

REPUBLIC OF LITHUANIA
LAW AMENDING THE LAW ON CASH SOCIAL ASSISTANCE
FOR POOR FAMILIES AND SINGLE RESIDENTS

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Vilnius

Article 1. New Version of the Law of the Republic of Lithuania on Cash Social Assistance for Poor Families and Single Residents

The Law of the Republic of Lithuania on Cash Social Assistance for Poor Families and Single Residents shall be amended and set forth to read as follows:

”REPUBLIC OF LITHUANIA
LAW ON CASH SOCIAL ASSISTANCE
FOR POOR RESIDENTS

CHAPTER ONE
GENERAL PROVISIONS

Article 1. Purpose and Scope of the Law

1. The purpose of this Law shall be to establish principles of granting cash social assistance, sources of funding, rights and duties of persons receiving cash social assistance as well as types, amount and conditions of granting of cash social assistance to poor residents when adults have used all possibilities of receiving other income.

2. This Law shall apply to the following persons whose information about the place of residence in the Republic of Lithuania (in the case of persons without the place of residence – the information about the municipality in which they are resident) are entered in the Residents' Register of the Republic of Lithuania:

- 1) citizens of the Republic of Lithuania;
- 2) aliens holding a permit of a long-term resident of the Republic of Lithuania to reside in the European Community;
- 3) citizens of a Member State of the European Union and their family members who are issued in the manner prescribed by legal acts the documents confirming their right to reside in the Republic of Lithuania and who have been residing in the Republic of Lithuania for not less than three months. Family members of a citizen of a Member State of the European Union shall

mean the person's spouse or the person with whom a registered partnership has been contracted, his direct descendants who are under the age of 21 or are dependants, including direct descendants of the spouse or person with whom the registered partnership has been contracted, who are under the age of 21 or those who are dependants, the dependent direct relatives in the ascending line of a citizen of a Member State of the European Union, of the spouse or of the person with whom the person has contracted a registered partnership.

4) aliens who have been granted subsidiary protection or temporary protection in the Republic of Lithuania, with the exception of those who during the integration period receive support from the funds designated for integration.

3. The provisions of this Law have been harmonised with the legal acts of the European Union referred to in the Annex to this Law.

Article 2. Definitions

1. **Close relatives** shall be interpreted as defined in the Civil Code of the Republic of Lithuania (hereinafter referred to as the "Civil Code").

2. **Persons living together** means spouses and their children (adopted children) under 18 years of age; a married person with whom the minor children (adopted children) stayed to live following the court's decision concerning separation of the spouses, or one of the parents and his/her children (adopted children) under 18 years of age; a man and a woman of the age of majority living together without having registered their union as a marriage and maintaining common household or an under-age man and woman who are declared capable and their children (adopted children) under 18 years of age. The composition of people living together shall also include adult children under 24 years of age who are unemployed (also those who are not self-employed), unmarried, do not raise their own children (adopted children) and who study according to the general education curriculum or the formal vocational training programme or study at a higher education institution according to programmes of studies of full-time, continual or extended forms (including an academic leave of absence because of illness or pregnancy) as well as adult children (adopted children) under 21 years of age who are employed (also those who are self-employed), do not raise their own children (adopted children) and who study according to the general education curriculum and/or the formal vocational training programme to acquire the first qualification, also adult children (adopted children) from the day of completion of the general education curriculum until 1 September of the same year.

3. **Manager of common use objects** shall be interpreted as defined in the Law of the Republic of Lithuania on State Support for Acquisition or Rent of a Dwelling and Renovation (Modernization) of Multi-dwelling Buildings.

4. **Dwelling** means a one-apartment residential house, an apartment or any other living quarters or parts thereof suitable for living by a single person or persons living together and meeting the essential requirements for a construction works (hygiene, fire protection, etc.).

5. **Heating costs** means the sum, including the value added tax, of consumption of centrally supplied heating designated for heating of a dwelling in accordance with the methods of heat distribution recommended by the National Control Commission for Prices and Energy or proposed by users after consultation with the said Commission, multiplied by the price of consumption, or the sum, including the value added tax, of consumption of other types of energy or fuel established for heating of a dwelling in accordance with the methodology approved by the National Control Commission for Prices and Energy, multiplied by the price of consumption.

6. **Drinking water costs** means the sum of the quantity of drinking water and waste water multiplied by their prices and selling activity expenses (costs), including the value added tax.

7. **Hot water costs** – where hot water or heat intended to produce hot water is supplied centrally, the sum, including the value added tax, of the volume of hot water, presented for payment, multiplied by its price, or of the volume of drinking water used to produce hot water and the quantity of heat used to heat such water, multiplied by the prices of drinking water and heat used to heat drinking water, or where water is heated by using other types of energy or fuel – the sum, including the value added tax, of quantities of other forms of energy or fuel used to heat drinking water, calculated according to the methodology approved by the National Control Commission for Prices and Energy, multiplied by their prices

and of the volume of centrally supplied heat presented for payment or of quantities of other types of energy or fuel, calculated according to the methodology approved by the National Control Commission for Prices and Energy, used to maintain the temperature of hot water (circulation), multiplied by their prices.

8. **Useful floor space of a dwelling** means the total area of floor space of the living rooms and other premises of a dwelling (kitchens, sanitary units, corridors, built-in wardrobes, heated loggias and other heated auxiliary premises). The useful floor space of a dwelling shall not include the floor space of balconies, terraces, basements and unheated loggias.

9. **Poor residents** means persons living together or a single person who, upon evaluation of their assets and income, shall be entitled to cash social assistance in accordance with the procedure laid down by this Law.

10. **Change of income source** means acquisition and/or loss of income of various nature received from natural or legal persons.

11. **Cash social assistance for poor residents** (hereinafter referred to as “**cash social assistance**”) means assistance provided in cash and in non-monetary form for poor residents in accordance with the procedure laid down by this Law.

12. **Self-employed persons** shall be interpreted as defined in the Law of the Republic of Lithuania on State Social Insurance.

13. **Social card** means a document which grants poor residents the right to purchase foodstuffs and other necessary goods, except alcoholic beverages, tobacco products, lottery tickets.

14. **Social risk** means factors and circumstances leading to social exclusion of persons or putting persons at risk of social exclusion: lack or absence of social skills of adults to properly take care and educate children (adopted children); failure to ensure conditions of all-round physical, mental, spiritual, moral development and security of children (adopted children); psychological, physical or sexual abuse; violence; involvement or inclination to get involved in criminal activities; abuse of narcotic drugs, psychotropic substances, alcoholic beverages, dependence on narcotic, psychotropic substances, alcoholic beverages, gambling; begging, vagrancy, poverty and homelessness; lack or absence of motivation to participate in the labour market.

15. **Single person** means a person over 18 years of age or a minor, who is declared capable and who is not married (including the persons who have dissolved their marriage), as well as a person who is married but resides separately by the court’s decision and has no children (adopted children) or who has them, but whose children have stayed to live with the other spouse by the court’s decision concerning the separation of the spouses or the dissolution of their marriage.

Article 3. Principles of Granting of Cash Social Assistance

Cash social assistance shall be granted pursuant to the following principles:

1) co-operation and participation. Granting of cash social assistance shall be based on the cooperation and mutual assistance of persons who apply for cash social assistance, the community, non-governmental organizations, municipal and state institutions and establishments;

2) accessibility. Cash social assistance shall be granted in such a way that poor residents would be guaranteed the accessibility of cash social assistance as close as possible to their place of residence;

3) social justice and efficiency. Cash social assistance shall be granted seeking to create conditions to receive assistance when it is needed most, to increase motivation to integrate into the labour market and to escape the poverty trap, rationally using the available resources;

4) comprehensiveness. Cash social assistance shall be granted by harmonising it with social services, protection of children's rights, employment, health care, education and training;

5) equal opportunities. Cash social assistance shall be granted ensuring the equality of poor residents without regard to gender, race, nationality, language, origin, social status, belief, convictions or views, age, sexual orientation, disability, ethnic origin or religion.

Article 4. Financing of Cash Social Assistance

1. Cash social assistance, except social assistance specified in paragraph 4 of Article 23 and Chapter 9 of this Law, shall be financed from and the credit and interest provided for in paragraph 8 of Article 8 of this Law shall be reimbursed with special targeted grants of the state budget allocated to municipal budgets.

2. Up to 4 per cent of the funds for the social benefit and compensations may be used for cash social assistance referred to in paragraph 3 of Article 23 of this Law.

3. In the cases specified in paragraph 4 of Article 23 and Chapter 9 of this Law social assistance shall be financed from funds of the municipal budget.

4. The following sums shall be earmarked for administration of cash social assistance from special targeted grants of the state budget allocated to municipal budgets:

1) 4 per cent of funds for the social benefit and compensations, from them 1.5 per cent of funds for the social benefit and compensations – to increase remuneration for work of workers carrying out social work. The sum of funds to be used for administration of cash social assistance shall not exceed the set percentage of funds for administration of cash social assistance from the funds used for granting cash social assistance;

2) from 2 to 4 per cent of funds for the social benefit and compensations. The specific percentage of the funds for administration of cash social assistance shall be set by the Minister of Social Security and Labour before the beginning of the budget year. The sum of funds to be used for administration of cash social assistance shall not exceed the set percentage of funds for administration of cash social assistance from the funds used for granting cash social assistance.

