

**PENSION AND DISABILITY COMPENSATION INSURANCE LAW**  
**(LAW ON PENSION AND INVALID INSURANCE)**

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(Unofficial Translation)

Article 1

This Law shall regulate mandatory pension and invalid insurance of employees and other physical persons engaged in work, and special requirements by which particular insured categories shall fulfill their pension and invalid insurance rights.

Article 2

Pension and invalid insurance of individuals whose insurance is not mandatory according to this Law, and the insurance of a larger portion of pension and invalid rights of individuals whose insurance is mandatory according to this Law, may be certified as voluntary insurance in compliance with this Law.

Article 3

Through mandatory pension and invalid insurance based on employment and according to the principle of social equity, the ensuing rights shall be fulfilled in cases of old age, reduction and loss of working ability, death and physical injury.

Article 4

Pension and invalid insurance rights are acquired depending on the length and amount of funds invested in pension and invalid insurance under the conditions set forth in this Law.

Article 5

Rights incurred from pension and invalid insurance shall entail:

- 1) The right to old age pension;
- 2) The right to disability pension;
- 3) The right to reassignment of employment; the right to corresponding employment; the right to vocational training or improvement of skills; and the right to appropriate money allowances;
- 4) The right to family pension;

- 5) The right to money allowance for physical injury; and
- 6) The right to the lowest pension level.

#### Article 6

Rights acquired through pension and invalid insurance are inalienable, personal and material rights, that can not be transferred to other individuals.

Rights acquired through pension and invalid insurance can not become obsolete with the exception of overdue and unpaid pension amounts and other money receipts in instances defined by this Law.

The use of pension and invalid insurance rights acquired in compliance with this Law may terminate or be restricted only in instances and under conditions designated in this Law.

#### Article 7

Insured parties and employers shall provide the required funds for the fulfillment of rights on pension and invalid insurance.

The State shall provide funds for pension and invalid insurance in instances and under conditions determined in this Law.

Funds required for the fulfillment of pension and invalid insurance rights shall be obtained by insured parties as funds for personal consumption.

#### Article 8

Funds for pension and invalid insurance and ensuing rights shall be fulfilled and effected by the Pension and Invalid Insurance Fund of Macedonia (hereinafter: Fund)

The status of the fund is that of a legal entity.

The head office of the Fund is located in Skopje.

#### Article 9

The operation of the Fund shall be of public interest.

#### Article 10

Fulfillment of pension and invalid insurance rights shall necessitate a two-sided procedure in the Fund, i.e., with the employer and with the legal protection of rights.

## **II. INSURED PARTIES**

### Article 11

Insured parties under mandatory pension and invalid insurance are:

- 1) Employees of enterprises and other legal entities engaged in business activities, institutions and other legal entities employed in public services, in state organs, units of the local self-government and in domestic and foreign legal entities (hereinafter: employer);
- 2) Individuals employed in the armed forces of the Republic of Macedonia (soldiers under contract, junior officers, officers and civilians in the Army service);
- 3) Elected and appointed holders of public and other functions receiving either a salary for that function or other compensation for the performance of that function;
- 4) Citizens of the Republic of Macedonia employed by foreign and international bodies, organizations and institutions, foreign diplomatic and consular missions or in the personal service of foreign diplomatic and consular missions on the territory of the Republic of Macedonia, unless otherwise designated by an international agreement;
- 5) Citizens of the Republic of Macedonia employed abroad if they have not been insured during their employment with the foreign insurer;
- 6) Citizens of the Republic of Macedonia employed by foreign employers in countries in which they are mandatorily insured, but in which pension and invalid rights determined in this Law can not be fulfilled nor utilized outside that particular country;
- 7) Physical persons performing an activity;
- 8) Private farmers - tax payers of income on agricultural activities who are engaged solely in an agricultural profession;
- 9) Unemployed individuals receiving money allowances;
- 10) Disabled workers waiting on vocational training, improvement of skills, on reassignment of employment or corresponding employment;
- 11) Self-supporting artists who have acquired such status in accordance with the standards, procedures and respective act

assigned by the Minister of Culture; and

- 12) Sportsmen, who in compliance with the standards of the Union of Sport Associations of the Republic of Macedonia, have acquired the status of leading sportsmen-amateurs according to this Law, unless otherwise insured.

#### Article 12

Employees specified under article 11, paragraph 1, items 1 and 3 of this Law appointed to work abroad shall be subject to mandatory insurance unless they have been insured in accordance with the regulations of the foreign country during the period of employment, or unless otherwise resolved through an international agreement.

Citizens of the Republic of Macedonia who are employed by employers operating abroad shall be subject to mandatory insurance.

#### Article 13

Foreign nationals and individuals without citizenship on the territory of Macedonia shall be subject to mandatory insurance in the following instances:

- 1) When provided with a job by an employer;
- 2) When employed by foreign nationals or foreign legal entities unless otherwise designated by an international agreement; and
- 3) When employed by international organizations and institutions, and foreign diplomatic and consular missions, unless insurance has been stipulated by an international agreement.

#### Article 14

Mandatory pension and invalid insurance based on disability and physical impairment caused by injury at work or occupational illness shall be provided for:

- 1) Pupils and students in organizations of vocationally directed education engaged in practical work;
- 2) Individuals serving sentences in prisons, juvenile prisons and in juvenile reformatory schools during the period of regular work while serving the sentence;
- 3) Members of youth cooperatives during the period of work;
- 4) Health workers with higher education acquiring working experience for specialist examinations; and

- 5) Unemployed individuals during professional training, vocational retraining and improvement of skills.

The provisions under paragraph 1 item 1 of this article, shall also apply to citizens of the Republic of Macedonia, who in compliance with the regulations in force, have been sent abroad for education.

The provisions under paragraph 1 item 1 of this article, shall also apply to foreign nationals receiving education in the Republic of Macedonia under condition that the same treatment is provided for citizens of the Republic of Macedonia in the respective foreign country unless otherwise determined by an international agreement.

#### Article 15

Mandatory pension and invalid insurance shall be provided based on disability and physical impairment caused by injuries which have occurred during participation in:

- 1) Actions of rescue or protection against natural disasters and accidents;
- 2) Organized youth and other types of working campaigns;
- 3) Training by request of the defense authorities;
- 4) Providing assistance to police authorities in fulfilling their official duties;
- 5) Cultural and artistic manifestations and contests organized by cultural and other types of associations; and
- 6) Sport and technical tournaments organized by sports and other types of associations.

