



MINISTER OF FINANCE  
OF THE REPUBLIC OF INDONESIA

COPY OF

REGULATION OF THE MINISTER OF FINANCE  
NUMBER 79/PMK. 010/2011

CONCERNING

FINANCIAL HEALTH OF STATE EMPLOYEE'S OLD AGE SAVING PROGRAM  
ORGANIZING BODY

BY THE GRACE OF GOD ALMIGHTY

THE MINISTER OF FINANCE,

- Considering
- a. That in order to maintain the financial health of State Employee's Old Age Saving Program Organizing Body, to guarantee the participant's right fulfillment, and to adjust the investment instrument development that varies as well as to optimize the wealth management and development of State Employee's Old Age Saving Program Organizing Body, it is necessary to conduct improvement on the Minister of Finance Decree Number 491/KMK.06/2004 concerning Old Age Saving Program Implementation and Wealth Management by PT Taspen (Persero) as amended by Regulation of the Minister of Finance Number 219/PMK.010/2008;
  - b. That based on consideration as referred in letter a, it is necessary to stipulate the Regulation of the Minister of Finance concerning Financial Health of State Employee's Old Age Saving Program Organizing Body;
- In View of
- 1. Act Number 8 Year 1974 concerning Employment Principles (State Gazette of the Republic of Indonesia Year 1974 Number 55, Supplement to State Gazette of the Republic of Indonesia Number 3041) as amended by Act Number 43 Year 1999 concerning Amendment of Act Number 8 Year 1974 concerning Employment Principles (State Gazette of the Republic of Indonesia Year 1999 Number 169, Supplement to State Gazette of the Republic of Indonesia Number 3890);



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2. Act Number 2 Year 1992 concerning Insurance (State Gazette of the Republic of Indonesia Year 1992 Number 13, Supplement to State Gazette of the Republic of Indonesia Number 3467);
3. Government Regulation Number 73 Year 1992 concerning Insurance Implementation (State Gazette of the Republic of Indonesia Year 1992 Number 120, Supplement to State Gazette of the Republic of Indonesia Number 3506) as several times amended most recently by Government Regulation Number 81 Year 2008 (State Gazette of the Republic of Indonesia Year 2008 Number 212, Supplement to State Gazette of the Republic of Indonesia Number 4954);
4. Government Regulation Number 25 Year 1981 concerning State Employee's Social Insurance (State Gazette of the Republic of Indonesia Year 1981 Number 37, Supplement to State Gazette of the Republic of Indonesia Number 3200);
5. Government Regulation Number 26 Year 1981 concerning Transfer of Form of State Employee's Saving Funds and Insurance Public Company to become Corporate (State Gazette of the Republic of Indonesia Year 1981 Number 38);
6. Presidential Decree Number 56/P Year 2010;
7. Regulation of the Minister of Finance Number 184/PMK.01/2010 concerning Organization and Work Procedures of the Ministry of Finance;

DECIDES:

To stipulate

:REGULATION OF THE MINISTER OF FINANCE CONCERNING  
FINANCIAL HEALTH OF STATE EMPLOYEE'S OLD SAVING  
PROGRAM ORGANIZING BODY

CHAPTER I

GENERAL PROVISIONS

Article 1

In this Regulation of the Minister of Finance, the definition of:

- (1) Organizing Body is PT. Taspen (Persero) as referred in Government Regulation Number 26 Year 1981 concerning Transfer of Form of State Employee's Saving Funds and Insurance Public Company to become Corporate.
- (2) State Employee's Old Age Saving Program is an old age saving program for state employees as referred in Government Regulation Number 25 Year 1981 concerning State Employee's



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Social Insurance.

- (3) Non-State Employee's Old Age Saving Program is an old age saving program for employees of State Owned Enterprises, Regional Owned Enterprises, and State Owned Legal Institutions.
- (4) The Allowed Wealth is wealth calculated on solvability level.
- (5) Bank is commercial bank as referred in banking act.
- (6) Minister is the Minister of Finance of the Republic of Indonesia.