5. The procedure for using and accounting for the funds from the state budget intended for special targeted grants for administering the social benefit and compensations shall be laid down by the Minister of Social Security and Labour.

6. Unused special targeted grants of the state budget to municipal budgets for calculation and payment of cash social assistance may be used to finance other social assistance in

accordance with the procedure laid down by the Government of the Republic of Lithuania (hereinafter referred to as the “Government”) or an institution authorised by it.

CHAPTER TWO

TYPES OF CASH SOCIAL ASSISTANCE AND CONDITIONS OF GRANTING THEREOF

Article 5. Types of Cash Social Assistance

Types of cash social assistance shall be as follows:

- 1) the social benefit;
- 2) compensations for heating costs, drinking water costs and hot water costs (hereinafter referred to as “compensations”).

Article 6. Entitlement to the Social Benefit

Persons living together or a single person shall be entitled to the social benefit if at the time of applying for the social benefit they meet the requirements specified in this Article:

- 1) the value of the property, specified in Article 14 of this Law, held by persons living together or a single person by the right of ownership does not exceed the ratio of assets value;
- 2) income specified and calculated pursuant to Articles 17 and 18 of this Law is lower than the state-supported income for persons living together or a single person;
- 3) every person over 18 years of age from those living together, a single person over 18 years of age or a child (adopted child) from 16 to 18 years of age meets at least one of the conditions, specified in Article 8 of this Law, under which persons living together or a single person are entitled to cash social assistance.

Article 7. Entitlement to Compensations

1. Persons living together or a single person who have declared the place of residence in a dwelling or who rent a dwelling shall be entitled to compensations if at the time of applying for compensations they meet the following requirements:

- 1) the value of the assets, specified in Article 14 of this Law, held by persons living together or a single person by the right of ownership does not exceed the ratio of assets value;
- 2) every person over 18 years of age from those living together, a single person over 18 years of age or a child (adopted child) from 16 to 18 years of age meets at least one of the conditions, specified in Article 8 of this Law, under which persons living together or a single person are entitled to cash social assistance;

3) those who got into debt for heating of a dwelling and/or hot water, and/or drinking water have concluded an agreement (agreements) with the providers of energy, fuel, water regarding the repayment, by returning each month not more than 20 per cent of the income of the persons living together or a single person, or the court has adjudged the repayment.

2. Compensations shall be granted to persons living together or a single person who are entitled to compensations pursuant to paragraph 1 of this Article, if during the period for which compensations are calculated:

1) heating costs, where the useful floor space of a dwelling and the consumption of individual types of energy or fuel for heating the dwelling are not exceeding the ratio set in Article 12 of this Law, exceed 20 per cent of the amount of the difference between the income of persons living together or a single person and the state-supported income for persons living together or a single person, or/and

2) costs of drinking water, the quantity of which does not exceed the ratio established in Article 12 of this Law, exceed 2 per cent of the income of persons living together or a single person, or/and

3) costs of hot water, the quantity of which and the consumption of individual types of energy or fuel for heating water do not exceed the ratio established in Article 12 of this Law, exceed 5 per cent of the income of persons living together or a single person.

3. Persons living together or a single person who seek to receive compensations and who rent a dwelling must conclude with a lessor a written agreement on the rent of living quarters and must enter it in the public register.

4. A person who is entitled to compensations in a dwelling of the declared place of residence and in a rented dwelling must choose one of the dwellings for which compensations would be granted.

Article 8. Conditions for Determining the Entitlement to Cash Social Assistance

1. Conditions under which persons living together or a single person are entitled to cash social assistance shall be as follows:

1) persons over 18 years of age are employed and during the period for which the income is calculated worked no less than two thirds of the maximum duration of working time (including the time of temporary incapacity for work, idle time through no fault of the worker, the time of annual leave and other working time missed due to valid reasons for which it is paid in accordance with the procedure laid down by the law) as established in paragraph 1 of Articles 144 or Article 145 of the Labour Code of the Republic of Lithuania (hereinafter referred to as the "Labour Code"), or they work not less than two thirds of time calculating from the part-time

working time fixed in the employment contract (paragraph 1 of Article 146 of the Labour Code), however the duration of part-time working time in the case specified in subparagraph 1 of paragraph 1 of Article 146 of the Labour Code may not be less than two thirds of the maximum duration of working time (including the time of temporary incapacity for work, idle time through no fault of the worker, the time of annual leave and other working time missed due to valid reasons for which it is paid in accordance with the procedure laid down by the law) as established in paragraph 1 of Article 144 or Article 145 of the Labour Code, and the amount of remuneration for work is calculated for them to make not less than a minimum monthly wage or minimum hourly pay in proportion to the time of work or by result;

2) persons who study according to the general education curriculum or the formal vocational training programme or study at a higher education institution according to programmes of studies of full-time, continual or extended forms (including an academic leave of absence because of illness or pregnancy) until they reach the age of 24 and within the period from the day of completion of the general education curriculum until 1 September of the same year, but not longer than until they reach the age of 24;

3) persons who have attained the pensionable age or receive pensions of any kind, pension benefits and/or social assistance benefits, except pensions awarded to persons whose level of capacity for work is rated at 45-55 per cent (pensions awarded to persons who were recognised as persons with Group III disability before 1 July 2005) and survivor's and orphan's pensions, or persons who have applied for the award of a pension of any kind, pension benefits and/or social assistance benefits, except pensions awarded to persons whose level of capacity for work is rated at 45-55 per cent (pensions awarded to persons who were recognised as persons with Group III disability before 1 July 2005) and survivor's and orphan's pensions, but such pensions have not been yet awarded or have been awarded, but not paid;

4) persons who have registered with the local labour exchange office of Lithuania or a national employment service of another state;

5) one of the persons living together nurses or looks after a child (children), for whom the guardianship or curatorship in the family is established in accordance with the procedure laid down by the law, a person (persons) living together, a close relative (relatives) of his/her own or his/her spouse if they are paid targeted compensations for nursing or attendance (assistance) expenses, or he/she is appointed, in accordance with the procedure laid down by the law, the guardian of a child (children) who is/are recognized as legally incapable and for whom the guardianship or curatorship in the family is established in accordance with the procedure laid down by the law, the guardian of a person (persons) living together, a close relative (relatives) of his/her own or his/her spouse or the curator of a child (children) for whom the guardianship or

curatorship in the family is established in accordance with the procedure laid down by the law, the curator of the person (persons) living together, a close relative (relatives) of his/her own or his/her spouse for whom the curatorship is established, or a single person nurses or looks after a child (children) for whom the guardianship or curatorship in the family is established in accordance with the procedure laid down by the law, his/her close relative (relatives) if they are paid targeted compensations for nursing or attendance (assistance) expenses, or he/she is appointed, in accordance with the procedure laid down by the law, the guardian of a child (children) who is/are recognized as legally incapable and for whom the guardianship or curatorship in the family is established in accordance with the procedure laid down by the law, or the guardian of his/her close relative (relatives) or the curator of a child (children) for whom the guardianship or curatorship in the family is established in accordance with the procedure laid down by the law, or the curator of his/her close relative (relatives) for whom the curatorship is established;

6) a person who is treated for not less than one month at an in-patient personal health care institution which provides healthcare services, with the exception of the cases where compulsory medical treatment measures are applied to the person in accordance with the procedure laid down by the Code of Criminal Procedure of the Republic of Lithuania (hereinafter referred to as the "Code of Criminal Procedure") for in-patient observation of the person in specialised mental health care institutions or a reformatory sanction – placement in a special reformatory facility – is applied to the person, or he has been issued an electronic incapacity for work certificate or a medical certificate for at least one month;

7) she is a pregnant woman for whom not more than 70 calendar days are left until the scheduled childbirth date;

8) one of the parents or guardians raises: a child (adopted child) or children (adopted children) under 3 years of age; a child (adopted child) or children (adopted children) under 8 years of age who does/do not attend an educational institution pursuant to doctors' recommendation; a child (adopted child) or children (adopted children) who does/do not attend an educational institution because there are no vacancies in the educational institutions carrying out pre-school and pre-primary education curricula or because the persons living together reside in a rural area located more than three kilometres away from an educational institution carrying out pre-school and pre-primary education curricula and the municipality does not provide a service of children's transportation to and from the educational institution, but not longer than until it is obligatory under legal acts to send a child (children) to study pursuant to a primary education curriculum;

9) the only parent left or one of the parents left, where the other parent cannot look after a child (adopted child) or children (adopted children) because of illness, disability, serving of a sentence and other important reasons, raises a child (adopted child) or children (adopted children) under 8 years of age and cultivate the agricultural land the size of which is not less than two hectares and which belongs by the right of ownership to the persons living together or which is used and/or managed on other grounds set out in the Civil Code;

10) children (adopted children) from 16 to 18 years of age: study; work; have registered with the local labour exchange office of Lithuania or a national employment service of another state; for whom disability has been established in accordance with the procedure laid down by the law; during pregnancy (upon attaining 18 years of age the right to cash social assistance shall remain until the occurrence of the condition set out in subparagraph 7 of this paragraph); raise their own child (adopted child) or children (adopted children).

