

## 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 monthly earnings. The voluntarily insured contribute 7% of average declared annual earnings.

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

**Employer:** 3.5% of monthly earnings.

**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 old-age 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:** Assessed with a permanent loss of working capacity, younger than retirement age and with 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.

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

**Spouse's pension:** The deceased received or was entitled to receive an old-age pension.

The pension is paid to a nonworking widow(er) aged 50 or older (no limit if disabled) and married to the deceased for more than six months.

The widow(er)'s pension ceases on remarriage.

**Remarriage settlement:** Paid when the widow(er) remarries.

**Spouse's settlement:** The deceased received or was entitled to receive an old-age pension.

The benefit is paid to a nonworking widow(er) who is not entitled to receive a spouse's pension and was 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 or is suspended if the widow(er) resumes paid employment.

**Orphan's settlement:** The deceased received or was entitled to receive an old-age pension.

The benefit is paid to orphans younger than age 18 (age 25 if a student, no limit if disabled).

#### 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 average monthly earnings are the total earnings in the last five years divided by 60.

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

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 with five years of contributions is paid.

#### 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 average monthly earnings are the total earnings in the last three years divided by 36.

Benefits are paid quarterly.

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.

Remarriage settlement: A lump sum of 12 months of the spouse's pension is paid.

Benefits are paid quarterly.

**Spouse's settlement:** A lump sum of 12 months of the old-age or disability pension the deceased received or was entitled to receive is paid.

**Orphan's settlement:** A lump sum of 25% of the spouse's benefit is paid for each child, up to four. If there is no surviving widow(er), the orphan's lump sum benefit is multiplied by two.

Benefit adjustment: Benefits are adjusted by presidential decree.

### Administrative Organization

The Ministry of Labor, Employment 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

#### Regulatory Framework

The labor code requires employers to provide cash sickness (66.7% of salary), maternity (14 weeks), and medical benefits 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 special system.

Exclusions: Self-employed persons.

#### Source of Funds

**Insured person:** None.

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

**Employer:** 1.5% of monthly earnings. (May be higher for high-risk industries.)

**Government:** None.

### Qualifying Conditions

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

### Temporary Disability Benefits

**Temporary disability benefit:** 66.7% of the insured's average daily earnings in the three months before the disability began is paid from the day after the work injury occurred or the occupational disease began until full recovery or certification of permanent disability.

A doctor approved or appointed by the National Social Security Institute periodically re-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 pension:** For an assessed degree of disability of at least 15%, a percentage of the full pension is paid according to the assessed degree of disability; a lump sum of three times the partial disability pension the insured would have been entitled to 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.

Benefit adjustment: Benefits are adjusted periodically.

### Workers' Medical Benefits

Benefits include medical, dental, surgical, and hospital care; X-rays; 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.

Remarriage settlement: The pension ceases on remarriage. A lump sum of 12 months of the spouse's 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).

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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 is paid.

### **Administrative Organization**

The Ministry of Labor, Employment 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**

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#### **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 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**

The Ministry of Labor, Employment 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.