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WARTA KERAJAAN PERSEKUTUAN

*FEDERAL GOVERNMENT
GAZETTE*

PERATURAN-PERATURAN PENCEN PIHAK-PIHAK
BERKUASA BERKANUN DAN TEMPATAN
(PINDAAN) 2021

*STATUTORY AND LOCAL AUTHORITIES PENSIONS
(AMENDMENT) REGULATIONS 2021*

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AKTA PENCEN PIHAK-PIHAK BERKUASA BERKANUN DAN TEMPATAN 1980

PERATURAN-PERATURAN PENCEN PIHAK-PIHAK BERKUASA BERKANUN
DAN TEMPATAN (PINDAAN) 2021

PADA menjalankan kuasa yang diberikan oleh seksyen 28 Akta Pencen Pihak-Pihak Berkuasa Berkanun dan Tempatan 1980 [*Akta 239*], Menteri membuat peraturan-peraturan yang berikut:

Nama dan permulaan kuat kuasa

1. (1) Peraturan-peraturan ini bolehlah dinamakan **Peraturan-Peraturan Pencen Pihak-Pihak Berkuasa Berkanun dan Tempatan (Pindaan) 2021**.

(2) Peraturan 2 disifatkan telah mula berkuat kuasa pada 1 Januari 2018.

(3) Peraturan 3 disifatkan telah mula berkuat kuasa pada 1 Mac 2007.

(4) Peraturan 4 disifatkan telah mula berkuat kuasa pada 15 Jun 2011.

Pindaan peraturan 3

2. Peraturan-Peraturan Pencen Pihak-Pihak Berkuasa Berkanun dan Tempatan 1990 [*P.U. (A) 134/1990*], yang disebut “Peraturan-Peraturan ibu” dalam Peraturan-Peraturan ini, dipinda dalam peraturan 3—

(a) dalam subperaturan (1), dengan memasukkan selepas perkataan “seseorang pekerja berpencen” perkataan “selain pekerja berpencen yang bersara di bawah perenggan 10(5)(a) Akta”; dan

(b) dengan memasukkan selepas subperaturan (2) subperaturan yang berikut:

“(3) Seseorang pekerja berpencen yang bersara di bawah perenggan 10(5)(a) Akta boleh, apabila bersara, diberi—

(a) pencen bulanan seperti yang berikut:

- (i) jika jumlah genapnya bulan perkhidmatan yang boleh dimasukkan kira baginya tidak melebihi satu ratus sembilan belas bulan, pencen bulanan berdasarkan—

$1/600$ x dua ratus empat puluh bulan x gaji yang akhir diterima, tertakluk kepada maksimum sebanyak tiga per lima daripada gaji yang akhir diterimanya;

- (ii) jika jumlah genapnya bulan perkhidmatan yang boleh dimasukkan kira baginya ialah satu ratus dua puluh bulan hingga dua ratus empat puluh bulan, pencen bulanan berdasarkan—

$1/600$ x (jumlah genapnya bulan perkhidmatan yang boleh dimasukkan kira + satu ratus dua puluh bulan) x gaji yang akhir diterima, tertakluk kepada maksimum sebanyak tiga per lima daripada gaji yang akhir diterimanya;

- (iii) jika jumlah genapnya bulan perkhidmatan yang boleh dimasukkan kira baginya ialah dua ratus empat puluh satu bulan hingga tiga ratus lima puluh sembilan bulan, pencen bulanan berdasarkan—

$1/600 \times$ tiga ratus enam puluh bulan
 \times gaji yang akhir diterima,
tertakluk kepada maksimum sebanyak
tiga per lima daripada gaji yang akhir
diterimanya; dan

- (iv) jika jumlah genapnya bulan perkhidmatan yang boleh dimasukkan kira baginya ialah tiga ratus enam puluh bulan dan ke atas, pencen bulanan berdasarkan—

$1/600 \times$ jumlah genapnya bulan perkhidmatan yang boleh dimasukkan kira \times gaji yang akhir diterima, tertakluk kepada maksimum sebanyak tiga per lima daripada gaji yang akhir diterimanya; dan

- (b) ganjaran seperti yang berikut:

- (i) jika jumlah genapnya bulan perkhidmatan yang boleh dimasukkan kira baginya tidak melebihi dua ratus empat puluh bulan, ganjaran berdasarkan—

$7.5\% \times$ (jumlah genapnya bulan perkhidmatan yang boleh dimasukkan kira + satu ratus dua puluh bulan)
 \times gaji yang akhir diterima;

- (ii) jika jumlah genapnya bulan perkhidmatan yang boleh dimasukkan kira baginya ialah dua ratus empat puluh satu bulan hingga

tiga ratus lima puluh sembilan bulan,
ganjaran berdasarkan—

7.5% x tiga ratus enam puluh bulan
x gaji yang akhir diterima; dan

- (iii) jika jumlah genapnya bulan perkhidmatan yang boleh dimasukkan kira baginya ialah tiga ratus enam puluh bulan dan ke atas, ganjaran berdasarkan—

7.5% x jumlah genapnya bulan perkhidmatan yang boleh dimasukkan kira x gaji yang akhir diterima.”.

