



SIGMA

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Public Administration: Responding to the COVID-19 Pandemic

*Mapping the EU member states' public administration responses to the COVID-19 pandemic
(for EU Enlargement and Neighbourhood countries)*

LITHUANIA

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LITHUANIA

Centre of Government, policy co-ordination and decision-making process

1. How is the Government (Council of Ministers) functioning (organisation of virtual meetings, remote sessions etc.)?

On 26 February, Lithuania declared a state of emergency as a preventive measure against the spread of COVID-19. The Government enacted the state of emergency upon the recommendation of the State Commission of Emergency Situations issued on 24 February 2020. On 27 February, the Prime Minister appointed the Minister of Health as the Head of the Emergency Situations Operations Centre.

In response to growing criticism towards the work of the Emergency Situations Operations Centre, on 26 March the Government established an Emergency Situations Committee headed by the Prime Minister Saulius Skvernelis. The mandate of the Committee is to help the Government, the Emergency Situations Commission, and the Head of Emergency Situations Operations Centre in managing a state level emergency on COVID-19. In addition to the Prime Minister, the Committee includes the Chancellor of the Government and the Ministers of Energy, Finance, National Defence, Social Security and Labour, Transport, Health, Education, Justice, Foreign and Home Affairs. The Chancellor of the Government may set up working groups to analyse and evaluate information on the state level emergency regarding COVID-19, to prepare and submit proposals to the Committee on its consequences and to monitor the implementation of the Committee's recommendations.

As it is necessary to pass numerous urgent decisions regarding the fight against COVID-19, the Government has organised six additional extraordinary Government sessions (including two held on the weekend) between 26 February and 2 April.

On 17 March 2020, the Parliament, upon proposal by the Government, adopted amendments to the Law on Government that regulate the organisation of remote Government sessions as well as their transmission in crisis periods¹. The amendments entered into force on 19 March 2020. The first remote Government session was organised on 26 March and the second on 1 April.

The new articles in the Government law:

"6. In time of war, emergency, mobilisation, quarantine or when it is necessary to address urgently the issues necessary to ensure the state's military defence and other vital state functions, and if in these cases non-adoption of the draft legislation would immediately have negative consequences for state and public security and stability, as well as when it is necessary to declare mourning, Government meetings and consultations may take place remotely in real time by electronic means (hereinafter referred to as "remote mode"). The adoption of resolutions, decisions and resolutions of the Government in this way shall ensure the identification of a member of the Government and the results of his voting."

"3. Where, in the cases specified in Paragraph 6 of Article 37 of this Law, meetings and consultations of the Government are held at a distance, the provisions of Paragraph 1 of this Article may be waived if there are no technical possibilities for that. If the Government meeting on technical possibilities has not been broadcast on the Internet and the issues discussed are not subject to the restrictions on publicity set forth in paragraph 1 of this Article, where there is technical possibility, a video of this meeting shall be made public. A video of a government meeting held remotely may be made public depending on the technical possibilities and the nature of the issues under discussion. If a remote

¹ <https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/4647256068f711eaa38ed97835ec4df6>

Government meeting or conference has not been broadcast on the Internet and its video has not been made public, the Government shall immediately inform the public of the decisions taken during that meeting."

2. How are the crisis management and external communications co-ordinated within the Government? What is the role of the CoG in this? Is there a central strategy/guidance?

The COVID-19 crisis is managed by the Emergency Situations Operations Centre, headed by the Health Minister Aurelijus Veryga. The Emergency Situations Operations Centre consists of the Head of the Centre and six groups: 1) Operational Assessment and Emergency Prevention Group; 2) Information Management Group; 3) Logistics Group; 4) Public Information Group; 5) Administration Group; 6) Electronic Communications Organisation and Support Group.

External communications are managed by the Public Information Group of the Emergency Situations Operations Centre. The Public Information Group is the main channel for communication between the Government and the public. On 19 March, the head of the Emergency Situations Operations Centre passed a decree that obliges public health institutions and other health care-related institutions to publish information in co-ordination with the Public Information Group².

