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By: PRESIDENT OF THE REPUBLIC OF INDONESIA
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Source: LN 2015/155; TLN 5715
Title: THE ADMINISTRATION OF PENSION INSURANCE PROGRAM

BY THE GRACE OF THE ALMIGHTY GOD

THE PRESIDENT OF THE REPUBLIC OF INDONESIA,

Considering : whereas to implement the provisions of Article 41 paragraph (8) and Article 42 paragraph (2) of Law Number 40 Year 2004 regarding National Social Security System, it is necessary to stipulate a Government Regulation regarding The Administration of Pension Insurance Program;

In view of : 1. Article 5 paragraph (2) of the 1945 Constitution of the Republic of Indonesia;
2. Law Number 40 Year 2004 regarding National Social Security System (State Gazette of the Republic of Indonesia Year 2004 Number 150, Supplement to the State Gazette of the Republic of Indonesia Number 4456);

HAS DECIDED:

To stipulate : GOVERNMENT REGULATION REGARDING THE ADMINISTRATION OF PENSION INSURANCE PROGRAM.

CHAPTER I
GENERAL PROVISIONS
Article 1

Referred to herein as:

1. Pension Security shall be a social security aimed to maintain a reasonable life level for participants and/or their heirs by providing incomes after the participants reach the pension age, undergo permanent total disability, or pass away.
2. Manpower Social Security Administrator, hereinafter referred to as Manpower BPJS, shall be a public legal entity established by Law Number 24 Year 2011 regarding Social Security Administrator.

3. Pension Benefit shall be an amount of money paid each month to participants who reach the pension age, suffer from permanent total, or heirs of passed away participants.
4. Pension Security Program Participants, hereinafter referred to as Participants, shall be workers who are registered and have paid the contribution.
5. Worker shall be any person who works by receiving a wage or compensation in other forms.
6. Employer shall be an individual, entrepreneur, legal entity, or other entities which employs workers or state administrator which employs civil servants by paying salaries, wages, or compensation in other forms.
7. Widow or Widower shall be a legitimate wife or husband according to laws and regulations of the passed away participants who is registered as the heir in Manpower BPJS.
8. Child shall be a biological child, stepchild, or foster child legitimate according to laws and regulations of the passed away participants who is registered as the heir in Manpower BPJS.
9. Parent shall be biological father, biological mother, stepfather, stepmother, foster father or foster mother, legitimate according to laws and regulations who is registered in Manpower BPJS.
10. Pension Beneficiary shall be a participant or heir of participant entitled to receive pension benefits.
11. Pension Security Contribution, hereinafter referred to as a Contribution, shall be an amount of money paid regularly by participants and employers.
12. Contribution Period shall be the number of months of contribution settlement payment to Manpower BPJS.
13. Wages shall be workers' rights received and expressed in the form of money as a compensation from an employer to workers, which are stipulated and paid according to an employment agreement, agreement, or laws and regulations, including fixed allowances for workers and their family for a job and/or service which has been or will be performed.
14. Permanent Total Disability shall be a disability resulting in an inability of someone to perform work.
15. Pension Age shall be the age when participants can start receiving pension benefits.
16. Minister shall be the minister who organizes government affairs on the manpower sector.

CHAPTER II MEMBERSHIP AND REGISTRATION PROCEDURES

Part One Membership

Article 2

- (1) Participants shall consist of:
 - a. Workers who work at state administrator Employers; and
 - b. Workers who work at non-state administrator Employers.
- (2) Provisions on membership for Workers working at state administrator Employers as referred to in paragraph (1) sub-paragraph a shall be regulated by a separate Government Regulation.

Article 3

- (1) Membership in the Pension Security Program shall be effective since Workers are registered and the first Contribution has been paid and deposited by non-state administrator Employers to Manpower BPJS.
- (2) Manpower BPJS shall provide the first Contribution payment receipt as referred to in paragraph (1) to non-state administrator Employers.
- (3) The Contribution payment receipt as referred to in paragraph (2) shall be the proof of Participant registration and the basis for Pension Security protection commencement.
- (4) The Membership of Pension Security as referred to in paragraph (1) shall expire when Participants:
 - a. pass away; or
 - b. reach the Pension Age and receive the accumulated Contribution along with its investment proceeds in lumpsum.

