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17 June 2004 [shall come into force on 1 January 2005];

15 February 2007 [shall come into force on 15 March 2007];

2 February 2010 (Constitutional Court Judgment) [shall come into force on 4 February 2010];

13 May 2010 [shall come into force on 1 July 2010];

19 September 2013 [shall come into force on 1 January 2014];

16 June 2016 [shall come into force on 1 January 2017];

24 November 2020 [shall come into force on 1 January 2021].

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:

On Social Protection of the Participants in the Liquidation of the Consequences of the Accident at the Chernobyl Atomic Power Plant and Persons who Suffered due to the Accident at the Chernobyl Atomic Power Plant

Chapter I General Provisions

Section 1. The following terms are used in this Law:

1) **causal relationship with the performance of works for the liquidation of the consequences of the accident at the Chernobyl Atomic Power Plant (APP)** – opinion of the authority specified in this Law on the relation between the cause of illness, disability and death, and the liquidation of the consequences of the accident at the Chernobyl APP;

2) **Chernobyl APP exclusion zone** – the territory contaminated radioactively as a result of the accident at the Chernobyl APP and from which inhabitants were evacuated by force in 1986 in accordance with the USSR radiation safety norms (zone of 30 km specified by the legal acts of the USSR of 1986–1987);

3) **mandatory evacuation zone of the Chernobyl APP** – the territory contaminated radioactively as a result of the accident at the Chernobyl APP and from which inhabitants were evacuated by force in 1986–1987 under decisions by the government of the Ukrainian SSR, and which is located outside the Chernobyl APP exclusion zone;

4) **reimbursement for damage** – the amount of money to be granted to a participant in the liquidation of the consequences of the accident at the Chernobyl APP or, in the case of his or her death, to family members incapacitated for work who were dependant on him or her which compensates for the loss of income of the participant in the liquidation of the consequences of the accident at the Chernobyl APP due to loss of capacity for work, but for dependants – the loss of subsistence source.

Section 2. The purpose of this Law is to prescribe:

1) the status of the participant in the liquidation of the consequences of the accident at the Chernobyl APP and of a person who suffered due to the accident at the Chernobyl APP;

¹ The Parliament of the Republic of Latvia

2) social guarantees for participants in the liquidation of the consequences of the accident at the Chernobyl APP, for their dependants and persons who suffered due to the accident at the Chernobyl APP.

Section 3. The citizens of the Republic of Latvia, non-citizens, third country nationals and stateless persons having a permanent residence permit have the right to receive the social guarantees specified in this Law.

Chapter II

Determination and Registration of the Status of Participants in the Liquidation of the Consequences of the Accident at the Chernobyl APP and Persons who Suffered due to the Accident at the Chernobyl APP

Section 4. A person who participated in the operation of the Chernobyl APP, in the works for the liquidation of the consequences of the accident at the Chernobyl APP and other works resulting from the accident at the Chernobyl APP in the Chernobyl APP exclusion zone within the period from 26 April 1986 until 31 December 1990 shall be deemed to be a participant in the liquidation of the consequences of the accident at the Chernobyl APP, provided that:

- 1) an employer sent the relevant person for the performance of work in the Chernobyl APP exclusion zone;
- 2) the relevant person served in the Chernobyl APP exclusion zone in the composition of the commanding personnel or rank and file personnel of the interior institutions;
- 3) the relevant person as a person bound to military service included in the composition of the commanding personnel or rank and file personnel of the armed forces bodies or relegated to the reserve were enlisted for special training and involved in the work for the liquidation of the consequences of the accident at the Chernobyl APP (regardless of the place of dislocation and the work performed).

