



THE LAW OF UKRAINE

About pension provision

(Information of the Verkhovna Rada of Ukraine (VVR), 1992, No. 3, Article 10)

{Enforced by Resolution of the Supreme Court
No. 1931-XII dated 06.12.91 , Supreme Court, 1992, No. 3, Article 11}

{With changes introduced in accordance with Law
No. 2356-XII dated 15.05.92 , VVR, 1992, No. 32, Article 459
Decree

No. 7-92 dated 09.12.92 , VVR, 1993, No. 5, Article 34

Laws

No. 3128 -XII dated 22.04.93 , VVR, 1993, No. 22, art. 227

No. 3284-XII dated 17.06.93 , VVR, 1993, No. 29, art. 303

No. 3948-XII dated 04.02.94 , VVR, 1994, no. 24, Art. 179

No. 428/95-VR dated 14.11.95 , VVR, 1995, No. 43, Art. 313}

{Additionally, see Resolution of the Supreme Court
No. 429/95-VR of 14.11.95 , Supreme Court, 1995, No. 43, Article 314}

{With changes introduced in accordance with the Laws

No. 198/96-VR dated 16.05.96 , VVR, 1996, No. 31, Article

146 No. 534/96-VR dated 21.11.96 , VVR, 1997, No. 4, Article 23

No. 307/97-BP from 04.06.97 , VVR, 1997, No. 45, Article 283

No. 112/98-BP from 11.02.98 , VVR, 1998, No. 26, Article 156

No. 1222-XIV from 17.11.99 , VVR, 1999, No. 52, Article 465

No. 1461-III dated 17.02.2000 , VVR, 2000, No. 13, Article 104

No. 2631-III dated 11.07.2001 , VVR, 2001, No. 44, Article 228

No. 2833-III dated 29.11.2001 - enters into force on January 1, 2002, State Government,
2002, No. 10, Article 71

No. 2981-III dated 17.01.2002 , State Government, 2002, No. 17, Article 125

No. 854-IV of 22.05.2003 , VVR, 2003, No. 36, Article 278

No. 904-IV dated 06.05.2003 , VVR, 2003, No. 38, Article 317

No. 951-IV dated 06.05.2003 , VVR, 2003, No. 39, Article .348

No. 1096-IV dated 10.07.2003 , VVR, 2004, No. 6, Article 38

No. 1110-IV dated 10.07.2003 , VVR, 2004, No. 7, Article 53

No. 1111-IV dated 10.07.2003 , VVR "

VI dated 12.28.2007 , VVR, 2008, No. 5-6, No. 7-8, Art. 78 - changes are valid until
December 31, 2008}

{Additionally, see Decision of the Constitutional Court
No. 10-пн/2008 of May 22, 2008 }

{With changes introduced in accordance with Laws

No. 1276-VI dated 04/16/2009 , VVR, 2009

, No. 38, Art

. -VI dated 16.10.2012 , VVR, 2014, No. 6-7, Article 80

No. 213-VIII dated 02.03.2015 , VVR, 2015, No. 22, Article 145

No. 901-VIII dated 23.12.2015 , VVR, 2016 of

03.10.2017 , VVR, 2017, No. 40-41, Article 383

No. 2205-VIII dated 14.11.2017 , VVR, 2017, No. 51-52, Article 448

No. 2325-VIII dated 13.03.2018 , VVR, 2018, No. 20, Article 189

No. 2443-VIII dated 05.22.2018 , VVR, 2018, No. 33, Article 250}

{Regarding recognition of certain provisions as unconstitutional, see Decision of the
Constitutional Court

No. 2/2019 dated 04.06.2019 }

{Regarding recognition of certain provisions as unconstitutional, see Decision of the
Constitutional Court

No. 1-p/2020 dated 01.23.2020 }

{With changes introduced in accordance with Law

No. 1667-IX dated 07/15/2021 }

*{The provisions of the Law of Ukraine "On pension provision" are applied in the part of
determining the right to a pension for years of service for persons who, on the date of entry into force
of the Law of Ukraine "On Amendments to Certain Legislative Acts of Ukraine Regarding the Increase*

of Pensions", have the years of service and experience necessary for appointment of such a pension, in accordance with Law No. 3108-IV dated 17.11.2005 as amended by Law No. 2148-VIII dated 03.10.2017}

{Establish that the amount of pension (taking into account allowances, increases, additional pensions, targeted cash assistance and pensions for special services to Ukraine and other supplements to pensions established by law) appointed in 2006 in accordance with this Law cannot exceed 12 minimum old-age pensions, established by the first paragraph of the first part of Article 28 of the Law of Ukraine "On Mandatory State Pension Insurance", in accordance with Law No. 3235-IV dated 12.20.2005 , VVR, 2006, No. 9, No. 10-11, Article 96 }

{Establish that from January 1, 2007, the maximum amount of a pension or monthly lifetime stipend (taking into account allowances, increases, additional pensions, targeted cash assistance and pensions for special merits to Ukraine and other supplements to pensions established by law), appointed (listed) in 2006-2007, in accordance with this Law, cannot exceed 12 minimum amounts of the age pension, established by the first paragraph of the first part of Article 28 of the Law of Ukraine "On Mandatory State Pension Insurance", and for other categories of pensioners, the amount of the pension or monthly lifetime cash maintenance (taking into account allowances, increases, additional pensions, targeted cash assistance and pensions for special merits to Ukraine and other supplements to pensions established by legislation) appointed (listed) in 2007 cannot exceed 10 thousand hryvnias per month in accordance with the Law No. 489-V dated 19.12.2006 , VVR, 2007, No. 7-8, Article 66}

This Law, in accordance with the Constitution of Ukraine, guarantees all disabled citizens of Ukraine the right to material support at the expense of public consumption funds through the provision of labor and social pensions.

The law is aimed at ensuring that socially useful work is more fully taken into account as a source of growth in the well-being of the people and every person, establishes the unity of the conditions and norms of pension provision for workers, members of collective farms and other categories of workers.

The law guarantees the social security of pensioners by establishing pensions at a level oriented to the living wage, as well as regularly reviewing their amounts in connection with the increase in the size of the minimum consumer budget and the improvement of the efficiency of the republic's economy.

Section I. GENERAL PROVISIONS

Article 1. The right of citizens of Ukraine to state pension provision

Citizens of Ukraine have the right to state pension provision for old age, disability, in connection with the loss of a breadwinner and in other cases provided for by this Law.

Foreigners and stateless persons living in Ukraine have the right to a pension on an equal basis with citizens of Ukraine under the conditions stipulated by legislation or interstate agreements.

{Part two of Article 1 as amended by Law No. 5462-VI dated 10.16.2012 }

Pension provision of citizens of Ukraine living abroad is based on contracts (agreements) with other states.

In cases where treaties (agreements) between Ukraine and other states provide for rules other than those contained in this Law, the rules established by these treaties (agreements) shall apply.

Article 2. Types of state pensions

According to this Law, the following are appointed:

a) labor pensions:

by age;

on disability;

in case of loss of breadwinner;

for years of service.

{Clause "b" of Article 2 became invalid on the basis of Law No. 2603-IV dated 31.05.2005 }

Article 3. Persons entitled to labor pension

Persons engaged in socially useful work, subject to compliance with other conditions stipulated by this Law, have the right to a labor pension:

a) persons who work at enterprises, institutions, organizations, cooperatives (including under agreements of a civil law nature), regardless of the used forms of ownership and management, or are members of collective farms and other cooperatives*, gig specialists who are involved by residents of Diya City under gig contracts in accordance with the Law of Ukraine "On stimulating the development of the digital economy in Ukraine", - on the condition that enterprises and organizations pay insurance contributions to the Pension Fund of Ukraine;

{Clause "a" of Article 3 as amended in accordance with Laws No. 3284-12 dated 17.06.93 , No. 1667-IX dated 15.07.2021 }

* Enterprises and organizations are referred to below, unless otherwise specified.

b) persons engaged in entrepreneurial activities based on the personal property of an individual and exclusively on his labor, - on condition of payment of insurance contributions to the Pension Fund of Ukraine;

c) members of creative unions, as well as other creative workers who are not members of such unions - on condition of payment of insurance contributions to the Pension Fund of Ukraine;

d) other persons subject to state social insurance;

e) employees of paramilitary formations who are not subject to state social insurance, senior and rank-and-file members of the field service;

{Clause "d" of Article 3 as amended in accordance with Law No. 5462-VI dated 10.16.2012 }

f) pupils, pupils, students, cadets, trainees, interns, clinical residents, post-graduate students, doctoral students;

g) persons who became disabled in connection with the performance of state or public duties or in connection with the performance of actions to save human life, protect state, collective and individual property, as well as protect law and order;

g) persons who provide care for a disabled person of the I group or a disabled child under the age of 16, as well as for a pensioner who, according to the conclusion of a medical institution, needs constant external care;

h) family members of the persons specified in this article and pensioners from among these persons - in case of loss of a breadwinner.

Article 4. Pension provision of military personnel and their families

The conditions, norms and procedure for pension provision of military servicemen, as well as senior and rank-and-file members of internal affairs bodies, police officers and their family members are established by the Law of Ukraine "On Pension Provision of Persons Discharged from Military Service and Certain Other Persons". They are also given the right to receive pensions on the grounds provided by this Law, regardless of the place of military service. At the same time, all types of financial support of military personnel, as well as senior and rank-and-file members of internal affairs bodies, police officers are taken into account on an equal basis with the wages of workers and employees.

{Article 4 as amended by Laws No. 3284-12 dated 17.06.93 , No. 901-VIII dated 23.12.2015 }

{Article 5 has become invalid in the part of assigning social pensions on the basis of Law No. 2603-IV dated 31.05.2005 }

Article 5. Persons entitled to a social pension

All disabled citizens have the right to a social pension under the conditions determined by this Law.

Article 6. The right to choose a pension

Individuals who have the right to different state pensions at the same time are assigned one pension of their choice, with the exception of pensions for disabled persons due to injury, contusion or mutilation, which they received during the defense of the Motherland or during the performance of other duties of military service, or due to illness, related to being at the front or performing international duty.

Article 7. Application for the appointment of a pension

An application for a pension can be made at any time after the right to a pension has arisen.

At the same time, old-age and disability pensions are awarded regardless of whether the work is stopped at the time of applying for a pension or it continues. Pensions for years of service are awarded upon leaving the job that gives the right to this pension.

Article 8. Funds for the payment of pensions. Exemption of pensions from taxes

Pensions are paid out of the Pension Fund of Ukraine.

{Part one of Article 8 as amended by Law No. 2631-III dated 11.07.2001 }

The Pension Fund of Ukraine is an independent financial and banking system, it is not part of the state budget of Ukraine, it is formed at the expense of funds deducted by enterprises and organizations (including those that use the labor of citizens under civil law agreements) for social insurance measures according to tariffs differentiated depending on the danger, harmfulness, severity of work and the state of other working conditions, insurance contributions of citizens engaged in entrepreneurial activities, mandatory insurance contributions of citizens, as well as funds from the state budget of Ukraine.

{Part two of Article 8 as amended in accordance with Laws No. 3284-12 dated 17.06.93 , No. 5462-VI dated 16.10.2012 }

Funding of the expenses for the payment of pensions is carried out throughout the territory of Ukraine on a monthly basis, regardless of the income of funds and the socio-economic status of specific regions due to the redistribution of funds of the Pension Fund of Ukraine within the country. It is forbidden to have a gap in terms of funding the costs of paying pensions in different administrative-territorial units.

{Article 8 is supplemented by part three in accordance with Law No. 2631-III dated 11.07.2001 }

Pensions are not subject to taxation.

Article 9. Voluntary additional pension insurance

Along with state pension provision, workers have the right to conclude voluntary insurance contracts for additional pension. The source for payment of additional pension in the system of the Ukrainian State Insurance Commercial Organization (Ukrderzhstrakh) is the insurance fund, which consists of 50 percent of personal contributions of workers and 50 percent of funds from the state budget of Ukraine.

Enterprises and organizations by the decision of the administration and the elected body of the primary trade union organization (trade union representative), if this is provided for by the collective agreement (agreement), as well as collective farms and other cooperatives by the decision of the

general meeting, may compensate employees at the expense of their own funds, intended for payment of labor, in full or partially the contributions paid by them under the contracts of voluntary additional pension insurance.

{Part two of Article 9 as amended by Law No. 1096-IV dated 07/10/2003 }

Article 10. Bodies providing pension provision

Pension provision in accordance with this Law is carried out by the bodies of the Pension Fund of Ukraine.

{Article 10 as amended by Law No. 2981-III of January 17, 2002 }

Article 11. Issues belonging to the Cabinet of Ministers of Ukraine

The Cabinet of Ministers of Ukraine is responsible for issues related to the implementation and observance of the guarantees provided for by this Law.

Section II. EMPLOYMENT PENSIONS

PENSIONS BY AGE

Article 12. Conditions for assigning old-age pensions

The following are entitled to an old-age pension:

men - after reaching the age of 60 and with at least 25 years of work experience;

women - after reaching the age of 55 and with at least 20 years of work experience.

