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Republic of Latvia

Cabinet

Regulation No. 542

Adopted 27 June 2006

Procedures for the Payment of the State Pensions Granted in the Republic of Latvia to Persons After Departure for Permanent Residence in Foreign States

*Issued pursuant to
Section 38 and
Section 28 of Transitional Provisions
of the Law On State Pensions*

1. These Regulations prescribe the procedure, by which the State pensions granted in the Republic of Latvia (hereinafter — the pensions) shall be paid to persons departing or that have departed for permanent residence in foreign states.
2. In order to continue or renew the payment of the pension, a person departing or that has departed for permanent residence in foreign states, shall do the following in any office of the State Social Insurance Agency (hereinafter – an Agency office):
 - 2.1. present a personal identification document (if he or she arrives in person);
 - 2.2. submit a request regarding the continuation or renewal of the pension payment;
 - 2.3. indicate the account of the credit institution of the Republic of Latvia, to which the pension is to be transferred; and
 - 2.4. indicate the new address of the place of residence.
3. If the documents referred to in Paragraph 2 of these Regulations are being sent from foreign states by post or submitted through the mediation of an authorised person, a notarial certification that a requester of the pension or a dependant who has the right to the pension is alive shall be appended to the request. The referred to certification shall be issued not earlier than one month prior to the sending or submission of the request.
4. An Agency office, according to the place of residence of a person (until departure), shall examine the request referred to in Paragraph 2 of these Regulations and shall take a decision regarding the continuation, renewal of the pension payment or a refusal to do that and send the decision to the requester of the pension within a time period of one month after the receipt of the request.
5. An Agency office shall take a decision by evaluating:
 - 5.1. the information submitted by a person;

5.2. data of the Population Register regarding the departure of the person for permanent residence in foreign states; and

5.3. data regarding the citizenship of the Republic of Latvia of the person on the day of departure from Latvia, if the person had departed until 31 December 2001.

6. If an Agency office does not have the information referred to in Sub-paragraph 5.3 of these Regulations at the disposal thereof, such information shall be requested from the Office of Citizenship and Migration Affairs.

7. A person, to whom the pension payment is continued after departure to foreign states, shall submit a request regarding the continuation of the pension payment each year from 1 October until 15 December:

7.1. in person, by arriving at the Agency office; or

7.2. by sending the request by post or submitting it through the mediation of an authorised person. In such case, a notarial certification that the recipient of the pension is alive, drawn up not earlier than one month prior to the submission of the request, shall be appended to the request. In order to receive a survivor's pension, a notarial certification that the dependant to whom the relevant pension has been granted is alive shall be necessary.

8. The payment of a survivor's pension to a dependant who has reached 18 years of age and is not older than 24 years of age shall be continued if in addition to the documents referred to in Paragraph 7 of these Regulations the person submits a statement of the educational institution regarding studies in a general educational institution, a vocational educational institution or a day office of an institution of higher education (full-time studies).

9. The documents referred to in Paragraph 3, Sub-paragraph 7.2 and Paragraph 8 of these Regulations shall be validated unless international agreements entered into by the Republic of Latvia provide for different procedure.

10. If a person in accordance with Paragraph 7 of these Regulations has failed to renew the request regarding the continuation of the pension payment, the Agency office shall terminate the pension payment from 1 January of the following year.

11. The payment of the pension shall be renewed by applying the procedure specified in Section 35, Paragraph one of the Law On State Pensions in the following case:

11.1. the documents referred to in Paragraph 2 of these Regulations have been received, if a person has departed for permanent residence in foreign states after 1 January 2002;

11.2. the documents referred to in Paragraph 7 of these Regulations have been received, if the pension payment to a person has been discontinued in accordance with Paragraph 10 of these Regulations.

12. The pension shall be paid by complying with Section 30, Paragraphs one, two and three, Sections 32, 35 and 36 and Paragraphs 12 and 30 of the Transitional Provisions of the Law On State Pensions. The pension shall be transferred to the account of the credit institution of the Republic of Latvia indicated by the person.

13. These Regulations shall be applied to persons after departure for permanent residence to a European Union Member State or a Member State of the European Economic Area in so far as they do not contradict with Regulation (EEC) No. 1408/71 of the Council of 14 June 1971

on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community.

14. If an Agency office receives information from the Population Register regarding the departure of a person for permanent residence in foreign states and the person has not submitted the documents referred to in Paragraph 2 of these Regulations, the Agency office shall discontinue the pension payment. The pension payment shall be discontinued beginning with the following month after the receipt of the information. The pension payment shall be renewed by complying with the procedure specified in these Regulations.

Prime Minister

A. Kalvītis

Minister for Welfare

D. Staķe