2. Unmarried persons (including persons who have dissolved their marriage) or spouses living separately by the decision of the court who raise children (adopted children) under 18 years of age, or persons living together who raise children (adopted children) from the previous life together, if they meet the requirements of Article 6 of this Law, shall have the right to the social benefit:

1) when there is a concluded and court-approved agreement concerning maintenance of a child (adopted child) or children (adopted children) for whom paternity is acknowledged or the court awards maintenance to such a child (adopted child) or such children (adopted children), except the case where the persons raise a child who was born after a criminal act (as its consequence) and submit the document, issued by a pre-trial investigation body, prosecutor's office or the court, confirming this fact;

2) during the period of hearing in the court of the case regarding the paternity establishment, awarding of maintenance of a child (adopted child) or children (adopted children) and during the period of consideration of an application request concerning payments from the Children's Maintenance Fund.

3. If persons specified in paragraph 2 of this Article or persons meeting the requirements of Article 7 of this Law have not concluded a court-approved agreement regarding the material maintenance of a child (adopted child) or have not appealed to the court concerning the maintenance and/or paternity establishment, or appealed, but paternity has not been established and/or maintenance has not been awarded, or the application is left unexamined, compensations shall not be granted and only the child (adopted child) or children (adopted children) shall be entitled to receive the social benefit, except the cases where the persons raise a child who was born after a criminal act (as its consequence) and submit a document issued by a pre-trial

investigation body, prosecutor's office or the court, confirming this fact. The persons who raise a child born after a criminal act (as its consequence) and who submit a document issued by a pre-trial investigation body, prosecutor's office or the court, confirming this fact, the persons specified in paragraph 2 of this Article or the persons meeting the requirements of Article 7 of this Law shall be entitled to the social benefit and compensations.

4. Children for whom the guardianship or curatorship is established in accordance with the procedure laid down by the law shall not be included in the composition of the persons living together who are appointed guardians or curators. Children under the guardianship, except the cases when temporary guardianship or curatorship of a child is established at the parents' request because they temporarily leave the Republic of Lithuania, shall be granted pursuant to the provisions of this Law the cash social assistance individually as to a single person. Where temporary guardianship or curatorship of a child is established at the parents' request because they temporarily leave the Republic of Lithuania, cash social assistance shall be granted to children under the guardianship together with their parents.

5. Cash social assistance shall not be granted to one of the persons living together or to a single person if:

- 1) he receives long-term social care services at a social care institution;
- 2) he is a pupil or a student under 24 years of age who studies and lives in a foreign state;
- 3) he serves an imprisonment sentence or is under administrative arrest, is arrested, compulsory medical treatment measures are applied to him in accordance with the procedure laid down by the Code of Criminal Procedure for in-patient observation of the person in specialised mental health care institutions or a reformatory sanction – placement in a special reformatory facility – is applied to the person, a search notice is issued in respect of him or he is declared missing by the court;
- 4) he performs initial mandatory military service;
- 5) he is one of the persons referred to in subparagraphs 1-4 of paragraph 2 of Article 1 of this Law, if the information about his place of residence in the Republic of Lithuania (and if he has no place of residence - about the municipality within the territory of which he resides) has not been entered in the Residents' Register of the Republic of Lithuania and if he satisfies at least one of the conditions indicated in paragraph 1 of this Article;
- 6) he is an alien who does not hold a permit of a long-term resident of the Republic of Lithuania to reside in the European Community or he is a citizen of a Member State of the European Union and a family member of such a person who are not issued in the manner prescribed by legal acts the documents confirming their right to reside in the Republic of Lithuania and who have been residing in the Republic of Lithuania for not less than three

months, or an alien who has not been granted subsidiary protection or temporary protection in the Republic of Lithuania, if such persons satisfy at least one of the conditions specified in paragraph 1 of this Article.

6. If persons living together and a single persons and/or two or more groups of persons living together and/or two or more single persons have declared their place of residence in a single dwelling and/or rent a dwelling and pay for heating and/or drinking water and/or hot water by making one utility payment (under a pay-book), but at least one of them is not entitled to compensations, these compensations shall not be granted to any of the said groups of people living together and to any of the single persons.

7. The entitlement of persons living together or a single person, who have declared the place of residence in a dwelling but rent a dwelling elsewhere, to compensations in the dwelling in which the place of residence is declared shall not be established.

8. If the owners of the apartments of a multi-dwelling building have implemented or implement the project for the renovation (modernisation) of the multi-dwelling building supported by the state and/or the municipality, during the heating and non-heating season the credits and interest shall be reimbursed for the persons living together with the owners of the apartments or a single person – owner of the apartment, who are entitled to the compensation for heating costs pursuant to the energy or fuel consumption ratio for the heating of useful floor space of the dwelling which does not exceed the ratio of useful floor space of the dwelling as fixed by this Law, within the time limit of repayment set in the credit agreement by transferring them to the manager of common use objects in accordance with the procedure laid down by the Government or an institution authorised by it. When establishing the entitlement of an owner of the flat in a multi-dwelling building and the persons living together with him or a single person - owner of the flat in a multi-dwelling building to the compensation for heating costs, while reimbursing the credit and interest, the entitlement of the non-owners and persons living together with them or single persons who declared the place of residence in the same dwelling to the compensation for heating costs shall not be taken into consideration. Where because of the implementation of a project for the renovation (modernisation) of a multi-dwelling building the value of the multi-dwelling building which has been renovated (modernised) or which is being renovated (modernised) increases, the reimbursement of the credit and interest shall not be discontinued.

CHAPTER THREE

AMOUNTS OF CASH SOCIAL ASSISTANCE

Article 9. Amount of the Social Benefit

1. The amount of the social benefit for a single person who is entitled to it shall make 100 per cent of the difference between the amount of state-supported income per single person and the average monthly income per single person.

2. The amount of the social benefit for persons living together who are entitled to it, including the cases where the social benefit is granted only to a child (adopted child) or children (adopted children), shall make up:

1) for the first of the persons living together - 100 per cent of the difference between the amount of state-supported income per one of the persons living together and the average monthly income of the persons living together per one of the persons living together;

2) for the second of the persons living together - 80 per cent of the difference between the amount of state-supported income per one of the persons living together and the average monthly income of the persons living together per one of the persons living together;

3) for the third and subsequent persons of those living together - 70 per cent of the difference between the amount of state-supported income per one of the persons living together and the average monthly income of the persons living together per one of the persons living together.

Article 10. Grounds for Additional Granting or Reducing of the Social Benefit

1. Persons living together shall be additionally granted the social benefit the amount of which is equal to 50 per cent of the average amount of the social benefit paid during the last 12 months prior to employment for each month related to labour or service relationships but not longer than for six months, if the persons living together meet all of the following conditions:

1) at least one of the persons living together gets employed and works the duration of working time set in subparagraph 1 of paragraph 1 of Article 8 of this Law and his remuneration for work is not less than the minimum monthly wage or the minimum hourly pay in proportion to the time of work or by result, but not more than for two minimum monthly wages or two minimum hourly pays in proportion to the time of work or by result;

2) before employment the persons specified in subparagraph 1 of paragraph 1 of this Article were registered with the local labour exchange office of Lithuania or the national employment service of another state not less than 12 months in succession and did not work during this period or worked less than it is set in subparagraph 1 of paragraph 1 of Article 8 of this Law;

3) persons living together were the recipients of the social benefit at least one month during the last three months before the employment;

4) every person over 18 years of age from those living together or a child (adopted child) from 16 to 18 years of age meets at least one of the conditions specified in Article 8 of this Law under which persons living together or a single person are entitled to cash social assistance;

5) persons living together raise a child (adopted child) or children (adopted children).

2. In the cases when at least one of the persons living together or a single person is an able-bodied person of working age who is out of work (with the exception of the cases where the person does not work for the reasons specified in subparagraphs 2, 3, 5, 6, 7, 8, 9 and 10 of paragraph 1 of Article 8 of this Law), the amount of the social benefit, calculated pursuant to Article 9 of this Law, shall be reduced for the persons living together or for the single person in the following manner:

1) for the person (persons) receiving the social benefit from 36 months to 48 months - the amount of the social benefit for the persons living together or for the single person is reduced by 20 per cent;

2) for the person (persons) receiving the social benefit from 48 months to 60 months - the amount of the social benefit for the persons living together or for the single person is reduced by 30 per cent;

3) for the person (persons) receiving the social benefit for more than 60 months - the amount of the social benefit for the persons living together, raising a child (adopted child) or children (adopted children), is reduced by 40 per cent; the social benefit for the single person and for the persons living together, who do not raise children (adopted children) is not granted.

3. If the persons referred to in paragraph 2 of this Article have worked 12 months during the last 24 months, the periods of the receipt of the social benefit provided for in paragraph 2 of this Article shall be calculated anew.