Part Two Registration

Article 4

- (1) Non-state administrator Employers shall be obligated to register all Workers with Manpower BPJS as a Participant in accordance with the membership phases based on the provisions of laws and regulations.
- (2) Non-state administrator Employers shall be obligated to register a new Worker by no later than 30 (thirty) days as from the start date of work of the Worker.

Article 5

- (1) In the event that a Non-state administrator Employer is clearly negligent in not registering its Workers as referred to in Article 4, the Workers shall be entitled to register themselves in the Pension Security with Manpower BPJS in accordance with the Pension Security program membership phases.
- (2) The registration by Workers as referred to in paragraph (1) shall be conducted by filling out the registration form and attaching:
 - a. employment agreement, decision on appointment, or other evidence which shows their status as a Worker;
 - b. Identity Card; and
 - c. Family Card.
- (3) Based on the registration as referred to in paragraph (1), Manpower BPJS shall conduct verification to Non-state administrator Employers by no later than seven (7) business days since the registration date.
- (4) In the event that the verification as referred to in paragraph (3) proves that a Non-state administrator Employer is clearly negligent in not registering its Workers as referred to in paragraph (1), the Non-state administrator Employer shall be subject to a sanction in accordance with the provisions of laws and regulations.
- (5) In addition to the sanction as referred to in paragraph (4), the non-state administrator Employer shall be obligated to collect and deposit the Contribution for which Workers is liable and pay the Contribution for which the non-state administrator Employer is liable to Manpower BPJS.

Article 6

In case that Workers have not been registered with Manpower BPJS, non-state administrator Employers shall be obligated to be responsible to their Workers by providing Pension Benefits in accordance with the provisions of this Government Regulation.

Article 7

- (1) Manpower BPJS shall be obligated to issue a membership number for Workers as referred to in Article 4 and Article 5 by no later than 1 (one) business day after the first Contribution is fully paid.
- (2) If Manpower BPJS does not issue any membership number as referred to in paragraph (1), the Contribution payment receipt as referred to in Article 3 shall be used as a membership proof.
- (3) Manpower BPJS shall provide a membership card by no later than 7 (seven) business days as from the date of issuance of membership number as referred to in paragraph (1).

- (4) The membership number as referred to in paragraph (1) shall be a single membership number for all manpower social security program in which the Participants participate.

Article 8

Manpower BPJS shall issue a membership certificate for non-state administrator Employers which have registered all of their Workers by no later than seven (7) business days as from the date of receipt of complete and correct registration form and full payment of the first Contribution to Manpower BPJS.

Article 9

- (1) Further provisions on the requirements and procedures for registration shall be regulated by a Ministerial Regulation.
- (2) Further provisions on the procedures for recording, issuance of membership number, and membership certificate for non-state administrator Employers shall be regulated by a Regulation of Manpower BPJS.

Part Three Change of Membership Data

Article 10

- (1) In the event of change of data on Participants and their family, Participants shall be obligated to submit the change of data completely and correctly to non-state administrator Employers.
- (2) Non-state administrator Employers shall be obligated to submit a report on change of membership data as referred to in paragraph (1) to Manpower BPJS by no later than 7 (seven) business days as from the receipt of data from Participants.
- (3) In the event that the Participants as referred to in paragraph (1) do not work temporarily, the Participants shall submit a change of membership data to Manpower BPJS.
- (4) Manpower BPJS shall be obligated to provide a membership data change recording confirmation to non-state administrator Employers as referred to in paragraph (2) and Participants as referred to in paragraph (3) by no later than 7 (seven) business days after the report on change of membership data is received completely and correctly.
- (5) The confirmation as referred to in paragraph (4) shall at least be conducted via the website of Manpower BPJS.