Article 13. Retirement pensions on preferential terms

{Article 13 is recognized as inconsistent with the Constitution of Ukraine (is unconstitutional), according to the Decision of the Constitutional Court No. 1-r/2020 dated 01.23.2020 . Regarding the application of Article 13, see paragraph 3 of the operative part}

The following are entitled to an old-age pension on preferential terms, regardless of the place of last work:

a) employees employed full-time in underground works, in works with particularly harmful and particularly difficult working conditions, - according to list No. 1 of industries, works, professions, positions and indicators, approved by the Cabinet of Ministers of Ukraine, and according to the results of attestation of workplaces - after reaching the age of 50 and with work experience of at least 25 years for men, of which at least 10 years in the specified jobs, and at least 20 years for women, of which at least 7 years and 6 months in the specified jobs.

Before reaching the age established by the first paragraph of this clause, women born in 1975 and older have the right to an old-age pension on preferential terms after reaching the following age:

45 years - until March 31, 1970 inclusive;

45 years and 6 months - from April 1, 1970 to September 30, 1970;

46 years - from October 1, 1970 to March 31, 1971;

46 years and 6 months - from April 1, 1971 to September 30, 1971;

47 years - from October 1, 1971 to March 31, 1972;

47 years and 6 months - from April 1, 1972 to September 30, 1972;

48 years - from October 1, 1972 to March 31, 1973;

48 years and 6 months - from April 1, 1973 to September 30, 1973;

49 years - from October 1, 1973 to March 31, 1974;

49 years and 6 months - from April 1, 1974 to September 30, 1974;

50 years - from October 1, 1974 to December 31, 1975.

In the absence of the length of service established by the first paragraph of this item, in the period up to April 1, 2024, an old-age pension on preferential terms is granted in the presence of length of service:

from April 1, 2015 to March 31, 2016 - at least 20 years 6 months for men and at least 15 years 6 months for women;

from April 1, 2016 to March 31, 2017 - at least 21 years old for men and at least 16 years old for women;

from April 1, 2017 to March 31, 2018 - at least 21 years 6 months for men and at least 16 years 6 months for women;

from April 1, 2018 to March 31, 2019 - at least 22 years for men and at least 17 years for women;

from April 1, 2019 to March 31, 2020 - at least 22 years 6 months for men and at least 17 years 6 months for women;

from April 1, 2020 to March 31, 2021 - at least 23 years old for men and at least 18 years old for women;

from April 1, 2021 to March 31, 2022 - at least 23 years 6 months for men and at least 18 years 6 months for women;

from April 1, 2022 to March 31, 2023 - at least 24 years old for men and at least 19 years old for women;

from April 1, 2023 to March 31, 2024 - at least 24 years 6 months for men and at least 19 years 6 months for women.

Employees who do not have the experience of working with especially harmful and especially difficult working conditions, provided for in the first paragraph of this clause, but have at least half of the experience in the specified jobs, in the presence of the provided total experience of work, age pensions on preferential terms are assigned with a reduction of the retirement age, established by the first paragraph of the first part of Article 26 of the Law of Ukraine "On Mandatory State Pension Insurance":

for men - for 1 year for each full year of such work;

for women - for 1 year and 4 months for each full year of such work. The mentioned decrease in the retirement age for women is also applied during the period of increase in the retirement age until December 31, 2021;

b) employees employed full-time in other jobs with harmful and difficult working conditions, - according to list No. 2 of industries, jobs, professions, positions and indicators, approved by the Cabinet of Ministers of Ukraine, and according to the results of attestation of workplaces - after reaching the age of 55 and with work experience of at least 30 years for men, of which at least 12 years and 6 months in the specified jobs, and at least 25 years for women, of which at least 10 years in the specified jobs.

Before reaching the age established by the first paragraph of this clause, women born in 1970 and older have the right to an old-age pension on preferential terms after reaching the following age:

50 years - until March 31, 1965 inclusive;

50 years and 6 months - from April 1, 1965 to September 30, 1965;

51 years - from October 1, 1965 to March 31, 1966;

51 years and 6 months - from April 1, 1966 to September 30, 1966;

52 years - from October 1, 1966 to March 31, 1967;

52 years and 6 months - from April 1, 1967 to September 30, 1967;

53 years - from October 1, 1967 to March 31, 1968;

53 years and 6 months - from April 1, 1968 to September 30, 1968;

54 years - from October 1, 1968 to March 31, 1969;

54 years and 6 months - from April 1, 1969 to September 30, 1969;

55 years - from October 1, 1969 to December 31, 1970.

In the absence of the length of service established by the first paragraph of this item, in the period up to April 1, 2024, an old-age pension on preferential terms is granted in the presence of length of service:

from April 1, 2015 to March 31, 2016 - at least 25 years 6 months for men and at least 20 years 6 months for women;

from April 1, 2016 to March 31, 2017 - at least 26 years old for men and at least 21 years old for women;

from April 1, 2017 to March 31, 2018 - at least 26 years 6 months for men and at least 21 years 6 months for women;

from April 1, 2018 to March 31, 2019 - at least 27 years old for men and at least 22 years old for women;

from April 1, 2019 to March 31, 2020 - at least 27 years 6 months for men and at least 22 years 6 months for women;

from April 1, 2020 to March 31, 2021 - at least 28 years old for men and at least 23 years old for women;

from April 1, 2021 to March 31, 2022 - at least 28 years 6 months for men and at least 23 years 6 months for women;

from April 1, 2022 to March 31, 2023 - at least 29 years old for men and at least 24 years old for women;

from April 1, 2023 to March 31, 2024 - at least 29 years 6 months for men and at least 24 years 6 months for women.

Employees who do not have the experience of working with harmful and difficult working conditions provided for in the first paragraph of this clause, but have at least half of the experience in the specified jobs, in the presence of the provided total experience of work, age pensions on preferential terms are assigned with a reduction of the retirement age established by the paragraph the first part of the first part of Article 26 of the Law of Ukraine "On mandatory state pension insurance":

for men - for 1 year for every 2 years of 6 months of such work;

for women - for 1 year for every 2 years of such work. The mentioned decrease in the retirement age for women is also applied during the period of increase in the retirement age until December 31, 2021;

c) tractor-drivers, directly employed in the production of agricultural products in collective farms, state farms, other agricultural enterprises, - men after reaching the age of 55 and with a total work experience of at least 30 years, of which at least 20 years at the specified job.

In the absence of the length of service established by the first paragraph of this item, in the period up to April 1, 2024, an old-age pension on preferential terms is granted in the presence of length of service:

from April 1, 2015 to March 31, 2016 - at least 25 years and 6 months;

from April 1, 2016 to March 31, 2017 - at least 26 years old;
from April 1, 2017 to March 31, 2018 - at least 26 years and 6 months;
from April 1, 2018 to March 31, 2019 - at least 27 years old;
from April 1, 2019 to March 31, 2020 - at least 27 years and 6 months;
from April 1, 2020 to March 31, 2021 - at least 28 years old;
from April 1, 2021 to March 31, 2022 - at least 28 years and 6 months;
from April 1, 2022 to March 31, 2023 - at least 29 years old;
from April 1, 2023 to March 31, 2024 - at least 29 years and 6 months;

d) women who work as tractor drivers, drivers of construction, road and loading and unloading machines mounted on the basis of tractors and excavators - after reaching the age of 55 and with a total experience of at least 25 years, of which at least 15 years in the specified work

In the absence of the length of service established by the first paragraph of this item, in the period up to April 1, 2024, an old-age pension on preferential terms is granted in the presence of length of service:

from April 1, 2015 to March 31, 2016 - at least 20 years and 6 months;
from April 1, 2016 to March 31, 2017 - at least 21 years old;
from April 1, 2017 to March 31, 2018 - at least 21 years and 6 months;
from April 1, 2018 to March 31, 2019 - at least 22 years old;
from April 1, 2019 to March 31, 2020 - at least 22 years and 6 months;
from April 1, 2020 to March 31, 2021 - at least 23 years old;
from April 1, 2021 to March 31, 2022 - at least 23 years and 6 months;
from April 1, 2022 to March 31, 2023 - at least 24 years old;
from April 1, 2023 to March 31, 2024 - at least 24 years and 6 months.

Before reaching the age established by the first paragraph of this clause, women born in 1970 and older have the right to an old-age pension on preferential terms after they reach the age established by paragraphs three to thirteen of clause "b" of part one of this article;

e) women who work as milkmaids (machine milking operators), piggery-operators in collective farms, state farms, other agricultural enterprises - after reaching the age of 55 and with at least 20 years of experience in the specified work, provided that the established service standards are met.

Service standards for these purposes are established in accordance with the procedure determined by the Cabinet of Ministers of Ukraine.

Before reaching the age established by the first paragraph of this clause, women born in 1970 and older have the right to an old-age pension on preferential terms after they reach the age established by paragraphs three to thirteen of clause "b" of part one of this article;

f) women employed during the full season in the cultivation, harvesting and post-harvest processing of tobacco - after reaching the age of 55 and with the experience of the specified work for at least 20 years.

Before reaching the age established by the first paragraph of this clause, women born in 1970 and older have the right to an old-age pension on preferential terms after they reach the age established by paragraphs three to thirteen of clause "b" of part one of this article;

f) textile workers employed on machines and machines - according to the list of industries and professions approved in the manner determined by the Cabinet of Ministers of Ukraine - after reaching the age of 55 and with at least 20 years of experience in the specified work.

Before reaching the age established by the first paragraph of this clause, women born in 1970 and older have the right to an old-age pension on preferential terms after they reach the age established by paragraphs three to thirteen of clause "b" of part one of this article;

g) women who work in agricultural production and have raised five or more children, regardless of age and work experience, in accordance with the procedure determined by the Cabinet of Ministers of Ukraine;

h) drivers of city passenger transport (buses, trolleybuses, trams) and heavy vehicles employed in the technological process of heavy and hazardous industries, after reaching the age of 55 and with work experience:

for men - at least 30 years old, including at least 12 years 6 months at the specified job;
for women - at least 25 years, including at least 10 years in the specified job.

In the absence of the length of service established by the second and third paragraphs of this clause, in the period until April 1, 2024, an old-age pension on preferential terms is granted in the presence of the length of service established by the fifteenth - twenty-third paragraphs of point "b" of part one of this article.

Before reaching the age established by the first paragraph of this clause, women born in 1970 and older have the right to an old-age pension on preferential terms after reaching the age established by paragraphs three to thirteen of clause "b" of part one of this article.

The procedure for pension provision of persons who worked before the entry into force of this Law in jobs with harmful and difficult working conditions, provided for by the legislation that was in force earlier, is determined by Article 100 of this Law.

Control over the correctness of the application of lists for preferential pension provision and the quality of attestation of workplaces at enterprises and organizations, preparation of proposals for the improvement of these lists are entrusted to the central body of executive power, which implements state policy in the field of supervision and control over compliance with labor legislation.

{Article 13 as amended by Law No. 213-VIII dated March 2, 2015 }

Article 14. Peculiarities of pension provision for employees employed in underground and open-pit mining works and in metallurgy

Workers directly employed full-time in underground and open-pit mining operations (including the personnel of mining rescue units) in the extraction of coal, shale, ore and other minerals, in the construction of mines and mines, and in metallurgy, according to the list of jobs and professions approved by the Cabinet Ministers of Ukraine, have the right to a pension regardless of age, if they have been employed in these jobs for at least 25 years, and the workers of the leading professions in these jobs: workers of cleaning pits, passers, breakers on jackhammers, drivers of mining extraction machines, steelworkers, miners, sinterers, hot-rolled rolling mills, processors of metal surface defects (manually using a fire tool) in hot sections, crane operators of metallurgical production (heating wells and stripper sections) - provided that they have been employed in these jobs for at least 20 years. The same pension provision applies to employees directly employed full-time in underground work (including the personnel of mining and rescue units) in mines producing coal, shale, ore and other minerals that are being restructured or are in the stage of liquidation, but no more than 2 years.

{Part one of Article 14 as amended in accordance with Laws No. 904-IV dated 06.05.2003, No. 1111-IV dated 07.10.2003 }

{The second part of Article 14 is recognized as not in accordance with the Constitution of Ukraine (is unconstitutional), according to the Decision of the Constitutional Court No. 1-r/2020 dated 01.23.2020. Regarding the application of the second part of Article 14, see clause 3 of the operative part} If men have less than 10 years of experience in underground work and less than 7 years and 6 months for women, for each full year of such work, the retirement age established by Article 26 of the Law of Ukraine "On Mandatory State Pension Insurance" is reduced by 1 year.

{Part two of Article 14 as amended in accordance with Law No. 213-VIII of March 2, 2015 }

Article 15. Pensions for citizens affected by the Chernobyl disaster

The conditions, norms and procedure for pension provision of citizens who suffered from the Chernobyl disaster are determined by the Law of the Ukrainian SSR "On the status and social protection of citizens who suffered as a result of the Chernobyl disaster" or they are granted the right to receive pensions on the grounds provided for by this Law.

Article 16. Age pensions for the disabled, war veterans, families of deceased (deceased) military personnel, senior and non-commissioned officers of internal affairs bodies and police officers

{Title of Article 16 as amended by Law No. 901-VIII of 12.23.2015 }

Military servicemen, senior and rank-and-file members of internal affairs bodies and policemen who took part in hostilities, as well as those who became disabled as a result of injuries, contusions, mutilations received while defending the Motherland or while performing other duties of military service (service duties "relationships") or as a result of an illness related to being at the front or performing international duty, as well as parents and wives (if they have not remarried) of military personnel, senior and rank-and-file members of internal affairs bodies, and police officers who died (died) during the period of military service (performance of official duties) or after discharge from service, but as a result of injury, contusion, mutilation received during the performance of military service duties (official duties), illness associated with being at the front, liquidating the consequences of the Chernobyl disaster or fulfilling an international duty, are entitled to a pension:

{The first paragraph of the first part of Article 16 as amended by Law No. 901-VIII of 12/23/2015 }

men - after reaching the age of 55 and with at least 25 years of work experience;

women - after reaching the age of 50 and with at least 20 years of work experience.