Article 11. Amount of Compensations

1. Persons living together or a single person shall be compensated:

1) during the heating season – for the part of heating costs (where the useful floor space of a dwelling and the consumption of individual types of energy and fuel for heating the dwelling do not exceed the ratios set in Article 12 of this Law) which exceeds 20 per cent of the amount of the difference between the income of persons living together or the income of a single person and the state-supported income per persons living together or single person;

2) for the part of drinking water costs (where the quantity of drinking water does not exceed the ratio established in Article 12 of this Law) which exceeds 2 per cent of the income of persons living together or a single person;

3) for the part of hot water costs (where the quantity of hot water and the consumption of individual types of energy or fuel for heating water do not exceed the ratios set in Article 12 of this Law) which exceeds 5 per cent of the income of persons living together or a single person.

2. If the income of persons living together or a single person does not exceed the amount of state-supported income per persons living together or a single person, the granted compensation for heating shall be equal to actual heating costs, if the useful floor space and the consumption of individual types of energy or fuel for heating do not exceed the ratios set in Article 12 of this Law.

3. When calculating heating costs and hot water costs, the consumption of centrally supplied heating, hot water, other types of energy and fuel used to produce heating and hot water, the price of which are regulated, as well as the consumption of drinking water used to produce hot water shall be evaluated pursuant to the prices approved in accordance with the statutory procedure by applying one-part tariffs of centrally supplied heating, and the consumption of heating, the price of which is not regulated and for which payment is made on a monthly basis pursuant to the reading of meters, – according to the set prices of suppliers; the consumption of solid or other fuel the actual consumption of which is not determined every month – pursuant to average prices approved by municipalities.

4. When calculating drinking water costs, the consumption of drinking water shall be evaluated according to the prices set by suppliers.

5. If a common autonomous boiler-room is installed in a house for the heating of it and/or producing of hot water and persons living together and a single resident and/or two or more groups of persons living together and/or two or more single residents have declared the place of residence in this house or rent a dwelling there, compensations shall be calculated separately for every group (each person). Fuel used in the boiler-room per month shall be recalculated into produced heat and heat intended for dwellings and different needs (to heat a dwelling and to produce hot water) shall be distributed according to one of the methods for heating distribution chosen by owners of the dwellings and recommended by the National Control Commission for Prices and Energy or proposed by owners of the dwellings and coordinated with the National Control Commission for Prices and Energy.

Article 12. Ratios for Calculating Compensations

1. The following ratios shall apply in calculating compensations:

1) the useful floor space ratio per persons who have declared the place of residence in the dwelling or rent it: 50 square meters for a single person, 38 square meters for the first of the persons living together; 12 square meters for the second of the persons living together, 10 square

meters for the third and subsequent persons of those living together. The said ratios shall be set according to the cadastral measurement data;

2) the hot water ratio per persons who have declared the place of residence in the dwelling or rent it: 1.5 cubic meters for the first of the persons living together or a single person per month; 1 cubic meter for the second of the persons living together per month; 0.5 cubic meter for the third and subsequent persons of those living together per month;

3) the drinking water ratio per persons who have declared the place of residence in the dwelling or rent it: when the centralized heating supply system is used to produce hot water, 2 cubic meters for the first of the persons living together or a single person per month; 1,5 cubic meters for the second of the persons living together per month, 1 cubic meter for the third and subsequent persons of those living together per month; when other types of energy or fuel are used to produce hot water, 3,5 cubic meters for the first of the persons living together or a single person per month; 2,5 cubic meters for the second of the persons living together per month, 1.5 cubic meter for the third and subsequent persons of those living together per month.

2. If persons living together and a single persons and/or two or more groups of persons living together and/or two or more single persons have declared the place of residence in a single dwelling and/or rent the dwelling, who are entitled to compensations for heating costs and who pay for utilities by making one utility payment (under a pay-book), the useful floor space ratio applied when calculating for groups of persons living together and/or single persons the compensations for heating costs shall be calculated in the same manner as the ratio intended for a single group of persons living together.

3. Ratios of consumption of individual types of energy and fuel used for heating one square meter of the useful floor space of a dwelling, for heating one cubic meter of water and for keeping the temperature of water (circulation) shall be approved by the National Control Commission for Prices and Energy.

4. When calculating ratios of the useful floor space, drinking water and hot water for persons living together, whose member, who has declared the place of residence in the dwelling or who rents the dwelling, is not granted compensations in compliance with paragraph 5 of Article 8 of this Law, the part of these ratios for this person living together shall not be set. Ratios of the useful floor space, drinking water and hot water shall not be set for a single person who is not granted compensations in compliance with paragraph 5 of Article 8 of this Law.

Article 13. Application of Amount of State-supported Income

1. State-supported income for persons living together shall be determined by multiplying the amount of state-supported income by the number of persons living together.

2. The amount of state-supported income of the month for which the social benefit and/or compensations are granted shall be applied in calculation of cash social assistance.

CHAPTER FOUR

ESTABLISHMENT OF THE RATIO OF PROPERTY VALUE FOR THE ENTITLEMENT TO CASH SOCIAL ASSISTANCE

Article 14. Assets

1. When granting cash social assistance, the assets of persons living together or a single person shall include the following assets held by the right of ownership by the persons living together or the single person:

- 1) construction works, including construction works under construction;
- 2) motor vehicles subject to compulsory registration;
- 3) agricultural equipment subject to compulsory registration;
- 4) land, including land under forests and water bodies;
- 5) livestock, poultry, animals, hives, if their total value exceeds LTL 4 000;
- 6) stocks, bonds, bills of exchange, and other securities, shares, if their total value exceeds LTL 2 000;
- 7) works of art, precious stones, jewellery and precious metals, where the value of one such item exceeds LTL 2 000;
- 8) monetary funds kept in banks and other credit institutions and elsewhere than in banks and other credit institutions, where the total amount of the monetary funds exceeds LTL 2 000, with the exception of the received specific sum of money awarded for the maintenance of a child (adopted child);
- 9) loans or their parts received (not repaid), if their total amount exceeds LTL 2 000, except state loans or state-subsidised loans granted to students of higher education institutions, loans for the renovation (modernisation) of a dwelling, where the owners of apartments in the multi-dwelling building implemented or are implementing the project for the renovation (modernisation) of the multi-dwelling building, where such a project is supported by the state and/or municipality, as well as loans received (not repaid) for purchasing (constructing) immovable property;
- 10) monetary funds or their parts that have been lent and have not been repaid, where the total amount of the monetary funds exceeds LTL 2 000;
- 11) state compensations for immovable property bought-out by the State as well as savings and other funds which are being restored.

2. The assets of persons living together or a single person shall include the value of the assets or its part, specified in subparagraphs 1-8 of paragraph 1 of this Article, transferred into the ownership of another person during the period which elapsed since the last submission of data on the assets held, provided that the said value is not specified as the assets newly acquired into the ownership or newly received cash resources of the persons living together or the single person.

Article 15. Immovable Property Ratios

1. The floor space ratio of a dwelling per persons living together or a single person shall be 60 square meters of the useful floor space of the dwelling per one of the persons living together or the single person who have declared the place of residence in that dwelling or rent it, by adding 15 square meters for any other person living together.

2. Taking into account the type of land owned, the ratio of a land plot per persons living together or a single person shall be:

1) land designated for other purposes (method of use – residential territories):
in cities - 6 ares, in towns and villages – 25 ares;

2) agricultural land (method of use - land plots of amateur gardens and land plots of common use of gardeners' societies) – 6 ares;

3) agricultural land, including stands (except the method of use – land plots of amateur gardens and land plots of common use of gardeners' societies), land for conservation purposes, including stands, land for forestry purposes and land for aquaculture purposes, including stands:
in cities - 6 ares, in towns – 25 ares, in villages – 3 hectares.

3. If persons living together or a single person hold two and more land plots of different purposes, the ratio of a land plot of one purpose with the highest value, shall apply.

4. The ratio of a land plot set out in subparagraph 2 of paragraph 2 of this Article shall be applied for persons living together or a single person who do not hold a land plot.

Article 16. Calculation of the Ratio of Assets Value

1. The ratio of the value of immovable property of each type (a dwelling and a land plot) per persons living together or single person, referred to in Article 15 of this Law, shall be established by multiplying the relevant ratio of immovable property of an appropriate type by the standard value of the unit of the area of the immovable property of that type located in the place of residence declared by the applicant or the place in which the dwelling is being rented, and when an applicant does not have a place of residence – by the lowest standard value of the unit

of the area of the immovable property of that type located in the municipality in which he resides.

2. The standard value of the unit of area of the immovable property of each type specified in Article 15 of this Law shall be determined and announced on the website of the state enterprise Centre of Registers by the state enterprise Centre of Registers according to average values of the immovable property market prevailing on 1 January of each year in cities and centres of municipalities as well as other territories of municipalities of Lithuania.

3. The ratio of the immovable property value for persons living together or a single person shall be calculated by adding the normative values of the immovable property of both types (floor space of the dwelling and the land area).

4. The ratio of movable property, cash resources, securities and shares per persons living together or a single person shall be calculated by summing up 45 state-supported income amounts for one person living together or a single person over 18 years of age, 30 state-supported income amounts for any other person living together over 18 years of age and 15 state-supported income amounts for each child (adopted child) under 18 years of age.

5. The ratio of assets value per persons living together or single person shall be calculated by summing up the ratio of immovable property, referred to in paragraph 3 of this Article, and the ratio of value of movable property, cash resources, securities and shares, referred to in paragraph 4 of this Article.