Section 5. The following persons shall be recognised as persons who suffered due to the accident at the Chernobyl APP:

- 1) a person who was evacuated from the Chernobyl APP exclusion zone or the mandatory evacuation zone of the Chernobyl APP, also a child who at the time of evacuation was in the intrauterine stage of development;
- 2) a person who was sent by the employer of the Latvian SSR for work to the territory contaminated radioactively as a result of the accident at the Chernobyl APP outside the Chernobyl APP exclusion zone;
- 3) a child who was indirectly affected by the emission of radiation received by any of its parents by participating in the liquidation of the consequences of the accident at the Chernobyl APP.

Section 6. The Cabinet shall determine the procedures by which *valsts sabiedrība ar ierobežotu atbildību "Paula Stradiņa klīniskā universitātes slimnīca"* [State limited liability company Pauls Stradiņš Clinical University Hospital] (hereinafter – the hospital) shall:

- 1) record participants in the liquidation of the consequences of the accident at the Chernobyl APP and the persons who suffered due to the accident at the Chernobyl APP by creating a unified database for the registration of the aforementioned persons for this purpose, the amount of information to be included wherein shall be determined also by the Cabinet;
- 2) observe the state of health of the participants in the liquidation of the consequences of the accident at the Chernobyl APP and the persons who suffered due to the accident at the Chernobyl APP on a regular basis and determine the causal relationship between the person's illnesses, disability and death and the accident at the Chernobyl APP.

[15 February 2007; 13 May 2010]

Section 6.¹ If morphological changes in the organism and functional disorders caused by the disease after three years of observation, counting from 26 April 1986, are considered irreversible, the disability or the degree of loss of capacity for work in the amount of 10–25 per cent shall be determined for a participant in the liquidation of the consequences of the accident at the Chernobyl APP without indication of the term for repeated examination, unless such repeated examination is requested by the participant in the liquidation of the consequences of the accident at the Chernobyl APP.

[16 June 2016]

Section 7. The hospital shall issue to a participant in the liquidation of the consequences of the accident at the Chernobyl APP and a person who suffered due to the accident at the Chernobyl APP a sample certificate specified by the Cabinet on the status of the abovementioned person. The certificate shall be issued on the basis of one of the following documents:

1) a certificate of military service, a certificate issued by the military registration and enlistment office, a statement issued by the armed forces bodies or archives containing a note that the relevant person participated in the work for the liquidation of the consequences of the accident at the Chernobyl APP;

2) a statement issued by the employer attesting that the relevant person has been sent to work in the liquidation of the consequences of the accident at the Chernobyl APP or for work to the territory contaminated as a result of the accident at the Chernobyl APP outside the Chernobyl APP exclusion zone, and containing a note that the person has participated in the aforementioned work;

3) a statement issued by the national deputy council of the previous place of residence, attesting that the person has been evacuated to the Latvian SSR from the territory contaminated as a result of the accident at the Chernobyl APP in accordance with the decision of the government of the USSR or the Ukrainian SSR.

[15 February 2007 / See Transitional Provisions]

Chapter III Reimbursement for Damage and State Social Benefit

Section 8. (1) The following persons have the right to reimbursement for damage:

1) a participant in the liquidation of the consequences of the accident at the Chernobyl APP for whom a causal relationship between the disability and the performance of the work for the liquidation of the consequences of the accident at the Chernobyl APP has been determined;

2) a participant in the liquidation of the consequences of the accident at the Chernobyl APP for whom the degree of loss of the capacity for work in the amount of 10–25 per cent and a causal relationship between such loss and performance of the work for the liquidation of the consequences of the accident at the Chernobyl APP has been determined;

3) the family members of the deceased person referred to in Paragraph one, Clauses 1 and 2 of this Section who are incapable to work and who have been maintained by him or her, and to whom the survivor's pension has been granted in accordance with the law On State Pensions.

(2) A person who receives pension of another country, except when it has been granted in accordance with Regulation (EC) No 883/2004 of the European Parliament and of the Council of 29 April 2004 on the coordination of social security systems or in accordance with the international agreements binding on the Republic of Latvia, shall not be eligible to the reimbursement for damage.

