

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

- 19 December 2002 [shall come into force from 1 January 2003];
- 17 June 2004 [shall come into force from 13 July 2004];
- 25 November 2004 [shall come into force from 29 December 2004];
- 25 May 2006 [shall come into force from 28 June 2006];
- 3 May 2007 [shall come into force from 7 June 2007];
- 21 June 2007 [shall come into force from 19 July 2007];
- 20 December 2007 [shall come into force from 30 December 2007];
- 18 September 2008 [shall come into force from 1 October 2008];
- 18 December 2008 [shall come into force from 1 January 2009];
- 7 May 2009 [shall come into force from 1 July 2009];
- 29 October 2009 [shall come into force from 1 December 2009];
- 21 January 2010 [shall come into force from 4 February 2010];
- 7 October 2010 [shall come into force from 10 November 2010];
- 8 July 2011 [shall come into force from 1 January 2012];
- 15 December 2011 [shall come into force from 30 December 2011];
- 6 December 2012 [shall come into force from 22 December 2012];
- 14 November 2013 [shall come into force from 18 December 2013];
- 17 December 2014 [shall come into force from 1 January 2015];
- 26 November 2015 [shall come into force from 2 December 2015];
- 10 November 2016 [shall come into force from 9 December 2016];
- 12 January 2017 [shall come into force from 9 February 2017]
- 21 November 2019 [shall come into force from 24 December 2019];
- 19 December 2019 [shall come into force from 13 January 2020];
- 20 March 2020 [shall come into force from 22 March 2020];
- 16 April 2020 [shall come into force from 18 April 2020];
- 7 May 2020 [shall come into force from 9 May 2020].

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

The *Saeima*¹ has adopted and
the President has proclaimed the following Law:

Law on Social Services and Social Assistance

Chapter I General Provisions

Section 1. Terms Used in this Law

The following terms are used in this Law:

1) **home care** – services at home for the satisfaction of the basic needs of persons who are not able to take care of themselves due to objective circumstances;

2) **day care centre** – an institution which during the day provides social care and social rehabilitation services, development of social skills, education and opportunities for spending free time for persons with mental impairments, disabled persons, children from needy families, and families with circumstances unfavourable to the development of the child, and also persons who have attained the age that entitles one to receive the State old-age pension (hereinafter – the persons of retirement age);

3) **quality of life** – a welfare indicator of a person, family, group of persons, or society which includes physical and mental health, free time and spending thereof, work, education, a

¹ The Parliament of the Republic of Latvia

link with society, the right to independently take decisions and fulfil them, and also material security;

4) **functional disorder** – a disorder of a physical or mental nature caused by a disease, trauma or congenital defect which restricts the ability of a person to work, take care of himself or herself and makes it difficult for the person to integrate into society;

5) **group house (apartment)** – a house or a separate apartment where a person with mental impairments is ensured with a housing, individual support for resolving social problems and, if necessary, social care;

6) **long-term social care and social rehabilitation institution** – a social institution which provides a person who cannot take care of himself or herself due to old age or state of health, and also orphans and children left without parental care with housing, full care and rehabilitation;

7) **client** – a person who receives social services or social assistance;

8) **crisis centre** – a social institution where short-term psychological and other types of assistance is provided to persons in a crisis situation;

9) **night shelter** – a social institution providing lodging, dinner and personal hygiene opportunities for persons without a defined place of residence or persons in a crisis situation;

10) **benefit for ensuring the guaranteed minimum income level** – a benefit in cash and kind or a benefit in cash or kind which is granted to families or separately living persons who, due to objective circumstances, do not gain sufficient income and who are recognised to be needy. This benefit shall ensure the guaranteed minimum income level for each family member;

11) **basic needs** – food, clothing, housing, health care, compulsory education;

12) **shelter** – a social institution that provides persons without a defined place of residence or persons in a crisis situation with the possibility of short-term residence, food, opportunities for personal hygiene and the services of social work specialists;

13) **vocational rehabilitation** – a set of measures that following an individualised assessment of functional disorders and determination of vocational suitability ensures the acquisition of a new occupation, vocational knowledge or skills or renewal thereof, including the acquisition of a vocational education programme at basic and secondary education level and multidisciplinary services for integration into the labour market for persons of working age;

14) **psychosocial assistance** – a social work area the purpose of which is to help solving of an individual or family interpersonal and social environment problems by providing psychological and social support;

15) **service apartment** – an apartment that is let out and adjusted for a person with severe functional disorders in order to increase the possibilities for the person to live independently and to take care of himself or herself;

16) **social work specialist** – a person who has the education specified in this Law and who performs the professional duties of a social worker, caritative social worker, social carer, social rehabilitator or social assistance organiser;

17) **social assistance** – a benefit in cash or in kind the granting of which is based on the evaluation of the material resources of persons (families) who lack the means to satisfy basic needs;

18) **social service office** – an institution established by a local government which provides social assistance, organises and provides social services to inhabitants of the local government;

19) **social work** – professional activity that helps persons, families, groups of persons, and society as a whole promote or renew the ability thereof to function socially, and also to create favourable circumstances for such functioning;

20) **social care service** – a set of measures aimed at the satisfaction of the basic needs of those persons who have objective difficulties taking care of themselves due to old age or

functional disorders, and includes services at the place of residence of the person and in long-term social care institutions;

21) **social care services at the place of residence of a person** – services which are approximated to the family environment [home care, services at a day care centre, service apartment, group house (apartment), and others];

22) **social rehabilitation services at the place of residence of a person** – services available at the place of residence (individual social work with a client, services of specialised workshops, services of crisis centres, day care centres, and others);

23) **social rehabilitation service** – a set of measures aimed at the renewal or improvement of the social functioning abilities in order to ensure the recovery of social status and integration into society and includes services at the place of residence of the person and at a social care and social rehabilitation institution, or at the place of residence or at a social care and social rehabilitation institution;

24) **social service provider** – a person providing social care, social rehabilitation, vocational rehabilitation and social work services;

25) **specialised workshops** – a social rehabilitation service that ensures activities promoting skills and support of specialists to persons with functional disorders;

26) **technical aids** – equipment or technical system that rectifies, compensates, relieves, or neutralises the reduction of a function or disability;

27) **half-way house** – a social rehabilitation institution or a structural unit of a long-term social care and social rehabilitation institution in which social rehabilitation, the acquisition or strengthening of self-care skills and life competences necessary for an independent life is ensured for persons with functional disorders;

28) **supervision** – a purposefully organised advisory and educational support to social work specialists for the purpose of improving their professional competences and quality of professional activities;

29) **victim of trafficking of human beings** – a person who has been recognised as a victim in the criminal offence of trafficking of human beings or who the State Police has issued a statement that he or she is a victim of trafficking of human beings in a foreign state, and also a person who has been recognised as conforming to victim of trafficking of human beings criteria by a social service provider;

30) **mental impairment** – a mental illness or mental disorder restricting the ability of a person to work and to take care of himself or herself, and also makes it difficult for him or her to integrate into society and that is determined in conformity with the current revision of the International Statistical Classification of Diseases and Related Health Problems (ICD);

31) **working age** – the phase of a person's life from the age of 15 years up to the age required for granting the State old-age pension;

32) **caritative social work** – work analogous to social work the purpose of which is to help persons, families, groups, or the society as a whole to regain the ability to function socially and mentally;

33) **technical aids service** – a set of measures that ensures functional assessment of a person, manufacture, adjusting, training for use, repair and ensuring of circulation of technical aids, and also delivery thereof at the place of residence of a person;

34) **care level of the client** – a quantified value characterising the level of a lack of self-care capacities of a person that is determined by a multidisciplinary team of specialists recruited by a social work specialist on the basis of the assessment of the degree of severity of functional disorders and the need thereof, and also the activity to be performed to ensure a social care service and the amount of resources to be attached;

35) **psychosocial rehabilitation** – a social rehabilitation area which applies to a person and the family thereof and the objective of which is to ensure support for resolving psychosocial problems;

36) **determination of vocational suitability** – a measure during which the interest of a person in different areas of professional activity and specific occupations, the desire and motivation to learn, previous knowledge and experience, and also the compliance of the state of health, intellectual capacities, and individual characteristics of a person with the selected occupation are assessed;

37) **provider** – a person who in accordance with the law or a court ruling has an obligation to take care of his or her spouse, children, or parents;

38) **social rehabilitation centre** – a social rehabilitation institution where social rehabilitation necessary for restoring social functioning abilities is provided to persons with functional disorders, persons addicted to psychoactive substances, persons after serving a sentence of deprivation of liberty, and other persons with social functioning problems;

39) **crises situation** – a situation in which a family (person) due to a catastrophe or other circumstances that do not depend on the will of the family (person) cannot ensure their basic needs through their own effort and they require a psychosocial or material assistance.

[17 June 2004; 25 May 2006; 3 May 2007; 21 June 2007; 20 December 2007; 18 September 2008; 7 May 2009; 7 October 2010; 12 January 2017]

Section 2. Purpose of the Law

The purpose of this Law is to establish principles for the provision and receipt of social work, caritative social work, social care, social rehabilitation, vocational rehabilitation services (hereinafter – the social services) and social assistance, the range of persons who have the right to receive these services and assistance, and also the principles for payment and financing of social care, social rehabilitation and vocational rehabilitation services.

[20 December 2007; 7 May 2009]

Section 3. Right to Social Services and Social Assistance

(1) The right to receive social services and social assistance specified in this Law shall be enjoyed by the following persons residing in the Republic of Latvia:

- 1) citizens and non-citizens of Latvia;
- 2) third-country nationals who have received a permanent residence permit or who have been granted the status of a permanent resident of the European Union in the Republic of Latvia;
- 3) citizens of the European Union Member States, European Economic Area states and the Swiss Confederation who:
 - a) have obtained the right of permanent residence;
 - b) are entitled to reside in the Republic of Latvia and who have stayed in the Republic of Latvia for at least three months;
 - c) who have stayed in the Republic of Latvia for at least six months if entering into employment relationships in the Republic of Latvia has been the purpose of their stay, and their attempt to find a job is attested by registration thereof in the State Employment Agency;
- 4) family members of the persons referred to in Clauses 1, 2, and 3 of this Paragraph.

(1¹) Persons who reside in the Republic of Latvia and who have been granted alternative status, and also family members of these persons who reside in the Republic of Latvia shall have the right to receive the benefit for ensuring the guaranteed minimum income level, shelter and night shelter services, and also information and consultations from the social service office referred to in this Law. The local government social service office is entitled to grant a housing allowance to a person who has been granted alternative status according to the procedures and in the amount specified to the inhabitants of the the relevant local government.

(1²) Children who have acquired alternative status have the right to receive social care services and the social rehabilitation services specified in Section 13, Paragraph one of this Law.

