

1st Amendment to Law No 8/2009 (Maldives Pension Act)

The following amendments be incorporated to Law No 8/2009 (Maldives Pension Act)

1. Amend subsection 5 (d) of the said Law accordingly as stated below

5 d) Carryout actions specified in this Act for the securities market regulator to be carried out, in order to implement the Act.

Amend subsection 8 (c) of the said Law accordingly as stated below

8 c) The President shall appoint the members of the Board of the Pension Office. The initial Board shall be appointed within three (3) months of commencement of this Act. The Chairman of the Board of Pension Office and four (4) members appointed from the private sector shall be appointed from a list of candidates nominated by a Selection Committee formed jointly by the Civil Service Commission, Ministry of Finance and Treasury, and the ministry responsible for social security. The Selection Committee shall propose no less than (three) 3 candidates for the vacant posts stipulated in subsections 8 (a) (1) and (5). All administrative arrangements regarding the appointment of members nominated by the Selection Committee for the posts shall be carried out by the Pension Office. Prior to submission of the candidates to the President for the appointment of Board of the Pension Office, the names of candidates nominated by government offices and the Selection Committee shall be submitted to the Securities Market Regulator to verify if they fulfil the requirements of a member. No candidate nominated by the Selection Committee shall be a family member (spouse, parent, child, brother, sister, half brother or half sister) of any member of the Selection Committee or a member of the Board of the Pension Office, or a person holding a ministerial post or higher rank.

Amend subsection 10 (d) of the said Law accordingly as stated below

- 10 d) A member of the Board of the Pension Office shall not in any capacity, accept any gift or loan or reward from any Asset Manager or Custodian of the Pension Office or anyone associated with them or from any service provider of the Pension Office. This includes the families (spouse, parent, child, brother, sister, half brother or half sister) of the members of the Board of the Pension Office.

Introduce subsection 12 (g) to the said law accordingly as stated below

- 12 g) Notwithstanding subsection (f), Pension Office shall make procedures relating to the enrollment of foreign employees in the retirement pension scheme, within 12 (months) from the commencement of the 1st Amendment to Pension Act.

Introduce subsection 12 (h) to the said law accordingly as stated below

- 12 h) Notwithstanding subsection (f), Pension Office shall enroll foreign employees in the retirement pension scheme, within 3 (three) years from the commencement of the 1st Amendment to Pension Act as provided for in subsection (g).

Remove Section 17 from the Act

- 17 Funds of pension scheme and its investment shall be insured in order to prevent the loss of funds of the pension scheme to participants in the event where a party who has invested in the pension asset declares bankrupt or any other circumstances which lead to the loss of funds of the pension scheme.

Amend subsection 20 (c) of the said Law accordingly as stated below

- 20 c) Accordingly, one or more of the following benefits shall be provided.

8 Amend subsection 20 (c) (4) of the said Law accordingly as stated below

20 c) 4 Other annuities approved by Maldives Monetary Authority or insurance regulator in the Maldives

9 Amend subsection 20 (m) of the said Law accordingly as stated below

20 m) The Pension Office may facilitate for the provision of Disability Insurance to employees, in accordance with the approval of the Maldives Monetary Authority or Insurance Regulator. The money required for financing shall be provided by the employer. Under such circumstances the Pension Office shall, within 03 (three) years of commencement of this Act, with the advice of the ministry responsible for social security, may formulate specific regulations for the participation of self-employed persons and fishermen in the Disability Insurance Scheme. The Pension Office may provide rights entitled under the Scheme through contracts entered into between private parties providing insurance.

10 Introduce subsection 20 (n) to the said Law accordingly as stated below

20 (n) The Pension Office shall make a regulation on disbursement of Benefits to Foreign Employees based on the balance in their retirement savings account, within 12 (months) from the commencement of the 1st Amendment to Pension Act.

11 Amend the meaning of "Annuity" provided in subsection 26 of the said accordingly as stated below

"Annuity" shall mean a monthly monetary benefit provided for life to a participant or beneficiaries under an insurance policy purchased from an insurance company or benefits provided in this manner by any other means under this Act or regulations made pursuant to this Act.

12 Remove the meaning of "Maldives Retirement Pension" from the meanings provided in section 26 of the said Act.

- 13 Adjust the numbering of sections removed under this Act accordingly in the Maldives Pension Act.
- 14 Adjust the references given to specific section or subsection of the Pension Act due to changes incorporated to this Act.
- 15 This Act shall come into force on the date of publishing this Act in the government Gazette.