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WARTA KERAJAAN PERSEKUTUAN

FEDERAL GOVERNMENT GAZETTE

PERATURAN-PERATURAN KESELAMATAN SOSIAL PEKERJA (AMAUN FAEDAH PENGURUSAN MAYAT) (PINDAAN) 2018

EMPLOYEES' SOCIAL SECURITY (AMOUNT OF FUNERAL BENEFIT) (AMENDMENT) REGULATIONS 2018

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AKTA KESELAMATAN SOSIAL PEKERJA 1969

PERATURAN-PERATURAN KESELAMATAN SOSIAL PEKERJA
(AMAUN FAEDAH PENGURUSAN MAYAT) (PINDAAN) 2018

PADA menjalankan kuasa yang diberikan oleh seksyen 105 Akta Keselamatan Sosial Pekerja 1969 [*Akta 4*], Menteri membuat peraturan-peraturan yang berikut:

Nama dan permulaan kuat kuasa

1. (1) Peraturan-peraturan ini bolehlah dinamakan **Peraturan-Peraturan Keselamatan Sosial Pekerja (Amaun Faedah Pengurusan Mayat) (Pindaan) 2018**.

(2) Peraturan-Peraturan ini mula berkuat kuasa pada 1 Januari 2019.

Pindaan peraturan 2

2. Peraturan-Peraturan Keselamatan Sosial Pekerja (Amaun Faedah Pengurusan Mayat) 2017 [*P.U. (A) 141/2017*], yang disebut “Peraturan-Peraturan ibu” dalam Peraturan-Peraturan ini, dipinda dalam peraturan 2—

(a) dengan menomborkan semula peruntukan yang sedia ada sebagai subperaturan (1); dan

(b) dengan memasukkan selepas subperaturan (1) yang dinomborkan semula subperaturan yang berikut:

“(2) Walau apa pun subperaturan (1), dalam hal kematian pekerja asing kecuali—

(a) orang bukan warganegara yang bermastautin secara tetap di Malaysia dan yang dikeluarkan dengan kad pengenalan sebagaimana yang diperihalkan di bawah perenggan 5(3)(b) Peraturan-Peraturan Pendaftaran Negara 1990 [*P.U. (A) 472/1990*];

(b) orang yang—

(i) memasuki Malaysia secara sah melalui suatu pas atau permit imigresen yang sah;

(ii) dibenarkan menetap di Malaysia bagi tempoh dua belas bulan dan ke atas; dan

(iii) dikeluarkan dengan kad pengenalan sebagaimana yang diperihalkan di bawah perenggan 5(3)(c) Peraturan-Peraturan Pendaftaran Negara 1990; dan

(c) orang yang dilahirkan di Malaysia tetapi taraf kewarganegaraannya tidak dapat ditentukan, dan yang dikeluarkan dengan kad pengenalan sebagaimana yang diperihalkan di bawah perenggan 5(3)(c) Peraturan-Peraturan Pendaftaran Negara 1990,

Peraturan-Peraturan ini hendaklah terpakai bagi kematian pekerja asing itu jika kematian itu berlaku pada atau selepas 1 Januari 2019.”.

Pindaan peraturan 3

3. Peraturan 3 Peraturan-Peraturan ibu dipinda—

(a) dengan menomborkan semula peruntukan yang sedia ada sebagai subperaturan (1); dan

(b) dengan memasukkan selepas subperaturan (1) yang dinomborkan semula subperaturan yang berikut:

“(2) Walau apa pun subperaturan (1), amaun faedah pengurusan mayat yang kena dibayar berhubung dengan kematian pekerja asing yang disebut dalam subperaturan 2(2) ialah—

- (a) dua ribu ringgit, jika kematian pekerja asing itu berlaku di dalam Malaysia dan pengebumian dijalankan di dalam Malaysia;
- (b) dua ribu ringgit, jika kematian pekerja asing itu berlaku di luar Malaysia dan pengebumian dijalankan di luar Malaysia; atau
- (c) enam ribu lima ratus ringgit, jika kematian pekerja asing itu berlaku di dalam Malaysia dan pengebumian dijalankan di luar Malaysia.”.

Dibuat 21 Disember 2018
[KSM/PUU(S)600-1/2/11/6]ld.2; PN(PU2)58/XXII]

M. KULASEGARAN
Menteri Sumber Manusia

EMPLOYEES' SOCIAL SECURITY ACT 1969

EMPLOYEES' SOCIAL SECURITY (AMOUNT OF FUNERAL BENEFIT)
(AMENDMENT) REGULATIONS 2018

IN exercise of the powers conferred by section 105 of the Employees' Social Security Act 1969 [Act 4], the Minister makes the following regulations:

Citation and commencement

1. (1) These regulations may be cited as the **Employees' Social Security (Amount of Funeral Benefit) (Amendment) Regulations 2018**.

(2) These Regulations come into operation on 1 January 2019.

Amendment of regulation 2

2. The Employees' Social Security (Amount of Funeral Benefit) Regulations 2017 [P.U. (A) 141/2017], which are referred to as the "principal Regulations" in these Regulations, are amended in regulation 2—

(a) by renumbering the existing provision as subregulation (1); and

(b) by inserting after subregulation (1) as renumbered the following subregulation:

“(2) Notwithstanding subregulation (1), in the case of death of a foreign worker except—

(a) a non-citizen who is residing permanently in Malaysia and issued with an identity card as described under paragraph 5(3)(b) of the National Registration Regulations 1990 [P.U. (A) 472/1990];

(b) a person who—

(i) lawfully enters Malaysia under a valid immigration pass or permit;

(ii) is allowed to reside in Malaysia for a period of twelve months and above; and

(iii) is issued with an identity card as described under paragraph 5(3)(c) of the National Registration Regulations 1990; and

(c) a person who is born in Malaysia but whose citizenship status cannot be determined, and issued with an identity card as described under paragraph 5(3)(c) of the National Registration Regulations 1990,

these Regulations shall apply to the death of such foreign worker where the death occurs on or after 1 January 2019.”.

Amendment of regulation 3

3. Regulation 3 of the principal Regulations is amended—

(a) by renumbering the existing provision as subregulation (1); and

(b) by inserting after subregulation (1) as renumbered the following subregulation:

“(2) Notwithstanding subregulation (1), the amount of the funeral benefit payable in relation to the death of a foreign worker referred to in subregulation 2(2) shall be—

- (a) two thousand ringgit, where the death of such foreign worker occurs within Malaysia and the burial is carried out within Malaysia;
- (b) two thousand ringgit, where the death of such foreign worker occurs outside Malaysia and the burial is carried out outside Malaysia; or
- (c) six thousand five hundred ringgit, where the death of such foreign worker occurs within Malaysia and the burial is carried out outside Malaysia .”.

Made 21 December 2018
[KSM/PUU(S)600-1/2/11/6]ld.2; PN(PU2)58/XXII]

M. KULASEGARAN
Minister of Human Resources