- (2) The Cabinet and local government shall determine the procedures for the receipt of social services and social assistance.
- (3) The procedures by which social services provided by local government are received shall be determined by local government binding regulations.
- (4) A victim of trafficking in human beings has the right to receive social rehabilitation. If necessary, a minor accompanied by a victim of trafficking in human beings has also the right to stay in the social rehabilitation institution together with this person.
- (5) If shelter and night shelter services specified in Paragraph 1.¹ of this Section cannot be applied to a person who has been granted alternative status due to his or her functional disorders or the lack of social skills, the local government social service office is entitled to apply other types of social services suitable for the encountered problem.
- (6) The right to receive social services determined in this Law shall be also enjoyed by persons who have not been specified in Paragraph one of this Section and who have the right to enter and reside in the Republic of Latvia if the relevant persons demand the abovementioned services specifically from the relevant service provider and they settle the payment thereof in full amount.
- (7) Children who have been recognised as asylum seekers with special reception needs by institutions involved in the asylum procedure have the right to receive social rehabilitation of children who have suffered from violence. Children who do not belong to the groups listed in this Section also have the right to receive the abovementioned service if the responsible institutions have provided an opinion on the necessity of a social rehabilitation service.
[25 May 2006; 3 May 2007; 21 June 2007; 18 December 2008; 29 October 2009; 26 November 2015]

Section 4. Basic Principles for the Provision of Social Services

- (1) Social services shall be provided only on the basis of an evaluation of the individual needs and resources of a person carried out by a social work specialist.
- (2) Social services shall be provided at the place of residence of a client or as close thereto as possible, and only if the scope of such services is not sufficient, social care and social rehabilitation at a long-term care and social rehabilitation institution is provided.
- (3) In providing social services, the institutions shall ensure inter-professional and inter-institutional co-operation.
- (4) Orphans and children left without parental care shall be provided with care in a family-like environment – foster family, with a guardian, and only if this is not possible care is provided at a long-term social care and social rehabilitation institution.
- (5) During the stay of an orphan or a child left without parental care at a long-term social care and social rehabilitation institution, the local government social service office and the Orphan's and Custody Court, in co-operation with the employees of the institution, shall take measures to promote the return of the child to the family, to maintain contact between the child and parents or, if this is not possible, to seek a possibility to ensure care for the child in another family.
- (6) The work of a long-term social care and social rehabilitation institution shall be organised so as to approximate the environment of the institution towards a familial environment and to ensure the acquisition of independent life skills for orphans and children left without parental care.
- (7) A person with predictable disability has the right to receive the social services specified in the Disability Law.
- (8) The social services specified in this Law that are fully or partially financed by the State or local governments shall be ensured to victims of a disaster and persons involved in the elimination of the consequences of a disaster on a priority basis and according to the causes, type, and scale of the disaster.

[18 December 2008; 7 October 2010; 19 December 2019]

Section 5. Basic Principles for the Provision of Social Assistance

(1) Social assistance shall be intended for a client on the basis of an evaluation of his or her material resources – income and property, individually providing for the participation of each client.

(2) Until 31 December 2011, upon the evaluation of the material resources of a client, child care benefit, supplements to the child care benefit, or parenting benefit for twins or more children born during one delivery, the first 50 lats of the parenting benefit, the State family benefit, a supplement to the State family benefit for a disabled child, benefit for disabled child care, benefit for a disabled person requiring nursing, benefit for children with coeliac disease, allowance for the compensation of transport expenses for disabled persons who have difficulties in movement, childbirth allowance, funeral benefit, unemployment scholarship during vocational training, re-qualification or improvement of qualification, and also during the acquisition of informal education, shall not be considered as income.

(3) Upon evaluation of the material resources of a client:

1) income forming after payment of taxes shall be taken into account;

2) the State family benefit and supplements to such benefit, a benefit for disabled child care, a benefit for a disabled person requiring nursing, a benefit for the use of an assistant, an allowance for the compensation of transport expenses for disabled persons who have difficulties in movement, a benefit for a child with coeliac disease, a childbirth allowance and a funeral benefit, and also the local government social assistance benefits laid down by this Law shall not be considered as income.

[29 October 2009; 15 December 2011; 12 January 2017; 19 December 2019]

Section 6. Rights of a Client

A client has the right:

1) to obtain information free of charge from a social service and social assistance provider regarding the possibilities of receiving social services and social assistance and the conditions and procedures for the receipt thereof;

2) to receive a consultation free of charge from a social work specialist regarding the resolution of social problems;

3) to request and receive the social services or social assistance referred to in this Law;

4) to receive a substantiated written refusal in case a decision has been taken not to provide a social service or social assistance to the client;

5) to participate in the decision-taking process related to the receipt of a social service;

6) in accordance with the procedures laid down in law, to appeal against a decision on the provision of social services or social assistance;

7) to submit a complaint regarding the unsatisfactory quality of the social services provided and the infringement of the rights of the client.

[17 June 2004; 7 May 2009]

Section 7. Obligations of a Client

A client has an obligation to:

1) take active participation in the solution of his or her problem by carrying out the obligations of participation, including participating in the social rehabilitation measures for retaining, renewal, and acquisition of work and social skills;

- 2) provide information regarding himself or herself, co-operate with the social service office in the assessment of his or her social situation and fulfil the recommendations of the social service office in order to improve this situation;
- 3) make active effort to increase his or her earning ability and income;
- 4) use the opportunities to receive social rehabilitation services if the client or any of his or her family members has addiction problems (addiction to alcohol, drugs, gambling);
- 5) use the received social assistance for the intended purposes;
- 6) allow a social work specialist to survey a place of residence if the receipt of social services or social assistance is connected with the assessment of the material resources of the client or the survey at the place of residence is necessary, in performing social work with the client.

[7 May 2009; 7 October 2010; 12 January 2017]

Section 8. General Principles of Payment for Social Care and Social Rehabilitation Services

(1) A client or his or her provider has an obligation to pay for the received social care and social rehabilitation services if it is not specified otherwise in this Law.

(2) [3 May 2007]

(3) [3 May 2007]

(4) If a client or his or her provider is unable to pay for a social care or social rehabilitation service, the costs of the service shall be covered from the local government budget in accordance with the procedures stipulated by the Cabinet.

(5) The Cabinet shall determine the procedures of the payment for social care and social rehabilitation services.

(6) If a person requests long-term social care and social rehabilitation institution services that are fully or partially covered by the local government, the local government social service office shall, in conformity with that laid down in Section 5, Paragraph three, Clause 1 of this Law, assess the solvency of the person on the basis of the information provided by the person regarding income and concluded maintenance contracts. If also the providers of the person have an obligation to pay for the service, they shall provide information regarding income to the local government social service office that decides on granting the service.

(7) A person who receives long-term social care and social rehabilitation institution services that are fully or partially covered by the local government and who has income shall, in the case of changes therein, be obliged to submit to the institution which takes the decision to grant the service information regarding his or her income at least once a year in conformity with that laid down in Section 5, Paragraph three, Clause 1 of this Law.

(8) The providers of a person who have an obligation to pay for the service shall, not less than once year, submit to the institution which takes the decision on payments to be made by the providers of the person information regarding their income in conformity with that laid down in Section 5, Paragraph three, Clause 1 of this Law.

[25 November 2004; 25 May 2006; 3 May 2007; 12 January 2017; 19 December 2019]

Chapter II Organisation of Social Services and Social Assistance

Section 9. Obligations of Local Governments in the Provision of Social Services and Social Assistance

(1) The local government in the territory of which a person has his or her declared place of residence has an obligation to provide the person with a possibility to receive social services and social assistance corresponding to his or her needs.

(2) If a local government has received information from natural persons or institutions regarding a person who might require a social care or social rehabilitation service or social assistance, the local government has an obligation, in accordance with the procedures specified in the Law On Social Security, to verify the received information, to evaluate the needs of the person for social services and social assistance, and to inform this person or his or her lawful representative of the rights and possibilities of receiving social services and social assistance, and also the procedures by which social services or social assistance may be received.

(3) If a person requires social services in a night shelter or a crisis centre, he or she shall turn directly to the service provider who takes a decision on the provision of a service. If necessary, the local government, in the territory in which a person without a home is located, shall ensure the person with night shelter or shelter, information and consultations, and also one-time material assistance.

(4) Local governments which have not established the necessary social service providers shall enter into agreements with other social service providers in their territory or with other local governments regarding provision of the abovementioned social services and payment. These social services shall be fully or partially financed from the local government budget.

(5) If a person wishes to receive a social service which is financed from the State budget, the local government has an obligation to ensure a survey of the living conditions and an evaluation of the needs of the person to be carried out by a social work specialist. If a person wishes to receive State financed technical aids, a survey of living conditions shall not be performed.

(6) A local government has an obligation to ensure the improvement of vocational competence – training and supervision – for the social work specialists of the local government social service office and other social service providers established by the local government.

(7) A local government shall ensure the necessary social care services at the place of residence for persons with mental impairments for whom after the acquisition of independent life skills within the scope of a social rehabilitation programme the provision of services in long-term social care and social rehabilitation institutions is not necessary and for whom the provision of services has been discontinued in accordance with the procedures laid down in Section 28, Paragraphs three and 3.¹ of this Law.

[25 May 2006; 3 May 2007; 20 December 2007; 7 May 2009; 12 January 2017]

Section 9.¹ Services of Long-term Social Care and Social Rehabilitation Institutions, which are Financed by the State

(1) Taking into account the provisions of Section 13.¹ of this Law, the services of long-term social care and social rehabilitation institutions shall be financed from the State budget to:

1) adults with mental impairments who have been placed in such institutions until 1 January 2003;

2) blind adults and persons with severe and extremely severe mental impairments for whom it is necessary to receive a service in a long-term social care and social rehabilitation institution due to the level of severity of functional disorders and the care level;

3) children with severe and extremely severe mental impairments or children with severe and extremely severe physical impairments, and also children with combined severe and extremely severe mental and physical impairments in the age of up to four years to whom care in the family, by a guardian or in a foster family cannot be provided due to the functional disorders;

4) children with severe and extremely severe mental impairments at the age from four years up to 18 years to whom it is not possible to ensure care in the family, by a guardian or in a foster family due to the level of severity of functional disorders;

5) orphans at the age up to two years – for a time period until care by a guardian or in a foster family is commenced, but overall not more than six months, excluding the adoption

process of the child from this period, if it has been commenced within the first six months since the placement of the child in the long-term social care and social rehabilitation institution;

6) children left without parental care at the age up to two years – for a time period until a child returns in the family or until his or her care is commenced by a guardian or in a foster family, but overall not more than six months, excluding the adoption process of the child from this period, if it has been commenced within the first six months since the placement of the child in the long-term social care and social rehabilitation institution.

(2) The Cabinet shall determine the following:

1) the number and qualification of the personnel involved in the provision of a service of the long-term social care and social rehabilitation institution;

2) the procedures for financing the services appropriate to the level of care of a client.

[12 January 2017; 19 December 2019]

Section 10. Local Government Social Service Office

(1) In order to ensure the professional assessment of the needs of inhabitants and the qualitative provision of social services and social assistance, each local government shall have at least one social work specialist per every thousand inhabitants.

(2) In order to ensure the provision of social services and social assistance and the administration of services, each local government shall establish a local government institution – a social service office.