CHAPTER FIVE

CALCULATION OF INCOME FOR RECEIVING CASH SOCIAL ASSISTANCE

Article 17. Income

1. When granting cash social assistance, the following income received by all the persons living together or a single person shall be included:

1) work or service -related income, including daily allowances, rent allowances, food allowances and any other income (except for the income of students under 21 years of age who study according to the general education curriculum and/or vocational training programme for the acquisition of the first qualification);

2) copyright remuneration, income received from sports activities, performing activities (except for the income of students under 21 years of age who study according to the general education curriculum and/or vocational training programme for the acquisition of the first qualification);

- 3) pensions and/or pension benefits, social assistance benefits (except for targeted compensations for nursing or attendance (assistance) expenses and the targeted supplement);
- 4) dividends;
- 5) interest;
- 6) the income of the owner of an individual enterprise received from the enterprise's taxed profits;
- 7) income from individual activities, including income received under a business certificate and individual activities certificate (except for the income of students under 21 years of age who study according to the general education curriculum and/or vocational training programme for the acquisition of the first qualification);
- 8) income from agricultural activities (except for the income from agricultural land the total area of which does not exceed 1 hectare);
- 9) payments for agricultural activities;
- 10) monetary funds received for the maintenance of a child (adopted child) (child maintenance payments);
- 11) payments from the Children's Maintenance Fund;
- 12) social income (except for lump sums paid from the state budget, the State Social Insurance Fund or municipal budgets and lump sums paid by the employer as well as monthly social income: reimbursement of transport expenses for the disabled; compensations for donors; assistance in cash paid pursuant to the Law of the Republic of Lithuania on Social Services);
- 13) a severance pay upon termination of an employment contract;
- 14) a severance pay to a dismissed civil servant;
- 15) sickness, vocational rehabilitation, maternity, paternity, maternity (paternity) allowances, benefits paid to statutory civil servants (officials) and servicemen in the national defence system during temporary incapacity, maternity leave, paternity leave or parental leave;
- 16) compensation for material or non-pecuniary damages (including a lump sum compensation for the loss of capacity for work);
- 17) income from the sale of assets (except for income included in the assets);
- 18) income for the rent of movable or immovable property;
- 19) lottery or other game winnings and prizes;
- 20) all types of scholarships (except for scholarships and other material support provided to students of the first cycle and the second cycle of studies and integrated studies of a higher education institution as well as studies which do not award a degree (except residency studies) who study according to the full-time, continual or extended study programmes (except for persons repeating studies according to the same or lower cycle study programmes and study

programmes which do not award a degree, where more than half of the credits of that study programme was acquired by them with the state budget funds) and scholarships and other material support provided to students of vocational training schools who study according to the vocational training programme for the acquisition of the first qualification);

21) loans or parts thereof received (not repaid) (except for loans or parts thereof included in the assets, state loans or state-subsidised loans granted to students of higher education institutions, loans for the renovation (modernisation) of dwellings, where the owners of apartments in the multi-dwelling building participated or participate in the project for the renovation (modernisation) of the multi-dwelling building supported by the state and/or municipality, and loans received (not repaid) for purchasing (constructing) immovable property);

22) monetary funds received as a gift, inherited, received abroad or from a foreign state or other monetary funds actually received (except for monetary funds to compensate for the documented expenses incurred relating to socially useful activities (volunteering, etc.) as well as charity in cash).

2. Where income tax of individuals and state social insurance and compulsory health insurance contributions are deducted from the income referred to in paragraph 1 of this Article, such income shall be included upon deducting the income tax of individuals and state social insurance and compulsory health insurance contributions.

3. When granting the social benefit, compensations and the social benefit shall not be included in the income of persons living together or a single person.

4. When granting compensations, the social benefit shall be included in the income of persons living together or a single person, while compensations shall not be included.

5. Monetary funds for the maintenance of a child (adopted child) (child maintenance payments) shall not be included in the income of the person making such payments.

6. Remuneration for work, payment for idle time through no fault of the worker, pay for annual leave, pensions, pension benefits, social assistance benefits, monthly benefits and/or allowances, sickness, vocational rehabilitation, maternity, paternity, maternity (paternity) allowances, benefits paid to statutory civil servants (officials) and servicemen in the national defence system during temporary incapacity, maternity leave, paternity leave or parental leave, as well as other income received on a monthly basis shall be included in the income of the months for which they were granted, except for the case specified in paragraph 7 of this Article.

7. Remuneration for work, payment for idle time through no fault of the worker, pay for annual leave, pensions, pension benefits, social assistance benefits, monthly benefits and/or allowances, sickness, vocational rehabilitation, maternity, paternity, maternity (paternity) allowances, benefits paid to statutory civil servants (officials) and servicemen in the national

defence system during temporary incapacity, maternity leave, paternity leave or parental leave, as well as other income received on a monthly basis the payment of which was at least one month overdue, and lump sums as well as income and monetary funds received on a monthly basis for the maintenance of a child (adopted child) (child maintenance payments) which were paid for two or more months at a time shall be included in the income of the months in which they were paid out.

8. Where one of the parents receives a specific amount of money awarded by a court for the maintenance of a child (adopted child) or children (adopted children) (child maintenance payments), an average monthly amount for the maintenance of a child (adopted child) or children (adopted children) shall be calculated by dividing the amount of money received by the number of months until the age of majority of the child (adopted child).

9. Income from agricultural activities shall be established according to the accounting documents of these activities. Where no such documents exist, the average monthly income shall be calculated by applying the rates of income from agricultural activities, estimated based on provisional costs, approved by the Government or an institution authorised by it. If it is impossible to establish the income based on these rates or agricultural activities are not pursued, the average monthly income shall be calculated by applying the income norm per hectare of agricultural land as approved by the Government or an institution authorised by it.

10. The income referred to in paragraph 1 of this Article received in foreign currency shall be converted into Litas at the Bank of Lithuania official exchange rate of Litas and the foreign currency valid on the day of comparison of the income.

Article 18. Calculation of Income for Receiving the Social Benefit

1. For the purpose of receiving the social benefit, monthly income of persons living together or a single person shall be calculated:

1) according to the average income, specified in Article 17 of this Law, of the previous three months before the month from which the social benefit was granted;

2) according to the income of the month from which the social benefit was granted, where the source of income of at least one of the persons living together or a single person, as compared to the previous three months, changed or a lump sum (a bonus, a lump sum compensation for the loss of capacity for work, severance pay upon termination of an employment contract, severance pay to a dismissed civil servant and other lump sum income actually received, except for compensations for unused leave) (hereinafter referred to as “lump sums”) was received in the month from which the social benefit was granted, or where monthly

income was paid for two or more months at a time or the composition of the persons living together or the marital status of the single person has changed.

2. The procedure specified in subparagraph 2 of paragraph 1 of this Article shall not apply where a lump sum was received during the previous three months before the month from which the social benefit was granted or monthly income was paid for two or more months at a time.

3. Where one of the persons living together is not entitled to the social benefit pursuant to subparagraphs 2, 5 or 6 of paragraph 5 of Article 8 of this Law, when calculating the average monthly income of the persons living together, the part of income attributable to him shall be deducted from the income of the persons living together and the social benefit shall be granted to the remaining persons living together.

4. Where one of the persons living together is not entitled to the social benefit pursuant to subparagraphs 1, 3 or 4 of paragraph 5 of Article 8 of this Law, when calculating the average monthly income of the persons living together, the income received by this person shall not be included in the income of the persons living together and the part of income attributable to him shall not be established, whereas the social benefit shall be granted to the remaining persons living together.

Article 19. Calculation of Income for Receiving Compensations

1. Compensations for heating costs, drinking water costs and hot water costs shall be calculated according to the part of average monthly income of all the persons living together attributable to the persons living together who have declared their place of residence in the dwelling or rent it, or according to the average monthly income of a single person who has declared his place of residence in the dwelling or rents it.

2. For the purpose of receiving compensations for heating costs, drinking water costs and hot water costs, the monthly income of persons living together or a single person shall be calculated in accordance with the procedure established in paragraphs 1 and 2 of Article 18 of this Law.

3. In the case of persons living together or a single person who receive the social benefit, compensations for heating costs, drinking water costs and hot water costs shall be calculated according to income that was specified last when granting the social benefit, including the amount of the social benefit granted, and shall be granted for the period of granting of the social benefit.

4. Where persons living together or a single person are entitled to compensations under this Law and the Law of the Republic of Lithuania on Compensations to Defenders of

Independence who Suffered during the 11-13th of January 1991 and Subsequent Aggression of the USSR and their Families, the Law granting the right to a larger amount of cash social assistance shall apply.

5. Where persons living together and a single person and/or two or more groups of persons living together and/or two or more single persons who have declared their place of residence in one dwelling or rent it and who pay for utilities by making one utility payment (under a pay-book), the average monthly income of all the persons who have declared their place of residence in the dwelling or rent it shall be calculated by adding up the part of average monthly income attributable to each group of persons living together who have declared their place of residence in the dwelling or rent it and/or the average monthly income of single persons, after deduction of the amount of state-supported income attributable to them (him).