{Article 16 as amended by Law No. 3948-12 dated 02.04.94 }

Article 17. Age pensions for mothers with many children and mothers of disabled people since childhood

Women who gave birth to five or more children and raised them up to the age of eight, and mothers of disabled children who raised them up to this age, have the right to an age pension after reaching the age of 50 and with a work experience of at least 15 years with enrollment to the length of time spent caring for children (items "is" and "h" of Article 56). At the same time, disabled children under the age of 16 who have the right to receive a social pension (Article 94) are also among the disabled since childhood.

In the absence of a mother, when a disabled child was raised by his father, he is assigned an old-age pension after reaching the age of 55 with 20 years of work experience.

Article 18. Old-age pensions for certain categories of citizens

Persons suffering from pituitary dwarfism (dwarfs) and disproportionate dwarfs are entitled to an old-age pension:

men - after reaching the age of 45 and with at least 20 years of work experience;

women - after reaching the age of 40 and with at least 15 years of work experience;

visually impaired persons of the I group - blind and disabled since childhood of the I group are entitled to an age pension:

men - after reaching the age of 50 and with at least 15 years of work experience;

women - after reaching the age of 40 and with at least 10 years of work experience.

Article 19. Amounts of pensions by age

Age pensions are assigned in the amount of 55 percent of earnings (Article 64), but not lower than the minimum pension amount. For each full year of work over 25 years for men and 20 years for women, the pension increases by 1 percent of earnings, but not less than 1 percent of the minimum pension amount.

For employees employed in the works provided for in point "a" of Article 13 and Article 14 of this Law, for each year of work that gives the right to a pension on preferential terms, the pension is increased by 1 percent of earnings.

The minimum amount of the old-age pension is set in the amount of the minimum consumer budget. In the conditions of a crisis state of the economy and a decline in production, the minimum amount of the old-age pension is set at an amount not lower than the low-income limit.

{Part three of Article 19 as amended by Law No. 307/97-BP dated 04.06.97 }

The minimum amount of the old-age pension increases due to an increase in the value of the minimum consumer budget or the poverty line.

{Article 19 is supplemented by the fourth part in accordance with Law No. 307/97-VR dated 04.06.97 }

The maximum amount of the pension cannot exceed three, and for employees employed in the works provided for in point "a" of Article 13 and Article 14 of this Law - four minimum age pensions.

The size of the old-age pension, calculated in accordance with this article, cannot exceed 75 percent of earnings, with the exception of minimum pensions increased for years of work over 25 years for men and 20 years for women, and for employees employed in the works provided for in point "a" Article 13 and Article 14 of this Law, - 85 percent of earnings.

In order to adjust the levels of pensions assigned before the entry into force of this Law, their recalculation is carried out based on the level of wages of the relevant categories of employees as of January 1, 1992.

Article 20. Old-age pensions with incomplete work experience

Persons who do not have enough work experience to be awarded a full pension (Article 12) are granted old-age pensions with incomplete work experience in an amount proportional to the available experience (Article 68), but not less than the social pension (Clause "b" of Article 94).

When assigning pensions for incomplete service, the age and length of service preferential conditions established by this Law for assigning pensions do not apply.

Article 21. Additions to old-age pension

The following allowances are added to the old-age pension, including the one calculated in the minimum amount:

a) unemployed pensioners who have disabled family members to support them (Articles 37 , 38 , 40 , 41), - for each disabled family member in the amount of the social pension provided for the corresponding category of disabled;

{Clause "b" of the first part of Article 21 has become invalid in the part of assigning a care allowance on the basis of Law No. 2603-IV dated 31.05.2005 }

b) single pensioners who, according to the opinion of medical institutions, need permanent care by others - for their care in the amount of the social pension (paragraph "b" of Article 94);

c) pensioners who acquired, in accordance with the legislation of the former Union of the SSR, the right to a pension supplement for work after reaching the retirement age - in the amount of 10 percent of the basic pension for each full year of work after the appointment of the pension, but not more than 40 percent;

{The first part of Article 21 was supplemented by point "c" in accordance with Law No. 112/98-BP dated 11.02.98 - enters into force on July 1, 1998}

d) persons who have acquired the right to an old-age pension in accordance with this Law and have the length of service provided for in Article 12 of this Law, but after reaching the retirement age expressed a desire to work and receive a pension from a later date - in the amount of 10 percent of the basic amount of the pension without taking into account allowances, increases, additional pension for each full year of work after reaching retirement age, but not more than 40 percent;

{The first part of Article 21 was supplemented by point "d" in accordance with Law No. 854-IV dated 05/22/2003 }

e) pensioners, except for the persons specified in point "c" of this article, who have the length of service provided for in Article 12 of this Law, and during the period of work refused to receive a pension, - in the amount of 10 percent of the basic amount of the pension without taking into account allowances, increases, additional pension for each full year of work after refusing to receive a pension, but not more than 40 percent.

{The first part of Article 21 was supplemented by item "d" in accordance with Law No. 854-IV dated 05/22/2003 }

Allowances established in accordance with points "c", "d" and "d" of the first part of this article are retained when transferring to another type of labor pension.

{Article 21 was supplemented by the second part in accordance with Law No. 854-IV dated 05.22.2003 }

The allowances provided for in this article may be accrued simultaneously.

Article 22. The period for which old-age pensions are granted

Age pensions are awarded for life, regardless of health status.

DISABILITY PENSIONS

Article 23. Conditions for awarding disability pensions

Disability pensions are awarded in the event of the onset of disability, which caused total or partial loss of health, as a result of:

- a) occupational disability or occupational disease;
- b) general illness (including mutilation not related to work, disability from childhood).

Disability pensions are awarded regardless of when the disability occurred: during work, before employment or after termination of employment.

Article 24. Disability groups

Depending on the degree of health loss, the disabled are divided into three groups.

The causes and groups of disability, as well as the time of onset of disability, are established by medical and social examination bodies acting on the basis of the Regulations on them, approved by the Cabinet of Ministers of Ukraine.

Article 25. Length of service entitling to a disability pension

Disability pensions due to occupational disability or occupational disease (Article 26) are granted regardless of length of service.

Disability pensions due to a general illness are granted in the presence of the following work experience at the time of the onset of disability:

	Work experience (in years)
Until the age of 23	1
from the age of 23 to the age of 26	2
from the age of 26 to the age of 31	3
from the age of 31 to the age of 36	5
from the age of 36 to the age of 41	7
from the age of 41 to the age of 46	9
from the age of 46 to the age of 51	11
from the age of 51 to the age of 56	13
from the age of 56 to the age of 61	14
from 61 years and older	15

If the length of service required for the relevant age group was acquired, and the work was continued when moving to the next age group, then the length of service condition is considered fulfilled regardless of the requirements established for the next age group.

Persons who became disabled as a result of a general illness during the period of work or after its termination before reaching the age of 20 are granted pensions regardless of length of service.

When transferring from a disability pension due to occupational disability or occupational disease to a disability pension due to a general illness, the required length of service is determined by the age at the time of initial establishment of disability.

Article 26. Disability due to occupational disability or occupational disease

Disability is considered to have occurred as a result of work-related disability, if the accident that caused the disability occurred (except in cases of illegal action):

- a) when performing work duties (including during a business trip), as well as when performing any actions in the interests of the enterprise or organization, even without a special mandate;
- b) on the way to or from work;
- c) on the territory of the enterprise, organization or in another place of work during working hours (including established breaks), during the time necessary to put in order production tools, clothes, etc. before starting or after finishing work;
- d) near the enterprise, organization or other place of work during working hours (including established breaks), if staying there did not contradict the rules of internal labor regulations;
- e) when performing state or public duties;
- e) when performing actions to save human life, to protect state, collective and individual property, as well as to protect law and order.

The list of occupational diseases is approved in accordance with the procedure determined by the Cabinet of Ministers of Ukraine.

Article 27. Disability pensions for citizens of Ukraine - immigrants from other countries

Citizens of Ukraine - immigrants from other states who did not work in Ukraine, pensions are granted:

a) for disability due to occupational disability or occupational disease - regardless of length of service;

b) for disability due to a general illness - if there is work experience required by age on the date of establishment of disability.

Article 28. Disability pensions for persons studying

Pupils, pupils, students, cadets, trainees, interns, clinical residents, post-graduate students, doctoral students who did not work before entering an educational institution, courses, post-graduate studies or clinical residency, pensions are awarded:

a) in case of disability as a result of work-related disability or occupational disease related to industrial training, practice or practical classes, regardless of the length of stay in an educational institution, courses, post-graduate studies or clinical residency. At the same time, disability resulting from occupational disability related to industrial training, practice or practical classes is equated to disability that occurred in connection with the performance of state, public duties or tasks of the administration, or in connection with the performance of actions to save human life, to protect state, collective and individual property, as well as to protect law and order;

b) in case of disability due to a general illness - if the pupil, pupil, student, cadet, trainee, intern, clinical resident, graduate student, doctoral student studied during the relevant period specified in Article 25 of this Law.

Pensions are granted to students of secondary schools in the event of disability due to mutilation associated with industrial training, practice or practical classes, regardless of the duration of training.

Article 29. Amounts of disability pensions

Disability pensions are awarded in the following amounts:

disabled people of the I group - 70 percent;

disabled persons of the II group - 60 percent;

disabled persons of the III group - 40 percent of earnings (Article 64).

If disabled people have the work experience necessary for the appointment of an old-age pension, including on preferential terms, then the disability pension is awarded in the amount of the old-age pension with the corresponding work experience.

The minimum amount of the pension is set at the level of the social pension for the relevant disability group (Article 94).

The minimum amount of the pension for persons who became disabled as a result of injury, contusion or mutilation received during the defense of the Motherland or during the performance of other duties of military service, or as a result of an illness related to being at the front or performing international duty, as well as citizens , who were unjustifiably subjected to political repression and subsequently rehabilitated, whose disability is related to repression, it is established:

disabled people of groups I and II - in the amount of three minimum pensions according to age;

disabled people of the III group - in the amount of one and a half of the minimum age pension.

The maximum pension may not exceed three, and for employees employed in the works provided for in point "a" of Article 13 and Article 14 of this Law, four minimum age pensions.

Pensions for disabled people due to occupational disability and occupational disease are calculated from the average earnings at the enterprise for this profession.

Article 30. Disability pensions for incomplete work experience

Disabled persons due to a general illness who do not have enough work experience to be awarded a full pension (Article 25) are granted a disability pension for partial work experience in an amount proportional to the available experience, but not less than the social pension established for the corresponding disability group (Article 94). .

Article 31. Amounts of disability pensions for persons studying

Pupils, pupils, students, cadets, trainees, interns, clinical residents, doctoral students who did not work before entering an educational institution, courses, postgraduate studies or clinical residency, students of secondary schools who became disabled due to occupational disability or occupational disease, related to industrial training, practice or practical classes, disability pensions are awarded in the amounts established by Article 29 of this Law.

Article 32. Amounts of pensions for persons who became disabled while performing their civic duty

Persons (not specified in points "a" - "e" and "g" of Article 3) who became disabled in connection with the performance of state or public duties or in connection with the performance of actions to save human life, for the protection of state, collective and individual property, as well as for the protection of law and order, pensions are assigned in the amounts established by Article 29 of this Law.

Article 33. Additions to disability pension

The following allowances are established for the disability pension, including the one calculated in the minimum amount:

a) unemployed disabled people who have disabled family members for their support - for each disabled family member (Articles 37 , 40 , 41) in the amount of the social pension provided for the corresponding category of disabled persons;

{Clause "b" of the first part of Article 21 has become invalid in the part of assigning a care allowance on the basis of Law No. 2603-IV dated 31.05.2005 }

b) disabled people of group I, single disabled people of group II who need permanent outside care or have reached retirement age, as well as single disabled people of group III who have reached retirement age - for their care in the amount of a social pension (clause "b" of Article 94) .

Allowances provided for in clauses "a" and "b" of this article may be accrued simultaneously.

Allowances and increases to disability pensions as a result of the Chernobyl disaster are calculated in accordance with the procedure established by the Law of Ukraine "On the Status and Social Protection of Citizens Affected by the Chernobyl Disaster".

Article 34. The period for which a disability pension is granted

Pensions are awarded for the entire period of disability established by medical and social examination bodies. Disabled persons - men over 60 years old and women over 55 years old - are granted disability pensions for life. Re-examination of these disabled persons is carried out only at their request.

Article 35. Term of pension payment upon change of disability group or restoration of health

In the case of a change in the disability group, the pension in the new amount is paid from the day of the change in the disability group.

If the person who passed the re-examination is recognized as healthy, the pension is paid until the end of the month in which he was recognized as healthy, but not longer than the day on which the disability was established.

Article 36. Conditions for renewal of pension payment in case of interruptions in disability

If the disabled person did not appear at the medical and social examination bodies for a re-examination within the period designated for this purpose, the payment of the pension to him is stopped, and in the event that he is recognized as disabled again, it is renewed from the day of suspension, but not more than one month.

