

## Congo (Kinshasa)

Exchange rate: US\$1.00 equals  
433.50 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 domestic workers, casual workers, some categories of boat workers, and public-sector employees not otherwise covered by a social security program.

Voluntary coverage for nonemployed persons who were previously insured for at least 5 years, including 6 consecutive months, and who request to be covered in the 6-month period after insured employment ceases.

Special system for civil servants.

#### Source of Funds

**Insured person:** 3.5% of gross earnings. The voluntarily insured contribute 7% of the most recent 6 months' covered earnings, according to three earnings classes.

**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) or age 60 (women); age 55 (men and women) if prematurely aged, with 60 months of insurance coverage in the last 10 years. Retirement from paid employment is necessary.

The pension is payable abroad only if there is a reciprocal agreement.

**Old-age settlement:** The insured does not meet the qualifying conditions for an old-age pension. The settlement is payable from age 58. Retirement from paid employment is necessary.

**Disability pension:** A loss of 2/3 of earning capacity with 36 months of insurance coverage in the last 5 years. There is no minimum qualifying period if the disability is the result of a nonoccupational accident.

**Survivor pension:** The deceased met the qualifying conditions for a pension or was a pensioner at the time of death.

**Survivor settlement:** The deceased did not meet the qualifying conditions for a pension.

Eligible survivors are a nonworking widow aged 50 or older or disabled, a dependent disabled widower, and orphans younger than age 16 (age 25 if a student, no limit if disabled).

The widow(er) must have been married to the deceased for more than 6 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 is suspended if the widow resumes paid employment.

#### Old-Age Benefits

**Old-age pension:** An annual benefit of 1/60 of the insured's average monthly covered earnings times the number of months of insurance coverage.

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

Benefits are paid monthly or quarterly.

**Benefit adjustment:** Benefits are adjusted by presidential decree, according to changes in wages.

**Old-age settlement:** A lump sum equal to 10 times the annual pension, based on the number of complete years of insurance coverage.

The minimum settlement is 50% of the minimum annual pension.

#### Permanent Disability Benefits

**Disability pension:** An annual benefit of 1/60 of the insured average monthly covered earnings in the 3 years before the onset of disability times the number of months of insurance coverage. For each month that a claim is made before the insured reaches age 55, the insured is credited with a 1-month coverage period. 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.

**Constant-attendance allowance:** Equal to 50% of the pension.

Benefits are paid monthly or quarterly.

**Benefit adjustment:** Benefits are adjusted by presidential decree, according to changes in wages.

#### Survivor Benefits

**Survivor pension:** 40% of the insured's pension is paid to the widow(er).

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

**Remarriage settlement:** A lump sum equal to 12 months' pension.

**Orphan's pension:** A lump sum equal to 25% of the survivor settlement for each orphan; 50% each for full orphans or half-orphans if the mother does not qualify for a survivor pension or settlement.

The total orphan's pension must not exceed 100% of the survivor settlement.

Benefits are paid monthly or quarterly.

Benefit adjustment: Benefits are adjusted by presidential decree, according to changes in wages.

**Survivor settlement:** A lump sum equal to 12 months' pension is paid to survivors.

### **Administrative Organization**

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

Minister of Investments is responsible for investments.

National Social Security Institute administers the program through 8 central directorates, 4 urban directorates in Kinshasa, 10 provincial directorates, and 15 district bureaus.

### **Sickness and Maternity**

#### **Regulatory Framework**

**Sickness benefits:** No statutory benefits are provided. (The labor code requires employers to pay 2/3 of wages, plus family allowances.)

**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 pensioners and disability pensioners and their dependents in government hospitals and dispensaries 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**

#### **Regulatory Framework**

**First law:** 1949.

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

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

#### **Coverage**

Employed persons, including domestic and casual workers, sailors, apprentices, students in vocational and craft schools, and public-sector employees not otherwise covered by a social security program.

#### **Source of Funds**

**Insured person:** None.

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

**Employer:** 1.5% of gross payroll. (The contribution may increase, depending on the reported accident rate.)

**Government:** None.

### **Qualifying Conditions**

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

### **Temporary Disability Benefits**

If at least 60% disabled, the benefit is equal to 2/3 of the insured's average daily earnings in the 3 months before the onset of disability (plus family allowances where applicable). The benefit is payable from the day after the onset of disability or occupational illness until full recovery or certification of permanent disability.

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

### **Permanent Disability Benefits**

**Permanent disability pension:** For a total disability, the pension is equal to 85% of the insured's average monthly earnings in the 3 months before the onset of disability.

Constant-attendance allowance: Equal to 50% of the pension.

Partial disability: A percentage of the full pension according to the assessed degree of disability. If the assessed degree of disability is less than 15%, the benefit is paid as a lump sum equal to three times the annual pension.

Benefits are paid monthly or quarterly.

Benefit adjustment: The pension is adjusted periodically.

### **Workers' Medical Benefits**

Benefits include medical, dental, surgical, and hospital care; X-rays; laboratory services; pharmaceuticals; appliances; and transportation.

### **Survivor Benefits**

**Survivor pension:** 20% of the insured's permanent disability pension is paid to a widow of any age or to a dependent disabled widower.

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

Remarriage settlement: A lump sum equal to 12 months' pension.

**Orphan's pension:** 15% of the deceased's permanent disability pension is paid for each orphan younger than age 16 (age 25 if a student, no limit if disabled).

The total survivor pension must not exceed 100% of the deceased's permanent disability pension.

**Funeral grant:** A lump sum equal to 90 days' legal minimum wage.

### **Administrative Organization**

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

Minister of Investments is responsible for investments.

National Social Security Institute administers contributions and benefits.

## ***Family Allowances***

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### ***Regulatory Framework***

**First law:** 1951.

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

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

### ***Coverage***

Employed persons and social insurance beneficiaries in Katanga Province.

The labor code requires employers to provide family benefits to workers in all provinces except Katanga.

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 unmarried and younger than age 16 (age 25 if a student, no limit if disabled).

### ***Family Allowance Benefits***

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

Benefits are paid retroactively at regular intervals not greater than 3 months and not less than 15 days.

Benefit adjustment: Benefits may be adjusted annually according to changes in the cost of living.

### ***Administrative Organization***

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

Minister of Investments is responsible for investments.

National Social Security Institute administers the program in Katanga Province.