6. Where one of the persons living together is not entitled to compensations for heating costs, drinking water costs and hot water costs pursuant to subparagraphs 2, 5 or 6 of paragraph 5 of Article 8 of this Law, when calculating the average monthly income of the persons living together, the part of income attributable to him shall be deducted from the income of the persons living together and compensations shall be granted to the remaining persons living together.

7. Where one of the persons living together is not entitled to compensations for heating costs, drinking water costs and hot water costs pursuant to subparagraphs 1, 3 or 4 of paragraph 5 of Article 8 of this Law, when calculating the average monthly income of the persons living together, the income received by this person shall not be included in the income of the persons living together and the part of income attributable to him shall not be established, whereas the compensations shall be granted to the remaining persons living together.

8. Where persons living together and a single person and/or two or more groups of persons living together and/or two or more single persons have declared their place of residence in one dwelling or rent it and the single person is not entitled to compensations for heating costs, drinking water costs and hot water costs pursuant to paragraph 5 of Article 8 of this Law, his average monthly income shall not be established, whereas the compensations shall be granted to the remaining groups of persons living together and/or the single persons who have declared their place of residence in the dwelling or rent it.

CHAPTER SIX

PROVISION OF CASH SOCIAL ASSISTANCE

Article 20. Applying for Cash Social Assistance

1. Persons living together or a single person shall apply for cash social assistance to the administration of the municipality in which they have declared their place of residence or the administration of the municipality in the territory of which they rent the dwelling, and where the persons living together or the single person have no place of residence, to the administration of the municipality in the territory of which they live.

2. When applying for cash social assistance, a person shall submit his identification document, an application in the form approved by the Government or an institution authorised by it and supplements thereto (hereinafter referred to as an “application”) and shall present in the application all the data necessary for granting and calculation of cash social assistance relating to:

- 1) himself and persons living together;
- 2) the nature of activities;
- 3) the assets held and the value of the assets referred to in subparagraphs 6-11 of paragraph 1 and paragraph 2 of Article 14 of this Law;
- 4) the income received;
- 5) other information necessary for receiving cash social assistance.

3. Applications shall be accompanied by certificates of persons living together or a single person of the income referred to in Article 17 of this Law, received during the previous three months before the month from which cash social assistance was granted or, where the source of income has changed or a lump sum was received or monthly income was paid out for two or more months at a time in the month from which cash social assistance was granted, of the income for the month from which cash social assistance is granted, except for the cases where the municipal administration receives data from the state and departmental registers and state information systems. The correctness of all the data submitted in the application shall be attested by the signature of the applicant.

4. The applicant shall submit data about the assets, specified in Article 14 of this Law, held on the last day of the month preceding the month in which the application was submitted and documents confirming that, except for the cases where the municipal administration receives data from the state and departmental registers and state information systems. If no changes occur, these data shall be provided every 12 months. Upon expiry of this term, no new data about the assets held shall be required during the period of provision of social assistance until the end of the period of provision of social assistance.

5. The value of the assets referred to in subparagraphs 1-5 of paragraph 1 of Article 14 of this Law shall be established by the municipal administration in compliance with the

methodology prepared by the Government or an institution authorised by it and provisional values of agricultural production approved by the Government or an institution authorised by it.

6. The municipal administration shall register the received application for cash social assistance on the day of submission of the application and shall issue an information note to the applicant. Where not all the necessary documents have been submitted, the information about the missing documents shall be entered in the information note. The missing documents for receiving cash social assistance shall be submitted not later than within one month from submission of the application, except for the cases where income for receiving cash social assistance is calculated in accordance with the procedure established in subparagraph 2 of paragraph 1 of Article 18 of this Law. Where the income for receiving cash social assistance is calculated in accordance with the procedure established in subparagraph 2 of paragraph 1 of Article 18 of this Law, the missing documents for receiving cash social assistance shall be submitted not later than within two months from submission of the application. If a person fails to submit the missing documents within the set time limit, the municipal administration shall, within five working days, adopt a decision to refuse to grant cash social assistance and shall return the submitted documents to the applicant.

7. An application may be submitted in person, by post, by electronic means, where an electronic service is offered in the state e-government system, or through a representative.

8. Where an electronic service is offered in the state e-government system and an application is submitted electronically, the person must specify what institutions may confirm the information provided in his application. When submitting the application electronically, the person shall confirm his identity by an electronic signature or other means established in the legal acts of the Republic of Lithuania.

9. The living conditions inspection report shall be one of the documents to determine the eligibility for cash social assistance.

Article 21. Granting of Cash Social Assistance

1. The social benefit shall be granted for a period of three months from the first day of the month in which the application was submitted if, at the time of application, persons living together or a single person are entitled to the benefit.

2. Where, after the end of the period of provision of the granted social benefit, persons living together or a single person within three months apply for further granting of the benefit and submit an application providing new documents and data about the persons living together or the single person and their/his income, the social benefit shall be granted from one of the three months following the end of the period of provision of the granted social benefit, as specified by

the applicant, where the persons living together or the single person are entitled to the benefit at the time of applying for the social benefit and during the period of granting thereof.

3. Where, after the end of the period of provision of the granted social benefit, an application is made later than after three months from the end of the period of provision of the previously granted social benefit, the social benefit shall be granted from the first day of the month in which the application was submitted.

4. Compensations shall be granted for three months from the first day of the month in which persons living together or a single person acquired the right to compensations, however for not more than two months preceding the month in which the application was submitted, where the persons living together or the single person were entitled to the compensations at the time of applying for the compensations and during the period of granting thereof.

5. Where, after the end of the period of provision of the granted compensation, persons living together or a single person, within three months, apply for further granting of the compensation and submit an application providing new documents and data about the persons living together or the single person and their/his income, the compensations shall be granted from one of the three months following the end of the period of provision of the granted compensation, as specified by the applicant, where the persons living together or the single person are entitled to compensations at the time of applying for the compensations and during the period of granting thereof.

6. Where, after the end of the period of provision of the granted compensation, an application is made later than after three months from the end of the period of provision of the previously granted compensation, the compensation shall be granted in accordance with the procedure laid down in paragraph 4 of this Article.

7. Cash social assistance may be granted for a period longer than three months, where the composition of persons living together or the marital status of a single person and their/his income and assets have not changed.

8. Cash social assistance may be granted for a period shorter than three months, where it is known that during that period persons living together or a single person will lose the entitlement to cash social assistance or the amount of cash social assistance will change (due to the change in the composition of the persons living together or the marital status of the single person or the source of income (not the amount thereof), after the person living together or the single person starts receiving long-term social care services at a social care institution, etc.).

9. Where the amount of cash social assistance has changed during the period of provision thereof (due to the change in the composition of persons living together or the marital status of a single person or the source of income (not the amount thereof), after the person living together or

the single person starts receiving long-term social care services at a social care institution, etc.), the granted cash social assistance shall be granted anew from the next month following the change of circumstances.

10. Where an application for cash social assistance is submitted in the month in which a change occurs in the source of income of at least one of the persons living together or the single person, or a lump sum was received or monthly income was paid for two or more months at a time, cash social assistance to the persons living together or the single person shall only be granted for that month.

11. A decision on granting of cash social assistance shall be adopted indicating the condition (conditions) specified in paragraph 1 of Article 8 of this Law under which cash social assistance was granted not later than within one month from receipt of the application and all the necessary documents in accordance with the procedure established by the municipal administration.

12. The applicant shall be informed of the adopted decision to grant cash social assistance or to refuse to grant it by means indicated by the applicant in his application not later than within five working days from adoption of the decision. If cash social assistance is not granted, the reasons for refusal and the procedure for appealing against the decision shall be specified. The submitted documents shall be returned to the applicant and the copies thereof shall be stored in his file.

13. Where an electronic service is offered in the state e-government system, the municipal administration, having adopted a decision regarding the application submitted by electronic means, shall on the same day deliver the adopted decision in the service tracking module of the electronic service system.

Article 22. Provision of Cash Social Assistance

1. The social benefit may be provided:

- 1) in cash;
- 2) in non-monetary form (foodstuffs, clothing and other necessary goods, social cards, food vouchers, covering children's (adopted children's) meals at schools or day centres, covering the costs of treatment for addictive disorders for adults and in other ways established by the municipal council);
- 3) combining the social benefit in cash and/or in non-monetary form with social services (social services of general interest, social attendance).

2. Compensations may be provided:

- 1) in cash;

2) transferring the calculated amount of compensations to the bank settlement accounts of providers of energy, fuel, drinking and hot water or natural persons in accordance with the procedure established by the municipal council.

3. Where persons living together or a single person change their declared place of residence during the period of provision of social assistance (if they have no place of residence – the municipality in the territory of which they live) or the dwelling that they rent, the payment of cash social assistance in the former municipality shall be discontinued after paying for the month in which the declared place of residence was changed (if they have no place of residence – the municipality in the territory of which they lived) or the dwelling that they rented. The persons living together or the single person who apply for cash social assistance in the prescribed manner to the municipality of the newly declared place of residence (if they have no place of residence – to the municipality in the territory of which they settle) or the municipality in the territory of which the dwelling is rented shall be provided such assistance in accordance with paragraphs 2 and 5 of Article 21 of this Law.