Article 11

- (1) Participants who change a workplace shall be obligated to notify their membership to the

new workplace Employer by showing the membership card of Manpower BPJS.

- (2) The new workplace Employer as referred to in paragraph (1) shall be obligated to continue Workers' membership by reporting the membership card and paying the Contribution to Manpower BPJS since the Workers work at the new workplace Employer.

Article 12

In case that there is a change of data on Wages, Worker number, office address, and other change of data related to the Pension Security administration, non-state administrator Employers shall be obligated to notify such change to Manpower BPJS by no later than 7 (seven) business days as from the change of data.

Article 13

Further provisions on the membership data change reporting and membership data change recording confirmation shall be regulated by a Regulation of Manpower BPJS.

CHAPTER III PENSION BENEFITS

Part One Pension Beneficiaries

Article 14

- (1) Pension Beneficiaries shall consist of:
 - a. Participants;
 - b. 1 (one) legitimate wife or husband according to the provisions of laws and regulations;
 - c. not more than 2 (two) Children; or
 - d. 1 (one) Parent.
- (2) Participants' Children born not more than 300 (three hundred) days after the termination of a marital relationship of a registered wife or husband is declared valid or after the Participants pass away can be registered as a Pension Beneficiary.
- (3) In case that there is a change of composition of Pension Beneficiaries, Participants must notify such change of list of Pension Beneficiaries by no later than 30 (thirty) days as from the date of change of Pension Beneficiary composition to non-state administrator Employers.
- (4) The change of list of Pension Beneficiaries may not be made after Participants:

- a. receive the first Pension Benefit; or
 - b. pass away, except for a Child as referred to in paragraph (2).
- (5) Non-state administrator Employers shall be obligated to report the change of list of Pension Beneficiaries as referred to in paragraph (3) to Manpower BPJS.
 - (6) In case that there is a dispute over the stipulation of heirs entitled to receive the Pension Benefits, the stipulation of heirs shall be resolved by a deliberation among heirs.
 - (7) In case that the deliberation as referred to in paragraph (6) is not reached, the dispute over stipulation of heirs shall be resolved by a court.

Part Two Pension Age

Article 15

- (1) For the first time, the Pension Age shall be stipulated at 56 (fifty-six) years old.
- (2) Starting January 1, 2019, the Pension Age as referred to in paragraph (1) shall become 57 (fifty-seven) years old.
- (3) The Pension Age as referred to in paragraph (2) shall subsequently increase by 1 (one) year for every 3 (three) next years until reaching the Pension Age of 65 (sixty-five) years old.
- (4) In the event that Participants have reached the Pension Age but the persons concerned remain employed, the Participants may choose to receive Pension Benefits when reaching the Pension Age or when stopped working provided that it is not more than 3 (three) years after the Pension Age.

Part Three Pension Benefits

Paragraph 1 General

Article 16

Pension Benefits shall be:

- a. old-age pensions;
- b. disability pension;
- c. Widow or Widower pension;

- d. Child pension; or
- e. Parent pension.

Article 17

- (1) The Pension Benefits as referred to in Article 16 shall be stipulated as follows:
 - a. for the first 1 (one) year, the Pension Benefits shall be calculated based on the Pension Benefit formula; and
 - b. for every 1 (one) next year, the Pension Benefits shall be calculated at the previous year's Pension Benefit multiplied by an indexation factor.
- (2) The Pension Benefit formula as referred to in paragraph (1) sub-paragraph a shall be 1% (one percent) multiplied by the Contribution Period divided by 12 (twelve) months multiplied by the average weighted annual Wage during the Contribution Period divided by 12 (twelve).
- (3) The weighted annual wage as referred to in paragraph (2) shall be a Wage the value of which has been adjusted based on the general inflation rate.
- (4) The indexation factor as referred to in paragraph (1) sub-paragraph b shall be stipulated at 1 (one) plus the previous year's general inflation rate.
- (5) The general inflation rate as referred to in paragraph (3) and paragraph (4) shall be an annual inflation rate stipulated by an institution which organizes government affairs in the field of statistics.