Pindaan peraturan 8

3. Peraturan 8 Peraturan-Peraturan ibu dipinda—

- (a) dengan menggantikan subperaturan (1) dengan subperaturan yang berikut:

“(1) Bagi maksud seksyen 8 Akta, bayaran caruman oleh majikan hendaklah dibuat kepada, dan mengikut cara yang ditentukan oleh, Kumpulan Wang Persaraan (Diperbadankan) yang ditubuhkan di bawah Akta Kumpulan Wang Persaraan 2007 [Akta 662].”;

- (b) dengan memotong subperaturan (2); dan

- (c) dalam subperaturan (3), dengan menggantikan perkataan “Ketua Setiausaha Perbendaharaan Malaysia” di mana-mana terdapat dengan perkataan “Kumpulan Wang Persaraan (Diperbadankan)”.

Pindaan peraturan 20

4. Peraturan 20 Peraturan-Peraturan ibu dipinda—

(a) dalam subperaturan (1)—

(i) dengan memasukkan selepas perkataan “di bawah Akta” perkataan “dan seseorang yang bersara di bawah subseksyen 6A(5) atau (6) Akta”; dan

(ii) dengan menggantikan perkataan “dia” dengan perkataan “mereka”; dan

(b) dalam subperaturan (2), dengan memasukkan selepas perkataan “Kad pesara” perkataan “yang dikeluarkan kepada orang yang menerima pencen atau faedah lain”.

Dibuat 27 Januari 2021
[JPA/PEN(S)123-2 Jld. 2; PN(PU2)432/III]

TAN SRI DATO' HAJI MAHIADDIN BIN MD. YASIN
Perdana Menteri

STATUTORY AND LOCAL AUTHORITIES PENSIONS ACT 1980

STATUTORY AND LOCAL AUTHORITIES PENSIONS
(AMENDMENT) REGULATIONS 2021

IN exercise of the powers conferred by section 28 of the Statutory and Local Authorities Pensions Act 1980 [*Act 239*], the Minister makes the following regulations:

Citation and commencement

1. (1) These regulations may be cited as the **Statutory and Local Authorities Pensions (Amendment) Regulations 2021**.

(2) Regulation 2 is deemed to have come into operation on 1 January 2018.

(3) Regulation 3 is deemed to have come into operation on 1 March 2007.

(4) Regulation 4 is deemed to have come into operation on 15 June 2011.

Amendment of regulation 3

2. The Statutory and Local Authorities Pensions Regulations 1990 [*P.U. (A) 134/1990*], which are referred to as the “principal Regulations” in these Regulations, are amended in regulation 3—

(a) in subregulation (1), by inserting after the words “a pensionable employee” the words “other than a pensionable employee who retires under paragraph 10(5)(a) of the Act”; and

(b) by inserting after subregulation (2) the following subregulation:

“(3) A pensionable employee who retires under paragraph 10(5)(a) of the Act may, on retirement, be granted—

(a) a monthly pension as follows:

- (i) where the total completed months of his reckonable service does not exceed one hundred and nineteen months, a monthly pension based on—

$1/600$ x two hundred and forty months x last drawn salary, subject to the maximum of three-fifths of his last drawn salary;

- (ii) where the total completed months of his reckonable service is one hundred and twenty months to two hundred and forty months, a monthly pension based on—

$1/600$ x (total completed months of reckonable service + one hundred and twenty months) x last drawn salary, subject to the maximum of three-fifths of his last drawn salary;

- (iii) where the total completed months of his reckonable service is two hundred and forty-one months to three hundred and fifty-nine months, a monthly pension based on—

$1/600$ x three hundred and sixty months x last drawn salary, subject to the maximum of three-fifths of his last drawn salary; and

- (iv) where the total completed months of his reckonable service is three hundred and sixty months and above, a monthly pension based on—

$1/600$ x the total completed months of reckonable service x last drawn salary, subject to the maximum of three-fifths of his last drawn salary; and

- (b) a gratuity as follows—

- (i) where the total completed months of his reckonable service does not exceed two hundred and forty months, a gratuity based on—

7.5% x (total completed months of reckonable service + one hundred and twenty months) x last drawn salary;

- (ii) where the total completed months of his reckonable service is two hundred and forty-one months to three hundred and fifty-nine months, a gratuity based on—

7.5% x three hundred and sixty months x last drawn salary; and

- (iii) where the total completed months of his reckonable service is three hundred and sixty months and above, a gratuity based on—

7.5% x the total completed months of reckonable service x last drawn salary.”.

Amendment of regulation 8

- 3. Regulation 8 of the principal Regulations is amended—

- (a) by substituting for subregulation (1) the following subregulation:

“(1) For the purposes of section 8 of the Act, payment of contributions by an employer shall be made to, and in the manner determined by, the Retirement Fund (Incorporated) established under the Retirement Fund Act 2007 [Act 662].”;

- (b) by deleting subregulation (2); and

- (c) in subregulation (3), by substituting for the words ‘ “Ketua Setiausaha Perbendaharaan Malaysia” ’ wherever they appear the words “Retirement Fund (Incorporated)”.

Amendment of regulation 20

- 4. Regulation 20 of the principal Regulations is amended—

- (a) in subregulation (1)—

- (i) by inserting after the words “under the Act” the words “and a person who retires under subsection 6A(5) or (6) of the Act”; and

- (ii) by substituting for the word “him” the word “them”; and
- (b) in subregulation (2), by inserting after the words “The pensioner’s card” the words “issued to the person who is in receipt of pension or other benefit”.

Made 27 January 2021
[JPA/PEN(S)123-2 Jld. 2; PN(PU2)432/III]

TAN SRI DATO' HAJI MAHIADDIN BIN MD. YASIN
Prime Minister