[16 June 2016]

Section 9. (1) Reimbursement for damage for the persons referred to in Section 8, Paragraph one, Clauses 1 and 2 of this Law shall be calculated according to the following formula:

$KA = 50 \% VS \times DZ$, where

KA – the amount of the reimbursement for damage,

VS – the average insurance contribution wage in the previous calendar year in the State,

DZ – degree of loss of the capacity for work (in per cent).

(2) Reimbursement for damage for the persons referred to in Section 8, Paragraph one, Clause 3 of this Law shall be calculated according to the following formula:

$KA = 50 \% VS \times KGL$, where

KA – the amount of the reimbursement for damage,

VS – the average insurance contribution wage in the previous calendar year in the State,

KGL – the coefficient of the reimbursement for damage in conformity with the number of family members to whom a survivor's pension has been granted:

0.8 – if there is one dependant,

0.9 – if there are two dependants,

1.0 – if there are three and more dependants.

(3) If the State Medical Commission for the Assessment of Health Condition and Working Ability determines other percentage for the loss of the capacity for work or the number of dependants changes, the reimbursement for damage shall be recalculated in accordance with the procedures laid down in Paragraphs one and two of this Section from the day of determining the new percentage for the loss of the capacity for work or change in the number of dependants.

(4) The amount of reimbursement for damage laid down in Paragraphs one and two of this Section shall be reviewed once a year on 1 May by taking into account the average insurance contribution wage in the previous calendar year in the State. If the average insurance contribution wage in the previous calendar year is lower than the wage from which the reimbursement for damage has already been calculated, the amount of reimbursement for damage shall not be reviewed.

[16 June 2016]

Section 10. (1) The persons referred to in Section 8, Paragraph one of this Law may concurrently receive the reimbursement for damage and State pension which has been calculated and granted in accordance with the law On State Pensions, or reimbursement for damage and State social security benefit which has been granted in accordance with the Law on State Social Allowances, or reimbursement for damage and service pensions which has been granted in accordance with the laws on special service pensions.

(2) The reimbursement for damage for the persons referred to in Section 8, Paragraph one, Clause 1 of this Law shall be disbursed from the special budget for disability, maternity and sickness, but for the persons referred to in Section 8, Paragraph one, Clause 3 – from the special budget for State pensions.

(3) The reimbursement shall be disbursed from the State basic budget for the persons referred to in Section 8, Paragraph one, Clause 2 of this Law, as well as in case of the death of these persons – for the family members incapacitated for work which were dependent on them.

[16 June 2016]

Section 11. (1) The State social allowance for a participant in the liquidation of the consequences of the accident at the Chernobyl APP and for the family of a deceased participant

in the liquidation of the consequences of the accident at the Chernobyl APP (hereinafter – the allowance) shall be granted in the following cases:

1) for a participant in the liquidation of the consequences of the accident at the Chernobyl APP – if a causal relationship between the disability and the performance of work for the liquidation of the consequences of the accident at the Chernobyl APP has been determined for him or her;

2) for the family of a deceased participant in the liquidation of the consequences of the accident at the Chernobyl APP – if the cause of death of the respective participant is a disease for which a causal relationship with the performance of work for the liquidation of the consequences of the accident at the Chernobyl APP has been determined. Within the meaning of this Law, the children who are not more than 18 years of age (also children who are full-time students at secondary or higher education institution and who are not older than 24 years of age), as well as a surviving spouse who has not entered into another marriage and parents and grandchildren, if this spouse, parents and grandchildren have been dependants of the deceased, shall be considered as the family members of the deceased participant in the liquidation of the consequences of the accident at the Chernobyl APP.

(2) The Cabinet shall determine the procedures for granting and disbursing the allowance.

(3) The allowance shall be disbursed from the State basic budget.

(4) The amount of the allowance shall be in the amount of the State social security benefit which is determined for the persons referred to in Section 13, Paragraph one, Clause 1 of the Law on State Social Allowances and it shall be reviewed in conformity with the procedures for reviewing the minimal income thresholds laid down in the law On Social Security.

