

PROCEDURES FOR THE REGISTRATION OF MEMBERSHIP, PAYMENT AND DISCONTINUATION OF BENEFITS OF PENSION SECURITY (Regulation of the Minister of Manpower Number 29 Year 2015, Dated October 13, 2015)

BY GRACE OF GOD THE ALMIGHTY

THE MINISTER OF MANPOWER OF THE REPUBLIC OF INDONESIA

Considering:

That in order to implement the provision of Article 9 paragraph (1) and Article 27 of Government Regulation Number 45 Year 2015 on the Implementation of Pension Security Program, it is necessary to stipulate a ministerial regulation on Procedures for the Registration of Membership, Payment and Discontinuation of Benefits of Pension Security;

In view of:

1. Law Number 40 Year 2004 on National Social Security System (Statute Book of the Republic of Indonesia Year 2004 Number 150, Supplement to Statute Book of the Republic of Indonesia Number 4456);
2. Law Number 24 Year 2011 on Social Security Management Board (Statute Book of the Republic of Indonesia Year 2011 Number 116, Supplement to Statute Book of the Republic of Indonesia Number 5256);
3. Government Regulation Number 45 Year 2015 on the Implementation of Pension Security Program (Statute Book of the Republic of Indonesia Year 2015 Number 155);
4. Presidential Regulation Number 109 Year 2013 on Membership Phasing of Social Security Program (Statute Book of the Republic of Indonesia Year 2013 Number 2533);

D E C I D E S ;

To stipulate:

THE REGULATION OF THE MINISTER OF MANPOWER ON PROCEDURES FOR THE REGISTRATION OF MEMBERSHIP, PAYMENT AND DISCONTINUATION OF BENEFITS OF PENSION SECURITY

CHAPTER I

GENERAL

Article 1

Referred to in this ministerial regulation as:

1. Pension Security shall be social security intended to preserve degree of adequate life for participants and/or their heirs by granting income after participants embark on mandatory retirement age, suffer from permanent total disability or pass away.
2. Manpower Social Security Management Board hereinafter called BPJS Manpower shall be a public legal entity established by Law Number 24 Year 2011 on Social Security Management Board.
3. Pension Benefit shall be a specified amount of money paid every month to participant embarking on mandatory retirement age, suffering from permanent total disability or heir of participant passing away.
4. Participant of Pension Security Program hereinafter called Participant shall be worker registered and already paying contribution.
5. Worker shall be everybody working by receiving wage or compensation in other form.
6. Employer shall be individual, entrepreneur, legal entity or other entities employing worker by paying wage or compensation in other form.
7. Widow or widower shall be legitimate wife or husband of a dead participant registered as heir at BPJS Manpower.
8. Son/Daughter shall be sibling son/daughter, step son/daughter or legitimate adopted son/daughter according to legislation of a dead participant registered as heir at BPJS Manpower.
9. Parent shall be sibling father, sibling mother, step father, step mother, legitimate adopted father or adopted mother according the provision of legislation and registered at BPJS Manpower.
10. Beneficiary of Pension Benefit shall be participant or heir of participant that deserves pension benefit.
11. Pension Security Contribution hereinafter called Contribution shall be a specified amount of money paid regularly by participant and employer.
12. Payment Period shall be the number of months of the settlement of contribution payment to BPJS Manpower.
13. Wage shall be a right of worker received and declared in the form of money as compensation from employer to worker, stipulated and paid according to a working agreement or legislation, including fixed allowance of worker or family thereof for a work and/or service already or to be executed.
14. Permanent Total Disability shall be disability making someone unable to execute work.

15. Retirement Age shall be age when participant may start receiving pension benefit.
16. Advisory Doctor shall be a doctor having task and function to provide medical consideration in determining and stipulating participant suffering from permanent total disability.
17. Service Canal shall be service network of BPJS Manpower for the provision of information about program, registration of participant, receipt of contribution, security service personally or in cooperation with the third party.
18. Density Rate shall be a rate of compliance to the payment of contribution by participant.
19. Minister shall be the minister in charge of manpower affairs.