If the re-examination period is missed for a valid reason, the pension is paid from the day the payment is stopped until the re-examination date, but no more than 3 years, if the medical and social examination body recognizes him as disabled during this period. At the same time, if during the re-examination the disabled person is transferred to another group of disability (higher or lower), then the pension for the specified time is paid according to the previous group.

If the payment of a pension to a disabled person who lost health as a result of a general illness was terminated in connection with the restoration of health or if he did not receive a pension due to failure to appear for a re-examination without valid reasons, then in the event of his subsequent recognition as a disabled person, the payment of the previously assigned pension is renewed from the date of establishment of disability again, provided that no more than 5 years have passed since the termination of the pension payment. If more than 5 years have passed, the pension is granted again on general grounds.

PENSIONS IN CASE OF LOSS OF CAREGIVER

Article 37. Family members who have the right to a pension in the event of the loss of a breadwinner

The right to a pension in the event of the loss of a breadwinner has the disabled family members of the deceased breadwinner who were dependent on him (Article 38). At the same time, pensions are awarded to children regardless of whether they were dependent on a breadwinner.

The parents and spouse of the deceased, who were not dependent on him, also have the right to a pension if they later lost their source of livelihood.

Unable to work family members are considered:

a) children, brothers, sisters and grandchildren who have not reached the age of 18 or older than this age, if they became disabled before reaching the age of 18, while brothers, sisters and grandchildren - provided that they do not have able-bodied parents;

b) father, mother, wife, husband, if they are disabled or have reached the retirement age established by Article 26 of the Law of Ukraine "On Mandatory State Pension Insurance";

{Clause "b" of the third part of Article 37 as amended in accordance with Law No. 3668-VI dated 07/08/2011 }

c) one of the parents, or husband (wife), or grandfather, grandmother, brother or sister, regardless of age and ability to work, if he (she) is engaged in taking care of the children, brothers, sisters or grandchildren of the deceased breadwinner who have not reached the age of 8 , and does not work;

d) grandfather and grandmother - in the absence of persons who are obliged by law to support them.

Pupils, pupils, students, cadets, trainees, interns have the right to a pension in case of loss of a breadwinner before the end of educational institutions, but not longer than before they reach the age of 23.

All the rules of this Law relating to the families of the deceased shall accordingly apply (unless otherwise stipulated) to the families of missing persons, if the missing breadwinner's absence is certified in accordance with the established procedure.

Article 38. Family members who are considered dependents

Family members of the deceased are considered to be dependent on him if they were fully dependent on him or received help from him, which was a constant and main source of livelihood for them.

Family members of the deceased, for whom his assistance was a permanent and main source of livelihood, but who themselves received some kind of pension, have the right to switch to a new pension.

Article 39. Payment of pension in case of loss of breadwinner to children who are in full state support

Children - round orphans for the period of stay in full state maintenance, pensions in case of loss of the breadwinner are paid in full.

Other children who are fully dependent on the state are paid 50 percent of the assigned pension.

Article 40. The right to a pension in case of loss of breadwinner of adoptive parents and adopted children

Adoptive parents have the right to a pension in case of loss of a breadwinner on an equal basis with parents, and adopted children - on an equal basis with their own children.

Minors who have the right to a pension in the event of the loss of a breadwinner retain this right also in case of their adoption.

Article 41. The right to a pension in the event of loss of breadwinner stepfather and stepmother, stepson and stepdaughter

A stepfather and a stepmother have the right to a pension in the event of the loss of a breadwinner on an equal basis with a father and a mother, provided that they raised or supported the deceased stepson or stepdaughter for at least 5 years.

A stepson and a stepdaughter, if they did not receive alimony from their parents, have the same right to a pension as their own children.

Article 42. Preservation of pension in case of loss of breadwinner upon remarriage

Pension in case of loss of breadwinner, assigned in case of death of one of the spouses, is preserved even in case of remarriage of the pensioner.

Article 43. Length of service of the breadwinner, which gives the right to a pension

A pension is granted to the family of a breadwinner who died as a result of occupational disability or occupational disease, as well as to the family of a deceased pensioner, regardless of the breadwinner's length of service.

A pension in the case of the loss of a breadwinner who died as a result of a general illness or disability not related to work is granted if the breadwinner had the length of service on the day of death that would be necessary for him to be awarded a disability pension (Article 25).

Families of pupils, pupils, students, cadets, trainees, interns, post-graduate students, clinical residents, doctoral students who did not work before entering an educational institution, courses, post-graduate studies or clinical residency are granted pensions, respectively, on the same grounds as disability pensions for these pupils, students, graduate students and clinical residents (Article 28).

Families of Ukrainian citizens - immigrants from other countries, if the breadwinner did not work in Ukraine, pensions are awarded:

a) to those who received a pension in other states in the event of the loss of a breadwinner, regardless of the breadwinner's length of service;

b) to those who did not receive pensions - provided that the breadwinner had the appropriate length of service based on his age on the day of termination of employment (Article 25), and in the event of his death as a result of occupational disability or occupational disease - regardless of the length of service of the breadwinner.

Article 44. Amounts of pensions in case of loss of breadwinner

Pensions in case of loss of a breadwinner are assigned to each disabled family member in the amount of 30 percent of the breadwinner's earnings (Article 64), but not less than the social pension established for the corresponding category of disabled.

For children who have lost both parents (total orphans), as well as for children of a deceased single mother, the pension for each child cannot be less than twice the amount of the social pension.

For families with children who have lost both parents (orphans), the pension is calculated from the total amount of earnings of both parents.

Article 45. Pensions in case of loss of breadwinner with incomplete work experience

Family members who have lost a breadwinner who died as a result of a general illness and did not have enough experience to be awarded a full disability pension (Article 25) are granted a pension for partial service in the amount proportional to the available work experience of the breadwinner.

The families of deceased pensioners who received a pension with incomplete service are awarded a pension in proportion to the length of service, based on which the pension was awarded to the deceased breadwinner.

At the same time, the pension for each disabled family member cannot be less than the social pension established for the corresponding category of disabled.

Article 46. The right to apply for a pension in case of loss of breadwinner without time limit

A family entitled to a pension in the event of the loss of a breadwinner can apply for a pension at any time after the death or establishment of an unknown absence of the breadwinner without any time limit.

Pensions in case of loss of breadwinner are assigned:

a) to the families of persons specified in Article 3 of this Law, regardless of when the breadwinner died: during work (study) or after termination of work (study);

b) families of pensioners - if the breadwinner died during the period of receiving the pension or no later than 5 years after the cessation of pension payments.

Article 47. The period for which a pension is granted in case of loss of breadwinner. Change in the size of the pension

A pension in case of loss of a breadwinner is established for the entire period during which a member of the family of the deceased is considered unfit for work in accordance with Article 37 of this Law, and for family members who have reached the retirement age established by Article 26 of the Law of Ukraine "On Mandatory State Pension Insurance", - forever.

{Part one of Article 47 as amended by Law No. 3668-VI dated 07/08/2011 }

The change in the size of the pension or the termination of its payment to family members is carried out from the first day of the month following the month in which the circumstances that caused the change in the size or termination of the pension occurred.

Article 48. Appointment of one pension in case of loss of breadwinner for all family members. Allocation of pension share

One joint pension is assigned to all family members who are entitled to a pension.

At the request of a family member, his share of the pension is allocated and paid to him separately.

The allocation of the share of the pension is carried out from the first day of the month following the month in which the application for the division of the pension was received.

Article 49. Amount of pension in case of loss of breadwinner when the number of family members changes

When the number of family members covered by a survivor's pension changes, the pension increases or decreases accordingly according to the number of family members entitled to a pension.

The same revision of the pension is carried out in those cases when the payment of the pension to one of the family members is stopped or resumed after the end of the circumstances that caused the suspension of the payment of the pension.

Article 50. Procedure and terms of establishing disability for family members

The rules set forth in Articles 24 , 34 , 35 , parts one and two of Article 36 of this Law apply accordingly to family members who are disabled .

PENSION FOR YEARS OF SERVICE GENERAL TERMS

Article 51. Grounds for long-term pension provision

Pensions for years of service are established for certain categories of citizens employed in jobs, the performance of which leads to a loss of professional capacity or fitness before reaching the age that gives the right to an old-age pension.

Article 52. Employees who have the right to a pension for years of service

The right to a pension for years of service has:

separate categories of aviation workers and flight test personnel;

workers of locomotive crews and separate categories of workers who directly organize transportation and ensure traffic safety on railway transport and the subway;

drivers of trucks directly employed in the technological process in mines, in mines, cuttings and ore quarries for the removal of coal, shale, ore, rock;

mechanizers (dockers-mechanizers) of complex crews on loading and unloading operations in ports, as well as fleets of the sea, river fleet and fishing industry fleet (except for port vessels that constantly work in the water area of the port, service-auxiliary, traveling, suburban and inner-city vessels combination);

employees of expeditions, batches, detachments, precincts and brigades, directly engaged in field geological exploration, prospecting, topographic-geodetic, geophysical, hydrographic, hydrological, forest management and reconnaissance work;

workers and craftsmen (including senior craftsmen) directly employed in logging and wood melting, including those employed in the maintenance of mechanisms and equipment;

some categories of artists of theaters and other theater and performance enterprises and collectives in accordance with clause "zh" of Article 55;

employees of education, health care, as well as social security, who in boarding houses for the elderly and disabled and special services are directly engaged in the service of pensioners and disabled people, in accordance with point "e" of Article 55;

athletes in accordance with clause "is" of Article 55.

Article 53. Amounts of pensions for years of service

Pensions for years of service (except for pensions for employees of the aviation test crew and members of the flight crews of civil aviation aircraft (pilots, navigators, flight engineers, flight mechanics, radio operators, supervisory pilots) and flight operators who perform special work in flights) are assigned in amounts, established by Articles 19 and 21 of this Law for old-age pensions.

{Part one of Article 53 as amended by Law No. 1222-XIV dated 17.11.99 }

Pensions are calculated from the average monthly earnings (Articles 64-67 , 69) received before termination of employment, which gives the right to a pension for years of service (Articles 54 and 55), in addition to pensions for flight test personnel and flight crew members of civil aviation aircraft (pilots, navigators, flight engineers, flight mechanics, radio operators, supervisory pilots) and flight operators who perform special work in flights.

{Part two of Article 53 as amended by Law No. 1222-XIV dated 11/17/99 }

Employees of the flight test crew and members of the flight crews of civil aviation aircraft (pilots, navigators, flight engineers, flight mechanics, radio operators, pilot supervisors) and flight operators who perform special work in flights, pensions are calculated from the average monthly earnings for the work, which gives the right to pension for years of service (part one of Article 64 and Articles 65 , 66 , 69), received before its termination, and are assigned in the amounts provided for by parts one - three , six of Article 19 and Article 21 of this Law for old-age pensions, and may not exceed 85 percent of earnings for flight test staff and 75 percent of earnings for flight crew members of civil aviation aircraft (pilots, navigators, flight engineers, flight mechanics, flight attendants, supervisory pilots) and flight operators who perform special work in flights. At the same time, the amount of pension for flight crew members of civil aviation aircraft (pilots, navigators, flight engineers, flight mechanics, flight attendants, flight supervisors) and flight operators who perform special work in flights cannot exceed two and a half times the average salary of employees employed in the branches of the economy of Ukraine, for the calendar year preceding the month from which the pension is granted.

{Part three of Article 53 as amended by Law No. 1222-XIV of November 17, 1999 }

{Article 53 as amended by Law No. 428/95-VR dated 14.11.95 , as amended by Law No. 1222-XIV dated 17.11.99 }

{The effect of Article 53 applies to employees of the flight test crew who retired before the adoption of the Law in accordance with Resolution of the Verkhovna Rada No. 429/95-VR dated 14.11.95 }

{Article 53 applies to civil aviation flight crew members (pilots, navigators, flight engineers, flight mechanics, flight attendants, flight supervisors) and flight operators who performed special work in flights, who retired before the entry into force of the Law with Law No. 1222-XIV dated 17.11.99 }

Article 54. Separate categories of aviation workers and flight test personnel who are entitled to a pension for years of service

The following categories of aviation workers and employees, as well as flight test personnel, are entitled to a pension for years of service, regardless of the departmental subordination of the enterprises, institutions and organizations in which they are employed:

a) *{The provisions of paragraph "a" of Article 54 are recognized as not in accordance with the Constitution of Ukraine (are unconstitutional), according to the Decision of the Constitutional Court No. 2-p/2019 dated 06.04.2019 }* employees of the flight and flight test crew after reaching the age of 50 and in the presence of years of service in these positions as of April 1, 2015, at least 25 years for men and at least 20 years for women, and after this date when acquiring years of service in these positions:

{Paragraph one of point "a" of Article 54 as amended by Law No. 911-VIII of 12/24/2015 }

from April 1, 2015 to March 31, 2016 - at least 25 years 6 months for men and at least 20 years 6 months for women;

from April 1, 2016 to March 31, 2017 - at least 26 years old for men and at least 21 years old for women;

from April 1, 2017 to March 31, 2018 - at least 26 years 6 months for men and at least 21 years 6 months for women;

from April 1, 2018 to March 31, 2019 - at least 27 years old for men and at least 22 years old for women;

from April 1, 2019 to March 31, 2020 - at least 27 years 6 months for men and at least 22 years 6 months for women;

from April 1, 2020 to March 31, 2021 - at least 28 years old for men and at least 23 years old for women;

from April 1, 2021 to March 31, 2022 - at least 28 years 6 months for men and at least 23 years 6 months for women;

from April 1, 2022 to March 31, 2023 - at least 29 years old for men and at least 24 years old for women;

from April 1, 2023 to March 31, 2024 - at least 29 years 6 months for men and at least 24 years 6 months for women;

from April 1, 2024 or after this date - not less than 30 years for men and not less than 25 years for women.