(3) [18 December 2008]

(4) [17 June 2004]

[17 June 2004; 25 May 2006; 18 December 2008; 29 October 2009]

Section 11. Tasks of Local Government Social Service Offices

A local government social service office shall have the following tasks:

1) to perform social work with persons, families, and groups of persons;

2) to provide social services or to organise the provision thereof to families with children in which there are circumstances unfavourable to the development of the child, foster families, guardians, persons who are taking care of a family member, disabled persons, persons of retirement age, persons with mental impairments, and other groups of persons for whom it is necessary;

3) to assess the needs, material and personal (motivation, necessary knowledge and skills, education, occupation, etc.) resources of clients and the social assistance system;

4) to determine the participation obligations of a client upon reaching an agreement with him or her regarding the measures to be performed;

5) to provide social assistance;

6) to administer local government budget resources which have been earmarked for the provision of social services and social assistance;

7) to assess the quality of the social services and social assistance administered by the social service office and financed by the local government;

8) to perform the research of the social environment, to determine problems and also to participate in the elaboration of development planning documents of the local government, local government planning documents and management documents of the institution in the field of competence of the social service office;

9) to inform inhabitants of social services and social assistance.

[7 May 2009; 29 October 2009; 12 January 2017]

Section 12. Obligations and Rights of Local Government Social Service Offices

(1) A local government social service office has the following obligations:

1) to provide persons with the information regarding the right to receive social services and social assistance and the procedures for the provision thereof;

2) to inform in writing the person who has requested a social service or social assistance of the decision taken and, in case of refusal, to specify the reasons for refusal, and also the deadline and procedures for appealing the decision;

3) to provide a person with psychosocial or material or psychosocial and material assistance in order to enable the overcoming of a crisis situation and promote the integration of the person into society.

(2) The local government social service office has an obligation to provide information and consultations in a manner comprehensible to the person.

(2¹) If the local government social service office has a reason to believe that a child has suffered as a result of violence, abuse of rights of a parent, guardian or foster family, the lack of proper care and the lack of supervision or another infringement of children's rights, it shall, immediately but not later than on the following working day, notify the Orphan's and Custody Court and State Police thereof.

(2²) If the local government social service office has a reason to believe that sufficient health care is not ensured due to improper care, it shall, immediately but not later than within three working days, notify the family physician of the child or another health care practitioner respectively.

(2³) While a child left without parental care is in a long-term social care and social rehabilitation institution, the social service office shall provide the information to the Orphan's and Custody Court and the long-term social care and social rehabilitation institution regarding the performed social work in order to promote the return of the child in the family not less than once every three months regarding a child younger than three years of age and not less than once every six months regarding a child older than three years of age, but is younger than 18 years of age. The Information System for the Support of Minors shall be used for the provision and receipt of information.

(2⁴) If custody rights have been revoked for a parent, the social service office shall provide an opinion on the possibilities of a child to return in custody of the parent if it is requested by the Orphan's and Custody Court.

(3) A local government social service office has the right to request and receive free of charge from State and local government institutions and other State administrative institutions, private individuals, including medical treatment institutions, information that is necessary for the provision of social services and social assistance and for resolving other matters within the competence of the social service office, including information regarding the nature and level of functional disorders of a person, income thereof and property owned by the person, guardianship and custody matters, exercising the rights of custody over a child, legal and financial state.

(4) The local government social service office has the right to involve those clients with capacity for work who receive social assistance for at least three months in the period of the last 12 months, except for the persons referred to in Section 37, Paragraph one, Clauses 1, 2, 3, and 4 of this Law:

1) in measures for the retaining, renewal, and acquisition of labour and social skills (up to 15 hours per week by dividing them for several days of week) which provide benefit to the society and do not substitute performers of local government functions. The abovementioned measures shall be implemented at local governments, associations, or foundations without a purpose to gain profit. The local government social service office shall enter into an agreement with a client with capacity for work, providing for the place and time of measures, the rights, obligations, and liabilities of both parties in the agreement;

2) in works in the territory of a local government, entering into an agreement for an indefinite period of time with a client with capacity for work.

(5) The local government social service office has the right to involve a client in such measures that do not exclude the possibility of caring for a disabled child or pre-school age child, or other dependant, if there are no other possibilities to ensure care, to participate in rehabilitation measures or measures organised by the State Employment Agency, to enter into employment relationships or to gain income from work.

(6) The local government social service office, following the receipt of information regarding the attainment of legal age by an orphan or a child left without parental care and the termination of out-of-family care, has an obligation to assess the needs and resources of the abovementioned person and, after commencement of an independent life, to provide to him or her all necessary support measures, and also to assess changes in the social situation of the person at least for two years after commencement of an independent life.

[17 June 2004; 7 May 2009; 15 December 2011; 14 November 2013; 12 January 2017; 19 December 2019]

Section 13. Obligations of the State in the Provision of Social Services

(1) The State shall ensure the following according to the funds granted in the annual State Budget Law:

1) the determination of vocational suitability of a person with disability and person with a predictable disability and vocational rehabilitation;

2) the social rehabilitation of persons with impaired vision and hearing;

3) [14 November 2013];

3¹) social rehabilitation services for adult persons who have suffered from violence. The type, amount, and content of social rehabilitation services, the conditions for the receipt and granting of services shall be determined by the Cabinet;

4) the social rehabilitation for adult persons and children who have become addicted to narcotic, toxic or other intoxicating substances or to processes causing addiction. The Cabinet shall determine the types, amount, and content of social rehabilitation services, and also the conditions and procedures for the receipt, granting, discontinuation, and termination of such services;

5) technical aids services for the persons referred to in Section 25, Paragraph one of this Law;

6) for persons with functional disorders of a working age, and also for persons with functional disorders who are employed (are to be considered as employees or self-employed persons in accordance with the law On State Social Insurance), social rehabilitation services for restoration of capacity for work at social rehabilitation institutions. The Cabinet shall approve the list of functional disorders;

7) the social rehabilitation of victims of the trafficking in human beings. The Cabinet shall determine the procedures for the receipt of social rehabilitation and the criteria for the recognition of a person as a victim of the trafficking in human beings;

8) support programme for children with coeliac disease, continuing the provision of support to these persons after attaining legal age if these persons study at general secondary or vocational secondary education institution and who are not older than 20 years or who study at a of higher education institution (full-time studies) and are not older than 24 years. The amount of support and the conditions for the receipt thereof shall be determined by the Cabinet;

9) support for the implementation and development of professional social work in local governments. The type and amount of support and the conditions for the receipt thereof shall be determined by the Cabinet;

10) [18 December 2008];

11) social rehabilitation services for persons who have committed violence. The type, amount, and content of social rehabilitation services, the conditions for the receipt and granting of services shall be determined by the Cabinet;

12) psychosocial rehabilitation for persons with an oncological disease and their relatives, and also for children in palliative care and their family members. The type, amount, and content of the service, the conditions and procedures for the receipt, granting, financing, discontinuation, and termination thereof shall be determined by the Cabinet;

13) the aid to local governments that ensure social services at a place of residence to persons referred to in Section 9.¹, Paragraph one, Clauses 1, 2, 3, and 4 of this Law who do not receive long-term social care and social rehabilitation institution services financed by the State or local government. The Cabinet shall determine the amount of the State aid, the criteria for the determination thereof, and the procedures for granting the State aid.

(1¹) The State shall provide support to local governments for the provision of disbursements of the benefit of the guaranteed minimum income level and housing allowance for residents in accordance with the funds granted in the annual State Budget Law. The conditions and procedures for granting the funds from the State budget necessary for the provision of disbursements of the benefit of the guaranteed minimum income level and housing allowance shall be determined by the Cabinet.

(1²) The State ensures social rehabilitation of children who have suffered from violence. Up until finding out the age of a person, social rehabilitation is ensured also to those persons who have suffered from violence and whose minority is doubted.

(2) The State may create social care and social rehabilitation institutions or enter into agreements with other social service providers in order to fulfil the State obligations provided for in Paragraph one, Clauses 1, 4, 6, 7, 8, and 9 of this Section.

(2¹) The fulfilment of the State obligations provided for in Paragraph one of this Section – provision of the services specified in Clause 2 – shall be ensured by the Latvian Society of the Blind and the Latvian Association of the Deaf; provision of technical aids services specified in Clause 5 – tiftotechnology and surdotechnology – shall be ensured by the Latvian Society of the Blind and the Latvian Association of the Deaf; psychosocial rehabilitation for persons with oncological diseases specified in Clause 12 shall be ensured by the Latvian Cancer Patient Support Society “Dzīvības koks”; psychosocial rehabilitation for children in a palliative care specified in Clause 12 shall be ensured by the Children’s Palliative Care Society. The services specified in Paragraph 1.² of this Section shall be ensured by the Latvian Children’s Fund by arranging the provision of social rehabilitation services and by providing them at such foundations one of the founders of which is the Latvian Children’s Fund. If necessary, the Latvian Society of the Blind, the Latvian Association of the Deaf and the Latvian Children’s Fund, and also the Latvian Cancer Patient Support Society “Dzīvības koks” and Children’s Palliative Care Society shall also select other service providers in accordance with the procedures laid down in the laws and regulations governing public procurements.

(2²) The fulfilment of the State obligations provided for in Paragraph one of this Section – provision of the technical aids services specified in Paragraph one, Clause 5 thereof – shall be ensured by *valsts sabiedrība ar ierobežotu atbildību “Nacionālais rehabilitācijas centrs “Vaivari”*” [State limited liability company National Rehabilitation Centre “Vaivari”], if necessary, involving capital companies in which they are members (shareholders). If necessary, the State limited liability company National Rehabilitation Centre “Vaivari” shall also select other service providers in accordance with the procedures laid down in the laws and regulations governing public procurements.

(2³) When implementing the fulfilment of the obligations provided for in Paragraphs 2.¹ and 2.² of this Section, the Latvian Society of the Blind, the Latvian Association of the Deaf, the Latvian Children’s Fund, the Latvian Cancer Patient Support Society “Dzīvības koks” and Children’s Palliative Care Society, and the State limited liability company National Rehabilitation Centre “Vaivari” shall be under the functional supervision of the Ministry of

Welfare, shall ensure rational use and control of the funds granted from the State budget using not more than 10 per cent of the funds granted from the State budget for administrative costs related to the provision of these services. The organisations referred to for the provision of the fulfilment of these obligations are entitled to issue administrative statements.

(2⁴) The Cabinet shall determine the conditions and procedures for the fulfilment of the obligations provided for in Paragraphs 2.¹ and 2.² of this Section.

(3) The State shall participate in the financing of day centres intended for persons with mental impairments and, in conformity with the appropriations granted in the annual State budget law, support and finance other programmes for the development of new types of social services in local governments.

(4) The costs of establishment and maintenance for the day centres referred to in Paragraph three of this Section shall be financed from the State budget: in the year of establishment of the centres – 80 per cent, in the first year of operation – 60 per cent, in the second year – 40 per cent, in the third year – 20 per cent. The criteria for the specification of the costs of establishment and maintenance for the day centres, and also the procedures for the granting of State co-financing and for co-financing shall be determined by the Cabinet. In subsequent years these expenses shall be covered in the amount of 100 per cent from the budgets of local governments.