CHAPTER II

REQUIREMENTS AND PROCEDURES FOR THE REGISTRATION

Article 2

- (1) Participant shall be worker working with non-state administrator employer.
- (2) The participant as meant in paragraph (1), namely wage-recipient participant, shall consist of:
 - a. worker in company; and
 - b. worker in individual.
- (3) Besides the participant as meant in paragraph (2), employer may participate in pension security program in accordance with the membership phasing on the basis of the provision of legislation.

Article 3

- (1) The employer as meant in Article 2 paragraph (3) obliged to register their workers to participate in pension security program shall be employer with the scale:
 - a. large business; and
 - b. medium business.
- (2) The employer as meant in paragraph (1) letter a shall have criteria:
 - a. having net asset over Rp10,000,000,000 (ten billion rupiah), excluding land and building of business place; or
 - b. having annual sales over Rp 50,000,000,000 (fifty billion rupiah).
- (3) The employer as meant in paragraph (1) letter b shall have criteria:
 - a. having net asset over Rp 500,000,000 (five hundred million) up to maximally Rp10,000,000,000 (ten billion rupiah), excluding land and building of business place; or

- b. having annual sales over Rp 2,500,000,000 (two billion and five hundred million rupiah) up to maximally Rp 50,000,000,000 (fifty billion rupiah).
- (4) In the case of any change in business scale, employer may not reduce right of worker to continue membership in the attended pension security program.

Article 4

- (1) Employers with small and micro- business scale may register their workers as participant in pension security program.
- (2) The small-scale business employer as meant in paragraph (1) shall have criteria:
- a. having net asset over Rp 50,000,000 (fifty million rupiah) up to maximally Rp 500,000,000 (five hundred million rupiah), excluding land and building of business place; or
 - b. having annual sales over Rp 300,000,000 (three hundred million rupiah) up to maximally Rp 2,500,000,000 (two billion and five hundred million rupiah).
- (3) The micro-scale business employer as meant in paragraph (1) shall have criteria:
- a. having net asset maximally Rp 50,000,000 (fifty million rupiah), excluding land and building of business place; or
 - b. having annual sales maximally Rp 300,000,000 (three hundred million rupiah).

Article 5

Worker registered by employer shall have age maximally one month before embarking on mandatory retirement age.

Article 6

- (1) The mandatory retirement age as meant in Article 4, for the first time, shall be set 56 (fifty six) years.
- (2) Starting from January 1, 2019, the mandatory retirement age as meant in paragraph (1) shall become 57 (fifty seven) years.
- (3) The mandatory retirement age as meant in paragraph (2) shall subsequently supplement one year for every 3 (three) years to come until reaching mandatory retirement age 65 (sixty five) years.

Article 7

- (1) Employers shall be obliged to register their workers to BPJS Manpower by completing registration form.

- (2) The registration as meant in paragraph (1) shall be accompanied by requirements:
 - a. copy of resident identity card; and
 - b. copy of family card.
- (3) The requirement as meant in paragraph (1) and paragraph (2) shall be integrated by BPJS Manpower into demography administration system.
- (4) The filling and submission of the registration form as meant in paragraph (1) may be executed manually or electronically.
- (5) The registration form as meant in paragraph (1) shall be regulated by a regulation of the Board of Directors of BPJS Manpower.

Article 8

- (1) Employers may register the membership of BPJS Manpower in Branch Office of BPJS Manpower or Service Canal of BPJS Manpower.
- (2) BPJS Manpower shall be obliged to issue membership number in no later than one working day as from the receipt of the form completely and truthfully as well as the settlement of the first contribution.
- (3) Further provision on the issuance of the membership number as meant in paragraph (2) shall be regulated by a regulation of BPJS Manpower.

