

No. S 32

**OLD AGE AND DISABILITY PENSIONS ACT
(Chapter 18)**

**OLD AGE AND DISABILITY PENSIONS (AMENDMENT) (NO. 2)
REGULATIONS, 2021**

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**OLD AGE AND DISABILITY PENSIONS ACT
(Chapter 18)**

**OLD AGE AND DISABILITY PENSIONS (AMENDMENT) (NO.2)
REGULATIONS, 2021**

In exercise of the power conferred by section 8(1) of the Old Age and Disability Pensions Act, the Minister of Culture, Youth and Sports, with the approval of His Majesty the Sultan and Yang Di-Pertuan, hereby makes the following Regulations —

Citation and commencement

1. These Regulations may be cited as the Old Age and Disability Pensions (Amendment) (No. 2) Regulations, 2021 and shall commence on the same date as the Old Age and Disability Pensions Act (Amendment) Order, 2021.

Amendment of regulation 1 in Schedule to Chapter 18

2. Regulation 1 of the Old Age and Disability Pensions Regulations, in these Regulations referred to as the principal Regulations, is amended by deleting “and Disability Pensions” and by substituting “Pensions and Disability Allowances” therefor.

Repeal of regulation 2

3. Regulation 2 of the principal Regulations is repealed.

Substitution of regulation 3

4. Regulation 3 of the principal Regulations is repealed and the following new regulation is substituted therefor —

“Old age pensions

3. A pension, to be called an “old age pension”, shall be payable at the rate specified in the Schedule to these Regulations to any person who satisfies the Pensions Officer that —

(a) he has attained the age of 60 years; and

(b) he fulfils the eligibility conditions set out in section 12.”.

Substitution of regulation 4

5. Regulation 4 of the principal Regulations is repealed and the following new regulation is substituted therefor —

“Allowances for the blind

4. An allowance, to be called an “allowance for the blind”, shall be payable at the rate specified in the Schedule to these Regulations to any person who satisfies the Pensions Officer that —

(a) he has been certified by a medical practitioner to be blind in accordance with the guidelines issued under regulation 8C as may be amended from time to time; and

(b) he fulfils the eligibility conditions set out in section 12.”.

Substitution of regulation 5

6. Regulation 5 of the principal Regulations is repealed and the following new regulation is substituted therefor —

“Rehabilitation allowance for persons suffering from Hansen’s disease

5. An allowance, to be called a “rehabilitation allowance”, may be paid at the rate specified in the Schedule to these Regulations to any person who satisfies the Pensions Officer that —

(a) he has been certified by a Government Medical Officer or Government Medical Practitioner as a person suffering from Hansen’s disease;

(b) he is undergoing medical treatment as required by a Government Medical Officer or a Government Medical Practitioner; and

(c) he fulfils the eligibility conditions set out in section 12.”.

Repeal of regulation 6

7. Regulation 6 of the principal Regulations is repealed.

Substitution of regulation 7

8. Regulation 7 of the principal Regulations is repealed and the following new regulation is substituted therefor —

“Allowances for mental disorder

7. An allowance, to be called an “allowance for mental disorder”, shall be payable at the rate specified in the Schedule to these Regulations to, or for the benefit of, any person who satisfies the Pensions Officer that —

- (a) he has been certified by a medical practitioner —
 - (i) as a person suffering from mental disorder in accordance with the guidelines issued under regulation 8C as may be amended from time to time; and
 - (ii) is, under and within the meaning of the provisions of the Mental Health Order, 2014 (S 25/2014), either detained in a psychiatric facility or delivered over to the care and custody of any relative or friend; and
- (b) he fulfils the eligibility conditions set out in section 12.”.

Substitution of regulation 8

9. Regulation 8 of the principal Regulations is repealed and the following new regulation is substituted therefor —

“Disability allowance

8. An allowance, to be called a “disability allowance”, shall be payable at the rate specified in the Schedule to these Regulations to any person who satisfies the Pensions Officer that —

- (a) he has been certified by a medical practitioner —
 - (i) as a person suffering from disability in accordance with the guidelines issued under regulation 8C as may be amended from time to time; and
 - (ii) that he is likely to be subject to such disability for a considerable period; and
- (b) he fulfils the eligibility conditions set out in section 12.”.