#### Article 16

A general act of the Fund shall regulate the procedure whereby entities specifies in articles 14 and 15 are to fulfill pension and invalid insurance rights.

### **III. ACQUIRING AND DETERMINING RIGHTS**

#### **1. Old Age Pension**

#### Article 17

Insured parties shall acquire the right to old age pension having turned either 63 years of age (men) or 60 years of age (women), and a minimum of 20 years working experience.

During the transitional period from January 1, 1994 till December 31, 1998 (men) and December 31, 2002 (women), the age limit for acquiring old age pension shall increase gradually as follows:

Year		Men / Women	
01.01.1994	till	31.12.1994	60,5 55,5
01.01.1995	till	31.12.1995	61,0 56,0
01.01.1996	till	31.12.1996	61,5 56,5
01.01.1997	till	31.12.1997	62,0 57,0
01.01.1998	till	31.12.1998	62,5 57,5
01.01.1999	till	31.12.1999	63,0 58,0
01.01.2000	till	31.12.2000	58,5
01.01.2001	till	31.12.2001	59,0
01.01.2002	till	31.12.2002	59,5
01.01.2003	till	31.12.2003	60,0

Insured parties who have not completed 20 years of working experience shall acquire the right to old age pension having turned 65 years of age (men) and 63 years of age (women), and with a minimum of 15 years insurance.

During the transitional period from January 1, 1994 till December 31, 1998 the age limit for women shall increase gradually as follows:

Year		Women	
01.01.1994	till	31.12.1994	60,5
01.01.1995	till	31.12.1995	61,0
01.01.1996	till	31.12.1996	61,5
01.01.1997	till	31.12.1997	62,0
01.01.1998	till	31.12.1998	62,5
01.01.1999	till	31.12.1999	63,0

Insured parties shall acquire the right to old age pension having completed a working period of 40 years (men) and 35 years (women), regardless of their age.

### **Reduction of Age Limit**

#### Article 18

The age limit for acquiring the right to old age pension shall be reduced for insured parties whose period of insurance has increased depending on the level of the expanded work period in the scope of one year.

- 1) For every seven years of service, 12 months of effective work shall be estimated as 13 months of work for insurance;

- 2) For every six years of service, 12 months of effective work shall be estimated as 14 months of work for insurance;
- 3) For every five years of service, 12 months of effective work shall be estimated as 15 months of work for insurance;
- 4) For every four years of service, 12 months of effective work shall be estimated as 16 months of work for insurance;
- 5) For every three years and six months of service, 12 months of effective work shall be estimated as 17 months of work for insurance;
- 6) For every three years of service, 12 months effective work shall be estimated as 18 months of work for insurance;

### **Pension Base**

#### Article 19

Old age pension is determined from the average monthly salary earned by the insured party during the entire period of insurance starting from January 1, 1970 (hereinafter: pension base).

Old age pension for insured parties specified in article 11 item 2 shall be determined from the pension base, i.e., from the average monthly salary earned by the insured party during the entire period of insurance starting from April 1, 1992 earliest.

The calendar year in which the insured party earned a salary or compensation for a minimum of six months insurance shall be used to determine the pension base.

With the exception of paragraph 3 of this article, the salary or compensation earned in the year in which the insured party acquired the right to old age pension shall not be used to determine the pension base.

#### Article 20

The pension base shall be determined according to the base defined in the general act of the Fund for insured parties and individuals who have not earned salaries or compensations after January 1, 1970.

#### Article 21

Salaries, money allowances and insurance basis, which the insured party earned in accordance with the general act of the employer in conformity with the collective agreement and the Law, shall be used to determine the pension base.

## Article 22

The average monthly salary earned by the insured party during full working hours shall be used to determine the pension base.

Salaries earned for work exceeding or under full working hours shall be computed with the average monthly amount corresponding to the salary for full working hours.

The salary of insured parties working shorter hours and simultaneously for more than one employer during the calendar year shall be computed by adding the total earned salaries and the working hours spent with all employers as full work time.

Salaries earned for work exceeding the full working hours shall be used to determine the pension base under condition that such work had been performed in cases designated in the regulations on labor relations.

## Article 23

When determining the pension base, the total salary earned through full time work or work longer or shorter than the full working hours during one year, shall be deduced to the average monthly amount which corresponds to the salary for full working hours.

The amount that corresponds to the full time salary specified in paragraph 1 of this article shall be computed in such a way that the total amount of estimated salaries used to determine the pension base and earned by the insured party during one year is divided by the number of full time, shorter and longer hours. The received amount per hour is multiplied by the average number of full time hours per month in the period in which the salary was earned. The received amount shall be used to determine the pension base.

## Article 24

When determining the pension base for the period in which insured parties received salary compensation according to the regulations on health insurance, the average salary amount shall be used to determine the pension base according to the salary earned in the calendar year prior to the year in which the temporary impediment occurred, computed with the valorization rate assigned for that respective year.

If insured parties did not earn a salary in the previous year, the average salary earned in the last year of insurance prior to the occurrence of temporary impediment, shall be used as a salary to determine the pension base computed with the valorization rate assigned for that respective year.

## Article 25

When determining the pension base for unemployed workers receiving money allowances, for disabled workers waiting on vocational retraining, improvement of skills, reassignment of employment or corresponding employment, the base shall be used to determine the money allowance.

The base used to determine the money allowance is valorized with the coefficient that valorizes the salaries which are used to determine the base.

#### Article 26

When determining the pension base for disabled workers receiving money allowances for reduced working hours or money allowances for small salaries, in addition to receiving a salary, money allowances shall also be received that are to be computed with the valorization rate assigned for the year in which the allowance was earned.

#### Article 27

When determining the pension base for insured parties specified in article 11 paragraph 1 item 3 of this Law, the salary or compensation paid for the performance of that function shall be used as a base for payment of pension and invalid insurance.

#### Article 28

The salary and insurance base used for payment of pension and invalid insurance contributions shall be used when determining the pension base of insured parties specified in article 12 of this Law.

#### Article 29

The insurance base used for payment of pension and invalid insurance contributions shall be used when determining the pension base of insured parties specified in article 11 paragraph 1 items 4, 5 and 6 and article 13 of this Law.

#### Article 30

The pension base for workers hired by employers shall be determined from the salaries earned in accordance with the agreement for employment.

The pension base for private farmers shall be determined from the insurance base.