Article 18

- (1) For the first time, the Pension Benefits shall be stipulated not less than Rp300,000.00 (three hundred thousand Rupiahs) for each month.
- (2) For the first time, the Pension Benefits shall be stipulated not more than Rp3,600,000.00 (three million and six hundred thousand Rupiahs) for each month.
- (3) The minimum and maximum amount of Pension Benefits as referred to in paragraph (1) and paragraph (2) shall be adjusted every year based on the previous year's general inflation rate.

Paragraph 2 Old-Age Pension Benefits

Article 19

- (1) Old-age Pension Benefits shall be received by Participants who have reached the Pension Age and have the Contribution Period of not less than 15 (fifteen) years

equivalents to 180 (one hundred and eighty) months.

- (2) The amount of old-age Pension Benefits shall be calculated with the Pension Benefit formula as referred to in Article 17 paragraph (2).
- (3) Rights to old-age Pension Benefits shall be calculated as from the 1st day of the next month after Participants reach the Pension Age.
- (4) Rights to old-age Pension Benefits shall terminate when Participants pass away.

Paragraph 3 Disability Pension Benefits

Article 20

- (1) The disability Pension Benefits shall be received by Participants who suffer from a Permanent Total Disability before they reach the Pension Age.
- (2) The amount of disability Pension Benefits shall be calculated with the Pension Benefit formula as referred to in Article 17 paragraph (2).
- (3) In case that Participants suffer from Permanent Total Disability and the Contribution Period is less than 15 (fifteen) years, the Contribution Period used in calculating the disability Pension Benefits as referred to in paragraph (2) shall be 15 (fifteen) years, provided that:
 - a. Participants routinely pay the Contribution with the density rate of not less than 80% (eighty percent); and
 - b. the event leading to a Permanent Total Disability occurs after the participants are registered in the Pension Benefit program for not less than 1 (one) month.
- (4) Rights to the disability Pension Benefits as referred to in paragraph (1) shall be calculated as from the 1st day of the next month after Participants are stipulated suffering from a Permanent Total Disability.
- (5) The stipulation of Permanent Total Disability as referred to in paragraph (4) shall be made by consulting, treating, and/or examining doctors.
- (6) In the event of difference in opinion on the result of stipulation of Permanent Total Disability as referred to in paragraph (5), its completion shall be conducted through a mechanism established by the Minister.
- (7) Rights to disability Pension Benefits shall terminate when Participants pass away or no longer meet the definition of Permanent Total Disability.

Paragraph 4 Widow or Widower Pension Benefits

Article 21

- (1) The Widow or Widower Pension Benefits shall be received by the wife or husband of Participants who pass away.
- (2) The Widow or Widower Pension Benefits shall be calculated at:
 - a. 50% (fifty percent) of the Pension Benefit formula as referred to in Article 17 paragraph (2), for Participants who pass away before they receive the Pension Benefits; or
 - b. 50% (fifty percent) of the old-age Pension Benefits as referred to in Article 19 or disability Pension Benefits as referred to in Article 20, for Participants who pass away after they receive the Pension Benefits.
- (3) In the event that Participants pass away before they reach the Pension Age and Contribution Period is less than 15 (fifteen) years, the Contribution Period used calculating the Widow or Widower Pension Benefit as referred to in paragraph (2) sub-paragraph a shall be 15 (fifteen) years, provided that:
 - a. they have been a Participant for not less than 1 (one) year; and
 - b. Participants routinely pay the Contribution with the density rate of not less than 80% (eighty percent).
- (4) Rights to the Widow or Widower Pension Benefits as referred to in paragraph (1) shall be calculated as from the 1st day of the next month after Participants pass away.
- (5) Rights to the Widow or Widower Pension Benefits as referred to in paragraph (4) shall terminate when the Widow or Widower passes away or remarries.

