

# **PROCEDURES AND REQUIREMENTS FOR THE PAYMENT OF BENEFITS OF OLD-AGE SECURITY (Regulation of the Minister of Manpower of the Republic of Indonesia Number 19 Year 2015, dated August 19, 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 26 paragraph (5) of Government Regulation Number 60 Year 2015 on the Amendment to Government Regulation Number 46 Year 2015 regarding the Implementation of Old-Age Security Program, it is necessary to stipulate a regulation of the Minister on Procedures and Requirements for the Payment of Benefit of Old-Age Security;

In view of:

1. Government Regulation Number 46 Year 2015 on the Implementation of Old-Age Security Program (Statute Book of the Republic of Indonesia Year 2015 Number 156, Supplement to Statute Book of the Republic of Indonesia Number 5716);
2. Government Regulation Number 60 Year 2015 on the Amendment to Government Regulation Number 46 Year 2015 regarding the Implementation of Old-age Security Program (Statute Book of the Republic of Indonesia Year 2015 Number 187, Supplement to Statute Book of the Republic of Indonesia Number 5730);
3. Presidential Regulation Number 18 Year 2015 on the Ministry of Manpower (Statute Book of the Republic of Indonesia Year 2015 Number 19);
4. Regulation of the Minister of Manpower Number 8 Year 2015 on Procedures for Preparing the Enactment of Bill, Draft Government Regulation and Draft Presidential Regulation as well as the Enactment of Draft Ministerial Regulation in the Ministry of Manpower (State Gazette of the Republic of Indonesia Year 2015 Number 838);

**DECIDES :**

To stipulate:

**THE REGULATION OF THE MINISTER OF MANPOWER ON PROCEDURES AND REQUIREMENTS FOR THE PAYMENT OF BENEFIT OF OLD-AGE SECURITY**

**CHAPTER I**

**GENERAL**

**Article 1**

Referred to in this ministerial regulation as:

1. Old-age Security hereinafter abbreviated to JHT shall be cash-, money benefit paid in lump sum when participant embarks on mandatory retirement age, passes away or suffers total disability permanently.
2. Participant of JHT hereinafter called Participant shall be everybody, including foreigner working minimally 6 (six) months in Indonesia that has paid contribution.
3. Manpower Social Security Management Board hereinafter called BPJS Manpower shall be a public legal entity established on the basis of Law Number 24 Year 2011 on Social Security Management Board.
4. Membership Card of BPJS Manpower shall be membership card of BPJS Manpower having sole identity number that applies for all social security programs.
5. Personnel Supervising Manpower hereinafter called Manpower Supervisor shall be a civil servant appointed and assigned in the functional position of manpower supervisor in accordance with the provision of legislation.
6. Minister shall be the minister in charge of manpower affairs.

**Article 2**

Benefit of JHT shall be paid to participant if:

- a. the participant embarks mandatory retirement age;
- b. the participant suffers from total disability permanently; or
- c. the participant passes away.

**CHAPTER II**

**REQUIREMENTS AND PAYMENT OF OLD-AGE SECURITY BENEFIT**

**Part One**

## Participant Embarks on Mandatory Retirement Age

### Article 3

- (1) Benefit of JHT to the participant embarking on mandatory retirement age as meant in Article 2 letter a shall be granted to the participant upon embarking on mandatory retirement age.
- (2) Benefit of JHT to participant embarking on mandatory retirement age as meant in paragraph (1) shall also include participant that stops working.
- (3) The participant that stops working as meant in paragraph (2) shall include:
  - a. resigning participant;
  - b. dismissed participant;
  - c. participant leaving Indonesia forever.

### Article 4

- (1) Benefit of JHT shall be granted to the participant embarking on mandatory retirement age as meant in Article 3 paragraph (1) by fulfilling requirements:
  - a. original membership card of BPJS Manpower;
  - b. certificate of work termination due to mandatory retirement age from company; and
  - c. copy of valid resident identity card and family card.
- (2) The payment of benefit of JHT as meant in paragraph (1) shall be executed in cash and lump sum by BPJS Manpower to the said participant.