Before reaching the age established by the first paragraph of this clause, employees of the flight and flight-test crew have the right to a pension for years of service:

{Point "a" of Article 54 was supplemented by a new paragraph in accordance with Law No. 911-VIII of 12.24.2015 }

who, in the period until January 1, 2016, had years of service in the respective positions at least as long as provided for in the first and second paragraphs of this clause;

{Point "a" of Article 54 was supplemented by a new paragraph in accordance with Law No. 911-VIII of 12.24.2015 }

Born in 1976 and older, provided they have years of service in these positions, provided for in the second to eleventh paragraphs of this clause, and after they reach the following age:

{Point "a" of Article 54 was supplemented by a new paragraph in accordance with Law No. 911-VIII of 12.24.2015 }

45 years old - who were born from January 1, 1971 to June 30, 1971;

{Point "a" of Article 54 was supplemented by a new paragraph in accordance with Law No. 911-VIII of 12.24.2015 }

45 years 6 months - who were born from July 1, 1971 to December 31, 1971;

{Point "a" of Article 54 was supplemented by a new paragraph in accordance with Law No. 911-VIII of 12.24.2015 }

46 years old - who were born from January 1, 1972 to June 30, 1972;

{Point "a" of Article 54 was supplemented by a new paragraph in accordance with Law No. 911-VIII of 12.24.2015 }

46 years 6 months - who were born from July 1, 1972 to December 31, 1972;

{Point "a" of Article 54 was supplemented by a new paragraph in accordance with Law No. 911-VIII of 12.24.2015 }

47 years old - who were born from January 1, 1973 to June 30, 1973;

{Point "a" of Article 54 was supplemented by a new paragraph in accordance with Law No. 911-VIII of 12.24.2015 }

47 years 6 months - who were born from July 1, 1973 to December 31, 1973;

{Point "a" of Article 54 was supplemented by a new paragraph in accordance with Law No. 911-VIII of 12.24.2015 }

48 years old - who were born from January 1, 1974 to June 30, 1974;

{Point "a" of Article 54 was supplemented by a new paragraph in accordance with Law No. 911-VIII of 12.24.2015 }

48 years 6 months - who were born from July 1, 1974 to December 31, 1974;

{Point "a" of Article 54 was supplemented by a new paragraph in accordance with Law No. 911-VIII of 12.24.2015 }

49 years old - who were born from January 1, 1975 to June 30, 1975;

{Point "a" of Article 54 was supplemented by a new paragraph in accordance with Law No. 911-VIII of 12.24.2015 }

49 years 6 months - who were born from July 1, 1975 to December 31, 1975;

{Point "a" of Article 54 was supplemented by a new paragraph in accordance with Law No. 911-VIII of 12.24.2015 }

50 years old - who were born on January 1, 1976.

{Point "a" of Article 54 was supplemented by a new paragraph in accordance with Law No. 911-VIII of 12.24.2015 }

The specified employees, exempted from flying work due to their health (due to illness), if they have years of service that is not more than five years less than the duration provided for in paragraphs two to eleven of this clause, have the right to a pension in proportion to the time worked and after reaching the age specified in this clause.

{Paragraph twenty-sixth point "a" of Article 54 as amended by Law No. 911-VIII of 12.24.2015 }

The list of positions of employees of the flight crew, the procedure for calculating the terms of service years for assigning them pensions, as well as the procedure for assigning and paying pensions to the flight test crew are approved in accordance with the procedure determined by the Cabinet of Ministers of Ukraine;

{Clause "a" of Article 54 as amended by Law No. 213-VIII dated March 2, 2015 }

b) *{Clause "b" of Article 54 is recognized as not in accordance with the Constitution of Ukraine (is unconstitutional), according to the Decision of the Constitutional Court No. 1-r/2020 dated 01.23.2020 . Regarding the application of point "b" of Article 54, see paragraph 3 of the operative part}* employees who perform air traffic control and have a dispatcher's certificate, after reaching 50 years of age and with work experience:

for men - at least 25 years old, of which at least 12 years and 6 months of work in direct control of aircraft flights;

for women - at least 22 years and 6 months, of which at least 10 years of work in direct control of aircraft flights.

Women born in 1975 and older have the right to a seniority pension before reaching the age established by paragraph one of this clause, after they reach the age established by paragraphs three to thirteen of clause "a" of part one of Article 13 of this Law.

The specified employees, dismissed from the job of direct control of aircraft flights due to health (due to illness), with years of service - at least 10 years for men and at least 7 years and 6 months for women, have the right to a pension in proportion to the time worked.

The work specified in paragraph "a" of this article is also included in the seniority of air traffic control employees.

Employees who perform air traffic control and have certificates (dispatchers, senior controllers, flight managers) are entitled to a pension regardless of age, if they were employed in these jobs as of April 1, 2015 - at least 20 years for men and no under 17 years 6 months for women and after that date were employed in these jobs:

from April 1, 2015 to March 31, 2016 - at least 20 years and 6 months for men and at least 18 years for women;

from April 1, 2016 to March 31, 2017 - at least 21 years for men and at least 18 years and 6 months for women;

from April 1, 2017 to March 31, 2018 - at least 21 years and 6 months for men and at least 19 years for women;

from April 1, 2018 to March 31, 2019 - at least 22 years for men and at least 19 years 6 months for women;

from April 1, 2019 to March 31, 2020 - at least 22 years 6 months for men and at least 20 years for women;

from April 1, 2020 to March 31, 2021 - at least 23 years for men and at least 20 years 6 months for women;

from April 1, 2021 to March 31, 2022 - at least 23 years and 6 months for men and at least 21 years for women;

from April 1, 2022 to March 31, 2023 - at least 24 years for men and at least 21 years 6 months for women;

from April 1, 2023 to March 31, 2024 - at least 24 years and 6 months for men and at least 22 years for women;

from April 1, 2024 and after this date - at least 25 years for men and at least 22 years 6 months for women.

The procedure for calculating the terms of service for assigning them pensions is approved by the Cabinet of Ministers of Ukraine;

{Clause "b" of Article 54 as amended by Law No. 213-VIII dated March 2, 2015 }

c) *{Clause "c" of Article 54 is recognized as not in accordance with the Constitution of Ukraine (is unconstitutional), according to the Decision of the Constitutional Court No. 1-p/2020 dated 01.23.2020 . Regarding the application of clause "c" of Article 54, see clause 3 of the operative part}* engineering and technical staff - according to the list of positions and works, which is approved in the order determined by the Cabinet of Ministers of Ukraine, after reaching 55 years of age and length of service:

for men - at least 30 years, of which at least 20 years in the specified positions;

for women - at least 25 years, of which at least 15 years in the specified positions.

The work specified in points "a" and "b" of this article is also included in the seniority of employees of the engineering and technical staff.

In the absence of the length of service established by the second and third paragraphs of this paragraph, in the period until April 1, 2024, the right to a pension for years of service is granted in the presence of the length of service established by the fifteenth - twenty-third paragraphs of point "b" of part one of Article 13 of this Law .

Before reaching the age established by the first paragraph of this clause, women born in 1970 and older have the right to a seniority pension after they reach the age established by paragraphs three to thirteen of clause "b" of part one of Article 13 of this Law;

{Clause "c" of Article 54 as amended by Law No. 213-VIII of March 2, 2015 }

d) *{Clause "d" of Article 54 is recognized as not in accordance with the Constitution of Ukraine (is unconstitutional), according to the Decision of the Constitutional Court No. 1-r/2020 dated 01.23.2020 . Regarding the application of point "d" of Article 54, see paragraph 3 of the operative part}* flight attendants:

men - after reaching the age of 55 and with a total work experience of at least 30 years, of which at least 15 years as a flight attendant;

women - after reaching the age of 50 and with a total work experience of at least 25 years, of which at least 10 years as a flight attendant.

In the absence of the length of service established by the second and third paragraphs of this paragraph, in the period until April 1, 2024, the right to a pension for years of service is granted in the presence of the length of service established by the fifteenth - twenty-third paragraphs of point "b" of part one of Article 13 of this Law .

Women born in 1975 and older after reaching the age established by paragraphs three to thirteen of paragraph "a" of part one of Article 13 of this Law have the right to a seniority pension before reaching the age established by paragraph three of this clause.

{Clause "d" of Article 54 as amended by Law No. 213-VIII dated March 2, 2015 }

Article 55. Separate categories of employees of other branches of the national economy who are entitled to a pension for years of service

{The provisions of Article 55 are recognized as not in accordance with the Constitution of Ukraine (are unconstitutional), according to the Decision of the Constitutional Court No. 2-p/2019 dated 06.04.2019 }

The right to a pension for years of service has:

a) workers of locomotive crews and certain categories of workers who directly organize transportation and ensure the safety of traffic on railway transport and subways - according to the lists of professions and positions approved in the order determined by the Cabinet of Ministers of Ukraine; drivers of trucks directly employed in the technological process at mines, in mines, cuttings and ore quarries for the removal of coal, shale, ore, ore, - after reaching 55 years of age and with work experience:

for men - at least 30 years old, of which at least 12 years and 6 months at the specified job;

for women - at least 25 years, of which at least 10 years at the specified job.

In the absence of the length of service established by the second and third paragraphs of this paragraph, in the period until April 1, 2024, the right to a pension for years of service is granted in the presence of the length of service established by the **fifteenth - twenty-third paragraphs of point "b"** of part one of Article 13 of this Law .

Before reaching the age established by the first paragraph of this clause, women born in 1970 and older have the right to a seniority pension after they reach the age established by **paragraphs three to thirteen of clause "b"** of part one of Article 13 of this Law;

b) employees of expeditions, batches, detachments, precincts and brigades, directly engaged in field geological exploration, prospecting, topographic-geodetic, geophysical, hydrographic, hydrological, forest management and intelligence work, - after reaching 55 years of age and with experience of work:

for men - at least 30 years old, of which at least 12 years and 6 months at the specified job;

for women - at least 25 years, of which at least 10 years at the specified job.

In the absence of the length of service established by the second - third paragraphs of this paragraph, in the period until April 1, 2024, the right to a pension for years of service is granted in the presence of the length of service established by the **fifteenth - twenty-third paragraphs of paragraph "b"** of part one of Article 13 of this Law .

At the same time, the period of work directly in field conditions for half a year or more than half a year is counted as a year of work, less than half a year - according to the actual duration, and seasonal work - in accordance with **Article 61** of this Law.

Before reaching the age established by the first paragraph of this clause, women born in 1970 and older have the right to a seniority pension after they reach the age established by **paragraphs three to thirteen of clause "b"** of part one of Article 13 of this Law;

c) workers, foremen (including senior foremen) directly employed in logging and wood smelting, including those employed in the maintenance of mechanisms and equipment, - according to the list of **professions, positions and productions** approved in accordance with the procedure determined by the Cabinet of Ministers of Ukraine, - after reaching 55 years of age and with work experience:

for men - at least 30 years old, of which at least 12 years and 6 months at the specified job;

for women - at least 25 years, of which at least 10 years at the specified job.

In the absence of the length of service established by the second and third paragraphs of this paragraph, in the period until April 1, 2024, the right to a pension for years of service is granted in the presence of the length of service established by the **fifteenth - twenty-third paragraphs of point "b"** of part one of Article 13 of this Law .

Before reaching the age established by the first paragraph of this clause, women born in 1970 and older have the right to a seniority pension after they reach the age established by **paragraphs three to thirteen of clause "b"** of part one of Article 13 of this Law;

d) machine operators (dockers-machine operators) of complex crews on loading and unloading operations in ports - after reaching 55 years of age and with work experience:

for men - at least 30 years, of which at least 20 years at the specified job;

for women - at least 25 years, of which at least 15 years at the specified job.

In the absence of the length of service established by the second and third paragraphs of this paragraph, in the period until April 1, 2024, the right to a pension for years of service is granted in the presence of the length of service established by the **fifteenth - twenty-third paragraphs of point "b"** of part one of Article 13 of this Law .

Before reaching the age established by the first paragraph of this clause, women born in 1970 and older have the right to a seniority pension after they reach the age established by **paragraphs three to thirteen of clause "b"** of part one of Article 13 of this Law;

e) fleet of the sea, river fleet and fishing industry fleet (except for port vessels that are constantly working in the port water area, service-auxiliary, traveling, suburban and intercity traffic) - after reaching 55 years of age and with work experience:

for men - at least 30 years old, of which at least 12 years and 6 months at the specified job;

for women - at least 25 years, of which at least 10 years at the specified job.

In the absence of the length of service established by the second and third paragraphs of this paragraph, in the period until April 1, 2024, the right to a pension for years of service is granted in the presence of the length of service established by the **fifteenth - twenty-third paragraphs of point "b"** of part one of Article 13 of this Law .