CHAPTER II

FINANCIAL HEALTH

First Part

Solvability Level

Article 2

- (1) The Organizing Body is obliged to maintain the solvability level at any time.
- (2) Solvability level as referred in item (1) is discrepancies between the total the allowed wealth and liabilities.
- (3) The Allowed Wealth on solvability level calculation as referred in item (2) is wealth pursuant to provisions of type, assessment, and limit as referred in Regulation of the Minister of Finance.
- (4) Liabilities on solvability level calculation as referred in item (2) are Organizing Body liabilities as referred in this Regulation of the Minister of Finance.

Article 3

Solvability level as referred in Article 2 item (2) is at minimum shall be 1% (one percent) of the total liabilities of future policy benefits.

Second Part

Wealth and Liabilities Balancing

Article 4

The Organizing Body is obliged to own The Allowed Wealth in the form of investment pursuant to provisions of type, assessment, and wealth limit as referred in this Regulation of the Minister of Finance at minimum of the total liabilities of future policy benefit and claim payable.

CHAPTER III



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## THE ALLOWED WEALTH

### Article 5

- (1) Type of The Allowed Wealth as referred in Article 2 item (2) consists of wealth in the form of:
  - a. Investment; and
  - b. Non-investment
- (2) The Allowed Wealth in the form of investment and non-investment as referred in item (1) shall be:
  - a. Authorized by Organizing Body;
  - b. Not under dispute situation; and
  - c. Not sealed by authority.

### First Part

#### The Allowed Wealth In the Form of Investment

### Article 6

The Allowed Wealth in the form of investment as referred in Article 5 item (1) letter a consists of:

- a. Bank deposit;
- b. Traded stock in Indonesia Stock Exchange;
- c. Bond with, at minimum, rate included in the top two categories by the stock rating company licensed by Capital Market and Financial Institution Supervisory Board;
- d. Sukuk (Islamic bond) with, at minimum, rate included in the top two categories by the stock rating company licensed by Capital Market and Financial Institution Supervisory Board;
- e. State Commercial Paper;
- f. Commercial Paper issued by Bank Indonesia;
- g. Mutual Fund Unit in the form of collective investment contract that has acquired effective statement by the Capital Market and Financial Institution Supervisory Board;
- h. Mutual Fund Unit in the form of collective investment contract that its units are traded in Indonesia stock exchange;
- i. Asset Backed Securities, which is issued based on



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collective investment contract and has acquired effective statement by the Capital Market and Financial Institution Supervisory Board;

- j. Real estate investment unit that has acquired effective statement by the Capital Market and Financial Institution Supervisory Board; and/or
- k. Direct investment.

Article 7

Assessment on The Allowed Wealth in the form of investment as referred in Article 6 is as follows:

- a. Bank deposits, based on face value;
- b. Stock traded on Indonesian Stock Exchange based on market value by using the information of the last trading price on stock market;
- c. Bond and sukuk (Islamic bond), based on market value determined by commercial paper price rating company licensed by Capital Market and Financial Institution Supervisory Board;
- d. State Commercial Paper, based on normal market price determined by commercial paper rating company licensed by Capital Market and Financial Institution Supervisory Board or internationally recognized commercial paper rating company;
- e. Commercial paper issued by Bank Indonesia, based on market value;
- f. Mutual Fund Unit in the form of collective investment contract, based on net asset value;
- g. Mutual Fund Unit in the form of collective investment contract, which its units are traded on Indonesia Stock Exchange, based on market value;
- h. Asset backed securities issued based on collective investment contract, based on market value;
- i. Real estate investment fund unit, based on market value; and
- f. Direct investment, based on equity value in accordance with its ownership portion.

