

4th Amendment to Act Number 8/2009 (Maldives Pension Act)

Incorporate the following amendments to Act Number 8/2009 (Maldives Pension Act).

1. Insert the following two sections below Subsection 6 (j) of the said Act.

6. (k) Facilitate paying for obligatory Hajj in accordance with this Act, by utilizing funds in the Retirement Savings Account of Maldives Retirement Pension Scheme members meeting the conditions stipulated herein, and determine all the procedures for disbursement of funds to perform obligatory Hajj.
- (l) Discretion to operate a scheme for Maldives Retirement Pension Scheme members opting to save funds through the Pension Office to perform obligatory Hajj, and formulate all the procedures for operating such a scheme.

2. Amend Subsection 11 (b) of the said Act as follows.

- 11 (b) If the benefit receivable from the Maldives Retirement Pension Scheme is less than twice the amount of Basic Pension, 50% (fifty percent) of that benefit shall be deducted from the Basic Pension amount and the balance shall be payable as Basic Pension. The amount deducted from the Retirement Savings Account to perform obligatory Hajj under this Act shall be included in calculating Basic Pension.

3. Amend Subsection 11 (c) of the said Act as follows.

- 11 (c) Basic Pension is not payable if the benefit received from the Maldives Retirement Pension Scheme is more than twice the amount of Basic Pension. If less than 5,000/- (Five Thousand) Rufiyaa is received as State Other Pension, then up to 5,000/- (Five Thousand) Rufiyaa shall be paid inclusive of the State Other Pension and Basic Pension.

4. Amend Subsection 11 (g) of the said Act as follows.

- 11 (g) Basic Pension amount disbursed per person each month shall be 5000/- (Five Thousand) Rufiyaa. Basic

Pension amount shall be reviewed once every 3 (three) calendar years jointly by the ministry responsible for social security and the ministry responsible for finance taking into account an increase in the cost of living. Whilst reviewing by considering the cost of living, the Basic Pension amount shall be adjusted if required. This adjustment shall be applicable to both new applicants and existing recipients of Basic Pension.

5. Insert the following heading and sections below Section 28 of the said Act.

**Disbursement of funds from the Retirement Savings Account
to pay for obligatory Hajj**

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| Disbursement of funds to perform Hajj | 29. | Notwithstanding the provisions in Sections 19 (a) and (l) of this Act to disburse funds in the Retirement Savings Account only upon attainment of pensionable age, funds may be disbursed from the Retirement Savings Account of the Maldives Retirement Pension Scheme members in accordance with the conditions stipulated herein to perform obligatory Hajj. |
| Conditions for disbursement of funds to perform Hajj | 30. | Funds shall be disbursed from the Retirement Savings Account of a Maldives Retirement Pension Scheme member if the following conditions are satisfied:

(a) the member should not have performed obligatory Hajj;

(b) at the time of application for disbursement of funds to perform Hajj, the member should have Retirement Savings Account balance necessary to pay 2000/- (Two Thousand) Rufiyaa as monthly benefit from the Maldives Retirement Pension Scheme at pensionable age. |
| Amount of funds disbursed to perform Hajj | 31. | The amount of funds that shall be disbursed from the Retirement Savings Account to perform obligatory Hajj is 50% (Fifty Percent) of the official cost of Hajj determined for that year by the government. |
| Procedures on disbursing funds to perform Hajj | 32. | (a) Regulation on disbursement of funds to perform obligatory Hajj shall be formulated and published by the Pension Office Board within 03 (three) months from the date of commencement of the Fourth Amendment to Maldives Pension Act. |

- (b) The Pension Office Board shall determine in the Regulation formulated pursuant to subsection (a) hereof, the total number of people eligible annually for the disbursement of funds from Retirement Savings Account to perform Hajj, the process for disbursement of funds to perform Hajj, and all the other procedures for pertinent matters.

- 6. Insert the following definition below the definition of “collateralization” in Section 29 of the said Act.

“State Other Pension” shall mean, all the pensions disbursed from the State budget under a different law or regulation based on service period or upon retirement in any other manner.

- 7. Adjust numbering of sections of the said Act on account of sections incorporated under this Act.
- 8. This Act shall commence from the date of ratification and publication on the Gazette.