Before reaching the age established by the first paragraph of this clause, women born in 1970 and older have the right to a seniority pension after they reach the age established by **paragraphs three to thirteen of clause "b"** of part one of Article 13 of this Law;

employees of certain types of ships, professions and positions in the fleet of ships of the sea, river fleet and the fleet of the fishing industry - according to the list approved in accordance with the procedure determined by the Cabinet of Ministers of Ukraine, regardless of age at the time of work on these ships, for these professions and positions as of On April 1, 2015, at least 25 years old for men and at least 20 years old for women, and after that date with experience working on these vessels, in the following professions and positions:

from April 1, 2015 to March 31, 2016 - at least 25 years 6 months for men and at least 20 years 6 months for women;

from April 1, 2016 to March 31, 2017 - at least 26 years old for men and at least 21 years old for women;

from April 1, 2017 to March 31, 2018 - at least 26 years 6 months for men and at least 21 years 6 months for women;

from April 1, 2018 to March 31, 2019 - at least 27 years old for men and at least 22 years old for women;

from April 1, 2019 to March 31, 2020 - at least 27 years 6 months for men and at least 22 years 6 months for women;

from April 1, 2020 to March 31, 2021 - at least 28 years old for men and at least 23 years old for women;

from April 1, 2021 to March 31, 2022 - at least 28 years 6 months for men and at least 23 years 6 months for women;

from April 1, 2022 to March 31, 2023 - at least 29 years old for men and at least 24 years old for women;

from April 1, 2023 to March 31, 2024 - at least 29 years 6 months for men and at least 24 years 6 months for women;

from April 1, 2024 or after this date - at least 30 years for men and at least 25 years for women;

f) employees of education, health care and social security after reaching 55 years of age and in the presence of special work experience according to the list approved in accordance with the procedure determined by the Cabinet of Ministers of Ukraine, as of April 1, 2015 - at least 25 years and after this date :

{Paragraph one of Clause "e" of Article 55 as amended in accordance with Law No. 911-VIII dated 24.12.2015 }

from April 1, 2015 to March 31, 2016 - at least 25 years and 6 months;

from April 1, 2016 to March 31, 2017 - at least 26 years old;

from April 1, 2017 to March 31, 2018 - at least 26 years and 6 months;

from April 1, 2018 to March 31, 2019 - at least 27 years old;

from April 1, 2019 to March 31, 2020 - at least 27 years and 6 months;

from April 1, 2020 to March 31, 2021 - at least 28 years old;

from April 1, 2021 to March 31, 2022 - at least 28 years and 6 months;

from April 1, 2022 to March 31, 2023 - at least 29 years old;

from April 1, 2023 to March 31, 2024 - at least 29 years and 6 months;

from April 1, 2024 or after this date - at least 30 years.

Before reaching the age established by the first paragraph of this clause, employees of education, health care and social security have the right to a long-service pension:

{Clause "e" of Article 55 was supplemented by the twelfth paragraph in accordance with Law No. 911-VIII of 12.24.2015 }

who, in the period until January 1, 2016, had years of service in the respective positions at least as long as provided for in the first and second paragraphs of this clause;

{Clause "e" of Article 55 was supplemented by the thirteenth paragraph in accordance with Law No. 911-VIII of 12.24.2015 }

Born in 1971 and older, subject to years of service in these positions, provided for in the second to eleventh paragraphs of this clause, and after they reach the following age:

{Clause "e" of Article 55 was supplemented by the fourteenth paragraph in accordance with Law No. 911-VIII of 12.24.2015 }

50 years old - who were born from January 1, 1966 to June 30, 1966;

{Clause "e" of Article 55 was supplemented by the fifteenth paragraph in accordance with Law No. 911-VIII dated 24.12.2015 }

50 years 6 months - who were born from July 1, 1966 to December 31, 1966;

{Item "e" of Article 55 was supplemented by the sixteenth paragraph in accordance with Law No. 911-VIII of 12.24.2015 }

51 years old - who were born from January 1, 1967 to June 30, 1967;

{Item "e" of Article 55 was supplemented by the seventeenth paragraph in accordance with Law No. 911-VIII dated 12.24.2015 }

51 years and 6 months - who were born from July 1, 1967 to December 31, 1967;

{Clause "e" of Article 55 was supplemented by the eighteenth paragraph in accordance with Law No. 911-VIII dated 24.12.2015 }

52 years old - who were born from January 1, 1968 to June 30, 1968;

{Point "e" of Article 55 was supplemented by the nineteenth paragraph in accordance with Law No. 911-VIII of 12.24.2015 }

52 years 6 months - who were born from July 1, 1968 to December 31, 1968;

{Item "e" of Article 55 was supplemented by the twentieth paragraph in accordance with Law No. 911-VIII of 12.24.2015 }

53 years old - who were born from January 1, 1969 to June 30, 1969;

{Clause "e" of Article 55 was supplemented by the twenty-first paragraph in accordance with Law No. 911-VIII of 12.24.2015 }

53 years 6 months - who were born from July 1, 1969 to December 31, 1969;

{Item "e" of Article 55 was supplemented by the twenty-second paragraph in accordance with Law No. 911-VIII of 12.24.2015 }

54 years old - who were born from January 1, 1970 to June 30, 1970;

{Clause "e" of Article 55 was supplemented by the twenty-third paragraph in accordance with Law No. 911-VIII of 12.24.2015 }

54 years 6 months - who were born from July 1, 1969 to December 31, 1970;

{Item "e" of Article 55 was supplemented by the twenty-fourth paragraph in accordance with Law No. 911-VIII of 12.24.2015 }

55 years old - who were born on January 1, 1971;

{Clause "e" of Article 55 was supplemented by the twenty-fifth paragraph in accordance with Law No. 911-VIII of 12.24.2015 }

g) sportsmen - honored masters of sports, masters of sports of international class - members of national teams with a total work experience of at least 25 years - in the order determined by the Cabinet of Ministers of Ukraine, regardless of age;

g) artists of theater-concert and other entertainment institutions, enterprises and collectives with experience of creative activity from 20 to 35 years according to the list and in the order approved by the Cabinet of Ministers of Ukraine, regardless of age, but not before reaching 55 years of age.

{Paragraph one of clause "g" of Article 55 as amended in accordance with Law No. 911-VIII of 12/24/2015 }

Until reaching the age established by the first paragraph of this clause, the right to a pension for years of service is available to artists of theater-concert and other entertainment institutions, enterprises and collectives:

{Paragraph "g" of Article 55 was supplemented by the second paragraph in accordance with Law No. 911-VIII of 12.24.2015 }

who, in the period until January 1, 2016, had years of service in the respective positions at least as long as provided for in the first paragraph of this clause;

{Item "g" of Article 55 was supplemented by the third paragraph in accordance with Law No. 911-VIII of 12.24.2015 }

Born in 1971 and older if they have the experience of creative activity provided for in the first paragraph of this clause, and after they reach the age established by the thirteenth - twenty-fifth paragraphs of clause "e" of this article.

{Paragraph "g" of Article 55 was supplemented by the fourth paragraph in accordance with Law No. 911-VIII dated 24.12.2015 }

{Article 55 as amended by Law No. 213-VIII of March 2, 2015 }

CALCULATION OF WORK EXPERIENCE FOR APPOINTMENT OF EMPLOYMENT PENSIONS

Article 56. Types of labor activity, which is included in the length of service, which gives the right to a labor pension

The length of service includes work performed on the basis of an employment contract at enterprises, institutions, organizations and cooperatives, regardless of the forms of ownership and management used, as well as on the basis of membership in collective farms and other cooperatives, regardless of the nature and duration of work and the duration of breaks.

When calculating the length of service in a collective farm for the period after 1965, if a member of the collective farm did not perform the established minimum labor participation in the public economy without valid reasons, the actual duration of work is taken into account.

Work experience also includes:

a) any other work in which the employee was subject to state social insurance, or subject to the payment of insurance contributions, the period of receiving unemployment benefits, as well as the work of prisoners and work under civil law agreements, subject to the payment of insurance contributions;

{Clause "a" of the third part of Article 56 as amended in accordance with Law No. 3284-12 dated 17.06.93 }

b) creative activity of persons provided for in clause "c" of Article 3 of this Law. At the same time, the creative activity of members of the Union of Writers of Ukraine, the Union of Artists of Ukraine, the Union of Composers of Ukraine, the Union of Cinematographers of Ukraine, the Union of Theater Actors of Ukraine, other creative workers who are not members of creative unions, but united by the relevant professional committees, before the implementation of this According to the law, the length of service is counted regardless of the payment of insurance premiums. In these cases, the seniority of creative activity is established by the secretariats of the boards of creative unions of the republic starting from the day of publication or the first public performance or public showing of the work of the given author;

c) military service and stay in partisan units and formations, service in state security, internal affairs, and the National Police, regardless of the place of service;

{Clause "c" of the third part of Article 56 as amended by Law No. 901-VIII of 12.23.2015 }

d) service in paramilitary security, in special communication bodies and in mining rescue units, regardless of departmental subordination and the presence of a special or military rank;

e) study in higher and secondary special educational institutions, in colleges and courses for personnel training, advanced qualification and requalification, in post-graduate studies, doctoral studies and clinical residency;

e) temporary incapacity that began during the period of work;

g) the time of care for a disabled person of the I group or a disabled child under the age of 16, as well as for a pensioner who, according to the conclusion of a medical institution, needs constant external care;

g) the time a non-working mother takes care of minor children, but not longer than until each child reaches 3 years of age;

h) the period of residence of wives of officers, ensigns, midshipmen and conscripts on overtime service with their husbands in areas where there was no possibility of their employment by specialty, but not more than 10 years.

When increasing the size of the old-age pension for each year of work (Article 19), along with work, the periods provided for in points "a" - "z" of this article and Articles 57-61 of this Law are also taken into account.

The time spent on disability in connection with an accident at work or an occupational disease is included in the length of service for the purpose of awarding an old-age pension, as well as in the length of work with harmful conditions, which gives the right to the award of a pension on preferential terms and in preferential amounts (articles 13 and 14).

{Part five of Article 56 as amended by Law No. 3128-12 dated 04.22.93 }

When granting pensions on preferential terms in accordance with Articles 13 and 14 and pensions for years of service in accordance with Article 55 of this Law, mutual crediting of the periods of work provided for in these articles is carried out, provided that the specified works give the right to a pension on similar or more favorable terms.

Article 57. Benefits based on the calculation of seniority for the time spent at the front

Military service as part of the active army during the period of hostilities, including during the performance of international duty, as well as being in partisan units and units, is included in the length of service on preferential terms in accordance with the procedure established for calculating the terms of this service when assigning pensions for years of service to military personnel.

Article 58. Benefits for calculation of length of service for rehabilitated citizens

Citizens unjustifiably brought to criminal responsibility, repressed persons who were subsequently rehabilitated, the time spent in custody, time served in places of deprivation of liberty and exile, as well as time spent in forced treatment shall be counted towards seniority in a triple amount.

{Article 58 as amended in accordance with Law No. 2325-VIII of March 13, 2018 }

Article 59. Benefits based on the calculation of length of service during the Second World War

{Title of Article 59 as amended by Law No. 2443-VIII dated 05/22/2018 }

Work, regardless of age, including as a freelance member of military units, and service, other than the military service provided for in Article 57 of this Law, during the Second World War and other periods of hostilities, is counted towards the length of service in a double amount, and the time spent in fascist concentration camps, ghettos and other places of forced detention during the war of persons, including children forcibly removed from the temporarily occupied territory during the Second World War, is tripled.

Work in the city of Leningrad during the period of its blockade during the years of the Second World War from September 8, 1941 to January 27, 1944 is included in the work experience in a triple amount, the time of residence in the city of Leningrad during this period - in a double amount.

{Text of Article 59 with changes introduced in accordance with Law No. 2443-VIII dated 05/22/2018 }

Article 60. Benefits based on length of service calculation for work in certain medical institutions

Work in leprosy and anti-plague health care institutions, in institutions (departments) for the treatment of persons infected with the human immunodeficiency virus or AIDS patients, in other infectious health care institutions (departments), in pathological and anatomical and resuscitation departments of health care institutions health, as well as in institutions for the provision of psychiatric care, is counted towards the length of service in a double amount.

{Text of Article 60 as amended by Law No. 1110-IV dated 07.10.2003 ; with changes introduced in accordance with Law No. 2205-VIII dated 14.11.2017 }

Article 61. The procedure for including certain types of work in the length of service

Work on water transport during the full navigation period is counted as one year of work.

Work during the full season at enterprises and organizations of seasonal branches of industry, regardless of the departmental subordination of enterprises and organizations, - according to the list approved by the Cabinet of Ministers of Ukraine, is included in the length of service for a year of work.

Other seasonal jobs are included in the seniority according to their actual duration.

Article 62. Procedure for confirmation of work experience

The main document confirming work experience is the employment book. The procedure for confirming the existing work experience in the absence of a work book or relevant entries in it is established by the Cabinet of Ministers of Ukraine.

Article 63. Terms of enrollment in work experience for foreign citizens during work outside Ukraine

Foreign citizens, as well as their families, in cases where a certain length of service is required for the award of a pension, pensions are granted on the condition that half of the required length of service is spent working in Ukraine, unless the contracts (agreements) provide otherwise, or regardless of of this ratio, if fully required insurance contributions to the Pension Fund of Ukraine are paid.

