

## Congo (Kinshasa)

Exchange rate: US\$1.00 = 920 Congolese francs.

### Old Age, Disability, and Survivors

#### Regulatory Framework

**First law:** 1956.

**Current law:** 1961 (social security).

**Type of program:** Social insurance system.

#### Coverage

Employed persons, including household and casual workers, sailors, and public-sector employees not covered by a special system.

Voluntary coverage for nonemployed persons who were previously insured for at least five years and who request coverage in the six-month period after insured employment ceases.

Exclusions: Self-employed persons.

Special system for civil servants.

#### Source of Funds

**Insured person:** 3.5% of gross earnings. The voluntarily insured contribute 7% of average declared annual earnings.

**Self-employed person:** Not applicable.

**Employer:** 3.5% of gross payroll.

**Government:** An annual subsidy, up to a maximum.

#### Qualifying Conditions

**Old-age pension:** Age 65 (men), age 60 (women), or age 55 (prematurely aged men and women), with at least 60 months of coverage in the last 10 years.

Employment must cease.

The pension is payable abroad only under reciprocal agreement.

**Old-age settlement:** Age 65 (men) or age 60 (women) with less than 60 months of coverage in the last 10 years.

Employment must cease.

**Disability pension:** The insured must be older than age 55 but younger than retirement age, assessed with at least a 66.7% loss of earning capacity, and have at least 36 months of coverage in the last five years. There is no minimum qualifying period if the disability is the result of a nonoccupational accident.

Constant-attendance allowance: The insured requires the constant attendance of others to perform daily functions.

A doctor approved or appointed by the National Social Security Institute periodically assesses the disability.

**Survivor pension:** The deceased received or was entitled to receive an old-age or disability pension.

Eligible survivors include a nonworking widow aged 50 or older (no limit if disabled), a dependent widower with a disability, and unmarried orphans younger than age 18 (age 25 if a student, no limit if disabled).

**Survivor benefit:** The deceased was not entitled to receive an old-age or disability pension.

Eligible survivors include a nonworking widow aged 50 or older (no limit if disabled), a dependent widower with a disability, and unmarried orphans younger than age 18 (age 25 if a student, no limit if disabled).

The widow(er) must have been married to the deceased for more than six months; if the death was the result of an accident, the widow(er) must have been married to the deceased before the date of the accident. The benefit ceases on remarriage and is suspended if the widow resumes paid employment.

#### Old-Age Benefits

**Old-age pension:** The annual benefit is 1.67% of the insured's average monthly covered earnings multiplied by the number of months of contributions.

The minimum pension is 50% of the legal minimum wage of the region.

Benefits are paid quarterly.

Benefit adjustment: Benefits are adjusted by presidential decree.

**Old-age settlement:** A lump sum of 10 times the annual old-age pension that the insured would have received if qualified is paid, calculated based on the number of complete years of coverage.

#### Permanent Disability Benefits

**Disability pension:** The annual benefit is 1.67% of the insured's average monthly covered earnings multiplied by the number of months of contributions. The insured is credited with contributions for each month after the disability began until the normal retirement age. At the normal retirement age, the disability pension is replaced by an old-age pension of the same amount.

The minimum pension is 50% of the legal minimum wage of the region.

Constant-attendance allowance: 50% of the disability pension is paid.

Benefits are paid quarterly.

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Benefit adjustment: Benefits are adjusted by presidential decree.

### Survivor Benefits

**Spouse's pension:** 40% of the old-age or disability pension the deceased received or was entitled to receive is paid to an eligible widow(er).

Remarriage settlement: A lump sum of 12 months of pension is paid.

Benefits are paid quarterly.

**Orphan's benefit:** A lump sum of 25% to 100% of the old-age or disability pension the deceased received or was entitled to receive is paid to the widow(er) or to each eligible orphan, depending on the number of eligible orphans.

All orphans' pensions combined must not exceed 100% of the pension paid to a widow(er).

Benefit adjustment: Benefits are adjusted by presidential decree.

**Survivor benefit:** A lump sum of 12 months of pension is split among all eligible survivors.

### Administrative Organization

Minister of Labor and Social Security provides administrative and technical oversight.

National Social Security Institute administers contributions and benefits through 10 central directorates, five urban directorates in Kinshasa, 13 provincial directorates, 18 district bureaus, and 15 local offices.