The pension base for physical persons performing an activity, self-sporting artists and leading sportsmen-amateurs, shall be determined from the base used for computation and payment of contributions for pension and invalid insurance.

#### Article 31

Compensation earned on the basis of innovation, rationalization and other types of creativity at work that are in compliance with the general act of the employer and in conformity with the collective agreement and the Law, shall be used to determine the pension base if pension and invalid insurance contributions have been paid.

When determining the pension base, the compensation specified in paragraph 1 of this article shall be evaluated for the year in which the compensation was paid.

#### Article 32

Salaries from previous years which serve to determine the pension base are valorized by the rates computed on the basis of the salaries of all employees on the territory of the Republic of Macedonia.

The valorization of salaries from previous years, which serve to determine pensions, shall be estimated according to the average salaries in the last calendar year prior to the year in which the insured party acquired the right to pension.

The valorization rates on salaries from previous years shall be determined every year identically for all wages based on statistical data on the incomes of all employees on the territory of the Republic of Macedonia.

The valorization rates shall be assigned by the Fund through a general act.

### **Old Age Pension Levels**

#### Article 33

Old age pension shall be determined according to the pension base in percentages depending on the length of the years of service:

Years of Service	Men %	Women %
15 years	35	40
15 years and 6 months	35.9	41.3
16 years	36.8	42.6
16 years and 6 months	37.7	43.9
17 years	38.6	45.2
17 years and 6 months	39.5	46.5
18 years	40.4	47.8
18 years and 6 months	41.3	49.1
19 years	42.2	50.4
19 years and 6 months	43.1	51.7
20 years	44.0	53.0
20 years and 6 months	44.9	53.9
21 years	45.8	54.8
21 years and 6 months	46.7	55.7
22 years	47.6	56.6
22 years and 6 months	48.5	57.5
23 years	49.4	58.4
23 years and 6 months	50.3	59.3
24 years	51.2	60.2
24 years and 6 months	52.1	61.1

25 years	53.0	62.0
25 years and 6 months		53.9 62.9
26 years	54.8	63.8
26 years and 6 months		55.7 64.7
27 years	56.6	65.6
27 years and 6 months		57.5 66.5
28 years	58.4	67.4
28 years and 6 months		59.3 68.3
29 years	60.2	69.2
29 years and 6 months		61.1 70.1
30 years	62.0	71.0
30 years and 6 months		62.9 71.9
31 years	63.8	72.8
31 years and 6 months		64.7 73.7
32 years	65.6	74.6
32 years and 6 months		66.5 75.5
33 years	67.4	76.4
33 years and 6 months		68.3 77.3
34 years	69.2	78.2
34 years and 6 months		70.1 79.1
35 years	71.0	80.0
35 years and 6 months		71.9
36 years	72.8	
36 years and 6 months		73.7
37 years	74.6	
37 years and 6 months		75.5
38 years	76.4	
38 years and 6 months		77.3
39 years	78.2	
39 years and 6 months		79.1
40 years	80.0	

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The level of old age pension may not exceed 80% of the pension base.

### **Lowest Old Age Pension Level**

#### Article 34

Insured parties who meet the requirements for acquiring old age pension rights are entitled to the lowest level of old age pension.

The lowest level of old age pension shall be assigned by the Fund through a general act form the average salary earned in the Republic of Macedonia in the previous year as follows:

- A minimum of 60% for pension beneficiaries who have completed 35 years of service (men) and over 30 years of service (women).
- A minimum of 55% for pension beneficiaries who have completed 25 years of service (men) and over 20 years of service (women) and

- A minimum of 50% for pension beneficiaries who have completed up to 25 years of service (men) and up to 20 years of service (women).

Throughout the year, pensions specified in paragraph 2 of this article shall be brought into line with the percentage under which other pensions are reconciled.

#### Article 35

Insured parties who have acquired a portion of their pension through an international agreement, shall be entitled to the lowest pension level if the pension amount assigned by this Law and the foreign pension estimated at the current foreign exchange rate are smaller than the amount used to determine the lowest pension level specified in article 34 of this Law.

When determining the percentage of the lowest pension level, the years of insurance abroad shall not be taken into account.

#### **Highest Pension Level**

#### Article 36

The highest pension level may not exceed 80% of the average salary earned in the Republic of Macedonia in the year prior to acquiring the pension right increased by four times.

#### **Adjustment of Old Age Pension**

#### Article 37

Adjustment of old age pension shall be conducted from January 1 till July 1 in the current year, in accordance with the average salary earned in the non-business sector in the Republic as follows:

- From January 1, according to the average salary in the non-business sector in the Republic earned in December of the previous year compared to the average salary in the non-business sector earned in July of the same year; and
- From July 1, according to the average salary in the non-business sector in the Republic earned in June of the current year compared to the average salary in the non-business sector earned in December of the previous year;

The adjustment specified in paragraph 1 of this article shall be carried out starting from the January payment of pensions until July in the current year.

The adjustment of old age pensions may be conducted in intervals shorter than the period designated in paragraph 1 of this article if the increase or decrease of salaries exceeds 5% for one or more months compared to the month in which the last adjustment was conducted.

The adjusted pension under paragraph 3 of this article applies to the first day following the month in which the salary increases is determined.

For the implementation of paragraph 1 of this article, the pension earned in the current year shall undergo previous adjustment in accordance with the salary increase in January of that year compared to the previous year, taking into account the impact of pension adjustments induced by other Laws.

## **2. Rights Based on Disability**

### **Disability**

#### Article 38

Under this Law, disability presupposes that insured parties due to permanent changes in their state of health caused by injuries at work, occupational disease, injuries induced outside of work or through illness, which can not be cured through treatment or medical rehabilitation resulting in the decline or loss of working skills at the place of work of the insured parties prior to the occurrence of disability.

### **Individual Work**

#### Article 39

Individual work shall denote duties at the place of employment to which the insured party had been appointed prior to the occurrence of disability.

Individual work at employment position prior to the termination of the last insurance, shall be taken into consideration for individuals without employment during the occurrence of disability.

The occupation on the basis of which farmers have been mandatorily insured, according to this Law, shall be considered as individual work.

### **Other Corresponding Work**

#### Article 40

Other corresponding work shall denote work that insured parties, based on vocational training and working skills, are able to perform under reduced or full working hours at a different place of work that will not worsen their state of health or disability.