(5) The State shall participate in the financing for the establishment and equipping of group houses (apartments) and half-way houses intended for the persons with mental impairments in the year of the establishment thereof in the amount of 50 per cent in conformity with the appropriations granted in the annual State Budget Law. The criteria for the specification of the costs of establishment and equipping of group houses (apartments) and half-way houses, and also the procedures for the granting of State co-financing and for co-financing shall be determined by the Cabinet.

(6) The State shall participate in the financing of expenditures associated with the maintenance of group houses (apartments) in the amount of 50 per cent of the per person costs provided for long-term social care and social rehabilitation institution's maintenance for those persons with mental impairments who return from long-term social care and social rehabilitation institutions. The Cabinet shall determine the volume of co-financing and the procedures for the granting thereof. Expenditure which is connected with the residence in group houses (apartments) established on the basis of long-term social care and social rehabilitation institutions within the scope of the national programme of the European Regional Development Fund shall be covered by the State in full amount.

(7) *[Paragraph shall come into force on 1 October 2023 and shall be included in the wording of the Law as of 1 October 2023. See Paragraph 29 of Transitional Provisions]*

[17 June 2004; 25 May 2006; 21 June 2007; 20 December 2007; 18 September 2008; 18 December 2008; 7 May 2009; 29 October 2009; 21 January 2010; 7 October 2010; 6 December 2012; 14 November 2013; 17 December 2014; 10 November 2016; 12 January 2017; 19 December 2019]

Section 13.¹ Payment for State financed Social Services

(1) The services referred to in Section 13, Paragraph one, Clauses 1, 2, 3¹, 4, 6, 7, 8, 11, 12 and Paragraph 1.², and also Section 9.¹, Clauses 3, 4, and 5 of this Law shall be paid from the State budget funds.

(2) The services specified in Section 13, Paragraph one, Clause 5 of this Law shall be financed from the State budget, the recipient of the service making a once-only payment or making a co-payment according to the procedures and in the amount stipulated by the Cabinet.

(3) The services specified in Section 9.¹, Paragraph one, Clauses 1 and 2 of this Law for a person to whom, in accordance with the laws and regulations of the Republic of Latvia, a State pension (including a supplement to the pension) or a service pension, or a special State pension,

or a compensation for the loss of capacity to work, or a compensation for harm, a survivor's compensation due to an accident at work or occupational disease have not been granted or who has not concluded a life-long pension insurance contract for the receipt of the accrued funded pension capital, or a benefit for the spouse of the deceased recipient of a pension, or to whom a pension has not been granted in accordance with foreign laws and regulations (hereinafter together – the pension or compensation) are paid from State budget funds. A person who is a recipient of a pension or compensation shall cover 85 per cent of the received service from the amount to be disbursed, but not more than the amount of the costs of the received service at the relevant institution.

(4) The services specified in Section 9.¹, Paragraph one, Clause 6 of this Law shall be financed from the State budget. Parents have an obligation to pay for such services in accordance with the Law on the Protection of the Children's Rights.

[3 May 2007; 20 December 2007; 18 September 2008; 7 May 2009; 29 October 2009; 14 November 2013; 12 January 2017; 19 December 2019]

Section 14. Tasks of the Ministry of Welfare

(1) The Ministry of Welfare shall have the following tasks in the field of social services and social assistance:

1) to develop a State policy in the field of social services and social assistance, and also to organise and co-ordinate the implementation thereof;

2) to organise the administration of funds granted from the State budget for the provision of the social services referred to in Sections 9.¹ and 13 of this Law;

3) [8 July 2011];

4) to supervise the implementation of this Law, to control the conformity with the laws and regulations governing the provision of social services and the conformity of the quality of social services and the provider of social services with the requirements of laws and regulations, and to administratively punish the providers of social services for the committed offences;

4¹) to develop the criteria for the assessment of the quality and efficiency of social services;

4²) to develop guidelines for granting social assistance;

5) to establish and maintain the State social policy monitoring information system which is the State information system in order to perform the tasks specified in Paragraph one, Clauses 1, 2, and 4 of this Section.

(2) For the needs of the State social policy monitoring information system, the Ministry of Welfare has the right to receive from the State and local government institutions and to process personal data of such persons who have requested social assistance, social care, social or professional rehabilitation services, technical aids or services to ensure an independent life, and also data on services and social assistance requested by these persons and granted to them.

(3) The structure of the State social policy monitoring information system provided for in Paragraph one, Clause 5 of this Section, and also data volume to be included therein, data processing provisions and procedures, and also collaboration rules of institutions shall be determined by the Cabinet.

(4) The Ministry of Welfare is entitled not to inform the data subject of processing of personal data in the State social policy monitoring information system, unless the data subject requests it specifically and processing of personal data is necessary in relation to:

1) the provision of services of long-term social care and social rehabilitation services financed by the State;

2) the administration of the service of an assistant financed by the State at local governments;

3) the collection of statistical information specified by the State;

4) the inspections of social service providers.

[7 May 2009; 8 July 2011; 14 November 2013; 12 January 2017 / Clauses 4.¹ and 4.² of Paragraph one shall come into force on 1 December 2017. See Paragraph 26 of Transitional Provisions]

Section 15. State Social Services Agency

[7 May 2009]

Section 15.¹ Social Integration State Agency

(1) The Social Integration State Agency (hereinafter – the Agency) is a State administrative institution supervised by the Ministry of Welfare which:

1) provides social rehabilitation services (if necessary, also health care services) to persons, including soldiers of the National Armed Forces, national guards, officials with special service ranks of the institutions of the system of the Ministry of Interior and civil experts determined in the laws and regulations regarding international assistance;

2) provides vocational rehabilitation services and determines vocational suitability for persons of working age with disability, mental impairments or with a predictable disability, and also within the scope of vocational rehabilitation services provides training of vehicle driving for persons without any medical contraindications for such training;

3) co-ordinates the provision of the State financed social rehabilitation, professional rehabilitation and long-term social care and social rehabilitation services;

4) implements vocational initial education, vocational secondary education, first level higher vocational education (college education), vocational further education and vocational in-service training programmes, preparing specialists in the professions which are necessary for the performance of social security measures for disabled persons;

5) [8 July 2011];

6) provides technical aids service financed from State budget – provides the adjustment of a vehicle.

(1¹) The social rehabilitation services referred to in Paragraph one, Clause 1 of this Section (if necessary, also health care services) are provided to the soldiers of the National Armed Forces, national guards, officials with special service ranks of the institutions of the system of the Ministry of Interior and civil experts determined in the laws and regulations regarding international assistance in conformity with the funds allocated for this purpose in the annual State Budget Law.

(1²) By 31 December 2022, the Agency shall, within the scope of the European Union policy instruments:

1) determine vocational suitability for unemployed persons who have been unemployed at least for 12 months and have received a referral of the State Employment Agency for the determination of vocational suitability;

2) provide vocational rehabilitation services to persons with mental impairments to whom disability or predictable disability has not been determined.

(2) The operation of the Agency shall be governed by the by-laws in which the requirements of the laws and regulations governing the activities of colleges in relation to the by-laws of the college are also included.

(3) The work remuneration of teachers of the Agency shall be specified in the laws and regulations regarding the work remuneration of teachers.

(4) For the purpose of ensuring the accounting of persons who receive State-funded social rehabilitation services required to facilitate timely and qualitative granting of such services, and also to generate statistics in order to plan, develop, and evaluate the State policy in the field of social rehabilitation and to ensure the fulfilment of other functions of the Agency, the Agency shall create and maintain the social rehabilitation information system which is a State information system. The Agency shall be the administrator of the social rehabilitation

information system. The social rehabilitation information system shall include data on the persons who have requested and received the social rehabilitation services referred to in Section 13, Paragraph one, Clauses 4, 6, and 7 of this Law, including personal data, and also data regarding the received services and their providers.

(5) The Agency and the Ministry of Welfare have the right to process the information included in the social rehabilitation information system in relation to social rehabilitation for the fulfilment of the functions and tasks specified in the laws and regulations governing their operation.

(6) The structure of the social rehabilitation information system referred to in Paragraph four of this Section, the data to be included therein, their volume, the data processing provisions and procedures, and also rules for the collaboration between institutions shall be determined by the Cabinet.

[20 December 2007; 7 May 2009; 29 October 2009; 7 October 2010; 8 July 2011; 10 November 2016; 12 January 2017; 19 December 2019]

Section 16. Social Services Quality Control Inspection

[17 June 2004]

Section 17. Social Service Provider

(1) The social services specified in this Law may be provided only by such social service provider whose principal activity or the principal activity of the relevant structural unit is related to the provision of these services and that has been registered in the register of social service providers in order to provide the relevant service not later than three months following commencement of the provision of the service.

(1¹) If a social service provider which is providing such service, including also accommodation of a client (social service with accommodation), has been excluded from the register of social service providers due to non-conformity with the requirements of laws and regulations, then such service provider shall continue the provision of the service for not longer than six months from the day when the decision to exclude from the register has been notified thereto, if the service provided does not endanger the safety or health of the client.

(2) The Cabinet shall determine the criteria for the registration of social service providers in the register of social service providers, information to be included in the register and registration procedures, and also requirements for the social service providers.

(3) The head of an institution which provides social services shall be a person with a second level vocational higher or academic education.

(4) A social service provider has the right to request and receive free of charge from State and local government institutions and other State administrative institutions, private individuals, including medical treatment institutions, information that is necessary for the provision of social services, including the information regarding the nature and level of functional disorders of a person, income thereof and property owned by the person, guardianship and custody matters, exercising the rights of custody over a child, legal and financial state, if such information is necessary in order to take or to enforce the decision to provide a social service and it is not possible to obtain such information from State and local government databases.

(5) A social service provider has an obligation to provide information to the Ministry of Welfare and reports specified in laws and regulations regarding its activity in the field of the provision of social services.

[17 June 2004; 21 June 2007; 20 December 2007; 7 May 2009; 12 January 2017; 19 December 2019]

Section 17.¹ Contesting and Appeal of Administrative Statements and Actual Actions

(1) The administrative statements issued or actual actions of institutions of direct administration, State capital companies or the persons specified in Section 13, Paragraphs 2.¹ and 2.² of this Law as social service providers may be contested in the Ministry of Welfare, but the decisions thereof may be appealed in a court, unless it is otherwise laid down in the law or Cabinet regulations.

(2) The administrative statements issued or actual actions of local governments and institutions thereof as providers of social services or social assistance may be contested in accordance with the law On Local Governments.

(3) The administrative statements issued or actual actions of officials of the Ministry of Welfare may be contested by turning to the State Secretary of the Ministry of Welfare, but the decisions thereof may be appealed in a court.

(4) The contesting or appeal of a decision of the Ministry of Welfare to remove a social service provider from the register of social service providers, a decision of the Ministry of Welfare or a social service provider to suspend or terminate the provision of social services, and also a decision of the local government to suspend or terminate the provision of social services shall not suspend the operation of the relevant decision, except for the case where this operation is suspended by a decision of the institution in which the decision is being contested.

[7 May 2009; 12 January 2017]

Chapter III

Purpose and Types of the Provision of Social Services and Rights Thereto

Section 18. Purpose of the Provision of Social Care Services

The purpose of the provision of social care services is to ensure that the quality of life does not deteriorate for a person who, due to old age or functional disorders, cannot ensure such through his or her own effort.