Article 8

- (1) Limit on The Allowed Wealth in the form of investment as referred in Article 6 is as follows:



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- a. Investment in the form of deposit, for each bank, is at maximum 20% (twenty percent) of the total investment;
  - b. Investment in the form of shares, which its emitent is Indonesian legal institution, for each emitent respectively is at maximum 10% (ten percent) of the total investment, and by total is at maximum 40% (forty percent) of the total investment;
  - c. Investment in the form of bond, for each emitent respectively is at maximum 10% (ten percent) of the total investment, and by total is at maximum 50% (fifty percent) of the total investment;
  - d. Investment in the form of sukuk (Islamic bond), for each emitent respectively is at maximum 10% (ten percent) of the total investment, and by total is at maximum 50% (fifty percent) of the total investment;
  - e. Investment in the form of mutual fund unit, for each investment manager respectively is at maximum 20% (twenty percent) of the total investment, and by total is at maximum 50% (fifty percent) of the total investment;
  - f. Investment in the form of asset backed securities, for each investment manager respectively is at maximum 10% (ten percent) of the total investment and by total is at maximum 20% (twenty percent) of the total investment.
  - g. Investment in the form of real estate investment unit, for each investment manager respectively is at maximum 10% (ten percent) of the total investment, and by total is at maximum 20% (twenty percent) of the total investment; and
  - h. Investment in the form of direct investment, for each organizer respectively is at maximum 2% (two percent) of the total investment, and by total is at maximum 5% (five percent) of the total investment.
- (2) Total investment in the form of bond and sukuk (Islamic bond) as referred in item (1) letter c and letter d by total is at maximum 50% (fifty percent) of the total investment.
- (3) In the event of investment placement limit in excess as referred in item (1) caused by investment instrument



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price fluctuation on capital market and money market, the Organizing Body shall adjust the referred investment placement in accordance with provision of investment placement limit within period not later than 6 (six) months.

Article 9

- (1) Placement of The Allowed Wealth in the form of investment on one party is subject to fulfill the provision of investment limit i.e. at maximum 25% (twenty five percent) of the total investment, but not for the placement in State Commercial Paper and commercial paper issued by Bank Indonesia.
- (2) Party as referred in item (1) includes party, individually and collectively, which has affiliation and/or other legal relationship i.e.:
  - a. Relationship by marriage and descendant up to second degree relationship, horizontally or vertically;
  - b. Relationship between party with employee, director, or commissioner of the referred party; and/or
  - c. Relationship between 2 (two) companies or more, in which there are one or more members of the same board of directors or board of commissioners.
- (3) Placement limit on The Allowed Wealth as referred in item (1) is excluded in the event that affiliation relation as referred in item (2) occurs due to government ownership or capital investment.

Article 10

The total investment used as the basis of limit calculation as referred in article 8 and article 9 is the total value of investment type as referred in Article 6 per date of balance sheet, which its assessment is based on provision as referred in Article 7.

Article 11

- (1) The Organizing Body may appoint one or more other non-affiliated party to conduct the Allowed Wealth management in the form of investment.
- (2) Other party as referred in item (1) shall possess expertise and experience in the sector of investment management, as well as possess the license as referred in act on capital market.
- (3) Management of The Allowed Wealth in the form of investment by other party as referred in item (1) shall be in accordance with provision in this Regulation of the Minister of Finance.



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- (4) The Organizing Body shall be responsible for The Allowed Wealth management in the form of investment conducted by other party as referred in item (1).

Second Part

The Allowed Wealth

In the Form of Non-Investment

Article 12

The Allowed Wealth in the form of non-investment as referred in Article 5 item (1) letter b consists of:

- a. Treasury and bank;
- b. Payable Dues for State Employee's Old Age Saving Program;
- c. Payable Dues on past service liability for State Employee's Old Age Saving Program;
- d. Investment payable that is not later than I (one) month since the date of divestment transaction;
- e. Payable Investment Return that is not later than 1 (one) month since the date of investment return is entitled to the Organizing Body; and/or
- f. Land, building, with strata title, and land with building for private use that the total is at maximum 30% (thirty percent) of the equity capital on the current period.