Article 9

- (1) In the case of employer decidedly being negligent to not register their worker, worker may directly register themselves to BPJS Manpower by completing the registration form and enclosing documents:
 - a. copy of working agreement, decision on the appointment or other identity showing him/her as worker;
 - b. copy of resident identity card; and
 - c. copy of family card.
- (2) BPJS Manpower shall verify worker in no later than 7 (seven working days as from the date of registration.
- (3) In the case of result of the verification as meant in paragraph (2) proving that employer is decidedly negligent to not register their worker, the employer shall be obliged to collect and remit contribution becoming liability of worker and pay contribution becoming liability of the employer to BPJS Manpower.
- (4) In the case of result of the verification as meant in paragraph (2) showing that the requirements are not fulfilled, BPJS Manpower shall return document to the worker.

Article 10

- (1) In the case of worker changing in workplace, the participant shall be obliged to notify his/her membership to employer of the new workplace by showing membership card of BPJS Manpower.
- (2) The employer of the new workplace as meant in paragraph (1) shall continue the membership of the worker by reporting membership card of BPJS Manpower and paying contribution to BPJS Manpower as from the date when the worker works with the employer of the new workplace.
- (3) BPJS Manpower shall confirm to the participant through employer in the form of letter of notification certifying that the membership as meant in paragraph (2) is continued.

CHAPTER III

PROCEDURES FOR SUBMITTING AND PAYING BENEFIT

Part One

General

Article 11

- (1) Pension benefit shall be submitted by participant or heir of participant registered as beneficiary of pension benefit at BPJS Manpower.
- (2) The payment of pension benefit submitted by the participant or heir of participant as meant in paragraph (1) shall be executed by BPJS Manpower.

Article 12

- (1) BPJS Manpower shall submit letter of notification about mandatory retirement age in no later than 5 (three) months before the participant embarks on mandatory retirement age by enclosing:
 - a. form of participant data; and
 - b. composition of beneficiary of pension benefit.
- (2) Notification about the mandatory retirement age of active participant shall be granted through a letter of notification or other electronic media or canal stipulated by BPJS Manpower.
- (3) The letter of notification about mandatory retirement age of non-active participant shall be granted through address registered at BPJS Manpower.
- (4) The participant as meant in paragraph (2) and paragraph (3) shall return form of participant data and composition of beneficiary of pension benefit to BPJS Manpower in no later than one month before embarking on mandatory retirement age.

- (5) In the case of participant not returning the form as meant in paragraph (4), the data which are used shall be in accordance with data about participant and composition of beneficiary of pension benefit recorded at BPJS Manpower.

Article 13

- (1) Pension benefit in the form of definite benefit shall be stipulated as follows:
- a. for the first one year, pension benefit is calculated on the basis of pension benefit formula; and
 - b. for every next year, pension benefit is calculated as much as the amount of the previous year pension benefit multiplied by indexation factor.
- (2) The pension benefit formula as meant in paragraph (1) letter a shall be 1% (one percent) multiplied by the payment period divided by 12 (twelve) months multiplied by the weighted annual wage average during the payment period divided by 12 (twelve).
- (3) Monthly wage used as the basis for the calculation of pension benefit in the formula as meant in paragraph (2) shall be the reported wage and maximally amounting to the limit of wage according to the provision of legislation.

Article 14

- (1) Pension benefit for the first time shall be paid with the provision as follows:
- a. in no faster than the date when right to pension benefit starts to be counted and supporting documents are received completely by BPJS Manpower; or
 - b. in no later than 15 (fifteen) days as from the date when right to pension benefits comes and supporting documents are received completely by BPJS Manpower.
- (2) The payment of pension benefit in the following month shall be the 1st of the current month and in the case of the 1st being holiday, the payment is executed on the ensuing working day.

Article 15

- (1) In the case of the pension benefit being paid in lump sum, participant shall deserve the whole accumulated contribution plus the result of development.
- (2) The result of development as meant in paragraph (1), shall be counted and stipulated every month on the basis of the actual value.