[17 June 2004; 24 November 2020 / See Paragraph 11 of Transitional Provisions]

Section 11.¹ The spouse and all first-level and second-level kin have the right to receive the amounts of the reimbursement for damage calculated for the disbursement which have not been disbursed until the death of the person, but another person – on the basis of an inheritance certificate or a court ruling.

[16 June 2016]

Chapter IV Medical Assistance

Section 12. A participant in the liquidation of the consequences of the accident at the Chernobyl APP and a person who suffered due to the accident at the Chernobyl APP have the right to the compensation of expenses for the purchase of medicinal products intended for outpatient medical treatment of diseases obtained as a result of the accident at the Chernobyl APP in accordance with the procedures specified by the Cabinet.

Section 13. A participant in the liquidation of the consequences of the accident at the Chernobyl APP and a person who suffered due to the accident at the Chernobyl APP are exempted from patient's fee at medical treatment institutions (also at the medical rehabilitation institutions of the second stage) and at the social rehabilitation institutions within the framework of a minimum of health care services and the State programme.

Section 14. The following persons have the right to free of charge services or fee relief for dental care and dental prosthetics in accordance with the procedures specified by Cabinet:

1) a participant in the liquidation of the consequences of the accident at the Chernobyl APP;

2) a person who was sent by the employer of the Latvian SSR for work to the territory contaminated as a result of the accident at the Chernobyl APP outside the Chernobyl APP

exclusion zone if a causal relationship between the disability of this person and the performance of the abovementioned work has been determined.

Section 15. The following persons have the right to receive, once every year, free of charge rehabilitation services and medical rehabilitation services upon the order of a physician:

1) a participant in the liquidation of the consequences of the accident at the Chernobyl APP;

2) a child up to 18 years of age who was evacuated from the Chernobyl APP exclusion zone or the mandatory evacuation zone of the Chernobyl APP, even if this child at the time of evacuation was in the intrauterine stage of development;

3) a child up to 18 years of age who was indirectly affected by the emission of radiation received by any of its parents by participating in the liquidation of the consequences of the accident at the Chernobyl APP.

Section 16. The social rehabilitation services referred to in Section 15 of this Law and the measures of medical assistance specified in Chapter IV shall be financed from the State budget.
[15 February 2007]

Transitional Provisions

1. [16 June 2016]

2. The Ministry of Foreign Affairs shall, in negotiations with the Russian Federation, the Republic of Ukraine and the Republic of Belarus, deal with the issue regarding inter-country agreement on the compensations and social guarantees for the participants in the liquidation of the consequences of the accident at the Chernobyl APP and for inhabitants of Latvia who suffered due to the accident at the Chernobyl APP.

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

1) the Decision of the Supreme Council of 15 May 1991, On Measures to be Performed in Order to Improve the Social State of the Inhabitants of the Republic of Latvia who Suffered due to the Accident at the Chernobyl APP (*Latvijas Republikas Augstākās Padomes un Valdības Ziņotājs*, 1991, No. 27/28);

the Decision of the Supreme Council of 13 June 1991, On Implementation of the Decision of the Supreme Council of the Republic of Latvia “On Measures to be Performed in Order to Improve the Social State of the Inhabitants of the Republic of Latvia who Suffered due to the Accident at the Chernobyl APP” (*Latvijas Republikas Augstākās Padomes un Valdības Ziņotājs*, 1991, No. 29/30).