Paragraph 5 Child Pension Benefits

Article 22

- (1) The Child Pension Benefits shall be received by Children in the event that:
 - a. Participants pass away and do not have any wife or husband; or
 - b. The Widow or Widower of Participants passes away or remarries.
- (2) The amount of Child Pension Benefits as referred to in paragraph (1) sub-paragraph a shall be calculated at:
 - a. 50% (fifty percent) of the Pension Benefit formula as referred to in Article 17 paragraph (2), for Participants who pass away before receiving the Pension Benefits and do not have any Widow or Widower;
 - b. 50% (fifty percent) of the old-age Pension Benefits as referred to in Article 19 or

disability Pension Benefits as referred to in Article 20, for Participants who pass away after receiving the Pension Benefits and do not have any widow or widower; or

- c. 50% (fifty percent) of the Widow or Widower Pension Benefits as referred to in Article 21, for a Widow or Widower who passes away or remarries.
- (3) In the event that the Participants pass away before they reach the Pension Age and the Contribution Period is less than 15 (fifteen) years, the Contribution Period used in calculating the Child Pension Benefits as referred to in paragraph (2) sub-paragraph a shall be 15 (fifteen) years, provided that:
- a. they have become a Participant for not less than 1 (one) year; and
 - b. Participants routinely pay the Contribution with the density rate of not less than 80% (eighty percent).
- (4) The Right to Child Pension Benefits as referred to in paragraph (1) shall be calculated as from the 1st day of the next month after:
- a. Participants pass away;
 - b. A widow or widower passes away; or
 - c. A widow or widower remarries.
- (5) The Rights to Child Pension Benefits as referred to in paragraph (4) shall terminate when the Child reaches the age of 23 (twenty-three) years old, works, or marries.

Paragraph 6 Parent Pension Benefits

Article 23

- (1) The Parent Pension Benefits shall be received by a Parent if Participants pass away and do not have any wife, husband, or Child.
- (2) The Parent Pension Benefits as referred to in paragraph (1) shall be calculated at:
 - a. 20% (twenty percent) of the Pension Benefit formula as referred to in Article 17 paragraph (2), for Participants who pass away before receiving the Pension Benefits; or
 - b. 20% (twenty percent) of the old-age Pension Benefits as referred to in Article 19 or disability Pension Benefits as referred to in Article 20, for Participants who pass away after receiving the Pension Benefits.
- (3) In the event that Participants pass away before they reach the Pension Age and the Contribution Period is less than 15 (fifteen) years, the Contribution Period used in calculating the Parent Pension Benefits as referred to in paragraph (2) sub-paragraph a

shall be 15 (fifteen) years, provided that:

- a. they have become a Participant for not less than 1 (one) year; and
 - b. Participants routinely pay the Contribution with the density rate of not less than 80% (eighty percent).
- (4) The rights to the Parent Pension Benefit as referred to in paragraph (1) shall be calculated as from the 1st day of the next month after Participants pass away.
 - (5) The rights to Parent Pension Benefits as referred to in paragraph (4) shall terminate when Parents pass away.

Part Four

Rights of Participants who Reach the Pension Age Before Having the Contribution Period of 15 (Fifteen) Years

Article 24

- (1) In case that Participants reach the Pension Age before fulfilling the Contribution Period of 15 (fifteen) years, the Participants shall be entitled to receive their total accumulation of Contribution plus its investment proceeds.
- (2) The total accumulation of Contribution plus its investment proceeds as referred to in paragraph (1) shall be paid to the participants on the 1st day of the next month after the Participants reach the Pension Age and documents have been completely received by Manpower BPJS.
- (3) The investment proceeds as referred to in paragraph (2) shall be calculated every month based on the actual value.

Part Five

Payment of Pension Benefits

Article 25

- (1) For the first time, the Pension Benefits as defined in Article 16 shall be paid provided that:
 - a. not earlier than since the rights to Pension Benefits start to be calculated and supporting documents are completely received by Manpower BPJS; and
 - b. no later than 15 (fifteen) days since the rights to the Pension Benefits occur and supporting documents are completely received by Manpower BPJS.
- (2) The next month's payment of Pension Benefits shall be no later than the 1st day of the current month.