The head of the Group maintains relations with the Press and Communication Division of the Communications Department of the Prime Minister's Office. The head of the Public Information Group is the Adviser to the Prime Minister. Under this arrangement, the head of Public Information Group is subordinated to, and also reports to, the Head of the Operations Centre.

External communication is carried out through daily press conferences at the Ministry of Health, the Government Office (currently most press conferences are virtual) or other locations. The information is also presented to society and business groups by the Ministry of Health³ and a specially created website⁴.

The CoG does not have a specific/new role in the process of fighting the COVID-19 virus. The Government Office is the secretariat to the Emergency Situations Committee chaired by the Prime Minister. There is no central strategy/guidance. The majority of the instructions and guidance are issued by the Head of the Emergency Situations Operations Centre. Decisions requiring legislative means are taken by the Government or Parliament.

3. Any arrangements (rules, working procedures) which aim to streamline and accelerate the government decision-making process (as regards deadlines, public consultations, transparency, impact analysis)?

For the organisation of extraordinary Government meetings and adoption of urgent decisions, the Government is using provisions of the Rules of Procedure of the Government, which regulate handling of urgent matters. There have not been any special rules or working procedures introduced for the purpose of COVID-19 outbreak management.

² <https://sam.lrv.lt/uploads/sam/documents/files/KORONA/V-446.pdf>

³ <https://sam.lrv.lt/koronavirusas>

⁴ <http://koronastop.lrv.lt/lt/>

Public service and human resource management

1. What arrangements regarding teleworking? What is the share of civil servants teleworking? What is the share of civil servants still coming to the office?

On 12 March, the Head of the Emergency Situations Operations Centre passed a decree ordering public sector institutions to organise work remotely to the maximum extent possible⁵.

No official data is available on the share of people teleworking, even the administration does not possess this data.

2. What other flexible working arrangement (part-time work, distribution of working hours over 7 days...)?

The most common type of working arrangement is teleworking and flexitime. Where people have to be present in the office, the rule is that no more than one person is present in a room.

The Ministry of Social Security and Labour recalls that remote work is recommended for coronavirus quarantine in budgetary institutions, except when it is necessary to perform certain functions in the workplace or to carry out the necessary emergency work. If the direct duties of a staff member of the budgetary authority are reduced due to quarantine, they may be employed in the performance of other functions required for the operation of the body. Employers cannot force employees to take paid annual or unpaid leave without their consent. An employer can only insist that an employee takes paid annual leave if they have accrued more than one year. During unpaid leave, the employee is not covered by social insurance.

The Ministry of Interior recommends that all municipal and state agencies prepare and provide services remotely. Citizens should be able to submit requests, complaints and communications to the body remotely. Unless necessary, interested parties are encouraged not to go to the offices, but to enquire by e-mail or telephone.

3. If civil servants cannot telework, how are they paid?

So far, there has been no evidence that salaries have been reduced.

4. Are civil servants being sent on mandatory annual leave? If not, is use of annual leave recommended? Any other special arrangement on absence management?

No. According to Government resolution No. 207, "Declaring Quarantine on the Territory of the Republic of Lithuania", mandatory annual leave for employees of state and municipal institutions, as well as health care institutions, will only be possible when all other options have been exhausted, that is if telework is not possible or an employee does not give consent to work in another position.

The Minister of Social Security and Labour emphasises that the Government urges employers in the entire budget sector to maintain the same wages so that staff income will not decrease during this difficult period. If a suspended activity during the quarantine results in a loss of revenue for the budgetary authorities, these losses should not be dealt with at the expense of the staff, but ways to compensate should be found in conjunction with the Budget Appropriations Manager.

5. Any new, special regulations for working overtime (removing limitations to overtime work e.g. for medical staff)?

No changes introduced.

⁵ <https://sam.lrv.lt/uploads/sam/documents/files/V-351.pdf>

6. Arrangement for paying for extra workload (health care etc.)?

A payroll bonus for all health workers fighting coronavirus was proposed by the Government on 1 April but was not adopted by the Parliament. The opposition parties started to suggest even higher supplements and the coalition did not support the changes. The situation is still unfolding.