4. The social benefit and/or compensations which have been granted but not collected on time shall be paid out if applications for the payment thereof have been made not later than within three months from the last month for which social benefits and/or compensations were granted.

5. Upon the death of the person on behalf of whom persons living together are paid the social benefit and/or compensations, the benefit and/or compensations granted to such persons living together and not paid out before the month following the month of his death, where an application for them was made not later than within three months from the death of the person who received the social benefit and/or compensations, shall be paid out to one of the persons living together who arranged the funeral of the deceased, upon submission of an application in a free-form format and the original the death certificate, and where there is no such person living together, shall be transferred to a bank account opened in the name of the child (adopted child) or children (adopted children). Upon the death of a single person, the provision of the social benefit and/or compensations shall be discontinued from the first day of the month of his death, and the social benefit and/or compensations granted for the previous period and not collected shall not be paid out.

6. The social benefit shall be paid out for each previous month.

7. Compensations shall be provided for each previous month in accordance with the procedure established by the municipal council.

8. Compensations for heating costs and preparation of hot water using solid and other fuels the actual costs of which are not established every month shall be provided for the previous

month or for the whole period for which compensations were granted at once in accordance with the procedure established by the municipal council.

9. Where the social benefit calculated for persons living together or a single person is less than LTL 5, and a compensation for heating costs, drinking water costs or hot water costs is less than LTL 1, the social benefit and compensation shall not be paid out.

Article 23. Duties and Rights of Municipal Administration in Providing Cash Social Assistance

1. In providing cash social assistance, the municipal administration must:

1) combine the forms of provision of the social benefit to persons living together or single persons at social risk, in non-monetary form and in cash, in accordance with the procedure established by the municipal council. The amount of the social benefit in cash may not exceed 50 per cent of the amount of the social benefit granted;

2) provide compensations in the manner set in subparagraph 2 of paragraph 2 of Article 22 of this Law to persons living together or single persons at social risk;

3) grant the social benefit for three months only to a child (adopted child) or children (adopted children) choosing or combining the form (forms) of provision thereof (in cash and/or in non-monetary form), and not provide compensations to persons living together or discontinue the provision thereof where at least one of the persons living together fails to fulfil the duties specified in subparagraphs 2 and 3 of Article 25 of this Law; upon receipt of information from institutions implementing control and prevention of illegal employment about income which was or is illegally received and/or illegal work during the period of provision of cash social assistance – for six months;

4) not provide the social benefit and compensations for three months or discontinue the provision thereof to a single person where he fails to fulfil the duties specified in subparagraphs 2 and 3 of Article 25 of this Law; upon receipt of information from institutions implementing control and prevention of illegal employment about income which was or is illegally received and/or illegal work during the period of provision of cash social assistance – for six months;

5) where at least one of persons living together fails to fulfil the duties specified in subparagraphs 1, 4, 5 and 6 of Article 25 of this Law, grant the social benefit only to a child (adopted child) or children (adopted children), choosing or combining the form (forms) of provision thereof (in cash and/or in non-monetary form), and not provide compensations or discontinue the provision thereof until the fulfilment of the duties;

6) where a single person fails to fulfil the duties specified in subparagraphs 1, 4, 5 and 6 of Article 25 of this Law, not provide the social benefit and compensations or discontinue the provision thereof until the fulfilment of the duties;

7) provide, in the manner specified in subparagraph 2 of paragraph 2 of Article 22 of this Law, compensations to persons living together or a single person who have got into debt for heating of a dwelling, hot or drinking water, where the persons living together or the single person comply with the requirement set in subparagraph 3 of paragraph 1 of Article 7 of this Law;

8) not grant compensations, discontinue the provision thereof to persons living together or a single person who have got into debt for heating of a dwelling, drinking or hot water and who fail to comply with the requirement set in subparagraph 3 of paragraph 1 of Article 7 of this Law;

9) in the event of grounded suspicion about the data presented in the application concerning the assets held and income received or in the event of grounded suspicion during inspection that incorrect data have been provided or data have been concealed, request that persons living together or a single person declare the assets (including income received) in accordance with the procedure established in the Law of the Republic of Lithuania on the Declaration of Assets of Residents (hereinafter referred to as the “Law on the Declaration of Assets of Residents”) and inform institutions implementing control and prevention of illegal employment about the income which was or is allegedly received illegally and/or illegal work.

2. In providing cash social assistance, the municipal administration shall have the right:

1) in accordance with the procedure established by the Government or an institution authorised by it, to engage able-bodied persons of working age who are out of work or not enrolled in studies and who receive cash social assistance under the general procedure established by this Law for longer than six months or who receive cash social assistance established in paragraphs 3 and/or 4 of this Article and are not engaged in active labour market policy measures, to perform socially useful activities;

2) to carry out additional interviews of persons applying for cash social assistance or receiving such assistance, to verify the documents submitted by them and request additional documents proving the entitlement of persons living together or a single person to cash social assistance;

3) to inspect the living conditions of persons living together or a single person, their assets and employment, to conclude an act on the inspection of the household and living conditions on the basis whereof cash social assistance may be granted, refused or the payment thereof discontinued;

4) not to request from persons living together or a single person receiving cash social assistance to re-submit every three months the data which have not changed before the repeated application;

5) to engage representatives of community organisations and/or religious communities and/or religious associations and/or other non-governmental organisations and/or members of the community of a locality and/or elders, and/or other interested parties in discussions on the issues of granting of cash social assistance and in the provision of social services in the cases provided for in subparagraphs 1, 3 and 5 of paragraph 1 and paragraph 3 of this Article.

3. Upon inspection of the living conditions of persons living together or a single person and conclusion of an act on the inspection of the household and living conditions, the municipal administration shall be entitled, in accordance with the procedure established by the municipal council from the funds provided for in paragraph 2 of Article 4 of this Law:

1) to grant the social benefit where income of the persons living together or the single person is lower than the state-supported income for persons living together or a single person, however, the persons living together or the single person do not comply with the requirements set in subparagraphs 1 or 3 of Article 6 of this Law;

2) to grant compensations where the costs of heating of a dwelling and the actual amount of drinking water and/or hot water conform to the amounts to be compensated as specified in Article 11 of this Law, however, the persons living together or the single person do not comply with the requirements set in subparagraphs 1 or 2 of Article 7 of this Law;

3) to grant compensations for heating costs for the ratio of useful floor space of a dwelling exceeding the ratio established in subparagraph 1 of paragraph 1 of Article 12 of this Law;

4) to grant the social benefit and compensations to the persons living together or the single person who have not concluded a court-approved agreement regarding the material maintenance of a child (adopted child) or have not applied to the court concerning maintenance and/or paternity establishment, or applied to the court concerning maintenance and/or paternity establishment, but paternity has not been established and/or maintenance has not been awarded, or the application has been left unexamined;

5) to grant the social benefit to the persons living together, in the event of a dispute in the course of hearing of dissolution of marriage case, separately.

4. Social assistance may, in accordance with the procedure established by the municipal council from the funds of the municipal budget, be granted also in other cases (granting of a lump sum; covering the debt for heating of a dwelling; compensating for the costs of the amount

of hot water and drinking water exceeding the ratio established by this Law; compensating for maintenance costs of a dwelling not specified in this Law, etc.).

Article 24. Provision of Information

1. Legal and natural persons shall issue certificates of assets and income held by persons wishing to receive cash social assistance free of charge within ten working days from receipt of the application.

2. Upon request of the municipal administration, state and municipal undertakings, institutions, agencies and organisations shall provide the municipal administration with information necessary for granting cash social assistance free of charge.

3. The municipal administration shall, in accordance with the procedure established by the Government or an institution authorised by it, provide data to the Ministry of Social Security and Labour regarding cash social assistance granted to poor residents residing in the territory of the municipality as well as, upon its request, other data related to such assistance. In addition, it shall provide data on the poor residents, cash social assistance granted to them or refused, specifying the reasons for refusal to grant cash social assistance, in the Information System on Social Assistance to Families (SPIS).

4. The municipal administration shall ensure the confidentiality of data of poor residents submitted for granting of cash social assistance.

CHAPTER SEVEN

DUTIES OF PERSONS RECEIVING CASH SOCIAL ASSISTANCE

Article 25. Duties of Persons Receiving Cash Social Assistance

Poor residents receiving cash social assistance must:

1) use all lawful possibilities of receiving other income (conclude a court-approved agreement regarding the material maintenance of a child (adopted child), apply to the administrator of the Children's Maintenance Fund, receive due benefits and/or allowances provided for by legal acts, etc.);

2) provide complete and correct information based on the application in the form approved by the Government or an institution authorised by it and supplements thereto, proving the entitlement of persons living together or a single person to cash social assistance, and documents necessary for receiving cash social assistance;

3) within a month, inform about the change of material status or the newly emerged circumstances having an influence on the entitlement to cash social assistance or the amount of cash social assistance;

4) at the request of the municipal administration, declare the assets held (including income received) in accordance with the procedure established in the Law on the Declaration of Assets of Residents;

5) allow social workers of municipalities to inspect the living conditions, assets held and employment;

6) in accordance with the procedure established by the Government or an institution authorised by it, take part in socially useful activities organised by the municipal administration.