- (3) The actual value as meant in paragraph (2) shall constitute the total result of the realization of investment in pension security program minus operational cost.
- (4) The stipulation of the monthly development result as meant in paragraph (2) shall be regulated further by a regulation of the Board of Directors of BPJS Manpower.

Article 16

- (1) In the case of employer having contribution arrears and participant already embarking on mandatory retirement age, the employer shall be obliged to settle the contribution arrears in no later than 3 (three) months as from the submission.
- (2) In the case of the employer already settling the contribution arrears as meant in paragraph (1), participant may receive pension benefit by including the payment period of the settled contribution arrears.
- (3) Unless employer settles the contribution as meant in paragraph (1), pension benefit shall be paid without calculating the payment period of the contribution arrears which have not been settled.
- (4) Unless employer settles the contribution as meant in paragraph (3), difference between pension benefit becoming right of participant shall continue to be paid by employer.

Article 17

Forms related to the submission and payment of pension benefit shall be regulated further by a regulation of the Board of Directors of BPJS Manpower.

Part Two

Old-age pension Benefit

Article 18

- (1) Beneficiary of old-age pension benefit shall be participant already embarking on mandatory retirement age and having payment period minimally 15 (fifteen) years equivalent to 180 (one hundred and eighty) months.
- (2) The participant as meant in paragraph (1) shall submit claim by completing form and enclosing documents:
 - a. original membership card of BPJS Manpower;
 - b. copy of resident identity card; and
 - c. copy of family card.
- (3) In the case of the participant already embarking mandatory retirement age but the participant being still employed, the participant may decide to receive pension benefit upon embarking on mandatory retirement

age or when the participant stops working with the provision maximally 3 (three) years after retiring.

- (4) The participant as meant in paragraph (3) shall notify the choice to BPJS Manpower in no later than one month before embarking on mandatory retirement age.
- (5) In the case of the participant embarking on mandatory retirement age but still employed and deciding to receive pension benefit upon embarking on the mandatory retirement age as meant in paragraph (3), the said person cannot become participant anymore.
- (6) The documents as meant in paragraph (2) letter b and letter c shall be accompanied by the original.

Article 19

- (1) The payment of old-age pension benefit shall be done by BPJS Manpower in accordance with the provision as meant in Article 13.
- (2) Right to old-age pension benefit shall be counted as from the 1st of the ensuing month after the participant embarks on mandatory retirement age.

Article 20

- (1) In the case of participant embarking on mandatory retirement age before reaching the payment period of 15 (fifteen) years, the participant shall deserve pension benefit paid in lump sum.
- (2) The amount of old age pension benefit paid in lump sum shall be in accordance with the provision as meant in Article 14.

Part Three

Disability Pension Benefit

Article 21

- (1) Beneficiaries of disability pension benefit shall be participants suffering from total disability permanently before embarking on mandatory retirement age.
- (2) The permanent total disability as meant in paragraph (1) shall be stipulated by diagnosing or examining doctor or advisory doctor.
- (3) In the case of different opinion about result of the stipulation of permanent total disability as meant in paragraph (2), the settlement shall be done through mechanism stipulated by the minister.
- (4) The participant as meant in paragraph (1) shall submit claim by completing form and enclosing documents:

- a. original membership card of BPJS Manpower;
 - b. copy of resident identity card;
 - c. copy of family card;
 - d. copy of certificate of diagnosing or examining doctor or advisory doctor certifying that the participant suffers from permanent total disability; and
 - e. copy of certificate of inability to work because of disability from employer.
- (5) The documents as meant in paragraph (4) letter b up to letter e shall be accompanied by the original documents.

Article 22

- (1) The disability pension benefit shall be paid by BPJS Manpower in accordance with the provision as meant in Article 13.
- (2) Right to the disability pension benefit shall be counted as from the 1st of the month after the participant is stipulated to suffer from permanent total disability.