### Sickness and Maternity

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#### Regulatory Framework

**Sickness benefits:** No statutory benefits are provided. (The labor code requires employers to pay 66.7% of wages.)

**Maternity benefits:** No statutory benefits are provided. (The labor code requires employers to provide 14 weeks of paid maternity leave.)

**Medical benefits:** Medical care is available for old-age and disability pensioners and their dependents in government hospitals and clinics and in the medical facilities of the National Social Security Institute.

The labor code requires employers to provide medical care for workers and their dependents.

#### Work Injury

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#### Regulatory Framework

**First law:** 1949.

**Current law:** 1961 (social security).

**Type of program:** Social insurance system.

### Coverage

Employed persons, including household and casual workers, sailors, apprentices, students in vocational and craft schools, and public-sector employees not covered by a special system.

Exclusions: Self-employed persons.

### Source of Funds

**Insured person:** None.

**Self-employed person:** Not applicable.

**Employer:** 1.5% of gross payroll. (The contribution may be higher for high-risk industries.)

**Government:** None.

### Qualifying Conditions

**Work injury benefits:** There is no minimum qualifying period.

### Temporary Disability Benefits

If the insured is assessed with a disability of at least 60%, 66.7% of the insured's average daily earnings in the three months before the disability began (plus family allowances where applicable) is paid from the day after the work injury or occupational illness began until full recovery or certification of permanent disability.

The benefit is reduced by 50% during periods of hospitalization if the insured has no dependents.

A doctor approved or appointed by the National Social Security Institute periodically assesses the disability.

### Permanent Disability Benefits

**Permanent disability pension:** If the insured is assessed with a total disability, 85% of the insured's average monthly earnings in the three months before the disability began is paid.

**Partial disability:** If the assessed degree of disability is at least 15%, a percentage of the full pension is paid according to the assessed degree of disability; a lump sum is paid for less than a 15% assessed degree of disability.

**Constant-attendance supplement:** If the insured requires the constant attendance of others to perform daily functions, 50% of the disability pension is paid.

Benefits are paid quarterly.

A doctor approved or appointed by the National Social Security Institute assesses the disability every five years.

Benefit adjustment: Benefits are adjusted periodically.

### **Workers' Medical Benefits**

Benefits include medical, dental, surgical, and hospital care; radiology; laboratory services; pharmaceuticals; prostheses; and transportation.

### **Survivor Benefits**

**Spouse's pension:** 20% of the pension the deceased received or was entitled to receive if assessed with a permanent total disability is paid to a widow of any age or to a dependent widower with a disability.

The pension ceases on remarriage and a lump sum is paid.

Remarriage settlement: A lump sum of 12 months of pension is paid.

**Orphan's pension:** 15% of the pension the deceased would have received if assessed with a permanent total disability is paid to each unmarried orphan younger than age 18 (age 25 if a student, no limit if disabled).

All survivor benefits combined must not exceed 100% of the pension the deceased would have received if assessed with a permanent total disability.

**Funeral grant:** A lump sum up to 90 times the legal minimum wage of the region is paid.

### **Administrative Organization**

Minister of Labor and Social Security provides administrative and technical oversight.

National Social Security Institute administers contributions and benefits through 10 central directorates, five urban directorates in Kinshasa, 13 provincial directorates, 18 district bureaus, and 15 local offices.

### **Family Allowances**

#### **Regulatory Framework**

**First law:** 1951.

**Current laws:** 1961 (social security), 2008 (public establishments), and 2009 (social security fund).

**Type of program:** Employment-related system.

### **Coverage**

Employed persons and social insurance beneficiaries.

Exclusions: Self-employed persons.

Special system for civil servants.

### **Source of Funds**

**Insured person:** None.

**Self-employed person:** Not applicable.

**Employer:** 4% of gross payroll.

**Government:** None.

### **Qualifying Conditions**

**Family allowances:** The child must be younger than age 18 (age 25 if a student, no limit if disabled) and unmarried.

### **Family Allowance Benefits**

**Family allowances:** 10% of the legal minimum wage of the region is paid for each child.

Benefits are paid retroactively at regular intervals of 15 days to three months.

Benefit adjustment: Benefits are adjusted periodically.

### **Administrative Organization**

Minister of Labor and Social Security provides administrative and technical oversight.

National Social Security Institute administers contribution collection and benefit payment through 10 central directorates, five urban directorates in Kinshasa, 13 provincial directorates, 18 district bureaus, and 15 local offices.