- (3) The Pension Benefits as referred to in Article 16 shall be ceased after the rights to the Pension Benefits terminate.

Article 26

- (1) Pension Beneficiaries shall be obligated to conduct the confirmation of data on Pension Beneficiaries 1 (one) time in 3 (three) months to Manpower BPJS.
- (2) In case that the Pension Beneficiaries have not conduct confirmation of the data as referred to in paragraph (1), Manpower BPJS shall suspend the payment of Pension Benefit.
- (3) Manpower BPJS may repay the Pension Benefits after the Pension Beneficiaries give confirmation of the data as referred to in paragraph (1) and paragraph (2).
- (4) In case that the Pension Beneficiaries do not conduct confirmation up to 10 (ten) years, Manpower BPJS shall terminate the payment of Pension Benefits.

Article 27

Further provisions on the procedure for payment, termination, and submission of benefits shall be regulated by a Ministerial Regulation.

CHAPTER IV CONTRIBUTION

Part One Contribution Amount

Article 28

- (1) The Pension Security Contribution shall be paid every month.
- (2) The Contribution as referred to in paragraph (1) shall be 3% (three percent) of the Wage per month.
- (3) The Contribution of 3% (three percent) as referred to in paragraph (2) must be collectively borne by non-state administrator Employers and Participants provided that:
 - a. 2% (two percent) of the wages shall be borne by non-state administrator Employers; and
 - b. 1% (one percent) of the wages shall be borne by the Participants.
- (4) The amount of Contribution as referred to in paragraph (3) shall be subject to evaluation not less than 3 (three) years by considering the national economic conditions and calculation of the actuarial liability adequacy.
- (5) The evaluation results as referred to in paragraph (4) shall be used as a basis for the

adjustment to gradual increase in Contribution amount towards 8% (eight percent).

Article 29

- (1) The monthly Wages made as the basis for Contribution calculation shall consist of basic Wage and fixed allowance in the month concerned.
- (2) The maximum limit of Wage used as the basis for calculation of Pension Security Contribution for 2015 shall be stipulated at Rp7,000,000.00 (seven million Rupiahs) every month.
- (3) Manpower BPJS shall annually adjust the amount of the maximum Wages as referred to in paragraph (2) by using a multiplying factor of 1 (one) plus the previous year's annual growth rate of gross domestic product.
- (4) Manpower BPJS shall stipulate and announce the adjustment to maximum limit of Wages as referred to in paragraph (3) by no later than 1 (one) month after an institution organizing governmental affairs in the field of statistics announces data on gross domestic product.

Part Two Payment Procedure

Article 30

- (1) Non-state administrator Employers shall be obligated to collect the Contribution as referred to in Article 28 which is borne by Participants and deposit it to Manpower BPJS.
- (2) Non-state administrator Employers shall be obligated to pay and deposit the Contribution which constitutes their responsibility as referred to in Article 28 together with Participants' Contribution to Manpower BPJS.
- (3) The Contribution as referred to in Article 28 shall be deposited to Manpower BPJS every month by no later than the 15th day of the next month.

Article 31

- (1) The delay in Contribution deposit by non-state administrator Employers shall be subject to a fine of 2% (two percent) for every month of delay calculated from the Contribution which should be deposited by non-state administrator Employers.
- (2) The fine due to delay in Contribution deposit as referred in paragraph (1) shall be fully borne by the non-state administrator Employers paid together with the total Contribution in arrears.
- (3) The fine for delay as referred to in paragraph (1) the assets of the Social Security Fund of the Pension Security program.

Article 32

The Contribution which has not been fully paid shall be receivables of the Social Security Fund of the Pension Security program.

Article 33

Further provisions on the procedure for payment of Contribution shall be regulated by a Regulation of Manpower BPJS.