### Article 5

- (1) Benefit of JHT to the resigning participant as meant in Article 3 paragraph (3) letter a may be paid in cash after passing the waiting period of one month as from the issuing date of letter of resignation from company.
- (2) Benefit of JHT shall be paid to the resigning participant as meant in paragraph (1) by fulfilling requirements:
  - a. original membership card of BPJS Manpower;
  - b. certificate of resignation from company where the participant works; and
  - c. copy of valid resident identity card and family card.

### Article 6

- (1) In the case of the dismissed participant as meant in Article 3 paragraph (3) letter b, benefit of JHT may

be paid in cash and lump sum after passing the waiting period of one month as from the date of the labor dismissal.

(2) Benefit of JHT shall be paid by the dismissed participant as meant in paragraph (1) by fulfilling requirements:

- a. original membership card of BPJS Manpower;
- b. evidence of collective agreement already registered at industrial relations court or stipulation of industrial relations court; and
- c. copy of valid resident identity card and family card.

#### Article 7

In the case of the participant leaving Indonesia forever as meant in Article 3 paragraph (3) letter c, benefit of JHT shall be paid in cash and lump sum by fulfilling requirements:

- a. statement that the participant does not work anymore in Indonesia;
- b. copy of passport;
- c. copy of visa in the case of Indonesian manpower.

#### Part Two

##### Participant Suffers from Total Disability Permanently

#### Article 8

- (1) Benefit of JHT to participant suffering from total disability permanently as meant in Article 2 letter b shall be granted to participant suffering from total disability permanently before embarking on mandatory retirement age.
- (2) Right to the benefit of JHT as meant in paragraph (1) shall be counted as from the 1st of the ensuing month after the participant is stipulated to suffer from total disability permanently.
- (3) Benefit of JHT shall be granted to the participant suffering from total disability permanently paragraph (1) by fulfilling requirements:
  - a. original membership card of BPJS Manpower; and
  - b. bill of doctor.
- (4) Mechanism of the stipulation of permanent total disability as meant in paragraph (3) shall be done in accordance with the provision of legislation.

- (5) The benefit of JHT as meant in paragraph (1) shall be paid in cash and lump sum by BPJS Manpower to the said participant.

### Part Three

#### Participant Passes Away

#### Article 9

- (1) Benefit of JHT to the dead participant as meant Article 2 letter c shall be granted to heir of the participant.
- (2) The heir as meant in paragraph (1) shall include:
- a. widow;
  - b. widower; or
  - c. son/daughter.
- (3) In the case of the widow, widower or son as meant in paragraph (2) being not existent, JHT shall be granted with the sequence as follows:
- a. generation by blood of participant vertically upward and downward up to the second degree;
  - b. sibling brother/sister;
  - e. mother in law; and
  - d. party appointed by the participant in legacy.
- (4) In the party appointed in the legacy of participant as meant in paragraph (3) letter d not existing, JHT shall be returned to the Center of Personal Estates in accordance with the provision of legislation.
- (5) Benefit of JHT shall be granted to heir of the participant as meant in paragraph (1) by fulfilling requirements:
- a. original membership card of BPJS Manpower;
  - b. certificate of death from hospital/police/sub-district office;
  - e. certificate of heir from the authorized institution; and
  - d. copy of valid resident identity card and family card.
- (6) The benefit of JHT as meant in paragraph (1) shall be paid in cash and lump sum by BPJS Manpower to heir of the participant.

CHAPTER III

CONCLUSION

Article 10

The ministerial regulation shall come into force as from the date of promulgation.

For public cognizance, the regulation shall be promulgated by placing it in State Gazette of the Republic of Indonesia.

Stipulated in Jakarta

On August 19, 2015

THE MINISTER OF MANPOWER OF THE REPUBLIC OF INDONESIA

sgd.

M. HANIF DHAKIRI

Promulgated in Jakarta

On August 19, 2015

THE MINISTER OF LAW AND HUMAN RIGHTS OF THE REPUBLIC OF INDONESIA

sgd.

YASONNA H. LAOLY

STATE GAZETTE OF THE REPUBLIC OF INDONESIA YEAR 2015 NUMBER 1230

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