Section 19. Purpose of the Provision of Social Rehabilitation Services

The purpose of the provision of social rehabilitation services is to prevent or reduce the negative social consequences in the life of a person caused by a disability, incapacity for employment, the serving of a sentence of deprivation of liberty, addiction or violence, and other factors.

Section 20. Rights of a Person to Social Care

(1) Orphans and children left without parental care have the right to a social care service corresponding to their needs.

(2) Persons who have objective difficulties in taking care of themselves due to functional disorders have the right to a social care service corresponding to the level of the necessary care.

(3) The following care levels are distinguished:

1) the first care level – physical or mental abilities of a person are moderately restricted. A person is capable of and knows how to carry out self-care according to his or her needs and state of health; minimum personnel support is required for a definite number of hours per week. The provider of a social care service shall ensure a client supervision determined by a medical practitioner;

2) the second care level – physical or mental abilities of a person are moderately or severely restricted. A person is capable of and knows how to carry out self-care according his or her needs and state of health, but deterioration of these skills or abilities is possible; slight

support of the personnel is required on a daily basis. The provider of a social care service shall ensure a client supervision determined by a medical practitioner and shall observe changes in functional disorders;

3) the third care level – physical or mental abilities of a person are severely restricted. The ability of a person to carry out certain self-care activities is hindered; regular support of the personnel is required on a daily basis. The provider of a social care service shall ensure a client supervision determined by a medical practitioner and shall observe changes in functional disorders;

4) the fourth care level – physical or mental abilities of a person are extremely severely restricted, a distinct lack of self-care capacities, the person is fully dependent on care and must be supervised day and night. The provider of a social care service shall ensure a client supervision determined by a medical practitioner and shall observe changes in functional disorders.

(4) The criteria for determining the care level and assessment of clients, and also conditions for the receipt of social care services at a place of residence and institution and the procedures for the receipt thereof shall be determined by the Cabinet.

[12 January 2017 / Paragraph four shall come into force on 1 December 2017. See Paragraph 26 of Transitional Provisions]

Section 21. Rights of a Person to Social Rehabilitation

(1) The following persons referred to in Section 3 of this Law whose integration into society is burdened have the right to social rehabilitation:

- 1) persons with disability, predictable disability and functional disorders;
- 2) persons after serving of a sentence of deprivation of liberty;
- 3) persons who have become addicted to alcohol, narcotic or psychotropic substances;
- 4) persons who have suffered from violence;
- 5) children who have for a long time (more than one year) been in out-of-family care.

(2) Where necessary, local governments shall develop rehabilitation programmes also for groups of persons whose integration into social life is burdened due to other reasons.

[19 December 2019]

Section 21.¹ Rights of a Person to Psychosocial Rehabilitation

(1) The following persons who require assistance in resolving psychosocial problems if such problems hinder their integration into society have the right to receive the psychosocial rehabilitation service:

1) persons with predictable disability or first-time disability the cause of which is an oncological disease, retaining the right to receive the service granted also in case if the time period for which a predictable or first-time disability has been specified for the person has elapsed, and also persons after the end of a course of treatment of an oncological disease with a recommendation of the attending physician regarding the necessity to receive a psychosocial rehabilitation service;

2) one of the relatives selected by the person referred to in Clause 1 of this Paragraph if the person and the relative indicate to the necessity of receiving the service jointly and this necessity is substantiated by the relevant oncological disease;

3) a child who according to the decision by the doctors' council requires a palliative care and family members or foster family living in the same household as the child.

(2) Taking into account the necessity and financial possibilities, local governments may arrange psychosocial rehabilitation services also to other groups of persons.

[12 January 2017; 19 December 2019]

Section 22. Types of Provision of Social Care and Social Rehabilitation Services

Social care and social rehabilitation services shall be provided:

- 1) at the place of residence of a person, ensuring home care, rehabilitation at the place of residence, day care and social rehabilitation institutions, group apartments (group houses), service apartments, night shelters or shelters or elsewhere;
- 2) at long-term social care and social rehabilitation institutions.

Section 23. Home Care

- (1) If a person requires care at the place of residence, the local government shall first assess the possibilities for family members living together with this person or persons who have common expenses for food with the person to be cared for and who live in the same housing with him or her to provide the necessary care.
- (2) If family members are caring for the person, the local government shall support these family members psychologically, by consulting and training them and, if necessary, also materially.
- (3) If a person lives alone or the family members living together with this person, due to old age, their state of health or employment cannot ensure the care required, the person has the right to receive a social care service.

Section 24. Social Rehabilitation at the Place of Residence

In order to promote the use of resources available in the State and local government and ensure the integration into society of a person, the social service or social rehabilitation service provider shall develop and implement an individual social rehabilitation plan for each person to be socially rehabilitated.

[7 October 2010]

Section 25. Provision of Technical Aids

- (1) The following persons with continuous or lasting organism dysfunctions or anatomic defects have the right to receive technical aids services if they have received an opinion of a medical practitioner regarding the need for such service:
 - 1) disabled persons of all groups and disabled children under 18 years of age;
 - 2) persons for whom the technical aids are necessary to reduce or eliminate functional inability;
 - 3) persons with a predictable disability for whom the need for such service has been determined in the individual rehabilitation plan;
 - 4) persons with anatomic defects – a prosthesis or orthopaedic footwear.
- (2) The Cabinet shall govern procedures by which persons shall receive technical aids and regulations on the circulation of technical aids.
- (3) The Cabinet shall approve the list of technical aids to be financed from the State.
- (4) The persons specified in Paragraph one of this Section shall be ensured with tiftotechnology and surdotechnology services by the Latvian Society of the Blind and the Latvian Association of the Deaf, with other technical aids services – by the State limited liability company National Rehabilitation Centre “Vaivari” which shall:
 - 1) organise the system for the provision of services, taking into account the territorial principle, and issue administrative statements for the granting of services to specific persons;
 - 2) determine the providers of services in conformity with that specified in Section 13 of this Law;
 - 3) ensure rational utilisation of the funds granted from the State budget and the control of the utilisation thereof;

4) organise circulation of technical aids – the creation and maintenance of databases in relation to technical aids, queues for the receipt of technical aids and persons who have received the service and other issues related to the provision of services;

5) inform the society of the opportunities for receiving services.

(5) The persons with disability to whom the State Medical Commission for the Assessment of Health Condition and Working Ability has determined medical indications for the purchase of a specially adjusted motor vehicle and the receipt of a benefit for the compensation of transport expenses, have the right to receive the service – the adjustment of a vehicle – from the funds of the State budget so that it would fulfil the function of a technical aid.

[25 May 2006; 3 May 2007; 7 May 2009; 7 October 2010; 12 January 2017]

Section 26. Vocational Rehabilitation and Determination of Vocational Suitability

(1) The persons of working age if disability or predictable disability is determined for them have the right to receive State-funded vocational rehabilitation services and services for determining vocational suitability. In order to receive State-funded vocational rehabilitation services or the service for determining vocational suitability, the person shall address the relevant service provider that takes the decision to grant services or to refuse to grant services.

(2) The procedures by which a person receives State-funded vocational rehabilitation services and the service for determining vocational suitability shall be determined by the Cabinet.

[12 January 2017]

Section 27. Services of Day Care and Social Rehabilitation Institutions

(1) Day care and social rehabilitation institutions shall ensure care and the possibility to become involved in physical and mental activities:

- 1) for persons of retirement age;
- 2) for disabled persons with physical impairments;
- 3) for persons with mental impairments;
- 4) for persons after a severe, continuous illness.

(2) A local government has the right to provide day care and social rehabilitation services also to other persons.

Section 27.¹ Group House (Apartment), Half-way House, Service Apartment and Social Rehabilitation Centre Services

(1) A housing and individual support for resolving social problems and, if necessary, social care shall be ensured in a group house (apartment) to persons with mental impairments that have objective difficulties in living independently, but there is no necessity to place them in a long-term social care and social rehabilitation institution.

(2) Social rehabilitation services shall be provided in a half-way house to:

1) persons with mental impairments in order to acquire skills for independent life or life in a group house (apartment);

2) persons with other functional disorders in order to acquire or to strengthen the skills for independent life.

(3) In a service apartment shall be ensured the possibility of an independent life for persons with severe functional disorders, increasing the social functioning and self-care capacities of such persons.

(4) In the cases referred to in Paragraphs one and two of this Section, the amount of services, the client payments and the procedures by which the costs of the services are covered from State or local government budgets shall be determined by the Cabinet.

(5) Social rehabilitation services necessary for restoring social functioning abilities shall be provided in a social rehabilitation centre to persons with functional disorders, persons addicted to psychoactive substances, persons after serving a sentence of deprivation of liberty, and to other persons with social functioning problems in accordance with the needs of each person.
[25 May 2006; 3 May 2007; 21 June 2007; 12 January 2017]

Section 28. Services of Long-term Social Care and Social Rehabilitation Institutions

(1) Long-term social care and social rehabilitation institutions shall provide a housing, social care of the necessary level and social rehabilitation to a client. A long-term social care and social rehabilitation institution may also ensure to the client the fulfilment of a medical treatment plan determined by a medical practitioner. The following persons have the right to receive the services of this institution, unless there are any medical contraindications for the receipt thereof:

1) orphans and children left without parental care, if it is not possible to provide care and upbringing for them in a foster family or with a guardian;

2) persons of retirement age and persons with functional disorders if the required amount of service exceeds the amount specified for home care or care in a day care and a social rehabilitation institution;

3) children with severe functional disorders, if the required amount of service exceeds the amount specified for home care or care at a day care and a social rehabilitation institution;

4) adults with severe and extremely severe mental impairments for whom staying in a specialised medical treatment institution is not necessary and whose state does not endanger other people if the required amount of services exceeds the amount specified for social care and social rehabilitation services in home care or day care centre, or a group house (apartment).

(1¹) A long-term social care and social rehabilitation institution may establish a structural unit to ensure health care services.

(1²) A long-term social care and social rehabilitation institution by using the Information System for the Support of Minors and not less than once every three months in respect of an orphan or a child left without parental care younger than three years of age and not less than once every six months in respect of an orphan or a child left without parental care having attained the age of three years until the moment when the provision of the service is suspended shall inform the Orphan's and Custody Court and the social service office of a local government of the following:

1) contacts with the child maintained by parents, brothers, sisters, grandparents, and also other persons with whom the child has been living in a joint household and co-operation with a long-term social care and social rehabilitation institution;

2) physical and psychosocial development of the child.

(2) Provision of a service to a person of legal age at a long-term care and social rehabilitation institution may be suspended if:

1) the person endangers the health or life of other persons or systematically violates the provisions of the contract entered into;

2) as a result of rehabilitation the person no longer requires the services of the long-term care and social rehabilitation institution and these may be replaced with services at the place of residence;

3) the person requests the suspension of the provision of services;

4) the person serves the sentence at a place of imprisonment;

5) the person is absent longer than for a period of 12 months.