## **Limited Working Abilities**

### Article 41

Limited working abilities shall be acknowledged in cases when insured parties are unable to fulfill their duties through normal working efforts, that do not present a threat to their state of health, which according to article 38 of this Law have been appraised as a disability.

## **Remaining Working Capabilities**

### Article 42

Remaining working capabilities shall be acknowledged when limited working abilities are determined with insured parties capable of working half of the full working hours at the position held prior to the disability occurrence, or full time at a different position with or without vocational training or improvement of skills.

## **Loss of Working Skills**

### Article 43

Loss of working skills shall be acknowledged if insured parties are entirely or permanently incapable of performing their own or similar duties, or other corresponding jobs with full working hours through vocational training or improvement of skills.

Loss of working skills shall be acknowledged for insured farmers who are entirely or permanently incapable of performing their work.

## **Injury at Work**

### Article 44

Under this Law, injury at work shall indicate injuries inflicted on insured parties through direct and momentary mechanical, physical or chemical action, and injuries caused by abrupt changes in body posture, sudden overloading of the body or other changes of the physiological state of the organism, if such injuries are brought about during the performance of duties at the place of work.

Injury at work shall also imply to injuries specified under paragraph 1 of this article which insured parties may undergo from their place of residence to the place of work and vice-versa, during official travel, when traveling to a new place of work, returning from vacation or other leave by order of the employer and during vocational retraining, improvement of skills or employment in compliance with this Law.

Insured parties suffering from illnesses incurred as a direct or extraordinary outcome of an accident or Act of God during the performance of duties or work related activities, shall be acknowledged as injury at work.

Injuries suffered by insured parties during work, specified under articles 14 and 15, shall also be acknowledged as injuries at work.

### **Occupational Illness**

#### Article 45

Illness induced through continual direct impact from the process and conditions of work on the working skills of the insured party shall be acknowledged as professional illnesses under this Law.

The Minister of Labor and Social Policy shall designate the list of professional illnesses.

#### Article 46

Under this Law, disabled workers are those insured parties who on the basis of disability acquire the right to pension and invalid insurance.

### **A) Rights Based on Remaining Working Capabilities**

#### Article 47

Insured parties with remaining working capabilities shall be entitled to:

- 1) Work with reduced working hours;
- 2) Reassignment or appointment to another appropriate position;  
and
- 3) Vocational retraining or improvement of skills.

Private farmers shall not acquire the rights specified under paragraph 1 of this article.

With the exception of paragraph 1 of this article, physical persons engaged in work are entitled to either vocational retraining or improvement of skills and the right to appropriate employment.

### **Reduced Working Hours**

#### Article 48

Insured parties with remaining working capabilities, who have been acknowledged incapable of working full working hours at their position or another corresponding position, with or without vocational retraining or improvement of skills, shall be entitled to the same or other appropriate work with working hours in accordance with their remaining working capability which may not be less than half of the full working hours.

## **Reassignment to Other Corresponding Positions**

### Article 49

Insured parties with remaining working capabilities, who have been acknowledged incapable of performing their duties under full working hours or reduced working hours, but who are able to work full time at another appropriate position, shall be entitled to reassignment to other corresponding positions.

Insured parties may be reassigned with their own approval to positions which require lower-grade qualifications than the ones they possess.

## **Vocational Retraining and Improvement of Skills**

### Article 50

Insured parties with remaining working capabilities, who have been acknowledged incapable of working full working hours at their position or another corresponding position, are entitled to vocational retraining or improvement of skills if they can not be assigned to other work with full working hours or qualified for another position depending on their condition of disability.

The right to vocational retraining or improvement of skills is acquired by men up to 50 years of age and women up to 45 years of age.

Following the completion of vocational retraining or improvement of skills, insured parties shall be entitled to reassignment or employment at positions for which they have been qualified.

At their own request, female insured parties may fulfill the right to vocational retraining or improvement of skills at the same age as male insured parties.

### Article 51

Disabled workers, who have earned the right to vocational retraining or improvement of skills, shall be qualified for other corresponding work which requires qualifications necessary to perform the duties at the position held prior to the occurrence of disability.

With the exception of paragraph 1 of this article, vocational retraining or improvement of skills may be provided for other positions demanding higher qualifications than those required of the incapacitated worker for the position held prior to the occurrence of disability, if such qualifications are justified by professional skills, age, years of service and propensity, and if possibilities exist for employment after the qualifications have been completed.

## Article 52

Vocational retraining and improvement of skills of disabled workers shall be conducted through practical work under general guidelines and procedures used by employers for qualification of other employees.

Vocational retraining and improvement of skills may also be conducted in the respective organizations of vocationally directed education.

## Article 53

Vocational retraining and improvement of skills and employment of disabled workers shall be conducted under specific conditions in compliance with the Law in instances when disabled workers are unable to undergo vocational retraining, improvement of skills or seek new employment under general requirements.

The Fund, in agreement with other entities, shall participate in the funding to employ children of insured parties affected with physical and psychological disorder.

## **Money Allowances**

### Article 54

Insured parties with remaining working capabilities shall be entitled to money allowances:

- 1) For salaries starting from the date of the disability occurrence until the date of reassignment, employment at another corresponding position, vocational retraining or improvement of skills;
- 2) For salaries during vocational retraining or improvement of skills;
- 3) For salaries starting from the date of completion of vocational retraining or improvement of skills, until the date of reassignment or employment at another corresponding position;
- 4) For salaries due to work under reduced working hours; and
- 5) For smaller salaries earned at a different position.

### Article 55

Money allowances specified in article 54 items 1,2 and 3 of this Law, shall be determined based on salaries and salary compensations earned in the year prior to the occurrence of disability.

In cases when insured parties have not earned a salary in accordance with paragraph 1 of this article, money allowances shall be determined based on salaries earned in the last year of insurance prior to the year in which the disability occurred, and reduced by the annual increase of salaries in the country prior to the year in which the disability occurred, i.e., at an annual level prior to the year in which the rights were acquired.

In cases when insured parties have not earned a salary or salary compensation in concurrence with paragraphs 1 and 2 of this article, money allowances shall be determined according to the base which has been assigned by the Fund through a general act.

Money allowances specified under paragraph 1 of this article shall be determined according to the base within the following levels:

- 70% from the date of the disability occurrence until the date of reassignment, employment at another position, vocational retraining or improvement of skills, if the disability resulted from illness or injury outside of work; and
- 100% during vocational retraining or improvement of skills in instances when the disability occurred as a result of injury at work or occupational illness;

#### Article 56

Money allowances specified in article 54 items 1, 2 and 3 of this Law may not be less than 60% of the average salary earned in the country in the last quarter.