It is expected that on 8 April the Parliament will adopt an amendment of the Act on the Prevention and Control of Communicable Diseases. According to this amendment, the coefficients of the fixed part of the official salary (for employees of budgetary institutions) or monthly salary (for employees of public institutions) are increased from 50% to 100%, depending on the nature, complexity and level of responsibility of the specific employee of the health care institution. This applies from the beginning of the month of the announcement of quarantine (i.e. retrospectively) until the end of the month in which the quarantine ends, when employees organise and provide health care services to patients with particularly dangerous communicable diseases or implement epidemic prevention measures.

7. What measures have been introduced to create fiscal space to fund health care, economic measures etc. against COVID-19 (salary cuts, freeze of recruitment, promotions...)?

No measures have been introduced.

Accountability

1. How did you keep the national Parliament operational? Any simplification of parliamentary procedures?

There has not been any simplification of the parliamentary procedures. For urgent presentation and adoption of the laws the Parliament was using urgent procedure, which allows presentation and adoption of a draft law within a day. On 31 March, the Parliament voted for legislative amendments to the Statute of the Parliament to hold remote Parliamentary plenary sittings. The legislative changes have not been passed. Currently, only meetings of the Parliament Board, committees and commissions can be organised remotely.

The emergency measures are regulated by the Human Infectious Disease Prevention and Control Act (Draft No. XIIIIP-4678) adopted by the Seimas (the Parliament). The Government may impose the following measures in the territory of Lithuania or several municipalities during quarantine of dangerous and particularly dangerous communicable diseases, related to the restriction of free movement of persons: to restrict or temporarily prohibit organisations and public places; to restrict or temporarily prohibit residents' travel and movement of vehicles in the territory of Lithuania, entry into and departure from the territory of Lithuania; to apply temporary resettlement (evacuation) of the population from the quarantine area, except when the quarantine is declared in the whole territory of Lithuania.

However, the Seimas is currently considering, as a matter of extreme urgency, the amendments to the Civil Protection Act (Draft No. XIIIIP-4661), which propose to clarify the provisions governing emergency management to ensure effective and expeditious management of emergencies. These provisions would give the Government much wider mandate for dealing with the crisis. It is proposed that the Government Emergency Commission be empowered to take a decision temporarily restricting the freedom of movement of persons, the freedom to conduct an economic activity, the provision of public and administrative services, and property and housing rights. Some of the political parties have raised concerns about these measures and suggest that they are not proportionate.

2. How about the Ombudsman (e.g. overseeing the situation in prisons)

The Lithuanian NHRI (Seimas Ombudsmen's Office) has issued a statement on human rights in the context of COVID-19. It recognises the efforts of the state executive to protect public health and human lives, but at the same time it recalls that human rights are of the highest value and that their protection must remain a state priority, even in an emergency.

The Department of Prisons under the Ministry of Justice has established Emergency Operations Centre which regularly collects information provided by the institutions on preventive measures and the situation regarding COVID-19, analyses potential threats, draft legislation and co-ordinates the responses. The routine of the inmates has been changed and a number of restrictions have been introduced (e.g. forbidding of visits, mass gatherings, including for training purposes, etc.).

3. Does administrative justice work? Have deadlines changed?

Following the quarantine enacted by the Government, a number of Administrative Courts ordered that judges cancel all court hearings scheduled during the quarantine period in cases heard in oral proceedings in which the participants in the proceedings do not agree to move to a written form of proceedings. It is recommended that court hearings be scheduled after the end of the quarantine regime. Court hearings in the written procedure will be organised in the usual way, avoiding, as far as possible, social contacts on the court premises, taking all precautionary measures to prevent the spread of the COVID-19 virus. Preparations are underway to enable remote work.