4. Amendments to this Law regarding the new wording of Section 6 and Section 7 shall come into force on 1 January 2008.

[15 February 2007]

5. From 1 January 2017, the disability pensions, old-age pensions, survivor’s pensions which have been granted until the day of coming into force of this Law and have been calculated in the amount of the reimbursement for damage shall be calculated by complying with the following provisions:

1) for the persons to whom the disability pension has been granted until 31 December 1999 and to whom the disability pension has been granted in the amount of the reimbursement for damage, the disability pension which should have been as of 1 January 2017 if it would be determined from the day of granting the disability pension in accordance with the norms of the law On State Pensions by taking into account the dates for granting and

recalculating the pension from the day of granting the disability pension until 31 December 2016, the procedures previously applied for the calculation of the pension, minimum amounts of the pension, and also the provisions of Section 26 of the law On State Pensions and Paragraphs 15 and 15.¹ of these Transitional Provisions, shall be calculated instead of such pension;

2) for the persons to whom the disability pension has been granted until 31 December 1999 and to whom the old-age pension has been retained in the amount of the disability pension (reimbursement for damage):

a) the disability pension which should have been as of the day of granting an old-age pension if it would be determined from the day of granting the disability pension in accordance with the norms of the law On State Pensions by taking into account the dates for granting and recalculating the pension from the day of granting the disability pension until granting the old-age pension, the procedures previously applied for the calculation of the pension, minimum amounts of the pension, and also the provisions of Section 26 of the law On State Pensions and Paragraphs 15 and 15.¹ of these Transitional Provisions shall be calculated;

b) during disability the old-age pension shall be retained in the amount of the calculated disability pension if in accordance with the law On State Pensions the amount of the calculated disability pension is greater than the old-age pension calculated for the person;

3) for the persons to whom the survivor's pension has been granted until 31 December 1999 in the amount of the reimbursement for damage, the survivor's pension which should have been as of 1 January 2017 if it would be determined from the day of granting the survivor's pension in accordance with the norms of the law On State Pensions by taking into account the dates for granting and recalculating the pension from the day of granting the survivor's pension until 31 December 2016, the procedures previously applied for the calculation of the pension, minimum amounts of the pension, and also the provisions of Section 26 of the law On State Pensions and Paragraphs 15 and 15.¹ of these Transitional Provisions, shall be calculated instead of such pension;

4) for the persons referred to in Sub-paragraphs 1 and 2 of this Paragraph the reimbursement for damage shall be calculated in accordance with Section 9, Paragraph one of this Law, but for the persons referred to in Sub-paragraph 3 of this Paragraph the reimbursement for damage shall be calculated in accordance with Section 9, Paragraph two of this Law.

[16 June 2016]

6. If in Paragraph 5, Sub-paragraphs 1, 2 and 3 of these Transitional Provisions the total amount of the disability, old-age or survivor's pension calculated in accordance with the law On State Pensions and the reimbursement for damage calculated in accordance with Paragraph 5, Sub-paragraph 4 of these Transitional Provisions is greater than the previously received pension in the amount of reimbursement for damage, then from 1 January 2017 the disability, old-age or survivor's pension shall be recalculated and reimbursement for damage shall be granted, but if the total amount of the calculated pension and reimbursement for damage is lower, then the disability pension in the amount of the reimbursement for damage, the old-age pension which is retained in the amount of disability pension (reimbursement for damage), or survivor's pension in the amount of the reimbursement for damage shall be continued to be disbursed.

[16 June 2016]

7. The amount of the reimbursement for damage shall be recalculated in accordance with Section 9 of this Law for the persons to whom the reimbursement for damage has been already granted until 31 December 2016. If the amount of recalculated reimbursement for damage is greater than the amount of the reimbursement for damage received previously, then from 1 January 2017 the reimbursement for damage shall be calculated in conformity with Section 9

of this Law, but, if it is lower, then the previous amount of the reimbursement shall be disbursed. Upon change of the percentage of the loss of the capacity for work, the amount of the reimbursement for damage shall be recalculated from the day of repeated determination of the percentage of the loss of capacity for work in conformity with Section 9 of this Law. If the percentage of the loss of the capacity for work is changed from lower to higher or the previously determined higher percentage of the loss of the capacity for work is reinstated, then the recalculated amount of the reimbursement for damage may not be lower than the amount of the previously received reimbursement for damage.