CHAPTER EIGHT

RECOVERY OF ILLEGALLY RECEIVED CASH SOCIAL ASSISTANCE

Article 26. Recovery of Cash Social Assistance Received Unlawfully through the Fault of Persons [Receiving Cash Social Assistance]

1. Upon establishing that persons living together or a single person have received cash socially assistance unlawfully, since in the application for cash social assistance they provided incorrect data about the assets, income received, persons living together or other data necessary for granting cash social assistance, or during the period of provision of cash social assistance, within a month, failed to inform about the change of material status or the newly emerged circumstances having an influence on the entitlement to cash social assistance or the amount of cash social assistance, the persons living together or the single person must return the amount of money received unlawfully or pay it by instalment.

2. Unlawfully received cash social assistance which has not been repaid shall, in compliance with a decision adopted by the municipal administration, be deducted from the amount of cash social assistance granted to a person receiving cash social assistance, deducting not more than 20 per cent of the payable amount per month, where there is no written consent of the person receiving cash social assistance to deduct a larger share of the payable amount per month or the payable amount in whole.

3. If unlawfully received cash social assistance has not been repaid or deducted, the remaining debt shall be recovered in accordance with the procedure set forth in the Code of Civil Procedure of the Republic of Lithuania, where the administrative expenses related to recovery do not exceed the amount to be recovered.

Article 27. Recovery of Cash Social Assistance Paid out Unlawfully through the Fault of Civil Servants and/or Employees Working under Employment Contracts at the Municipal Administration

The funds of cash social assistance paid out unlawfully through the fault of civil servants and/or employees working under employment contracts at the municipal administration shall be recovered in accordance with the procedure laid down by laws of the Republic of Lithuania.

CHAPTER NINE
PROVISION OF CASH SOCIAL ASSISTANCE IN PERFORMING
THE INDEPENDENT FUNCTION OF MUNICIPALITIES

Article 28. Peculiarities of Provision of Cash Social Assistance in Performing the Independent Function of Municipalities

1. The municipalities of Akmenė district, Panevėžys district, Radviliškis district, Raseiniai district and Šilalė district shall provide cash social assistance while performing the independent function of municipalities.

2. In performing the independent function of municipalities, cash social assistance shall be provided in compliance with the principles of provision of cash social assistance set in Article 3 of this Law.

3. In performing the independent function of municipalities, cash social assistance shall be provided applying the provisions of this Law to the extent they are not regulated by the provisions of this Chapter.

Article 29. Financing of Cash Social Assistance in Performing the Independent Function of Municipalities

1. Cash social assistance shall be financed and the credit and interest provided for in paragraph 8 of Article 8 of this Law shall be paid from the funds of the municipal budget.

2. The funds for cash social assistance shall be allocated in compliance with the Law on the Approval of the Financial Indicators of the State Budget and Municipal Budgets for the respective year.

3. The amount of funds for financing cash social assistance for 2012-2014 shall be allocated at the level of the special targeted appropriation of the state budget for calculating and paying social benefits and compensations approved by the Law on the Approval of the Financial Indicators of the State Budget and Municipal Budgets for 2011.

Article 30. Exclusive Competence of the Municipal Council and Competence of the Municipal Administration in Performing the Independent Function of Municipalities

1. The municipal council shall:

1) approve the methods for determining cash social assistance;

2) adopt decisions on the allocation of funds for the implementation of cash social assistance;

3) approve the description of a procedure for providing cash social assistance, establishing wherein: the procedure for granting and paying of cash social assistance (admission of applications; submission of missing documents; period of evaluation of income and calculation of income; submission of data about the assets; granting and payment of cash social assistance; informing applicants about granting or refusal to grant cash social assistance; deduction of unlawfully received or paid cash social assistance; procedures for payment of the social benefit and/or compensations granted but not collected on time, also in the event of death of the person on behalf of whom persons living together are paid the social benefit and/or compensations, or in the event of death of the single person, the social benefit and/or compensations granted and not paid out before the month following the month of his death; grounds in the presence of which cash social assistance is increased or reduced, the payment thereof is suspended, discontinued or renewed, cash social assistance is granted not to all persons living together or is granted in other cases; ways of provision of the social benefit in non-monetary form; groups of poor residents (at social risk, failing to perform duties established by the municipal council, etc.) who are provided cash social assistance in the ways specified in subparagraphs 2 or 3 of paragraph 1 or subparagraph 2 of paragraph 2 of Article 22 of this Law; the minimum amounts of cash social assistance not to be paid; the rights and duties of persons receiving cash social assistance; the rights and duties of the municipal administration and representatives of community organisations and/or religious communities and/or religious associations and/or other non-governmental organisations and/or members of the community of a locality and/or elders, and/or other interested parties in providing cash social assistance.

2. The municipal administration shall:

1) grant and pay cash social assistance to residents of the municipality and cover the credit and interest provided for in paragraph 8 of Article 8 of this Law;

2) control the provision of cash social assistance;

3) engage persons receiving cash social assistance to perform socially useful activities in accordance with the procedure established by the Government or an institution authorised by it;

4) provide data on poor residents, cash social assistance granted to them or refused, specifying the reasons for refusal to grant cash social assistance, in the Information System on Social Assistance to Families (SPIS).

CHAPTER TEN FINAL PROVISIONS

Article 31. Ensuring the Right of Persons Receiving Cash Social Assistance to Social Assistance

1. Where persons living together or a single person are entitled to the social benefit or compensations under two or more provisions of this Law, the more favourable provision to the persons living together or the single person shall apply.

2. A decision on granting cash social or refusal to grant it may be appealed against in accordance with the procedure set forth by the Law of the Republic of Lithuania on Administrative Proceedings.

Annex to
Law of the Republic of Lithuania
on Cash Social Assistance for Poor
Residents

IMPLEMENTED LEGAL ACTS OF THE EUROPEAN UNION

1. 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 (OJ 2004 special edition, Chapter 19, Volume 5, p. 46)".

Article 2. Implementation of the Law

1. Granting of cash social assistance, upon the entry into force of the provisions of this Law:

1) in granting cash social assistance, from the month of entry into force of this Law, based on the income for the previous three months or the month of entry into force of this Law, the provisions of this Law shall apply;

2) where the decision on granting cash social assistance has been adopted prior to the entry into force of this Law, the amount of cash social assistance shall not be recalculated;

3) in granting cash social assistance for the months prior to the entry into force of this Law, the provisions of this Law shall apply;

4) inclusion of income established in the Law of the Republic of Lithuania on Cash Social Assistance for Poor Residents set out in Article 1 of this Law in the income of persons living together or a single person shall not be considered a change of source of income;

5) periods of receipt of the social benefit provided for in paragraph 2 of Article 10 of the Law of the Republic of Lithuania on Cash Social Assistance for Poor Residents set out in Article 1 of this Law shall be calculated from the entry into force of this Law.

2. The Government or an institution authorised by it, the National Control Commission for Prices and Energy, the state enterprise Centre of Registers, municipal councils and municipal administrations shall, prior to the entry into force of this Law, review legal acts related to the implementation of this Law and, if necessary, draft amendments to the appropriate legal acts or adopt new legal acts.

3. To implement the provision of subparagraph 1 of paragraph 4 of Article 4 of the Law of the Republic of Lithuania on Cash Social Assistance for Poor Residents set out in Article 1 of this Law – to earmark 1.5 per cent of the funds intended for the social benefit and compensations from the funds for administering cash social assistance to increase wages of workers carrying out social work, the Government shall, by 31 December 2011, draft and adopt the amendment to Resolution of the Government of the Republic of Lithuania No 511 of 7 July 1993 On the improvement of remuneration procedure of employees of budget institutions and organisations (Official gazette *Valstybės žinios*, 1993, No 28-655), which would provide for increases in basic pay and wage rates (coefficients).

4. By 1 October 2013, the Government or an institution authorised by it shall assess the prospects of implementation of provision of cash social assistance in performing the independent function of municipalities in all municipalities and, if necessary, by 1 March 2014, shall review legal acts and draft amendments to respective legal acts relating to equal legal regulation of provision of cash social assistance in all municipalities and shall submit them to the Seimas of the Republic of Lithuania.

Article 3. Entry into Force of the Law

1. This Law, except for subparagraph 2 of paragraph 4 of Article 4 of the Law of the Republic of Lithuania on Cash Social Assistance for Poor Residents set out in Article 1 of this Law and paragraphs 2, 3 and 4 of Article 2 of this Law and paragraph 2 of this Article, shall enter into force on 1 January 2012.

2. Subparagraph 1 of paragraph 4 of Article 4 of the Law of the Republic of Lithuania on Cash Social Assistance for Poor Residents set out in Article 1 of this Law shall remain in force until 31 December 2012.

3. Subparagraph 2 of paragraph 4 of Article 4 of the Law of the Republic of Lithuania on Cash Social Assistance for Poor Residents set out in Article 1 of this Law shall enter into force on 1 January 2013.

4. Chapter 9 of the Law of the Republic of Lithuania on Cash Social Assistance for Poor Residents set out in Article 1 of this Law shall remain in force until 31 December 2014.

I promulgate this Law passed by the Seimas of the Republic of Lithuania.

PRESIDENT OF THE REPUBLIC

DALIA GRYBAUSKAITĖ