#### Article 57

Money allowances specified in article 54 of this Law, when earned with an employer shall be adjusted throughout the year with the salary increases approved by the employer. Money allowances obtained by the Fund shall be adjusted with the procedure for pension regulation.

#### Article 58

In instances of disability caused by occupational illness or injury at work, money allowances specified in article 54 item 4 of this Law shall be determined through the difference between the salary earned by the disabled worker for reduced working hours, and the salary for the same position under full working hours. In cases of disability caused by illness or injury outside of work, money allowance shall be determined within an 85% level of the specified difference.

The money allowance designated in paragraph 1 of this article, together with the salary for reduced working hours, may not exceed the highest salary provided by the employer for the same or similar position with full working hours.

## Article 59

Money allowance payments specified in article 54 item 5 of this Law shall be effected within the level of the difference between the valorized average salary earned by the insured party in the year of insurance prior to the year in which the disability occurred, and the average salary earned at the reassigned position.

In cases when the last year of insurance specified in paragraph 1 of this article is not the year that precedes the occurrence of disability, the average salaries in that respective year shall be valorized at the level of the average salaries in the year prior to the occurrence of disability.

Money allowances and advance payments designated in paragraph 1 of this article shall be adjusted throughout the year with the salaries rendered by the employer.

Money allowances due to smaller salaries at different positions, together with the regular income, may not exceed the highest salary rendered by employers for equal or similar work.

## **Fulfillment of Rights Based on Remaining Working Capabilities**

### Article 60

Rights based on remaining working capabilities shall be fulfilled regardless of the completed years of service.

### Article 61

The funds for payment of money allowances specified in article 54 of this Law, shall be provided and rendered by the employer.

With the exception of paragraph 1 of this article, in cases of termination of employment of disabled workers with remaining working capabilities due to bankruptcy or liquidation of the legal entity, the funds for payment of money allowances until new employment is secured as specified in article 54, and the rights stipulated in article 47 paragraph 3, shall be secured by the Fund within a period of three years from the termination of the legal entity.

Insured parties specified in paragraph 2 of this article are obliged within 30 days from the termination of the legal entity to report to the office in charge of employment.

Insured parties shall not receive money allowances on the basis of unemployment when collecting the allowances specified in paragraph 3 of this article.

### Article 62

The right to money allowance shall terminate should insured parties find employment or meet the requirements for old age pension prior to the expiration of the term specified in article 61 paragraph 3 of this Law.

## **B) Disability Pension**

### Article 63

Insured parties suffering loss of working abilities or with remaining working capabilities, who due to excess years of age can not undergo vocational retraining or improvement of skills to qualify for other corresponding positions, shall acquire the right to disability pension in the following instances:

- 1) If disability is inflicted through injury at work or occupational illness, regardless of the years of service; and
- 2) If disability is inflicted through injury outside of work or illness, under condition that the insured party prior to the occurrence of disability has fulfilled the expected years of service covering at least one third of the expected 20 years of age from the date the disability occurred (working experience), estimating the working experience at full years.

Should disability occur prior to 30 years of age due to injury outside of work or illness, the insured party shall acquire the right to disability pension if covered by insurance on the date the disability occurred and if:

- 1) Disability occurred by 20 years of age with a minimum of six months insurance;
- 2) Disability occurred by 25 years of age with a minimum of nine months insurance; and
- 3) Disability occurred by 30 years of age with a minimum of twelve months insurance;

Disabled veterans in the categories from I-VI, and disabled individuals, counterparts of peacetime disabled veterans in the categories from I-VI, who in accordance with article 38 of this Law have been acknowledged incapable of working half of the full working hours, shall acquire the right to disability pension having fulfilled the requirement specified in paragraph 1 of this article, regardless if they are able to qualify for corresponding positions with or without vocational retraining or improvement of skills.

The period from 23 years of age, i.e., 26 years, until the date of disability occurrence, shall be considered as working experience specified in paragraph 1 item 2 of this article, pertaining to insured parties, who through regular education have acquired advanced or professional training.

The working span of insured parties, who have rendered military service after 20 years of age, shall be reduced by the period occupied in service.

#### Article 64

Disability pension shall be determined from the pension base which is assigned in compliance with articles 19 to 32 of this Law.

The pension base of insured parties specified in articles 14 and 15 of this Law shall be determined by the Fund through a general Act.

#### Article 65

Disability pension in instances of disability inflicted through injury at work or occupational illness, shall be determined from the pension base at the same level in which old age pension is assigned for 40 years of working experience for men, i.e., 35 years for women.

Disability pension in instances of disability inflicted through illness or injury outside of work, shall be determined from the pension base depending on the length of working experience and years of age so that higher pensions may be assigned for longer years of service.

The level of disability pension specified in paragraph 2 of this article may not be less than 44% of the pension base for men and 53% of the pension base for women, if disability occurred prior to the ages designated in article 17 paragraph 2 of this Law. In instances of disability after the ages stipulated in article 17 paragraph 2 of this Law, the level of disability pension may not be less than 35% of the pension base for men and 40% for women.

Disabled veterans in the categories from I-VI, and disabled individuals, counterparts of peacetime disabled veterans in the categories from I-VI entitled to disability pension, shall receive annuity within an 80% level of the pension base if half of the years of service have been covered by the accrued time for benefits.

Female insured parties may acquire the right to disability pension at their own request, under the same requirements and levels which apply to male insured parties.

The level of disability pension may not be lower than that of old age pension when equal years of service are concerned.

#### Article 66

Beneficiaries of disability pension suffering loss of working skills prior to the ages specified in article 17 paragraph 2 of this Law, whose pensions have been assigned in accordance with article 65 paragraph 3 of this Law and equal less than 80% of the pension base, shall also receive a disability supplement.

Disability supplements shall be determined depending on the proportion between the years of service and the accrued benefits as follows:

- 1) If accrued benefits equal less than one half of the years of service - 10% of the disability pension amount;

2) If accrued benefits equal one half or above, but less than 3/4 of the years of service - 15% of the disability pension amount; and

3) If accrued benefits equal 3/4 of the years of service or above 20% of the disability pension amount.

Disability pension together with the disability supplement may not exceed 80% of the pension base.