CHAPTER V ADMINISTRATIVE SANCTIONS

Article 34

Non-state administrator Employers which do not implement the provisions of Article 4, Article 10 paragraph (2), Article 11 paragraph (2), Article 14 paragraph (5) shall be subject to administrative sanctions in the form of written warning, fine, and not receiving any certain public services the implementation of which is in accordance with the provisions of laws and regulations.

Article 35

In the case that Manpower BPJS is late in paying the rights to Pension Benefits of Participants, it shall be subject to administrative sanctions in the form of fine of 2% (two percent) per month of the nominal value which should have been received by Participants, Widow or Widower, Children, or Parents.

CHAPTER VI SUPERVISION

Article 36

- (1) In the event that non-state administrator Employers have been subject to the administrative sanctions as referred to in Article 34 but the non-state administrator Employers still do not comply in paying the Contribution and other obligations, Manpower BPJS shall be obligated to report the non-compliance to the Labor Supervisor in the responsible agencies in the manpower sector in the Government, provincial governments, and/or regency/city governments in accordance with the provisions of laws and regulations.
- (2) The Labor Supervisor in the responsible agencies in the manpower sector based on the reports referred to in paragraph (1) shall conduct examination of non-state administrator Employers the implementation of which is conducted in accordance with the provisions of laws and regulations.

Article 37

In addition to being based on the report as referred to in Article 36, the Labor Supervisor in the responsible agencies in the manpower sector can conduct examination of non-state administrator Employers the implementation of which is conducted in accordance with the provisions of laws and regulations.

CHAPTER VII
CLOSING PROVISIONS

Article 38

This Government Regulation shall come into effect on July 1, 2015.

For public cognizance, hereby ordering the promulgation of this Government Regulation by placing it in the State Gazette of the Republic of Indonesia.

Stipulated in Jakarta
on June 30, 2015
PRESIDENT OF THE REPUBLIC OF INDONESIA,
signed
JOKO WIDODO

Promulgated in Jakarta
on June 30, 2015
MINISTER OF LAW AND HUMAN RIGHTS OF THE
REPUBLIC OF INDONESIA,
signed
YASONNA H. LAOLY

STATE GAZETTE OF THE REPUBLIC OF INDONESIA YEAR 2019 NUMBER 155

Issued as a true copy
MINISTRY OF STATE SECRETARIAT OF THE
REPUBLIC OF INDONESIA
Deputy of the Legal Affairs and Laws and Regulations Division,

Signed and stamped

Muhammad Sapta Murti

ELUCIDATION
OF
GOVERNMENT REGULATION OF THE REPUBLIC OF INDONESIA
NUMBER 45 YEAR 2015
REGARDING

THE ADMINISTRATION OF PENSION INSURANCE PROGRAM

I. GENERAL

In the preamble of the 1945 Constitution of the Republic of Indonesia, it is mandated that the purpose of the state is to improve the welfare of the people. In the Fourth Amendment to the 1945 Constitution of the Republic of Indonesia, the purpose is increasingly emphasized, i.e. by developing a social security system for the welfare of all people.

Law Number 24 Year 2011 regarding Social Security Administrator (BPJS) stipulates 2 (two) Social Security Administrators, i.e. Health BPJS and Manpower BPJS to implement the national social security program. Health BPJS implements the health security program while Manpower BPJS implements the occupational accident security, death security, old age security, and Pension Security programs for non-state administrator Employers and Wage-receiving Workers.

To provide a reasonable life level for Participants and their families who reach the Pension Age, the Government stipulates a Pension Security program mandatory for non-state administrator Employers and Wage-receiving Workers.

The Pension Security program is a defined benefit plan, whereby the Pension Benefit is paid when Participants reach the Pension Age or suffer from a Permanent Total Disability based on the Contribution and benefit calculation formula.

In accordance with the mandate of Article 5 paragraph (2) sub-paragraph b and Article 6 paragraph (2) sub-paragraph c of Law Number 24 Year 2011, Manpower BPJS implements a Pension Security program based on laws and regulations.