Citizens of other republics living on the territory of Ukraine are paid a pension on a general basis.

CALCULATION OF PENSIONS

Article 64. Calculation of pensions as a percentage of average monthly earnings

Pensions are calculated according to established norms as a percentage of the average monthly earnings, determined in accordance with Articles 65-67 of this Law, which citizens received before applying for a pension.

{The second part of Article 64 is excluded on the basis of Law No. 307/97-VR dated 04.06.97 }

Article 65. General procedure for determining the average monthly earnings for calculating pensions

Average monthly earnings for calculating pensions are taken for any 60 consecutive calendar months of work throughout the entire working life, regardless of breaks in work, and for the period of work starting from July 1, 2003 until the time of applying for a pension. Earnings for the period of work up to July 1, 2003 are taken into account on the basis of documents on accrued wages (payments, income) issued in accordance with the procedure established by law, and for the period of work starting from July 1, 2003 - according to the data of the personalized record of information in the system of mandatory state pension insurance.

If there is no information on wages (payments, income) in the personalized accounting system, documents on accrued wages (payments, income) issued in accordance with the procedure established by law are submitted.

If the person who applied for a pension worked for a shorter period than provided for in part one of this article, the average monthly earnings are determined for the actual period of work by dividing the total amount of earnings for this period by the number of months in it.

If the employee has worked for less than one calendar month, then the earnings for all the time worked is divided by the number of days worked, and the received amount is multiplied by the number of working days per month, calculated on average over the year (25.4 - for a six-day working week and 21.2 - with a five-day working week). In this case, earnings in the amount of no more than two tariff rates (salaries) are taken into account to calculate the pension.

In case of granting pensions to employees engaged in seasonal work, the average monthly actual earnings are determined in accordance with the procedure established by the Cabinet of Ministers of Ukraine.

{Article 65 as amended by Law No. 854-IV of May 22, 2003 }

Article 66. Types of remuneration taken into account when calculating pensions

Earnings for pension calculation include all types of remuneration (payments, income), on which, in accordance with the Law of Ukraine "On Mandatory State Pension Insurance Fees", a mandatory state pension insurance fee is charged, within the maximum amount of actual expenses for wages of employees, taxable income (profit), total taxable income (the maximum amount of wages (income), from which insurance contributions (fees) to social funds are made, which was in effect on the day of receipt of the specified earnings (payments, income).

{Part one of Article 66 as amended by Law No. 854-IV of May 22, 2003 }

Earnings for calculating pensions for members of collective farms include payment in all its types for work in the public economy of the collective farm.

For the relevant periods, the temporary disability benefit or the average earnings retained by the employee are included in the earnings for pension calculation.

Earnings for calculating pensions for persons who are not subject to state social insurance (item "d" of Article 3) include all types of financial support, similar to those types of remuneration for which insurance contributions are calculated.

For members of collective farms, other cooperatives, employees of state farms and other enterprises and organizations who receive, along with monetary payment, in-kind payment, the value of which is calculated for insurance contributions, this in-kind payment is taken into account when determining the average monthly earnings at the state retail prices of the period when the payment of labor was made.

Article 67. Calculation of pensions for members of creative unions

For members of creative unions and other persons specified in point "c" of Article 3 of this Law, pensions are calculated from author's fees, calculated at state rates, for the last 24 consecutive months of work before applying for a pension or for 60 consecutive months of work during the entire period of employment before applying for a pension.

For the persons specified in the first part of this article, if they simultaneously work at enterprises or organizations, the earnings and royalties for the relevant period are taken into account to calculate the pension.

Article 68. Calculation of pensions in case of incomplete work experience

Pensions for incomplete work experience (Articles 20 , 30 and 45) are assigned in an amount proportional to the available experience.

The pension is calculated as follows: first, the corresponding full pension is determined, this pension is divided by the number of months of the required full work experience, the received amount is multiplied by the number of months of the available actual work experience (in this experience, a period of more than 15 days is rounded up to a full month, and a period of up to 15 inclusive days are not taken into account).

If the pension for full service would be due in the minimum amount established by this Law (Articles 19 , 29 and 44), then the pension for partial service is assigned in proportion to the available service based on the minimum pension, but in all cases in the amount not less than the social pension, established for the corresponding category of disabled (Article 94).

Article 69. Recalculation of pensions from higher earnings

Pensioners who have worked for at least 2 years after the awarding of old-age or disability pensions with higher earnings than the one from which the pension was calculated, a new amount of pension is established upon the pensioner's application based on the higher earnings determined for 2 consecutive years of work after the appointment of a pension in accordance with Articles 64 - 67 of this Law.

Under the same conditions, the pension assigned in the minimum amount due to lack of earnings is recalculated.

In the case of further growth of the pensioner's earnings, a new recalculation of the pension is carried out at his request. Each subsequent recalculation of the pension is carried out no earlier than 2 years of work after the previous recalculation.

Article 70. Recalculation of pensions in case of incomplete work experience

If a pensioner who has been granted an old-age pension or a disability pension with incomplete service has worked for at least 2 years after the pension was granted, then at his request, the pension will be recalculated based on the length of service at the time of the recalculation. Each subsequent recalculation of the pension is carried out no earlier than 2 years of work after the previous recalculation.

If the pensioner, while continuing to work, has gained enough experience to be awarded a full pension, then at the request of the pensioner, the corresponding pension recalculation is carried out, regardless of how much time has passed since the award of the pension for partial service. At the same time, a full disability pension is established on the condition that the pensioner has sufficient experience to award a full pension according to the age of the pensioner at the time of the onset of disability (Article 25).

Recalculation of the pension is carried out at the pensioner's choice from the earnings from which the pension was initially assigned (or later recalculated in the manner provided for in Article 69 of this Law), or from the last earnings.

Article 71. Calculation of pensions for persons studying

Pupils, pupils, students, cadets, trainees, interns, clinical residents, post-graduate students, doctoral students may have a stipend instead of earnings taken into account when calculating their pension for the period of study.

Article 72. Calculation of earnings for the period of work outside Ukraine

When calculating the average monthly earnings of employees for work outside of Ukraine, the salary they received before leaving (Articles 64-67) or, at their choice, the earnings determined in accordance with Article 73 of this Law, is taken into account, provided that during this period contributions to of the Pension Fund of Ukraine - on general grounds.

Article 73. Calculation of pensions for citizens of Ukraine - immigrants from other states

Pensions for citizens of Ukraine - immigrants from other states who did not work in Ukraine are calculated on the basis of the average monthly earnings of employees of the relevant profession and qualification in Ukraine at the time of pension appointment (according to the relevant trade union), and on the condition that the full required amount of insurance contributions to the Pension Fund is paid of Ukraine - on general grounds.

Article 74. Calculation of pensions for pensioners' families

Pensions for families of pensioners in the event of the loss of a breadwinner are calculated from the same earnings from which the breadwinner's pension was calculated.

For the families of those pensioners who had the right to recalculate the pension in accordance with the procedure provided for in Article 69 of this Law, pensions are calculated from the earnings from which the breadwinner's pension was or could be recalculated.

{Article 75 excluded on the basis of Law No. 307/97-VR dated 04.06.97 }

Article 76. Family members on whom allowances for pensions are accrued

Supplements to pensions established for non-working pensioners who have family members unable to work are charged to the family members specified in Articles 37 , 38 , 40 and 41 of this Law. These allowances are not charged to those family members who receive a labor or social pension.

If there are two or more non-working pensioners in the family, each non-working member of the family, who is in their joint maintenance, is taken into account for calculating the allowance for only one of the pensioners of their choice.

Article 77. Increase in pensions for certain categories of citizens

Assigned pensions are increased:

a) age pensions for war invalids - in the amount of the minimum amount of the disability pension established by the Law of Ukraine "On pension provision for persons released from military service and certain other persons" for war invalids from among soldiers and sailors of conscript service according to the relevant disability group;

{Clause "a" of Article 77 as amended in accordance with Laws No. 3284-12 dated 17.06.93 , No. 901-VIII dated 23.12.2015 }

b) to other participants in the war from the number of military personnel who served in the active army, partisan units and units, military personnel who took part in hostilities while performing international duty and free-lance members of the active army, parents and spouses, if she did not remarry, servicemen who died at the front, while performing international duty or other duties of military service, - for 50 percent of the minimum age pension;

c) pensions for disability since childhood as a result of injury, contusion or mutilation related to hostilities during the Great Patriotic War or related to their consequences, as well as pensions in case of loss of breadwinner for disabled since childhood due to the specified reasons - by 15 percent minimum age pension;

d) repressed persons, who were later rehabilitated, were assigned pensions of 50 percent, and their family members who were forcibly resettled - 25 percent of the minimum age pension.

{Clause "d" of Article 77 as amended in accordance with Law No. 2325-VIII of March 13, 2018 }

Article 78. Recalculation of pension in connection with a change in marital status, employment or its termination

In those cases when, after the pension has been granted, the pensioner acquires or loses the right to an allowance for disabled family members due to a change in marital status, employment or termination, or the amount of this allowance is subject to change, a corresponding recalculation of the pension is carried out.

Article 79. Determination of the amount of earnings and the size of the pension

When calculating the amount of average monthly earnings and determining the amount of the pension, the part of a ruble less than fifty kopecks is not taken into account, and fifty kopecks or more is rounded up to the nearest ruble.

APPOINTMENT OF PENSIONS

Article 80. The procedure for applying for a pension

An application for the appointment of a pension for employees is submitted at the place of work, and for non-employees - to the authorities specified in Article 81 of this Law at the applicant's place of residence.

{Article 80 as amended by Law No. 2981-III dated 17.01.2002 }

Article 81. Bodies awarding pensions

The appointment of pensions and the preparation of documents for their payment are carried out by the bodies of the Pension Fund of Ukraine.

{Article 81 as amended by Law No. 2981-III dated January 17, 2002 }

Article 82. Terms of consideration of documents on the appointment of pensions

Documents on the assignment of pensions are considered by the body that assigns pensions (Article 81) no later than 10 days from the date of their receipt.

The pension awarding body shall issue or send a notice of refusal to grant a pension, indicating the reasons for the refusal and the procedure for appeal, to the enterprise, organization or applicant no later than 5 days after the relevant decision has been issued.

{Part two of Article 82, as amended by Law No. 2981-III dated 17.01.2002 }

Article 83. Deadlines for assigning pensions

Pensions are granted from the date of applying for a pension, except for the following cases when pensions are granted from an earlier date:

a) old-age and disability pensions are granted from the date of reaching retirement age or, accordingly, the establishment of disability by medical and social examination bodies, if the application for a pension is received no later than 3 months from the date of reaching retirement age or establishment of disability;

b) pensions in case of loss of a breadwinner are granted from the day the right to a pension arises, but not more than 12 months before applying for a pension.

The transfer from one type of pension to another is carried out from the date of submission of the relevant application with all the necessary documents.

Article 84. Periods of recalculation of the assigned pension

Recalculation of the assigned pension is carried out from the following periods:

in the event of the right to a pension increase - from the first day of the month in which the pensioner applied for a pension recalculation, if the relevant application with all the necessary documents was submitted by him by the 15th inclusive, and from the first day of the following month, if the application with all the necessary documents was submitted by him after the 15th;

upon the occurrence of circumstances entailing a reduction of the pension, from the first day of the month in which these circumstances occurred, if they occurred before the 15th inclusive, and from the first day of the following month, if they occurred after the 15th.

In the cases provided for by Articles 35 and 47 of this Law, the pension is recalculated from the terms specified in these Articles.

PAYMENT OF PENSIONS

Article 85. Payment of pensions

Pensions are paid without taking into account the received earnings (profit) at the place of residence of the pensioner, regardless of the registration of the place of residence.

{Part one of Article 85 as amended by Law No. 1276-VI dated 04.16.2009 }

The payment of pensions is carried out for the current month in the total amount in the established terms, but no later than the 25th day of the month for which the pension is paid.

{Article 85 was supplemented by part two in accordance with Law No. 2631-III dated 11.07.2001 }

The maximum amount of the pension (taking into account allowances, promotions, additional pension, targeted cash assistance, pension for special services to Ukraine, indexation and other pension supplements established by law, except for supplements to certain categories of persons who have special services to the Motherland) is not may exceed ten subsistence minimums established for persons who have lost work capacity. Temporarily, until December 31, 2017, the maximum amount of the pension (taking into account allowances, increases, additional pension, targeted cash assistance, pension for special services to Ukraine, indexation and other pension supplements established by legislation, except for supplements to certain categories of persons, who have special merits to the Motherland) cannot exceed 10,740 hryvnias.