(3) In the cases referred to in Paragraph two of this Section, the decision to suspend the provision of a service shall be taken by the head of the relevant institution, informing thereof the local government within the administrative territory of which the person has been living prior to entering into the institution. If the administrative territory in which the person has been

living prior to entering into the institution cannot be ascertained, the local government the administrative territory of which holds the last detectable location of the person shall be informed. The local government has an obligation to ensure accommodation for the relevant person, if it is not possible for such person to accommodate in the residential premises previously occupied in accordance with the procedures laid down in the law.

(3¹) The decision to discontinue the provision of a service may be taken by the head of the institution also in such case if instead of the local governments referred to in Paragraph three of this Section, another local government not later than one month prior to discontinuation of the provision of the service, has certified in writing to the head of the institution that, following a written agreement with the relevant person, accommodation and necessary social services will be ensured in the administrative territory thereof.

(4) The provision of long-term social care and social rehabilitation services shall be suspended if a person is absent without information as to his or her whereabouts for longer than two months from the day when the fact of the absence is notified to the police.

[25 May 2006; 3 May 2007; 29 October 2009; 6 December 2012; 12 January 2017 / Paragraph 1.² shall come into force on 1 September 2017. See Paragraph 27 of Transitional Provisions]

Chapter IV

Rights of Clients Living in Long-term Social Care and Social Rehabilitation Institutions

Section 29. Rights of Clients Living in Long-term Social Care and Social Rehabilitation Institutions

(1) A client living in a long-term social care and social rehabilitation institution has the following rights:

1) to independently take decisions and implement them to the extent it does not restrict the rights and freedoms of other persons or does not endanger the health or life of the person;

2) to receive services suitable for his or her functional state and the necessary care level and also to individual and professional approach of the personnel in the provision of services;

3) if he or she is an adult person – for a period of time from one month up to three months to reside in the care of another person (family) outside the institution. A long-term social care and social rehabilitation institution, upon a written agreement with a person (family), shall determine the duration of this residence, the rights and obligations of the parties, and also disburse an allowance or maintenance benefit of the client in accordance with the period of time during which he or she is in the care of another person (family);

4) if he or she is a child – to reside in the care of another person (family) outside the institution in accordance with the Law on the Protection of the Children's Rights.

(2) A client living in a long-term social care and social rehabilitation institution has the right to a particular sum of money for personal expenses in the following amount:

1) for a person of legal age who is a recipient of the pension or compensation, or the State social security benefit specified in Section 13.¹, Paragraph three of this Law, or the benefit for the compensation of travel expenses of a disabled person who has movement disorders, the sum of money which remains at his or her disposal after payment for the service provided by the long-term social care and social rehabilitation institution must not be below 15 per cent of the total amount of such payments to be disbursed thereto;

2) for a person of legal age who is not a recipient of the pension or compensation, or the State social security benefit laid down in Section 13.¹, Paragraph three of this Law, or the benefit for the compensation of travel expenses of a disabled person who has movement disorders, the sum of money to be disbursed thereto from the budget of the long-term social care institution shall be 15 per cent of the amount of the State social security benefit;

3) for a child from the age of seven years, the sum of money to be disbursed from the budget of the long-term social care institution shall be 15 per cent of the amount of the State social security benefit. Taking into account the budgetary possibilities of the institution, the long-term social care institution may decide on granting a larger sum of money.

(3) The head of a long-term social care and social rehabilitation institution shall be responsible for ensuring the rights of the client specified in Paragraph one of this Section and the arrangement of the work of the institution necessary for this purpose.

[3 May 2007; 18 September 2008; 7 May 2009; 29 October 2009; 12 January 2017; 19 December 2019]

Section 30. Competence of the Social Care Council

(1) In order to promote respect for the rights of the persons living in long-term social care and social rehabilitation institutions, the head of the relevant institution shall establish a social care council (hereinafter – the council) which shall consist of the persons living in the long-term social care and social rehabilitation institution, their relatives, employees of the institution, and representatives of the local government. Decisions of the council shall have a recommendatory nature.

(2) The Council shall:

- 1) co-ordinate internal rules of procedure of the institution;
- 2) submit proposals for improvement of the operations of the institution;
- 3) examine conflicts between clients and the management of the institution;
- 4) participate in the quality assessment of the services provided by the institution.

[17 June 2004; 25 May 2006]

Section 31. Restrictions on the Rights of a Person at a Long-term Social Care and Social Rehabilitation Institution

(1) In order to prevent leaving a person without supervision and to protect the health and life thereof, and also the rights and freedoms of other person, the head of a long-term social care and social rehabilitation institution or an authorised representative thereof may take the decision on necessity to restrict the right of a person to free movement for a definite time period if the necessity of such supervision, based on the state of health of a person, is determined in the individual rehabilitation or care plan.

(2) If a person with his or her actions endangers his or her health or life or the health or life of other persons, the head of the relevant institution or his or her authorised person may take a decision, making note in the person's file, on the isolation of the person for a period not exceeding 24 hours in a room specially arranged for such purpose, where the necessary care and continuous supervision of the person is ensured.

(3) If it is necessary to restrict the rights of children staying at long-term care institutions, the provisions of the Law on the Protection of the Children's Rights shall be applicable.

(4) The disbursement of these payments to a client who receives the services provided by a long-term social care and social rehabilitation institution and to whom a pension or compensation or State social security benefit is granted shall be ensured by taking into account the conditions referred to in Section 13.¹, Paragraph three and Section 29, Paragraph two, Clause 1 of this Law by a long-term social care and social rehabilitation institution to whose account the State Social Insurance Agency transfers the abovementioned payments on the basis of an application submitted by the client.

[7 May 2009; 12 January 2017]

Chapter V Social Assistance

Section 32. Purpose of Social Assistance

The purpose of social assistance is to provide material support to needy, low-income families (persons) and persons in a crisis situation in order to satisfy their basic needs and to promote the participation of persons of working age in the improvement of their situation.
[12 January 2017]

Section 33. Recognition of a Family (Person) as Needy

(1) The Cabinet shall determine the level of income and material conditions below which a family, consisting of spouses, persons who have common expenses for ensuring the basic needs and who live in one housing, or a person living separately is recognised as needy, and the procedures by which a family (person) shall be recognised as needy.

(2) A local government may specify more favourable conditions for the recognition of a family (person) as needy in the binding regulations thereof.

[29 October 2009; 12 January 2017]

Section 34. Granting of Social Assistance and Manner of Payment of Social Assistance Benefits

(1) Subsequent to the assessment of income and other material resources of a person and his or her family members, a local government social service office shall decide on the granting of a social assistance benefit to the person who has claimed such benefit.

(2) The granted social assistance benefit may be paid to the person in cash, or the sum of the benefit may be used to pay for goods or services which are necessary to satisfy the basic needs of the person or his or her family members. The social assistance benefit paid in money shall be regarded as social assistance benefit against which collection proceedings cannot be brought.

(3) If the person who has claimed social assistance over the last three months has changed the place of residence, the local government has the right to request from the previous place of residence of the person a statement regarding the scope of the received social assistance and to take such into account when determining the scope of the necessary assistance.

[29 October 2009]

Section 35. Types of Social Assistance Benefits

(1) A local government shall disburse a benefit for the provision of the guaranteed minimum income level and a housing allowance from the basic budget.

(2) A local government may, without assessing the income of a family (person), grant to the family (person) a benefit in a crisis situation.

(3) If a justified demand of residents of the local government for a benefit for the provision of the guaranteed minimum income level and a housing allowance has been satisfied, the local government, upon evaluation of the income of a family (person), is also entitled to pay other benefits to families (persons) for satisfying basic needs, from the basic budget of the local government.

(4) The type, amount, and payment procedures of the benefits referred to Paragraph three of this Section and the persons who are entitled to receive such benefits shall be governed by local government binding regulations.

(5) The amount of housing allowance, the procedures for payment, and persons which are entitled to receive this allowance shall be governed by the binding regulations of the local government.

[25 November 2004; 18 September 2008; 29 October 2009; 12 January 2017]

Section 36. Benefit for Ensuring the Guaranteed Minimum Income Level

(1) The Cabinet shall determine and review the guaranteed minimum income level each year in connection with the draft annual State Budget Law.

(2) The Cabinet shall determine the procedures by which the benefit for ensuring the guaranteed minimum income level shall be calculated, granted, and disbursed.

(3) [7 May 2009]

[7 May 2009; 29 October 2009; 19 December 2019]

Section 37. Conditions for the Granting of Social Assistance Benefits

(1) A person of working age who wants to receive a social assistance benefit, except for a benefit in a crisis situation, and is not employed (is not considered as an employee or self-employed person in accordance with the law On State Social Insurance) shall register with the State Employment Agency as unemployed person, except for a case when the person is:

1) a recipient of disability pension, old-age pension, or State social security benefit;
2) a woman on maternity leave, one of a child's parents, or other person during a child care period;

3) one of a disabled child's parents, if the child does not receive appropriate care services;

4) a person from 15 years of age who is acquiring full-time education in basic education, general secondary or vocational secondary education institution or he or she is a full-time student in a higher education institution.

(2) A social assistance benefit for a client shall be reduced by the part granted to a person, concurrently taking into account the rights and interests of each child, or shall not be granted to a person living separately, if he or she:

1) has refused from participation or has not become involved in measures within a certain period of time for solving of his or her social problem;

2) has provided false information or refused to provide information regarding his or her income, property, and other conditions that characterise the ability of the client to ensure the basic needs and the ability to involve in measures for solving of his or her social problem;

3) is absent for more than a calendar month and receives social or medical treatment service, within the framework of which the basic needs of the person are ensured, is at a place of imprisonment, social correction institution or he or she may not be included in the composition of the family due to other justified reasons.

(2¹) The social assistance benefit shall be reduced or the payment thereof shall be discontinued due to circumstances referred to in Paragraph two of this Section from the first date of the month which follows the month in which the circumstances occurred due to which the disbursement is to be reduced or discontinued.

(3) If the composition of the family, family's (person's) material or social situation changes, the local government social service shall assess anew the compliance of a client with the conditions for the receipt of social assistance and, where appropriate, take a decision to grant a social assistance benefit or to refuse to grant a social assistance benefit.

(3¹) If the financial situation of a needy family (person) has improved and the income thereof has increased as the result of employment relations or economic activity, except for author's fees, income from real estate and income from the sale of scrap, the local government social service office shall, once within a calendar year for a period of three calendar months, not take

into consideration the income up to the amount of the minimum monthly salary determined in the State from the relevant income for a person of working age who has started obtaining income.

(4) If the local government social service detects that a client is able to ensure his or her basic needs in the minimum amount, such service has the right to refuse a social assistance benefit for the client.

[15 December 2011; 12 January 2017]

Section 38. Restrictions in Determining the Obligations of Participation

[15 December 2011]

Section 39. Reduction of the Scope of the Benefit for Ensuring the Guaranteed Minimum Income Level

[15 December 2011]

Section 39.¹ Recovery of a Social Assistance Benefit Paid out Unjustifiably

The local government social service shall take a decision on recovery of a social assistance benefit paid out unjustifiably, if it detects that the relevant benefit has been paid out unjustifiably due to the fault of a client, if the client has provided false or incomplete information or failed to notify regarding changes that may affect the right to such benefit or the amount thereof. The decision shall be executed by a bailiff in accordance with the procedures laid down in the Administrative Procedure Law on the basis of the execution order of the local government social service.

