

## Congo (Kinshasa)

Exchange rate: US\$1.00 equals  
655.00 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 social security program.

Voluntary coverage for nonemployed persons who were previously insured for at least 5 years and who request to be covered in the 6-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 the most recent 6 months of covered 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. Retirement from paid employment is necessary.

The pension is payable abroad only under reciprocal agreement.

**Old-age settlement:** Paid from age 65 (men) or age 60 (women) if the insured does not meet the qualifying conditions for an old-age pension. Retirement from paid employment is necessary.

**Disability pension:** The insured must be assessed with a loss of earning capacity of at least 66.7% and have at least 36 months of coverage in the last 5 years. There is no minimum qualifying period if the disability is the result of a nonoccupational accident.

The disability is assessed periodically by a doctor approved or appointed by the National Social Security Institute.

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

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

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

Eligible survivors are a nonworking widow aged 50 or older (no age limit if disabled), a dependent widower with a disability, and 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 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 and ceases on remarriage.

#### Old-Age Benefits

**Old-age pension:** The annual benefit is equal to 1/60 of the insured's average monthly covered earnings in the 3 years before retirement multiplied by the number of months of contributions.

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

Benefits are paid monthly or quarterly.

Benefit adjustment: Benefits are adjusted by presidential decree.

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

#### Permanent Disability Benefits

**Disability pension:** The annual benefit is equal to 1/60 of the insured's average monthly covered earnings in the 3 years before the disability began 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 equal to 50% of the legal minimum wage.

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

Benefits are paid monthly or quarterly.

Benefit adjustment: Benefits are adjusted by presidential decree.

## Survivor Benefits

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

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

Benefits are paid monthly or quarterly.

**Orphan's benefit:** Each orphan receives a lump sum of 25% of the pension paid to the widow(er).

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 paid to 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, 5 urban directorates in Kinshasa, 13 provincial directorates, 18 district bureaus, and 13 local offices.

## Sickness and Maternity

### 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 pensioners 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

### 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 social security program.

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, depending on the reported accident rate.)

**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%, the benefit is equal to 66.7% of the insured's average daily earnings in the 3 months before the disability began (plus family allowances where applicable). The benefit 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.

The disability is assessed periodically by a doctor approved or appointed by the National Social Security Institute.

### Permanent Disability Benefits

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

**Constant-attendance allowance:** If the insured requires the constant attendance of others to perform daily functions, 50% of the disability pension 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. If the assessed degree of disability is less than 15%, a lump sum of 3 years of pension is paid, according to the assessed degree of disability.

Benefits are paid monthly or quarterly.

The disability is assessed periodically by a doctor approved or appointed by the National Social Security Institute.

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**

**Survivor pension:** 20% of the pension the deceased would have received 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:** Each unmarried orphan younger than age 18 (age 25 if a student, no limit if disabled) receives 15% of the pension the deceased would have received if assessed with a permanent total disability.

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 of 90 days of legal minimum wage is paid.

### **Administrative Organization**

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

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### **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.

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 unmarried and younger than age 18 (age 25 if a student, no limit if disabled).

### **Family Allowance Benefits**

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

Benefits are paid retroactively at regular intervals between 3 months and 15 days.

Benefit adjustment: Benefits are adjusted periodically.

### **Administrative Organization**

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

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