Insertion of new regulations 8A, 8B and 8C

10. The principal Regulations are amended by inserting the following three new regulations immediately after regulation 8 —

“Care provider allowances

8A. (1) An allowance, to be called “care provider allowance”, shall be payable at the rate specified in the Schedule to these Regulations to, or for the benefit of, any person who satisfies the Pensions Officer that —

(a) he is a recipient of any of the following allowances –

- (i) allowance for the blind;
- (ii) rehabilitation allowance;
- (iii) allowance for mental disorder;
- (iv) disability allowance; and

(b) there exists a need for him to have a care provider.

(2) For the avoidance of doubt, the care provider allowance shall be payable for only one care provider of each recipient of any of the allowances mentioned in sub-regulation (1).

(3) A person is eligible to be a care provider if he is at least 16 years of age and has been determined by the Controller to be a fit person to receive the care provider allowance.

(4) In this regulation —

“care provider” means a person who provides care and support to a recipient of any of the allowances mentioned in sub-regulation (1);

“fit person” means a person whom the Controller, having regard to the character of the person, thinks competent to provide care and support to the recipient of any of the allowances mentioned in sub-regulation (1).

Guidelines to determine whether statutory conditions fulfilled

8B. (1) For the purposes of these Regulations, the Controller shall issue guidelines to determine whether the statutory conditions are fulfilled.

(2) The Controller may, from time to time, amend the guidelines as he may think fit.

Guidelines to determine persons suffering from blindness etc.

8C. (1) For the purposes of regulations 4, 7 and 8, the Director-General of Medical Services shall issue guidelines relating to the criteria on the determination of persons suffering from blindness, mental disorder or disability, respectively.

(2) The Director-General of Medical Services may, from time to time, amend the guidelines as he may think fit.”.

Amendment of regulation 10

11. Regulation 10 of the principal Regulations is amended by deleting “shall” from the last line and by substituting “may” therefor.

Amendment of regulation 12

12. Regulation 12 of the principal Regulations is amended by inserting “at such frequency as the Controller may determine” immediately after “thereto” in the second line.

Amendment of regulation 13

13. Regulation 13 of the principal Regulations is amended —

(a) in the regulation heading, by deleting “His Majesty in Council” and by substituting “His Majesty the Sultan and Yang Di-Pertuan” therefor;

(b) by deleting “His Majesty in Council” and by substituting “His Majesty the Sultan and Yang Di-Pertuan” therefor.

Substitution of Schedule

14. The Schedule to the principal Regulations is repealed and the following new Schedule is substituted therefor —

“SCHEDULE
(regulations 3, 4, 5, 7, 8 and 8A)

PENSIONS AND ALLOWANCES

<i>Pension or allowance</i>	<i>Rate per month</i>
1. Old age pension	\$250
2. Allowance for the blind —	
(a) in respect of persons below the age of 15 years	\$150

	(b) in respect of persons who have attained the age of 15 years	\$250
3.	Allowance for mental disorder —	
	(a) in respect of persons below the age of 15 years	\$150
	(b) in respect of persons who have attained the age of 15 years	\$250
4.	Rehabilitation allowance —	
	(a) in respect of persons below the age of 15 years	\$150
	(b) in respect of persons who have attained the age of 15 years	\$250
5.	Disability allowance —	
	(a) in respect of persons below the age of 15 years	\$150
	(b) in respect of persons who have attained the age of 15 years	\$250
6.	Care provider allowance	\$250".

Made this 24th. day of Zulkaedah, 1442 Hijriah corresponding to the 6th. day of July, 2021.

MEJAR JENERAL (B) DATO PADUKA SERI HAJI AMINUDDIN IHSAN BIN PEHIN ORANG KAYA SAIFUL MULOK DATO SERI PADUKA HAJI ABIDIN
Minister of Culture, Youth and Sports.