During the quarantine period, assistant judges and other staff have the opportunity to work remotely. During this period, access to court premises is completely restricted - only judges and court staff will have access to it if the need arises in the performance of their functions. All information is provided by telephone only and documents are accepted only by post or electronic means. All scheduled receptions with court leaders, as well as other internal and external court events, meetings, deliberations have been cancelled.

4. Any public debates in respect of principles of good administration (legality, proportionality, predictability) of protective measures?

Many public debates (media, political analysts, MPs, etc.) have been prevailing to deliberate the legality of some measures (e.g. enacting of the quarantine), the proportionality (e.g. mandatory 14 day quarantine of all arriving to Lithuania in the premises selected by the municipalities). Some municipalities decided to divert from some of the mandatory decisions of the Head of the Emergency Situations Operations Centre (e.g. Vilnius municipality decided to mandatorily quarantine all arriving to Lithuania, except families with children and pregnant women). Various professionals have been voicing the need for decentralisation of management of COVID-19 (e.g. allowing some municipalities to take their own decisions).

Service delivery

1. Which services are being delivered (all, some, only the essential)?

Most services are delivered, although often only via digital channels. Modifications are done (e.g. pre-registration), where physical contact is needed.

Some examples of the modification of the administrative services:

STI (State Tax Inspectorate) services are provided and consultation is conducted only remotely. Residents can obtain tax advice by calling 1882 or by making an enquiry electronically through My Taxi. The STI has published an additional list of telephone consultants for residents and businesses, by service area.

Regitra (state enterprise responsible for registering of vehicles) shifted its customer service to the cyberspace, during the quarantine period, persons will not be physically serviced. All pre-scheduled customer visits to units are cancelled. There are no driving licence theory and practice exams. Regitra has made it possible for its customers to provide many services directly over the Internet (e.g. changing driving licence, registering a vehicle, announcing its sale etc.).

The Ministry of Transport and Communications is changing the procedure for carrying out mandatory vehicle inspections in view of the risks associated with the spread of coronavirus. After the expiry of the technical inspection, it will be possible to perform the inspection after the end of the quarantine period and for another 30 calendar days after the end of the quarantine. In addition, special security requirements have been established for the performance of roadworthiness tests during quarantine.

Migration Department Customers will continue to provide all services (except for requests for citizenship), but will be temporarily served only to pre-registered customers. Customers arriving without pre-registration are not served. Mobile home or other mobile services are temporarily unavailable.

The Ministry of Justice recommends changing the way civil services are handled in civil registry offices. It is recommended not to go to these institutions, but to apply for services provided by civil registry offices - birth, registration, change of name or surname - through the Electronic Registration Services Information System, MEPIS (<https://mepis.registrucentras.lt/web/mepis>).

The Minister of Justice temporarily suspended (16 - 20 March) the work of notaries. Some notaries have already resumed their work, others will join when protection measures are received. Notaries' offices accept only those who have previously registered remotely - by telephone or e-mail. A notary may refuse to register a person, refuse entry to a person or provide services if he or she has doubts about his or her state of health, if the necessary preventive measures are not followed and if there is a health risk.

With the decision of the Minister of Justice, bailiffs' offices are no longer open to interested parties, and they are served remotely - by telephone and e-mail.

During the quarantine, the number of people attending a marriage ceremony will be limited during the marriage registration. It is open to five people (including newlyweds and witnesses). These ceremonies will be conducted with the necessary security measures, and the rooms will be ventilated and disinfected.

The Civil Service Department, under the Ministry of Interior, has introduced new remote procedures for the organisation of the selection of civil servants during the quarantine period.

