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WARTA KERAJAAN PERSEKUTUAN

*FEDERAL GOVERNMENT  
GAZETTE*

PEMBERITAHUAN KESELAMATAN SOSIAL PEKERJA  
(PENGECUALIAN FAEDAH BAGI PEKERJA ASING) 2024

*EMPLOYEES' SOCIAL SECURITY (EXEMPTION OF BENEFIT  
FOR FOREIGN WORKER) NOTIFICATION 2024*

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JABATAN PEGUAM NEGARA/  
ATTORNEY GENERAL'S CHAMBERS

AKTA KESELAMATAN SOSIAL PEKERJA 1969

PEMBERITAHUAN KESELAMATAN SOSIAL PEKERJA  
(PENGECCUALIAN FAEDAH BAGI PEKERJA ASING) 2024

PADA menjalankan kuasa yang diberikan oleh seksyen 101 Akta Keselamatan Sosial Pekerja 1969 [*Akta 4*], Menteri membuat pemberitahuan yang berikut:

**Nama dan permulaan kuat kuasa**

1. (1) Pemberitahuan ini bolehlah dinamakan **Pemberitahuan Keselamatan Sosial Pekerja (Pengecualian Faedah bagi Pekerja Asing) 2024**.

(2) Pemberitahuan ini mula berkuat kuasa pada 1 Julai 2024.

**Pengecualian**

2. (1) Menteri mengecualikan—

(a) pekerja asing yang berada di luar Malaysia daripada kemudahan untuk pemulihan jasmani dan pemulihan vokasional di bawah seksyen 57 Akta; dan

(b) pekerja asing yang disebut dalam subperenggan (2) daripada faedah, kemudahan dan bantuan di bawah seksyen 20, 20A, 21, 29, 30, 57 dan 57A Akta.

(2) Bagi maksud subsubperenggan (1)(b), pekerja asing yang dikecualikan daripada faedah, kemudahan dan bantuan adalah seperti yang berikut:

(a) pekerja asing yang gagal dalam pemeriksaan kesihatan yang dijalankan untuk mendapatkan pas atau permit yang sah daripada Ketua Pengarah Imigresen bagi maksud bekerja di Malaysia atau yang laporan pemeriksaan kesihatannya belum dikeluarkan;

- (b) pekerja asing yang mengidap keilatan akibat kemalangan atau apa-apa penyakit atau yang mati semasa berada di luar Malaysia;
  - (c) pekerja asing yang tarikh keuzurannya ditentukan telah berlaku atau berlaku dalam tempoh semasa pekerja asing itu tidak mempunyai pas atau permit yang sah yang dikeluarkan oleh Ketua Pengarah Imigresen bagi maksud bekerja di Malaysia;
  - (d) pekerja asing yang menyalahgunakan pas atau permit yang sah yang dikeluarkan oleh Ketua Pengarah Imigresen atau melanggar apa-apa syarat kemasukan di bawah Akta Imigresen 1959/63 [*Akta 155*]; atau
  - (e) pekerja asing yang keluar dari Malaysia tanpa suatu dokumen yang sah atau tanpa mengikut peraturan-peraturan yang ditetapkan di bawah Akta Imigresen 1959/63.
- (3) Bagi maksud subperenggan (1) dan (2), “pekerja asing” tidak termasuk—
- (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.

Bertarikh 28 Jun 2024

[KSM/PUU(S)600-1/2/11/6 Jld.3(6); PN(PU2)58/JLD.24]

SIM CHEE KEONG  
*Menteri Sumber Manusia*

EMPLOYEES' SOCIAL SECURITY ACT 1969

EMPLOYEES' SOCIAL SECURITY  
(EXEMPTION OF BENEFIT FOR FOREIGN WORKER) NOTIFICATION 2024

IN exercise of the powers conferred by section 101 of the Employees' Social Security Act 1969 [Act 4], the Minister makes the following notification:

**Citation and commencement**

1. (1) This notification may be cited as the **Employees' Social Security (Exemption of Benefit for Foreign Worker) Notification 2024**.

(2) This Notification comes into operation on 1 July 2024.

**Exemption**

2. (1) The Minister exempts—

(a) a foreign worker who is outside of Malaysia from the facilities for physical and vocational rehabilitation under section 57 of the Act; and

(b) the foreign worker referred to in subparagraph (2) from the benefits, facilities and grant under sections 20, 20A, 21, 29, 30, 57 and 57A of the Act.

(2) For the purposes of subparagraph (1)(b), the foreign worker who is exempted from the benefits, facilities and grant are as follows:

(a) a foreign worker who fails the medical examination conducted to obtain a valid pass or permit from the Director General of Immigration for the purpose of working in Malaysia or whose medical examination report has not been issued;

- (b) a foreign worker who is suffering from invalidity due to accident or any disease or who dies when he is outside of Malaysia;
- (c) a foreign worker whose morbidity date is determined to have occurred or occurs within the period during which the foreign worker does not possess a valid pass or permit issued by the Director General of Immigration for the purpose of working in Malaysia;
- (d) a foreign worker who misuses a valid pass or permit issued by the Director General of Immigration or breaches any entry requirements under the Immigration Act 1959/63 [Act 155]; or
- (e) a foreign worker who leaves Malaysia without a valid document or without following the regulations prescribed under the Immigration Act 1959/63.

(3) For the purposes of subparagraphs (1) and (2), “foreign worker” does not include—

- (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 enter 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.

Dated 28 June 2024

[KSM/PUU(S)600-1/2/11/6 Jld.3(6); PN(PU2)58/JLD.24]

SIM CHEE KEONG  
*Minister of Human Resources*