Disability supplement is a constituent of the disability pension.

#### Article 67

In instances when disabled workers acquire the right to disability pension based partially on injury at work or occupational illness, and partially on illness or injury outside of work, disability pension shall be determined as one annuity consisting of two proportional shares of disability pension computed for instances of injury at work or occupational illness, and for illness or injury outside of work.

The guidelines to determine disability pension specified in paragraph 1 of this article shall be assigned by the Fund through a general act.

#### Article 68

Insured parties who meet the requirements to acquire the right to disability pension shall be entitled to the lowest disability pension level.

The lowest disability pension level shall equal:

- For beneficiaries earning pensions based on disability inflicted through injury at work or occupational illness, and for beneficiaries earning pensions based on over 30 years of service (men), i.e., 25 years of service (women), within the same level as beneficiaries of the lowest old age pension amounts specified in article 34 paragraph 2 line 1 of this Law;
- For beneficiaries earning pensions based on over 25 years of service (men), i.e., 20 years of service (women), within the same level as beneficiaries of the lowest old age pension amounts specified in article 34 paragraph 2 line 2 of this Law;
- For beneficiaries earning pensions based on up to 25 years of service (men), i.e., up to 20 years of service (women), within the same level as beneficiaries of the lowest old age pension amounts specified in article 34 paragraph 2 line 3 of this Law.

## Article 69

The provisions of this Law pertaining to the highest levels of old age pension and to old age pension adjustments shall also apply to disability pension.

### **3. Family Pension**

## Article 70

Family pension may be acquired by the following family members:

- 1) Spouses;
- 2) Children (born in matrimony or outside of matrimony, adoptees, foster children in the care of insured parties, grandchildren, orphans in the care of insured parties); and
- 3) Parents (fathers and mothers, stepfathers, stepmothers, and adoptees in the care of the insured party).

Family pension may also be acquired by divorced spouses if alimony has been approved by way of court ruling.

## Article 71

Family members shall acquire the right to family pension in the following instances:

- 1) If the deceased insured party had accumulated at least five years of insurance, or a minimum of ten years accrued time for pension;
- 2) If the deceased insured party fulfilled the requirements for old age or disability pension; and
- 3) If the deceased insured party had been the recipient of old age or disability pension.

In cases of death of insured parties resulting from injuries at work or occupational illness, family members shall acquire the right to family pension regardless of the insured party's length of accrued time for pension.

## Article 72

Widows shall acquire the right to family pension in the following instances:

- 1) Having turned 45 years of age at the time of death of the spouse;

- 2) If incapable of work until the spouse's time of death, or if such incapacity occurred within one year from the spouse's time of death;
- 3) If one or more children of the deceased have acquired the right to family pension after the time of his death, and the children are in parental care of the widow;
- 4) Having either turned 40 or 45 years of age at the time of spouse's death, or if incapability occurred within the mentioned period.

Should widows become incapable of work or turn 45 years of age when utilizing the right based on parental care (specified in paragraph 1, item 3), the right to family pension shall be retained permanently.

Widows who have been deprived of the right to family pension assigned on the basis of parental care after 40 years of age, shall acquire the right to family pension having turned 45 years of age.

#### Article 73

Widowers shall acquire the right to family pension in the following instances:

- 1) Having turned 55 years of age at the time of death of the spouse;
- 2) If incapable of work until the spouse's time of death, or if such incapability occurred within one year from the spouse's time of death;
- 3) If one or more children of the deceased have acquired the right to family pension after the time of her death, and the children are in parental care of the widower; and
- 4) Having acquired of the right to family pension assigned on the basis of parental care after 50 years of age, shall become entitled to family pension after the age of 55 years.

Should widowers become incapable of work or turn 55 years of age when utilizing the right based on parental care, the right to family pension shall be retained permanently.

Widowers who have been deprived of the right to family pension assigned on the basis of parental care after 50 years of age, shall acquire the right to family pension having turned 55 years of age.

#### Article 74

Widows, i.e., widowers, who have acquired the right to family pension based on parental care, shall retain that right during the military service of their children.

## Article 75

Children shall acquire the right to family pension in the following instances:

- 1) Up to the age of 15 years, or up to 26 years if engaged in studies;
- 2) If incapable of work prior to the death of the insured party, i.e. pension beneficiary providing guardianship, or if such incapability occurred within one year from the time of death of the insured party, i.e., pension beneficiary.

Should schooling be discontinued due to illness, children may acquire the right to family pension during the period of ailment up to the age of 26 years and over, which may not exceed the period of absence from regular education due to illness.

Children who have discontinued their schooling due to army service shall receive family pension during the service.

Should children become incapable of work when utilizing the right to family pension, they shall retain the right to family pension permanently.

Disabled children shall be entitled to family pension after the termination of employment.

## Article 76

Parents who have received support from an insured party, i.e., pension beneficiary up to the time of their death, shall acquire the right to family pension in the following instances:

- 1) Having turned 45 years of age (mothers), or 55 years of age (fathers) at the time of death of the insured party, i.e., pension beneficiary; and
- 2) If younger than 45 years, i.e., 55 years, and if found incapable of work at the time of death of the insured party, i.e., pension beneficiary.

## Article 77

Working incapability, on the basis of which the right to family pension is acquired, shall presuppose incapability of independent livelihood and work in cases of children, and loss of working capabilities where other individuals are concerned.

## Article 78

The right to family pension shall primarily be entrusted to spouses and children of the insured party, i.e., pension beneficiary (hereinafter: close family members).

Parents, adoptees, grandchildren and orphans in the care of the insured party, i.e., pension beneficiary (hereinafter: wider family members) shall acquire the right to family pension in instances when the insured party, i.e., pension beneficiary is deprived of close family members entitled to family pension, or if the pension received by close family members does not offset the full amount of the base according to which the family pension is determined.

#### Article 79

Family pension shall be determined on the basis of old age or disability pension received by the insured party at the time of death, i.e., according to the pension received by the pension beneficiary at the time of death.

The family pension level shall be assigned in percentages according to the base, which is comprised of old age or disability pension, namely, 70% for one family member and 10% for every other member, but no more than 100% of the base.

Children deprived of both parents shall receive the family pension earned by one parent, and increased by a portion of the pension either received or rightfully earned by the other parent:

- 1) Two children..... 20%
- 2) Three children.....30%
- 3) Four or more children.....40%

In instances when three or more family members are the recipients of a family pension, the level may not be lower than 40% of the pension base earned by the deceased insured party.