Article 23

- (1) In the case of participant suffering from permanent total disability and the payment period being less than 15 (fifteen) years, the payment period used in the calculation of the disability pension benefit shall be 15 (fifteen) years with the provision as follows:
 - a. The participant pays routinely contribution with the density rate minimally 80% (eighty percent) and
 - b. the incident causing the permanent total disability occurs after the participant is registered in pension security program minimally 1 (one) month.
- (2) In the case of the provision as meant in paragraph (1) being not fulfilled, the disability pension benefit shall be paid in lump sum.
- (3) The amount of disability pension benefit paid in lump sum shall be in accordance with the provision as meant in Article 14.

Part Four

Widow or Widower Pension Benefit

Article 24

- (1) Beneficiaries of widow or widower pension benefit shall be widow or widower of participant passing away

before embarking on mandatory retirement age or passing away after receiving old-age pension benefit or disability pension benefit.

- (2) The widow or widower as meant in paragraph (1) shall constitute heir of participant in accordance with the latest data registered at BPJS Manpower.
- (3) The widow or widower as meant in paragraph (1) shall submit claim by completing form and enclosing:
 - a. original membership card of BPJS Manpower;
 - b. copy of resident identity card of participant;
 - c. copy of resident identity card of widow or widower;
 - d. copy of family card;
 - e. copy of marriage certificate;
 - f. copy of certificate of death from sub-district or village office or medical facility, already legalized; and
 - g. copy of certificate of inability to work because of disability from employer.
- (4) The documents as meant in paragraph (4) letter b up to letter g shall be accompanied by the original documents.

Article 25

- (1) The payment of pension benefit of widow or widower shall be done by BPJS Manpower in accordance with the provision as meant in Article 13.
- (2) Right to pension benefit of parent shall be counted as from the 1st of the ensuing moth after the participant passed away.

Article 26

- (1) In the case of participant passing away before embarking on mandatory retirement age and the payment period being less than 15 (fifteen) years, the payment period used in the calculation of widow or widower pension benefit shall be 15 (fifteen) years with the provision as follows:
 - a. the participant has participated in the program minimally one year; and
 - b. the participant pays routinely contribution with the density rate minimally 80% (eighty percent).
- (2) In the case of the provision as meant in paragraph (1) being not fulfilled, the widow or widower pension benefit shall be paid in lump sum.

- (3) The amount of the widow or widower pension benefit paid in lump sum shall be in accordance with the provision as meant in Article 14.

Part Five

Son/Daughter Pension Benefit

Article 27

- (1) Beneficiaries of son/daughter pension benefit shall be maximally 2 (two) sons/daughters.
- (2) The son/daughter pension benefit shall be received by child in the case of:
- a. participant passing away and not having wife or husband; or
 - b. widow or widower of participant passing away or marrying again.
- (3) The son/daughter as meant in paragraph (1) shall constitute heir of participant in accordance with the latest data registered at BPJS Manpower.
- (4) The son/daughter as meant in paragraph (1) shall submit claim by completing form and enclosing document:
- a. original membership card of BPJS Manpower;
 - b. copy of resident identity card of son/daughter;
 - c. copy of family card;
 - d. copy of certificate of death from sub-district or village office or medical facility, already legalized; and
 - e. copy of certificate of heir from sub-district or village office already legalized.
- (5) In the case of the son/daughter as meant in paragraph (1) being still under 18 (eighteen) years, the son/daughter pension benefit shall be submitted by custodian of son/daughter by completing form and enclosing documents:
- a. original membership card of participant of BPJS Manpower;
 - b. copy of certificate of birth or resident identity card of son/daughter;
 - c. copy of family card;
 - d. copy of certificate of death from sub-district or village office or medical facility already legalized;
 - e. copy of certificate of heir from sub-district or village office, already legalized;
 - f. copy of certificate as custodian of son/daughter from the authorized institution; and
 - g. copy of resident identity card of custodian of son/daughter.
- (6) The documents as meant in paragraph (4) letter b up to letter e and paragraph (5) letter b up to letter g shall be accompanied by the original documents.

Article 28

to be continued

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