{Part three of Article 85 as amended by Law No. 3668-VI dated July 8, 2011 ; with changes introduced in accordance with Laws No. 911-VIII dated 24.12.2015 , No. 1774-VIII dated 06.12.2016 }

Temporarily, until September 30, 2017:

{The first paragraph of the fourth part of Article 85 as amended by Law No. 911-VIII dated 12.24.2015 ; with changes introduced in accordance with Laws No. 1774-VIII dated 06.12.2016 , No. 2148-VIII dated 03.10.2017 - applicable from October 1, 2017 }

persons (except for persons with disabilities of groups I and II, persons with disabilities due to war of group III and participants in hostilities, persons subject to clause 1 of article 10 of the Law of Ukraine "On the Status of War Veterans, Guarantees of Their Social Protection"), who occupy civil service positions defined by the Law of Ukraine dated December 10, 2015 No. 889-VIII "On Civil Service", as well as working in the positions and under the conditions stipulated by the laws of Ukraine "On the Prosecutor's Office" , "On the Judicial System and the Status of Judges" , assigned pensions / monthly lifetime maintenance is not paid;

{The second paragraph of the fourth part of Article 85 as amended by Law No. 911-VIII dated 12.24.2015 ; with changes introduced in accordance with Laws No. 1774-VIII dated 06.12.2016 , No. 2148-VIII dated 03.10.2017 }

during the period of the person's work (except for persons with disabilities of groups I and II, persons with disabilities due to war of group III and participants in hostilities, persons subject to clause 1 of article 10 of the Law of Ukraine "On the Status of War Veterans, Guarantees of Their Social Protection") in other positions/jobs, pensions, the amount of which exceeds 150 percent of the subsistence minimum established for persons who have lost working capacity, are paid in the amount of 85 percent of the assigned amount, but not less than 150 percent of the subsistence minimum established for persons who have lost working capacity.

{The third paragraph of the fourth part of Article 85 as amended in accordance with Laws No. 911-VIII dated 24.12.2015 , No. 2148-VIII dated 03.10.2017 }

{Article 85 is supplemented by part four in accordance with Law No. 213-VIII dated 02.03.2015 }

After dismissal from work, payment of pension in accordance with this Law is renewed.

{Article 85 is supplemented by part five in accordance with Law No. 213-VIII dated 03.02.2015 }

Since October 1, 2017, pensions are paid without taking into account the received salary (income).

{Article 85 was supplemented by part six in accordance with Law No. 213-VIII dated 03.02.2015 ; with changes introduced in accordance with Laws No. 911-VIII dated 24.12.2015 , No. 1774-VIII dated 06.12.2016 ; as amended by Law No. 2148-VIII dated October 3, 2017 - applicable from October 1, 2017 }

Article 86. Payment of pensions by proxy

The pension can be paid by power of attorney, the procedure for registration and the validity period of which is determined by legislation.

Article 87. Payment of pensions for past time

Accrued pension amounts, not claimed by the pensioner in a timely manner, are paid for the past time no more than 3 years before applying for a pension.

Pension amounts not received on time due to the fault of the body that appoints or pays the pension are paid for the past time without any time limit.

Article 88. Payment of pensions to persons living in boarding houses (boarding houses), inpatient departments of territorial centers of social service for pensioners and single disabled citizens, and children's boarding houses

Persons who live in boarding houses (boarding houses), inpatient departments of territorial centers of social service for pensioners and single disabled citizens, as well as children who are assigned social pensions and who live in children's boarding houses, are paid 25 percent of the amount of the assigned pension, but not less than 20 percent of the minimum age pension per month.

If the amount of their pension exceeds the cost of maintenance in these institutions, the difference between the amount of the pension and the cost of maintenance is paid, but not less than 25 percent of the amount of the assigned pension and not less than 20 percent of the minimum amount of the pension by age per month.

If a pensioner living in a boarding house (boarding house), inpatient department of the territorial center of social service for pensioners and single disabled citizens has disabled family members who are dependent on him (Articles 37 , 38 , 40 and 41 of this Law) , the pension is paid in the following order: 25 percent of the amount of the assigned pension, but not less than 20 percent of the minimum amount of the old-age pension, is paid to the pensioner himself, and the other part of the pension, but not more than 50 percent of the assigned amount, is paid to the specified family members.

The difference between the amount of the assigned pension of a person who lives in a boarding house (boarding house), inpatient department of the territorial center of social services for pensioners and single disabled citizens and a children's boarding house, and the amount of pension paid to him and his disabled family members in accordance with parts one - three of this article, is transferred to a boarding house (boarding house), inpatient department of a territorial center of social service for pensioners and single disabled citizens, a children's boarding house in which a person lives, upon his personal written application or the application of his parents, guardians (guardians) . The specified funds are credited to the accounts of these institutions in addition to budget allocations and are directed exclusively to improving the living conditions of elderly citizens, disabled people and children in them in accordance with the procedure determined by the Cabinet of Ministers of Ukraine.

{Article 88 as amended by Law No. 2833-III of November 29, 2001 - enters into force on January 1, 2002, as amended by Law No. 951-IV of June 5, 2003 }

Article 89. Payment of a pension during imprisonment

In case of deprivation of liberty of a pensioner, payment of the appointed pension is carried out on general grounds.

Article 90. Deductions from pensions

Deductions from pensions can be made on the basis of court decisions, decrees, resolutions and judgments (regarding property confiscations), executive inscriptions of notary offices and other decisions and resolutions, the execution of which, in accordance with current legislation, is carried out in the manner established for the execution of court decisions.

The size of the deduction from the pension is calculated from the amount due to the pensioner before payment.

No more than 50 percent of its amount can be deducted from the pension: for maintenance of family members (alimony), for compensation for losses from the theft of property of enterprises and organizations, for compensation for damage caused by mutilation or other damage to health, as well as in connection in connection with the death of the breadwinner, for the return of overreceived amounts of wages in the cases provided for by law.

No more than 20 percent of the pension can be deducted from all other types of charges.

Article 91. Payment of unearned pension in connection with the death of a pensioner and payment of burial allowance

Pension amounts that belonged to the pensioner and remained unpaid due to his death are transferred to his family members, and in the absence of them - are included in the inheritance.

{Part one of Article 91 as amended by Law No. 997-V of April 27, 2007 }

If several family members apply, the amount of pension due to them is divided equally between them.

The specified amounts are paid if applications for them are received no later than 6 months after the pensioner's death.

In the event of the death of a pensioner, his family or the person who performed the funeral is paid a funeral allowance in the amount of two months' pension.

Article 92. Payment of pensions to citizens who have gone abroad

Pensions are not granted to citizens who have left for permanent residence abroad.

Pensions assigned in Ukraine before departure for permanent residence abroad are paid 6 months in advance before departure abroad. During the stay of these citizens abroad, only pensions assigned as a result of occupational disability or occupational disease are paid.

The procedure for transferring pensions awarded as a result of occupational disability or occupational disease to other countries is determined by the Cabinet of Ministers of Ukraine.

Section III. SOCIAL PENSIONS

{Article 93 has become invalid as regards the assignment of social pensions on the basis of Law No. 2603-IV dated 31.05.2005 }

Article 93 . Citizens entitled to a social pension

Social pensions are assigned and paid to non-working citizens, except those disabled since childhood, in the absence of the right to a labor pension:

disabled persons of groups I and II, including persons with disabilities since childhood, as well as persons with disabilities of group III;

persons who have reached the age of majority: men - 60 years, women - 55 years;

children - in case of loss of a breadwinner (paragraph "a" of Article 37);

disabled children under the age of 16.

The list of medical indications giving the right to receive a social pension for disabled children under the age of 16 is determined in accordance with the procedure established by the Cabinet of Ministers of Ukraine.

{Article 94 has become invalid as regards the assignment of social pensions on the basis of Law No. 2603-IV dated 05/31/2005 }

Article 94 . Amounts of social pensions

Social pensions are awarded in the following amounts:

a) 30 percent of the minimum age pension:

persons who have reached the age: men - 60 years, women - 55 years and have not acquired the right to a labor pension without valid reasons;

b) 50 percent of the minimum age pension:

persons who have reached the age: men - 60 years, women - 55 years and have not acquired the right to a labor pension for valid reasons;

disabled persons of the III group;

c) 100 percent of the minimum age pension:

disabled persons of the II group;

disabled children under the age of 16;

children (paragraph "a" of Article 37), as well as one of the persons specified in paragraph "c" of Article 37 in case of loss of breadwinner;

d) 200 percent of the minimum age pension:

disabled persons of the I group;

mothers who have been awarded the title "Mother-Heroine".

{Article 95 has become invalid as regards the assignment of social pensions on the basis of Law No. 2603-IV dated 31.05.2005 }

Article 95 . The right to choose a social pension or a labor pension supplement

If there is a simultaneous right to a social pension and an allowance for disabled family members before an old-age or disability pension (Articles 21 and 33), either a pension or an allowance is assigned at the choice of the applicant.

{Article 96 has become invalid as regards the assignment of social pensions on the basis of Law No. 2603-IV dated 31.05.2005 }

Article 96 . Procedure for appointment and payment of pensions

When appointing and paying social pensions, Articles 1 , 80-91 , 102-104 of this Law shall be applied accordingly.

Section IV. PROCEDURE AND TERMS OF PENSION CALCULATION

Article 97. Increase of pensions in connection with the indexation of monetary incomes of the population

{Article 97 was reinstated in connection with the repeal of Decree No. 7-92 on the basis of Law No. 534/96-BP dated 11/21/96 }

{Article 97 has been suspended since December 1992 in accordance with Decree No. 7-92 dated 09.12.92 }

Pensions are increased every year in accordance with the indexation of the population's monetary income, but not less than by 2 percent of the earnings from which the pension is calculated (Article 64). In all cases, the specified increase cannot be less than 2 percent of the minimum age pension.

Article 98. Recalculation of previously assigned pensions

Pension recalculation is carried out on the basis of age, seniority, earnings and other documents available at the time of recalculation in the pension file, as well as additional documents submitted by the pensioner at the time of recalculation.

If the pensioner subsequently submits additional documents that give the right to a further pension increase in connection with the implementation of this Law (about length of service, earnings, marital status, etc.), then the pension will be recalculated according to the provisions of this Law. At the same time, the recalculation is carried out for the past time, but no more than 12 months before the submission of additional documents and no earlier than the date of entry into force of this Law.

Article 99. Earnings taken into account when calculating pensions

The recalculation of pensions assigned under the previously effective legislation is carried out from the average monthly earnings for the last 24 or any 60 months before the assignment of the pension, or before the entry into force of this Law, or from the earnings from which the pension was previously calculated, according to the documents available in pension case, with the application of Articles 64-67 of this Law.

Article 100. The procedure for assigning preferential pensions to persons who had the right to a pension on preferential terms before the entry into force of this Law

Persons who worked before the entry into force of this Law in jobs with harmful and difficult working conditions, provided for by the previously effective legislation, are granted old-age pensions on the following terms:

a) persons who, on the date of entry into force of this Law, have full length of service in the specified works, which gave the right to a pension on preferential terms, pensions in the amounts provided for by this Law shall be granted in accordance with the age and length of service requirements established by the previously effective legislation;

b) for persons who do not have full experience of working with harmful and difficult working conditions, the age required for the appointment of a pension in accordance with Article 12 is reduced in proportion to the existing experience in the manner provided for in Articles 13-14 of this Law, based on the requirements of this experience established previously existing legislation.

Chapter V. RESPONSIBILITY OF ENTERPRISES AND ORGANIZATIONS AND CITIZENS

RESOLUTION OF DISPUTES ON PENSION ISSUES

Article 101. Responsibility for the authenticity of data and documents issued for pension registration

Pension awarding bodies have the right to request relevant documents from enterprises, organizations and individuals, as well as, in necessary cases, check the validity of their issuance.

{Part one of Article 101 as amended by Law No. 2981-III dated 17.01.2002 }

Enterprises and organizations bear material responsibility for damage caused to citizens or the state as a result of untimely registration or submission of pension documents, as well as for the issuance of unreliable documents, and compensate it.

Article 102. Obligation of pensioners to notify pension-granting bodies of changes in conditions affecting the payment of pensions

{Name of Article 102 as amended by Law No. 2981-III dated 17.01.2002 }

Pensioners are obliged to inform the body that assigns pensions about the circumstances causing a change in the size of the pension or termination of its payment.

In case of non-fulfillment of this obligation and receiving in this connection excessive amounts of pension, pensioners must compensate the body that assigns the pension for the damage caused.

{Article 102 as amended in accordance with Law No. 2981-III dated 17.01.2002 }

Article 103. Collection of pension amounts in excess of the amount paid to a pensioner as a result of abuses on his part

Pension amounts paid to a pensioner in excess due to abuse on his part (as a result of submission of documents with clearly incorrect information, failure to submit information on changes in the composition of family members, etc.) are collected on the basis of the decisions of the body that assigns pensions.

Deductions on the basis of decisions of the body that assigns pensions are carried out in the amount of no more than 20 percent of the pension in addition to deductions on other grounds.

In all cases of levy on the pension of the pensioner, at least 50 percent of the due pension is kept.

In the event of suspension of pension payment (due to recovery of health, etc.) until full repayment of the debt, the rest of the debt is collected in court.

{Article 103 as amended by Law No. 2981-III of 01.17.2002 }

Article 104. Appealing decisions of the body that assigns pensions

A complaint against the decision of the body that assigns pensions can be submitted to the district (city) Council of People's Deputies or to the district (city) people's court.

**Chairman of the Verkhovna
Rada of Ukraine**

L. Kravchuk

**Kyiv,
November 5, 1991
No. 1788-XII**



On pension provision
Law of Ukraine dated November 5, 1991 No. 1788-XII
Revision dated **August 14, 2021**, basis — [1667-IX](#)
Permanent address:
<https://zakon.rada.gov.ua/go/1788-12>

The legislation of Ukraine is valid
as of March 14, 2024



1788-12

Publications of the document

- **Voice of Ukraine** from 12/17/1991
- **Information of the Verkhovna Rada of Ukraine** dated January 21, 1992 — 1992, No. 3, Article 10