[16 June 2016]

8. Upon change of the disability group, percentage of the loss of the capacity for work or number of dependants, the amount of the pension shall be reviewed and reimbursement for damage shall be granted for the persons to whom the disbursement of the pension is continued in the retained amount of reimbursement for damage from the day of change of the disability group, percentage of the loss of the capacity for work or number of dependants in conformity with the procedures laid down in Paragraph 5 of these Transitional Provisions. If the disability group is changed from lighter to a more severe group or if the percentage of the loss of capacity for work is changed from lower to higher, or the previously determined more severe disability group is reinstated, or the previously determined higher percentage of the loss of capacity for work is reinstated, then the recalculated total amount of the pension and reimbursement for damage may not be lower than the pension received previously in the amount of reimbursement for damage.

[16 June 2016]

9. From 1 January 2017, the pension shall be recalculated in conformity with Paragraph 5, Sub-paragraphs 1, 2 and 3 of these Transitional Provisions and reimbursement for damage shall be recalculated in conformity with Section 9 of this Law for the persons to whom the disability pension or survivor's pension in the amount of the reimbursement for damage, or old-age pension which is retained in the amount of the disability pension (reimbursement for damage) has been granted, and also the reimbursement for damage has been granted until 31 December 2016. If in Paragraph 5, Sub-paragraphs 1, 2 and 3 of these Transitional Provisions the total amount of the disability, old-age or survivor's pension calculated in accordance with the law On State Pensions and the reimbursement for damage calculated in accordance with Section 9 of this Law is greater than sum of previously received pension in the amount of reimbursement for damage and reimbursement for damage, then the disability, old-age or survivor's pension and reimbursement for damage shall be recalculated from 1 January 2017, but if the total amount of the calculated pension and reimbursement for damage is lower, then the disability pension in the amount of the reimbursement for damage, the old-age pension which is retained in the amount of disability pension (reimbursement for damage), or survivor's pension in the amount of the reimbursement for damage and previously granted reimbursement for damage shall be continued to be disbursed.

Upon change of the disability group, percentage of the loss of the capacity for work or number of dependants, the amount of the pension shall be reviewed in conformity with Paragraph 5, Sub-paragraphs 1, 2 and 3 of these Transitional Provisions and reimbursement for damage shall be recalculated in conformity with Section 9 of this Law from the day when the disability group, percentage of the loss of the capacity for work or number of dependants changes. If the disability group is changed from lighter to a more severe group or if the percentage of the loss of capacity for work is changed from lower to higher or more severe disability group determined previously is reinstated, or higher percentage of the loss of ability to work determined previously is reinstated, then the recalculated total amount of the pension and reimbursement for damage may not be lower than the pension received previously in the amount of reimbursement for damage and the reimbursement for damage.

[16 June 2016]

10. Pensions and reimbursements for damage shall be recalculated in conformity with the procedures laid down in Section 9 of this Law and Paragraphs 5, 6, 7, 8 and 9 of these Transitional Provisions from 1 January 2017, and the recalculated amount for the period from 1 January shall be disbursed not later than in September 2017.

[16 June 2016]

11. The State Social Insurance Agency shall do the following with the allowance referred to in Section 11, Paragraph one of this Law:

1) for the period between 1 January 2021 and 30 April 2021, grant and disburse in such amount that was laid down by regulatory framework until 31 December 2020;

2) for the period between 1 January 2021 and 30 April 2021, recalculate it in conformity with the amount laid down in Section 13, Paragraph 1.¹ of the Law on State Social Allowances and ensure the disbursement of the difference of the allowance not later than by 1 June 2021.

[24 November 2020]

This law shall come into force on 1 January 2000.

This Law has been adopted by the *Saeima* on 9 September 1999.

President

V. Vīķe-Freiberga

Rīga, 29 September 1999