2. Are there any modifications done to the obligations of:

- i. *the administrations towards citizens/businesses (e.g. freezing of deadlines)?*

The Ministry of Finance has prepared additional financial instruments for businesses. When reviewing the terms of existing measures and developing new ones, they are made faster and more flexible:

- time limits for the evaluation of the issuance of guarantees are shortened, new measures are developed as are their implementation schemes;*
- expanding the concept of revolving loans (loans/guarantees will be granted not only for business development but also for liquidity);*
- include additional financing activities (e.g. RE development);*
- no regional restrictions remain;*
- measures will also be accessible to large companies;*
- expanding the range of service providers (alternative funders can join);*

- *guarantee limit increased more than four times;*
- *interest will be reimbursed for six months (for loans after quarantine), when banks grant a loan repayment leave.*
- *wages of the population are suspended*

The Government approved a proposal by the Ministry of Justice to temporarily suspend the recovery of debtors' salaries and related income - pensions, scholarships, etc. into the state budget. The recovery of debts in favour of the State would not be interrupted when it comes to paying fines imposed in administrative and criminal proceedings, so that the perpetrators of the offences do not escape liability.

The period of validity of a driving licence shall be extended to the end of the quarantine period and the tolerance period shall be 30 days after the end of the quarantine period. Also, the change of winter tires is extended until the end of quarantine, the tolerance period is 14 days after the end of quarantine.

The Migration Department allows the relatives (children, siblings, spouse, grandchildren, great-grandchildren) to retrieve the personal identification documents of people over the age of 60.

The personal income tax declaration and payment deadline is postponed: rather than 4 May, this year the deadline for income declared and tax payment is 1 July.

Taxpayers who do not use cash registers for more than 10 business days due to a declared emergency and quarantine, are not required to notify the tax authorities of their temporary non-use.

- ii. *citizens/businesses towards public administration (reporting, payments of taxes, contributions, fees...)?*

The Seimas has established liability in the Code of Administrative Offenses for violations of the laws regulating civil protection (draft No. XIII P-4662).

- *For infringements that have caused the risk of spreading serious or very serious communicable diseases, the fines may range from EUR 500 to EUR 1500 and for legal persons from EUR 1500 to EUR 6000.*
- *Failure to enforce decisions by municipal councils or directors of municipal administrations to combat outbreaks and epidemics of human communicable diseases can result in fines ranging from EUR 250 to EUR 800 and legal persons from EUR 800 to EUR 1500.*
- *Failure to comply with statutory instructions or requirements of statutory civil servants, military police or intelligence officers during war, state of emergency, mobilisation, quarantine, restricted quarantine, as well as emergencies or emergencies may result in fines ranging from EUR 200 to EUR 500, legal persons - a fine of between EUR 500 and EUR 1500.*

The Code of Administrative Offenses provides for administrative liability for failure to comply or breach of civil protection laws in the event of war, state of emergency, mobilisation, quarantine, restricted quarantine, as well as in emergencies, fines of between EUR 500 and EUR 1500 for legal persons - a fine of between EUR 1500 and EUR 6000.

3. Has the crisis initiated any simplifications or enhanced the use of alternative tools :

- i. *in the internal procedures of the Government (e.g. acceptance of formal approvals over e-mail)?*

No evidence, as many services were already provided by digital channels, people are just directed to use them.

- ii. *in the administrative procedures with citizens and businesses (e.g. replacement of handwritten signature with scanned copies or simple exchange of mails)?*

No evidence.

Public financial management

1. Are COVID-19 response measures being introduced within the framework of or with reference to existing fiscal rules (budget deficit or public debt ratio limits etc.)

Exceptional circumstances initiated by the Ministry of Finance and confirmed by the National Audit Office related to COVID-19. This exception is based on the measures taken by the parties to combat the adverse effects of COVID-19. As soon as the situation regarding COVID-19 in Europe stabilises, the fiscal discipline rules of the Pact will resume normal application.