This Government Regulation regulates the amount of Contribution and benefits which must be received by Participants, while the amount of Pension Security Contribution for Wage-receiving Workers is determined based on a certain percentage of Wages or income or a certain nominal amount jointly borne by non-state administrator Employers and Workers.

This Government Regulation regulates the definition of Pension Security, membership, registration procedure, Contribution amount, Contribution payment procedure, Pension Security benefits, requirements and mechanisms of the Pension Security benefits, administrative sanctions, and supervision.

II. ARTICLE PER ARTICLE

Article 1
Self-explanatory.

Article 2
Self-explanatory.

Article 3
Self-explanatory.

Article 4
Self-explanatory.

Article 5
Self-explanatory.

Article 6
Self-explanatory.

Article 7
Self-explanatory.

Article 8
Self-explanatory.

Article 9
Self-explanatory.

Article 10

Paragraph (1)
Self-explanatory.

Paragraph (2)
Self-explanatory.

Paragraph (3)
"Do not work temporarily" is that Participants have not had any work and have not reached the Pension Age.

Paragraph (4)
Self-explanatory.

Paragraph (5)
Self-explanatory.

Article 11
Self-explanatory.

Article 12
Self-explanatory.

Article 13
Self-explanatory.

Article 14
Self-explanatory.

Article 15
Self-explanatory.

Article 16
Self-explanatory.

Article 17

Paragraph (1)

Sub-paragraph a
Self-explanatory.

Sub-paragraph b
"Indexation" is an adjustment to the Pension Benefit amount.

Paragraph (2)

Self-explanatory.

Paragraph (3)

"Wages the value of which has been adjusted" is a future value of Wages with inflation as the compounding factor.

Paragraph (4)

Self-explanatory.

Paragraph (5)

Self-explanatory.

Article 18

Self-explanatory.

Article 19

Self-explanatory.

Article 20

Paragraph (1)

Self-explanatory.

Paragraph (2)

Self-explanatory.

Paragraph (3)

Sub-paragraph a
"Density rate" is the Contribution payment compliance rate by Participants.

Sub-paragraph b
Self-explanatory.

Paragraph (4)

Self-explanatory.

Paragraph (5)

"Consulting doctor" is a doctor who has the duty and function to give medical considerations in determining and stipulating the Participants who undergo a Permanent Total Disability.

Paragraph (6)

Self-explanatory.

Paragraph (7)

Self-explanatory.

Article 21
Self-explanatory.

Article 22
Self-explanatory.

Article 23
Self-explanatory.

Article 24
Self-explanatory.

Article 25
Paragraph (1)

Sub-paragraph a

"Supporting documents" are, among other things:

- a. Participants' card;
- b. Identity Card;
- c. Family Card; and/or
- d. Employment Termination Statement.

Sub-paragraph b

Self-explanatory.

Paragraph (2)

Self-explanatory.

Paragraph (3)

Self-explanatory.

Article 26

Paragraph (1)

Self-explanatory.

Paragraph (2)

The periodically given suspension of the Pension Benefit payment does not waive the retirees' rights if the persons concerned are present to make confirmation.

Paragraph (3)

Self-explanatory.

Paragraph (4)

Self-explanatory.

Article 27

Self-explanatory.

Article 28

Paragraph (1)

Self-explanatory.

Paragraph (2)

Self-explanatory.

Paragraph (3)

Self-explanatory.

Paragraph (4)

The actuarial liability sufficiency calculation is made by an

independent actuary.
Paragraph (5)
Self-explanatory.

Article 29
Self-explanatory.

Article 30
Self-explanatory.

Article 31
Self-explanatory.

Article 32
Self-explanatory.

Article 33
Self-explanatory.

Article 34
Self-explanatory.

Article 35
Self-explanatory.

Article 36
Self-explanatory.

Article 37
Self-explanatory.

Article 38
Self-explanatory

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5715

NOTE

Source: LOOSE LEAF OF THE STATE SECRETARIAT YEAR 2015