[15 December 2011]

Chapter VI

Purpose of Social Work and Requirements for Social Work Specialists

Section 40. Purpose of Social Work

The purpose of social work is to help a person, a family, or a group of persons determine, resolve or diminish social problems by developing the resources of the person himself or herself and involving support systems.

Section 41. Persons having the Right to Perform Social Work

Persons who have acquired a second level vocational higher or academic education in social work or in caritative social work have the right to perform social work.

[20 December 2007]

Section 42. Persons Having the Right to Provide Social Care or Social Rehabilitation Services and Social Assistance

Persons who have acquired a first level vocational higher education in the field of the provision of social care, social rehabilitation or social assistance or a vocational secondary education in the field of social care (after graduation from such vocational secondary school or other educational establishment which implements vocational secondary education programmes) have the right to provide social care or social rehabilitation services and social assistance.

[18 December 2008; 7 May 2009]

Section 43. Register of Social Work Specialists

[17 June 2004]

Section 44. Certification of Social Work Specialists and the Purpose of Certification

[17 June 2004]

Section 45. Professional Tasks of Social Workers and Caritative Social Workers

(1) The professional activity of a social worker and a caritative social worker shall be aimed towards achieving and promoting practical resolution of the social problems of an individual and improvement in his or her quality of life, integration in the society, and the ability to help himself or herself.

(2) After evaluation of circumstances, a social worker and a caritative social worker shall:

- 1) provide a person with assistance and support in resolving social problems;
- 2) help the person develop the ability to resolve personal, interpersonal and social problems;
- 3) support the possibilities for the development of the person, and also the right to take decisions independently and to implement them;
- 4) attract social and economic resources and the appropriate social services for the resolution of the social problems of a person or a group of persons;
- 5) provide information regarding social service providers and establish contacts between the recipients and providers of social services.

(3) Upon performing the tasks referred to in this Section, social workers and caritative social workers shall comply with the social workers' code of ethics to be approved by the Social Workers Association.

[7 May 2009; 19 December 2019 / See Paragraph 35 of Transitional Provisions]

Section 46. Professional Tasks of Social Carers

(1) A social carer shall plan social services in order to ensure the satisfaction of the basic needs of such person who, due to old age or state of health, is not able to do so with his or her own effort.

(2) A social carer shall:

- 1) in conformity with the wishes and needs of the client, determine the necessity of a package of social care services or individual services and organise the provision of the services;
- 2) evaluate how the possibilities of the client to care for himself or herself change, and respectively change the scope and content of the package of social care services.

Section 47. Professional Tasks of Social Rehabilitators

(1) A social rehabilitator shall plan, manage, and organise the social activation work so as to promote an individual's integration into society.

(2) A social rehabilitator shall:

- 1) help the social worker, in co-operation with other specialists, develop and implement individual social rehabilitation plans for clients, change and supplement them in conformity with changes in the life situation of the client;
- 2) help the client improve existing and acquire new social skills.

Section 48. Professional Tasks of Social Assistance Organisers

(1) A social assistance organiser shall ensure the provision of social assistance to needy persons in order to satisfy the basic needs of these persons to the minimum extent.

(2) A social assistance organiser shall:

1) assess the social and material situation of a person (family) and determine the type, scope of the required social assistance, the duration of the receipt thereof, and the obligations of participation;

2) inform the clients of their rights to social assistance and the possibilities of exercising these rights, and also the obligations of participation.

Chapter VII

Administrative Offences in the Field of Social Services and Competence in Administrative Offence Proceedings

[21 November 2019 / This Chapter shall come into force on 1 July 2020. See Paragraph 33 of Transitional Provisions]

Section 49. Non-fulfilment of the Requirements Laid down for Social Service Providers and Failure to Ensure the Quality of Social Services

For the non-fulfilment of the requirements laid down for social service providers in laws and regulations or for the failure to ensure the quality of social services which causes or may cause direct threats to the safety or health of the recipient of the social service a fine shall be imposed on the social service provider – natural person – from twelve to one hundred and twenty eight units of fine, but on a legal person – from sixteen to two hundred and sixty units of fine.

[21 November 2019 / Section shall come into force on 1 July 2020. See Paragraph 33 of Transitional Provisions]

Section 50. Provision of Social Services without Registration in the Register of Social Service Providers

For the provision of a social service without registration in the Register of Social Service Providers, a warning shall be issued to or a fine shall be imposed on the social service provider – natural person – from eight to one hundred and twenty eight units of fine, but on a legal person – from fourteen to two hundred and sixty units of fine.

[21 November 2019 / Section shall come into force on 1 July 2020. See Paragraph 33 of Transitional Provisions]

Section 51. Competence in Administrative Offence Proceedings

The administrative offence proceedings for the offences referred to in Sections 49 and 50 of this Law shall be carried out by the Ministry of Welfare.

[21 November 2019 / Section shall come into force on 1 July 2020. See Paragraph 33 of Transitional Provisions]

Transitional Provisions

1. Section 10, Paragraph one and Sections 41 and 42 in the wording of 31 October 2002 of this Law shall come into force on 1 January 2008. After 1 January 2008, the right to perform social work, provide social care and social rehabilitation services and social assistance shall also be for persons who:

1) already perform the referred to work and for whom on 31 December 2007 not more than five years are left to attain the age specified for the granting of the State old-age pension;

2) until 31 December 2007 have commenced studies or are continuing to acquire the education specified in Sections 41 and 42 of this Law. The abovementioned persons shall each

year by 15 October submit to the employer a statement issued by a higher education institution or college regarding the fact that such person is enrolled in the higher education institution or college list of students.

[17 June 2004; 21 June 2007; 18 December 2008]

2. [18 September 2008]

3. [18 September 2008]

4. Until the day of coming into force of the relevant Cabinet regulations, but not longer than until 1 June 2003, the following Cabinet Regulations shall be applicable insofar as they are not in contradiction with this Law:

1) Cabinet Regulation No. 309 of 10 October 1995, Regulations Regarding Procedures by which the Stay of Persons in Social Care Institutions shall be Paid;

2) Cabinet Regulation No. 340 of 27 August 1996, Regulations Regarding State and Local Government Social Care Institutions;

3) Cabinet Regulation No. 262 of 8 August 2000, Procedures by which Persons Receive Technical Aids;

4) Cabinet Regulation No. 313 of 12 September 2000, Regulations Regarding Requirements for Social Assistance Service Providers;

5) Cabinet Regulation No. 314 of 12 September 2000, Procedures by which Persons Receive Social Care Services;

6) Cabinet Regulation No. 383 of 28 August 2001, Procedures by which Persons Receive Vocational Rehabilitation Services and Requirements for Vocational Rehabilitation Service Providers.

5. With the coming into force of this Law, the law On Social Assistance (*Latvijas Republikas Saeimas un Ministru Kabineta Ziņotājs*, 1995, No. 24; 1996, No. 14; 1997, No. 2; 1998, No. 1, 23; 1999, No. 2, 24; 2001, No. 1), is repealed.

6. Section 13, Paragraph one, Clause 4 of this Law shall come into force on 1 July 2003.

[19 December 2002]

7. From 1 January 2003 to 31 December 2003 social rehabilitation services at social rehabilitation institutions under State budget funding, in accordance with the procedures stipulated by the Cabinet, may be received by persons who do not work (are not considered to be employees or self-employed in accordance with the law On State Social Insurance) and receive only a State pension or only a State social security benefit and they are the following:

1) disabled persons;

2) persons who have attained the age entitling one to receive the national old-age pension;

3) politically repressed persons.

The length of rehabilitation may not exceed 21 days.

[19 December 2002]

8. Section 13, Paragraph one, Clauses 6 and 8 shall come into force on 1 January 2005.

[17 June 2004]

9. Section 13, Paragraph one, Clause 7 shall come into force on 1 January 2006.

[17 June 2004]

10. Until the establishment of the Social Services Agency, its functions shall be performed by the State administrative institution subordinate to the Ministry of Welfare – the Social Assistance Fund.

[17 June 2004]

11. Amendments to Section 13, Paragraph one, Clause 4 of this Law in relation to adult persons, Section 13, Paragraph one, Clause 7 in relation to the receipt of social rehabilitation and the criteria for the recognition of a person as a victim of the trafficking in human beings, Paragraphs five and six shall come into force on 1 January 2007.

[25 May 2006]

12. Section 9, Paragraph six of this Law which determines the obligation of local governments to ensure consultative support to social work specialists shall come into force:

1) 1 January 2007 – in relation to those social work specialists who are social workers;

2) 1 January 2008 – in relation to those social work specialists who are social carers, social rehabilitators, and social assistance organisers.

[25 May 2006]

13. Until the day of coming into force of the new Cabinet regulations, but not longer than until 1 October 2007, Cabinet Regulation No. 285 of 27 May 2003, Procedures by which Persons receive Technical Facilities, shall be applicable insofar as they are not in contradiction with this Law.

[3 May 2007]

14. *[18 December 2008]*

15. Until 1 July 2009 the tasks specified for local government councils in Section 3, Paragraph two of this Law shall also be performed by local government parish councils.

[18 December 2008]

16. *[7 May 2009]*

16.¹ The new wording of Section 13, Paragraph two, and Paragraphs 2.¹ and 2.⁴ of this Law shall come into force on 1 January 2010.

[7 May 2009]

17. Those local governments whose number of residents does not exceed 3000 shall establish the social service office specified in Section 10, Paragraph two of this Law as a separate local government institution, not later than by 1 August 2009. Until the establishment of a social service office as a separate local government institution in the relevant local governments, the implementation of the tasks referred to in Section 11 of this Law shall be ensured by the local government council (parish council) or the delegated institution thereof in accordance with the procedures provided for in the binding regulations of the local government.

[18 December 2008]

17.¹ Section 13, Paragraph one, Clause 3.¹ and Section 13, Paragraph one, Clause 11 of this Law shall come into force on 1 January 2015.

[7 October 2010; 6 December 2012]

18. Section 13, Paragraphs 2.² and 2.³ and Section 25, Paragraph four of this Law shall come into force on 1 September 2009. Paragraph 2.² of this Law in the wording of 18 December 2008 shall not be applied until 31 August 2009.

[7 May 2009]

19. The rights, obligations, and property of *valsts aģentūra "Tehnisko palīgīdzekļu centrs"* [State agency Technical Aid Centre] to be liquidated, including the record-keeping and archives, shall be taken over by the State limited liability company National Rehabilitation Centre "Vaivari".

[7 May 2009]

20. During the period of time from 1 September 2009 until 31 December 2009, the State limited liability company "National Rehabilitation Centre "Vaivari"" shall also ensure persons with tiftotechnology and surdotechnology.

[7 May 2009]

21. The amendment to Section 5 of the Law regarding the evaluation of the material resources of a client shall, until 31 December 2011, not be applicable to persons to whom the status of a needy person has been granted with a decision taken up to the date of the coming into force of these amendments.