When determining the family pension base of insured parties with less than 15 years of accrued time for pension who have failed to meet the requirements for disability pension, the old age pension shall be assessed on the basis of 15 years accrued time.

#### Article 80

In instances when close and wider family members are entitled to pension, the closer family members shall receive the family pension determined on the basis of the percentages specified in article 79, paragraph 1 of the Law, while wider family members shall receive the balance of the full family pension amount.

In instances when the right to family pension is acquired by divorced spouses, one family pension shall be assigned to the spouse who has entered new wedlock, while the other divorced spouse shall receive the level which is assigned for one family member.

#### Article 81

Family members of the insured party or pension beneficiary shall be entitled to the lowest family pension level.

The lowest family pension level shall be determined on the basis of the lowest old age pension level, i.e., the highest disability pension level, depending on the base which has been assigned for the family pension.

The provisions under this Law pertaining to the lowest old age pension level and the adjustment of old age pension shall also apply to family pension.

#### **4. Money Allowances For Physical Injury**

##### **Article 82**

Physical injury of the insured party shall denote either loss, vital impairment or considerable incapacitation of particular organs or parts of the body, interfering with the normal functioning of the organism and requiring greater efforts in the fulfillment of day-to-day necessities, regardless of the fact that it may or may not cause disability.

In instances when physical injuries have been inflicted during the period of insurance, the insured party shall acquire the right to money allowance rendered for physical injury under the same conditions that apply for accrued time for pension by which the right to disability pension is acquired.

The types of physical injuries on the basis of which the right to money allowance is acquired and the impairment percentage is determined through a general act issued by the Fund with prior recommendations rendered by professional and scientific institutions.

##### **Article 83**

Insured parties shall acquire the right to money allowance for physical injuries regardless if they have acquired and are the recipients of other rights based on pension and invalid insurance.

Insured parties with physical injuries between 30%-40% based on the list of physical injuries, shall be deprived of the right to money allowance if impairments have been inflicted as the result of illness, injuries outside of work, or pre-existing physical impairments prior to employment and subsequent deterioration of the same. With the exception of a pre-existing physical impairment of one of two identical organs prior to employment, the insured party shall acquire the right to money allowance for physical injury of both organs.

##### **Article 84**

The levels of money allowances for physical injuries shall be determined according to the percentage of the physical injury on the following basis:

- 12% of the average salary earned in the Republic of Macedonia in the year prior to the occurrence of the physical impairment caused by injury at work or occupational illness; and

- 9% of the average salary earned in the Republic of Macedonia in the year prior to the occurrence of the physical impairment caused by illness or injury outside of work.

#### Article 85

Should two or more physical impairments arise, the total percentage shall be determined by adding the following amounts:

- 1) 20% for each subsequent physical impairment in the range of 50% and over; and
- 2) 10% for each subsequent physical impairment within the range between 30% to 40%.

In cases of pre-existing physical injuries resulting from various origins, the percentage shall be determined according to paragraph 1 of this article, while money allowances shall be estimated according to the higher percentage base of the physical injury.

The total physical injury percentage, as stipulated in items 1 and 2, paragraph 1 of this article, may not exceed 100%.

#### Article 86

Beneficiaries of money allowances for physical injuries shall receive money allowances should existing physical injuries deteriorate, or should new conditions of physical impairments arise, based on the recent, i.e., total percentage of the physical injury.

#### Article 87

Should beneficiaries acquire the right to money allowances for the same physical injury condition on the basis of pension and invalid insurance regulations, and based on the right to disability pension as a peacetime disabled veteran according to the regulations for veterans, only one of the above rights may be utilized by the beneficiary by personal preference.

#### Article 88

The provisions of this Law for adjustment of old age pension shall also apply to money allowances rendered for physical injuries.

**IV. ACQUISITION AND REALIZATION OF RIGHTS GRANTED TO  
INSURED PARTIES BELONGING TO PARTICULAR CATEGORIES  
UNDER SPECIFIC CONDITIONS**

**A) Insured Parties Employed in Military Defense**

Article 94

Insured parties in the Ministry of Defense and in the service of the Army of the Republic of Macedonia (soldiers under contract, junior officers, officers and civilians in the Army service) shall acquire longer years of insurance as follows:

- 1) For every 12 months effective work rendered in the positions below, 18 months of insurance shall be granted for:
  - a) Flying services: operative pilots, patrollers, radio operators, aircraft mechanics, aviation photographers or other duties performed either in the flying services or as members of the sanitary services for inspection and pilot training, or inspection and protection of aircraft equipment, with an annual minimum of 90 hours flying time during inspection and training;
  - b) Parachute services: operative parachutists;
  - c) Diving assignments; and
  - d) Assignments in the special mission units;
- 2) For every 12 months effective work rendered in the positions below, 16 months of insurance shall be granted for:
  - a) Performing duties as a member of a special research team for inspection of arms in the first phases of production, final experiments and research, if a minimum of half of the average annual working hours have been spent rendering those duties;
  - b) Performing duties related to radiological, biological and chemical protection in laboratories or on testing grounds assigned by the Ministry of Defense; and
  - c) Performing duties related to electronic detection and crypto-protection, security, undercover work, counterespionage and military police;
- 3) For every 12 months effective work rendered in the positions below, 15 months of insurance shall be granted for:
  - a) Work on radar equipment which is exposed to radar radiation: individuals engaged in repairs, intricate reconstructions and

probes, or instructor-trainer positions for radar equipment repairs, if a minimum of 3/4 of the average annual working hours have been spent rendering those duties; and

- b) Performing duties in troops including brigades and respective units, specific assignments in the command of the corps, in military institutions in which services are executed under troop conditions, determined by the Government of the Republic of Macedonia at the proposal of the Ministry of Defense.

#### Article 95

Insured parties in the Ministry of Defense and in the service of the Armed Forces of the Republic of Macedonia, with a minimum of 25 years accrued time for pension, of which 15 years have been effectively occupied in positions with increased years of insurance, having turned 55 years of age (men), i.e., 50 years of age (women), may acquire the right to old age pension should their employment terminate depending on the nature of the service.