Fiscal measures – overall (copied from <http://www.oecd.org/coronavirus/en/>)

The Government introduced on 16 March 2020 a fiscal package of EUR 2.5 billion (including EUR 0.5 billion for health) under the action plan to mitigate the impact of COVID-19. The measures aim to:

- Ensure the effective functioning of the health care system: the funds are dedicated, in particular, to the acquisition of equipment, finance additional health care costs, including bonuses to health care workers, and ensure subsidiary social guarantees for employees infected by a contagious disease.*
- Help safeguard jobs and incomes, including subsidies wages, benefits for self-employed and funds to ensure the payment of sickness benefits of carers.*
- Help business to save liquidity, including postponement of the payments date of tax arrears for the affected taxpayers.*
- Stimulate the economy including through measures to accelerate the investment programmes; reallocate the EU investment funds to health, employment and business areas; permit the use of all funds of the Climate Change Programme, Road Maintenance and Development Programme, and to speed up the multi-apartment building renovation programme; and offer possibilities for municipalities to implement the investment projects by extending lending targets and to ensure the emergency liquidity assistance.*

To ensure the liquidity of the State Treasury, the action plan grants the right to the Government to borrow additional EUR 5 billion.

Fiscal measures - people specific (copied from <http://www.oecd.org/coronavirus/en/>)

The fiscal package under the action plan to mitigate the impact of COVID-19 includes the following measures:

- Subsidising wages: from public resources to contribute (up to three months) to the efforts of employers to safeguard jobs by covering part of the salary to employees for downtime or partial downtime. The employee should be guaranteed payment that is not lower than the minimum monthly salary (MMS).*
- Ensuring the payment of sickness benefits.*
- Flat rate sickness benefit (EUR 257) to self-employed persons who have paid social insurance contributions for at least three months during the year prior to the declaration.*
- Payment for up to nine months of unemployment insurance benefits to unemployed persons.*

- Prolongation (from three to six months) of the grace period for repayments on mortgage loans to redundant persons.
- Possibility of deferring or arranging installments for electricity and gas payments to public provider.
- Recommendation for municipalities to exempt taxpayers from taxes levied on business property and land.

Fiscal measures - company specific (copied from <http://www.oecd.org/coronavirus/en/>)

The fiscal package under the action plan to mitigate the impact of COVID-19 includes the following measures:

- Postponement of the payment date of tax arrears for affected tax payers.
- Exemption from fines and default interest for failure to comply with tax obligations on time.
- The guarantee limit for the Agricultural Credit Guarantee Fund and ceiling for INVEGA (promoting the development of small and medium-sized enterprises) guarantees are set to increase by EUR 500 million.
- Possibility for business customers to defer or arrange payments in installments to the public provider of electricity and gas.
- Recommendation for municipalities to offer the possibility of deferring or arranging the payment of public utility charges and payments for heat in installments.
- Recommendation for municipalities to exempt the taxpayers from taxes levied on business property and land.

Monetary policy / Macro-prudential regulation

It is planned to allocate 10% of GDP, EUR 5 billion, to secure employment, health and security for the population - and, of course, it will help business and boost the economy:

- Providing the necessary resources for the efficient running of health and public health systems - EUR 500 million.
- EUR 500 million for jobs and income protection.
- EUR 500 million to maintain business liquidity.
- EUR 1 billion to boost the economy.

The Economic and Financial Instruments Plan provides for the Government to borrow an additional EUR 5 billion.

2. Are the cost of these measures being published?

Yes: <http://finmin.lrv.lt/lt/naujienos/visuomenes-sveikatos-apsaugai-ir-salies-ekonomikai-5-mlrd-euru>

3. Have budget users been asked to identify cost-saving measures to partially offset the cost of the response measures?

No, for the time being budget users are not asked to take over cost saving measures. On the contrary, the MoF has recommended to budget institutions to speed up the utilisation of budget funds (current expenditures) in order to stimulate the economy. It is important to also point out that budget revenue performance in March was 85%.

4. Are internal controls continuing to operate smoothly (electronic signatures)?

No evidence.

- 5. Does each budget user or at least ministry have a risk management strategy that envisaged emergency measures in response to a sudden crisis? How is staff and customer safety balanced against the need to deliver required services?**

No, for the time being budget users in the majority of ministries do not have risk management strategies to respond to this crisis. Instead, there is a centralised Government management process to combat this crisis through the Governmental COVIR-19 Committee, led by the Prime Minister. The Committee co-ordinates activities of ministries and agencies and ensures cross-cutting issues. However, formal decisions are taken by the Government and the Parliament.