[29 October 2009]

22. The support provided for in Section 13, Paragraph 1.¹ of this Law shall be provided by the State to local governments by performing co-payment for actual expenses for the provision of disbursements of the benefit of the guaranteed minimum income level regarding a time period until 31 December 2012, but for the provision of disbursements of the housing allowance – until 30 April 2012. The State co-financing shall not be granted to local governments for payments of local governments which have been performed in order to provide disbursement of the benefits of the guaranteed minimum income level after 1 January 2013 and disbursement of the housing allowances after 1 May 2012.

[15 December 2011]

23. Section 15.¹, Paragraph one, Clause 5 of this Law shall come into force on 1 January 2010.

[29 October 2009]

24. The Regulation specified in Section 14, Paragraph three of this Law shall be issued until 1 April 2014.

[14 November 2013]

25. Until the day of coming into force of new Cabinet regulations, but not longer than until 1 July 2017, the following Cabinet regulations shall be applicable insofar as they are not in contradiction with this Law:

1) Cabinet Regulation No. 291 of 3 June 2003, Requirements for Social Service Providers;

2) Cabinet Regulation No. 951 of 20 November 2008, Procedures by which a Social Service Provider is Registered in a Register of Social Service Providers and Removed Therefrom;

3) Cabinet Regulation No. 271 of 17 April 2012, Procedures by which Persons Receive Vocational Rehabilitation Services.

[12 January 2017]

26. Section 9.¹, Paragraph two, Section 14, Paragraph one, Clauses 4.¹ and 4.², Section 20, Paragraph four of this Law shall come into force on 1 December 2017.

[12 January 2017]

27. Section 12, Paragraph 2.³ and Section 28, Paragraph 1.² of this Law shall come into force on 1 September 2017.
[12 January 2017]

28. Section 13, Paragraph one, Clause 12 of this Law shall come into force on 1 January 2018.
[12 January 2017]

29. Section 13, Paragraph seven of this Law shall come into force on 1 October 2023. Until 30 September 2023, the aid granted to local governments to cover expenses related to the improvement of vocational competence of social work specialists in the amount stipulated by the Cabinet is implemented within the framework of the European Union policy instruments.
[19 December 2019 / Paragraph seven shall be included in the wording of the Law as of 1 October 2023]

30. The condition of Section 13.¹, Paragraph three of this Law in respect of the payment for the long-term social care and social rehabilitation institution services in the amount of 85 per cent of the pension or compensation and the conditions of Section 29, Paragraph two, Clauses 1, 2, and 3 of this Law in respect of the sum of money for personal expenses of the clients of the institution in the amount of 15 per cent of the pension or compensation, or the State social security benefit shall be applicable from 1 January 2020.
By 31 December 2019:

1) persons who are the recipients of a pension or compensation, shall pay for the services specified in Section 9.¹, Paragraph one, Clauses 1 and 2 of this Law 90 per cent of the sum to be disbursed to them, but not more than the costs of the received service in the relevant institution;

2) for a person of legal age who is a recipient of the pension or compensation, or the State social security benefit specified in Section 13.¹, Paragraph three of this Law, the sum of money which remains at the disposal thereof after payment for the service provided by a long-term social care and social rehabilitation institution must not be below 10 per cent of the amount of the pension or compensation to be disbursed, or the amount of the State social security benefit;

3) for a person of legal age who is not a recipient of the pension or compensation, or the State social security benefit specified in Section 13.¹, Paragraph three of this Law, the sum of money to be disbursed from the budget of the long-term social care institution shall be 10 per cent of the amount of the State social security benefit;

4) for a child from the age of seven years, the sum of money to be disbursed to the child from the budget of the long-term social care institution shall be 10 per cent of the amount of the State social security benefit. A greater amount of money may be granted for good and commendable results and activity in community life by educational establishments or long-term social care institutions.

[12 January 2017]

31. Section 13, Paragraph one, Clause 13 of this Law shall come into force on 1 January 2019.
[12 January 2017]

32. Until the day of coming into force of binding regulations regarding the amount of a benefit in a crisis situation and the procedures for granting thereof, but not longer than by 31 December 2017, the binding regulations of local governments shall be applied in which the amount of a one-time allowance in emergency situation and the procedures for granting thereof are laid down.

[12 January 2017]

33. Part VII of this Law shall come into force concurrently with the Law on Administrative Liability.

[21 November 2019]

34. Until the day of coming into force of the Cabinet regulations provided for in Section 13, Paragraph one, Clause 4 of this Law, but not later than until 1 July 2020, Cabinet Regulation No. 914 of 6 November 2006, Procedures by Which Persons Addicted to Psychoactive Substances Receive Social Rehabilitation Services, shall be applicable insofar as it is not in contradiction with this Law.

[19 December 2019]

35. Until the day when the social workers' code of ethics referred to in Section 45, Paragraph three of this Law is approved by the Social Workers Association, but not longer than until 1 January 2023, social workers and caritative social workers shall comply with the social workers' code of ethics approved by the Latvian Association of Professional Social and Care Workers.

[19 December 2019]

36. During the period while emergency situation is declared throughout the State in relation to the spread of COVID-19:

1) if the term of validity of the statement issued to the family (person) and certifying that it has been recognised as a low-income, needy or as needy according to the conditions for the receipt of aid specified by the Fund for European Aid to the Most Deprived (average income per family member does not exceed EUR 242 per month) expires or must be extended, it shall be considered that the term of validity of the statement has been extended for the duration of the emergency situation and for one calendar month after the end of the emergency situation;

2) and for one calendar month after the end of the emergency situation the family (person) shall retain all the benefits and reliefs granted by a local government and the State to which such family (person) has the right as a low-income or needy family (person);

3) a family (person) for which (whom) the conformity with the status of a low-income or needy family (person) must be determined anew or which (who) has found itself in a crisis situation shall turn to the local government social service office in a remote manner (using e-mail or placing an application in a box especially provided for such purpose). The local government social service office shall verify the conformity of the applicant with the relevant status in State and local government information systems, without requesting additional documents, and take the decision to determine the relevant status or refuse to determine it, or on aid in a crisis situation.

[20 March 2020]

37. During the period while emergency situation is declared throughout the State in relation to the spread of COVID-19 and one calendar month after the end of the emergency situation:

1) the local government shall grant the benefit specified in Section 35, Paragraph two of this Law in a crisis situation to a family (person) which (who) is unable to ensure its basic needs due to the emergency situation, disbursing the benefit from the funds of the local government budget. The benefit in crisis situation shall not be granted to a person living separately or for a person in a family to whom the allowance for idle time or assistance allowance for idle time has been granted in accordance with laws and regulations;

2) to partially compensate the expenses of local governments on ensuring benefits in a crisis situation, the State shall provide an earmarked grant to local governments for the coverage of expenses in the amount of 50 per cent of the sum of the benefit disbursed to a family (person) in a crisis situation, however, not more than EUR 40 per month per person;

3) in order to receive an earmarked grant, a local government shall, by the tenth date of the month following the reporting month and in accordance with the laws and regulations regarding the procedures by which the Treasury shall ensure electronic exchange of information, using the Information System of the Treasury “Information System of Budget Reports of Ministries, Central State Institutions and Local Governments”, submit a report “Report on the Use of the Earmarked Grant for a Crisis Benefit” (Form No. 18_KrīzP) (hereinafter – the report), including the following information therein:

a) the total amount of the financing disbursed in full amount by the local government for benefits during a crisis situation;

b) the number of such persons for which a benefit in a crisis situation has been disbursed;

c) the account of the local government with the Treasury or a credit institution for the receipt of an earmarked grant and for making expenses;

4) the Ministry of Welfare:

a) within 10 working days after evaluation of the report and recognition thereof as conforming shall make the payment of the earmarked grant to the local government;

b) is entitled to conduct random control of the use of the earmarked grant, requesting additional information from the local government;

c) if mistakes in the report or violations in granting and disbursement of the benefit in a crisis situation are established, the disbursement of the earmarked grant shall be discontinued until clarification of the report or elimination of the violations; after clarification of the report or elimination of the violations a re-calculation and payment shall be made for the previous period and the unjustly disbursed resources shall be deducted from the resources provided for the local government in the following month.

[20 March 2020; 16 April 2020; 7 May 2020]

38. During the period while emergency situation is declared throughout the State in relation to COVID-19, the State and local governments have the right to make payment to social service providers with which a contract has been concluded for the provision of social services on site, if they could not be provided due to the emergency situation. The State and local governments shall evaluate the impact of idle time on the financial flow of a service provider and shall determine to what extent payment for the period of idle time will be made.

[20 March 2020]

39. If a family (person), including a foster family and guardian, who has the right to the benefit referred to in Paragraph 37, Sub-paragraph 1 of these Transitional Provisions in a crisis situation cares for a child up to 18 years of age, a local government shall increase the amount of the benefit to be disbursed by EUR 50 per month for each child, and the State shall reimburse it to the local government in the amount of 100 %. If a local government has, until 17 April 2020, granted the benefit referred to in Paragraph 37, Sub-paragraph 1 of these Transitional Provisions in a crisis situation to a family (person), including a foster family and a guardian, for March 2020, the local government shall ensure the increasing of the benefit by EUR 50 per child. A local government shall not increase the benefit to be disbursed in a crisis situation or shall reduce it for the respective period where the supplement for a dependant child has been granted to the person who receives the allowance for idle time or assistance allowance for idle time in accordance with the provisions of laws and regulations. In order to receive the earmarked grant, a local government shall indicate in the report referred to in Paragraph 37, Sub-paragraph 3 of these Transitional Provision the number of children for which the benefit has been disbursed in a crisis situation.

[16 March 2020; 7 May 2020]

Informative Reference to European Union Directives
[6 December 2012; 14 November 2013; 26 November 2015]

This Law contains legal norms arising from:

- 1) Council Directive 2003/109/EC of 25 November 2003 concerning the status of third-country nationals who are long-term residents;
- 2) Directive 2004/38/EC of the European Parliament and of the Council of 29 April 2004 on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States amending Regulation (EEC) No 1612/68 and repealing Directives 64/221/EEC, 68/360/EEC, 72/194/EEC, 73/148/EEC, 75/34/EEC, 75/35/EEC, 90/364/EEC, 90/365/EEC and 93/96/EEC (Text with EEA relevance);
- 3) Council Directive 2004/81/EC of 29 April 2004 on the residence permit issued to third-country nationals who are victims of trafficking in human beings or who have been the subject of an action to facilitate illegal immigration, who cooperate with the competent authorities;
- 4) Directive 2011/95/EU of the European Parliament and of the Council of 13 December 2011 on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted (recast);
- 5) Directive 2011/93/EU of the European Parliament and of the Council of 13 December 2011 on combating the sexual abuse and sexual exploitation of children and child pornography, replacing Council Framework Decision 2004/68/JHA;
- 6) Directive 2013/33/EU of the European Parliament and of the Council of 26 June 2013 laying down standards for the reception of applicants for international protection.

This Law shall come into force on 1 January 2003.

The Law has been adopted by the *Saeima* on 31 October 2002.

President

V. Vīķe-Freiberga

Rīga, 19 November 2002