#### Article 96

Insured parties in the Ministry of Defense and in the service of the Armed Forces of the Republic of Macedonia shall be entitled to old age pension following 25 years of accrued time. The old age pension shall equal 62.0% of the pension base for men, i.e., 65.6% of the pension base for women, increased by 1.2% of the pension base for every subsequent year until the completion of 40 years of accrued time for pension (men), i.e., increased by 1.44% of the pension base for every subsequent year until the completion of 35 years of accrued time for pension (women). Old age pension may not exceed 80% of the pension base.

#### Article 97

The age limit for acquiring the right to old age pension shall be reduced for those insured parties in the Ministry of Defense and in the service of the Armed Forces of the Republic of Macedonia, whose accrued years of insurance have been increased, depending on the level of the increased years of service and by an average of one year:

- 1) For every six years of employment at positions with 12 months effective work, the accrued time for insurance shall be computed as 14 months;
- 2) For every five years of employment at positions with 12 months effective work, the accrued time for insurance shall be computed as 15 months;
- 3) For every four years of employment at positions with 12 months effective work, the accrued time for insurance shall be computed as 16 months; and

- 4) For every three years of employment at positions with 12 months effective work, the accrued time for insurance shall be computed as 18 months;

#### Article 98

When determining the disability pension according to the length of the accrued years of service for insured parties in the Ministry of Defense and in the service of the Armed Forces of the Republic of Macedonia, the percentages specified in article 96 of this Law shall be applied. The lowest percentage for 25 years of accrued time for pension shall be set at 62% of the pension base for men, i.e., 65.6% of the pension base for women.

#### Article 99

The difference between pensions which are determined without the implementation of articles 94 to 98 of this Law, and pensions which are determined with the enforcement of the above articles, as well as the full pension amount assigned for insured parties who do not fulfill the general requirements for acquiring the pension rights without the implementation of the listed articles, shall be dispensed from the Budget of the Republic of Macedonia. The funds for the portion of pensions which are to cover the accrued years of service in the former Yugoslav National Army until April 1, 1992, shall be provided from the Budget of the Republic of Macedonia.

### **B) Insured Parties Employed in the Ministry of Interior and in Penitentiary and Reformatory Institutions**

#### Article 100

In compliance with the regulations that apply to the operations of internal affairs, the insurance of authorized employees shall be increased so that 12 months of effective work rendered at such positions shall be computed as 16 months of insurance.

The right to increased insurance, as stipulated in paragraph 1 of this article, shall also be granted to employees of the Ministry of Interior occupying positions that are the cause of reduced working abilities due to strenuousness and particular working conditions under which they are performed.

The Government of the Republic of Macedonia shall designate the positions referred to in paragraph 2 of this article by proposal of the Minister of Interior.

The provisions in paragraph 1 and 3 of this article shall not apply to the periods during which employees undergo professional training under the directive of the Ministry of Interior, when placed on disposal, or available due to termination of a position or due to continual reduction of the work load.

#### Article 101

Employees of the Ministry of Interior with a minimum of 25 years accrued time for pension, of which 15 years have been effectively occupied in positions with increased years of insurance, and having turned 55 years of age (men), i.e., 50 years of age (women), may acquire the right to old age pension should their employment terminate depending on the nature of the service.

#### Article 102

In compliance with the regulations on the enforcement of sentences against criminal acts and business violations, the accrued years of insurance of authorized employees shall be increased so that 12 months of effective work rendered at positions in penitentiary and reformatory institutions shall be computed as 16 months of insurance.

The right to increased insurance, as stipulated in paragraph 1 of this article, shall also be granted to employees of the Ministry of Justice and employees of penitentiary and reformatory institutions, occupying positions that are the cause of reduced working abilities due to strenuousness and particular working conditions under which they are performed.

The Government of the Republic of Macedonia shall designate the positions referred to in paragraph 2 of this article by proposal of the Minister of Justice.

The provisions in paragraph 1 and 2 of this article shall not apply to the periods during which employees undergo professional training under the directive of the penitentiary and reformatory institution.

#### Article 103

Employees of the Ministry of Justice and of penitentiary and reformatory institutions, with a minimum of 25 years accrued time for pension, of which 15 years have been effectively occupied in positions with increased years of insurance in compliance with article 102 paragraphs 1 and 2 of this Law, and having turned 55 years of age (men), i.e., 50 years of age (women), may acquire the right to old age pension should their employment terminate depending on the nature of the service.

#### Article 104

Pensions may be acquired under special conditions by employees of the Ministry of Interior, the Ministry of Justice, and employees of penitentiary and reformatory institutions, who at the moment of acquiring the right, do not occupy positions with increased years of insurance, but with a minimum of 25 years accrued time for pension, of which 15 years have been effectively occupied in positions with increased years of insurance, and having turned 55 years of age (men), i.e., 50 years of age (women), should their employment terminate depending on the nature of the service.

#### Article 105

The employees specified in articles 100, 102 and 104 of this Law, shall be entitled to old age pension following 25 years of accrued time. The old age pension shall equal 62.0% of the pension base for men, i.e., 65.6% of the pension base for women, increased by 1.2% of the pension base for every subsequent year until the completion of 40 years of accrued time for pension (men), i.e., increased by 1.44% of the pension base for every subsequent year until the completion of 35 years of accrued time for pension (women). Old age pension may not exceed 80% of the pension base.

#### Article 106

When determining the disability pension based on the length of the accrued years of service for employees stipulated in articles 100, 102 and 104 of this Law, the percentages specified in article 105 of this Law shall be applied, given that the lowest percentage for 25 years of service shall be set at 62.0% from the pension base for men, i.e., 65.6% of the pension base for women.

#### Article 107

The age limit for acquiring the right to old age pension of employees specified in articles 100, 102 and 104 of this Law, who have acquired the right to old age pension according to the general requirements, shall be reduced by one year, for each completed four years of effective work at positions with increased years of insurance.

The reduction of the age limit shall also apply to insured parties occupying positions specified in articles 100 and 104 of this Law, who have not acquired the right to old age pension in compliance with the special conditions provided under this Law.

#### Article 108

The positions specified in articles 100, 101 and 104 of this Law, providing increased insurance and reduction of the respective age limit, shall be liable to auditing according to the methods and procedures used to determine those positions. The auditing shall be conducted latest within five years from the date the position is determined.

#### Article 109

The difference between pensions which are determined without the implementation of articles 100 to 107 of this Law, and pensions which are determined with the enforcement of the above articles as well as the full pension amount assigned for insured parties who do not fulfill the general requirements for acquiring the pension rights without the implementation of the listed articles, shall be dispensed from the Budget of the Republic of Macedonia.