the regulations referred to in Section 16, Paragraph 2.1 of this Law by 31 December 2018.

[*16 November 2017*]

26. Chapter XIV of this Law shall come into force concurrently with the Law on Administrative Liability.

[*3 October 2019*]

27. The Cabinet shall issue the regulations referred to in Section 45, Paragraph one of this Law by 1 January 2020.

[*3 October 2019*]

28. Amendment to Section 4, Paragraph three of this Law regarding the deletion of the words “and a disciplinary penalty – arrest may not be imposed upon him or her”, amendment to Section 6 of this Law regarding the new wording thereof, and amendments regarding the deletion of Section 9, Paragraph two and Section 75 of this Law shall enter into force concurrently with the Military Disciplinary Liability Law.

[*5 November 2020*]

29. Amendment regarding the deletion of Section 17.1, Paragraphs one, three, four, and five of this Law shall enter into force concurrently with the law on national defence training and Youth Guard.

[*5 November 2020*]

30. The soldiers referred to in Section 44, Paragraph 4.2 of this Law who have repaid training costs or part thereof from 1 January 2015 until coming into force of the aforementioned Paragraph of the Section and have served anew at least five years shall be reimbursed for the training expenses paid thereby.

[*9 December 2021*]

This Law shall come into force on 1 July 2002.

This Law has been adopted by the *Saeima* on 30 May 2002.

Acting for the President, Chairperson of the *Saeima* J. Straume

Rīga, 18 June 2002