Article 13

Assessment of The Allowed Wealth in the form of non-investment as referred in Article 12 is as follows:

- a. Treasury and bank, based on face value;
- b. Payable Dues for State Employee's Old Age Saving Program, based on outstanding invoice value;
- c. Payable Dues on past service liability for State Employee's Old Age Saving Program, based on outstanding invoice value;
- d. Investment payable, based on outstanding invoice value;
- e. Payable Investment Return, based on outstanding invoice value; and/or
- f. Land, building, with strata title, and land with building for private use, based on the value determined by assessing agency registered on authorized institution or based on Tax Object Selling Value (TOSV) in the event that assessment is not conducted by the assessing agency.

Article 14





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Outstanding invoice value as referred in Article 13 letter c is the outstanding invoice value approved by the Minister.

CHAPTER IV

LIABILITIES

Article 15

The liabilities of Organizing Body are:

- a. Future policy benefit liability;
- b. Claim debt; and
- c. Other liabilities.

Article 16

The Organizing Body is obliged to establish a future policy benefit liability as referred in Article 15 letter a for State Employee's Old Age Saving Program by using the method and assumption approved by the Minister.

CHAPTER V

ANNOUNCEMENT AND REPORTING

Article 17

- (1) The Organizing Body is obliged to formulate a non-consolidation financial report that does not calculate the wealth and liability for state employee's pension program.
- (2) Non-consolidation financial report as referred in item (1) is formulated based on applicable financial accounting standard in Indonesia.

Article 18

- (1) The Organizing Body is obliged to submit to the Minister:
  - a. Quarterly financial report per March 31, June 30, September 30, and December 31, not later than 1 (one) month after the end of the quarterly period;
  - b. Annual financial report per December 31 attached with independent auditor report, not later than April 30 on the following year;
  - c. Quarterly operational report per March 31, June 30, September 30, and December 31, not later than 1 (one) month after the end of referred quarterly; and
  - d. Annual operational report per December 31, not later than April 30 on the following year.
- (2) The report format as referred in item (1) is stipulated by



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Regulation of the Head of Capital Market and Financial  
Institution Supervisory Board.

Article 19

- (1) The Organizing Body is obliged to announce the balance sheet, profit and loss calculation, solvability level, wealth and liability balancing, and other information, for period that ends per December 31 on 2 (two) daily Newspapers in Indonesia, which are distributed nationally, not later than April 30 on the following year.
- (2) Balance sheet and profit and loss calculation as referred in item (1) is part of financial report audited by independent auditor.
- (3) Announcement evidence as referred in item (1) is delivered to Minister not later than 2 (two) weeks after the announcement is issued.
- (4) Announcement format as referred in item (1) is regulated by the Regulation of the Head of Capital Market and Financial Institution Supervisory Board.

Article 20

In the event that the due time for report delivery as referred in Article 18 item (1), Article 19 item (1) and item (3) is a holiday, the due date for report delivery shall be the first working day after the due date.

CHAPTER VI

PROHIBITIONS

Article 21

- (1) The Organizing Body is prohibited to possess and/or place wealth on:
  - a. Derivative instrument, unless for the need of value protection and/or commercial paper derivative instrument acquired as an integrated part of a commercial paper;
  - b. Futures Trading Instrument, for commodity trade or foreign currency trade;
  - c. Wealth in abroad;
  - d. Company, which part of or the whole shares owned by directors, commissioners, or state official personally; and/or
  - e. Company, which part of or the whole shares owned by family to second degree according to horizontal or vertical



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relationship, including son/daughter in law, brother/sister in law of the party referred in letter d.

- (2) The Organizing Body is prohibited to conduct new placement in the form of investment that cause the total investment exceeds the limit as referred in Article 8 and Article 9.

Article 22

Directors and commissioners of the Organizing Body, or every one with authority on wealth management of the Organizing Body is prohibited to conduct any actions causing the Organizing Body to sell, to alienate, lease, give loan, provide service, facilities, or goods, to transfer or permit the use of Organizing Body wealth not for the need of the Organizing Body, to:

- a. Directors or commissioners of the Organizing Body;
- b. Party that provide investment management service to the Organizing Body;
- c. Directors, commissioners, or the majority share owners of the party as referred in letter b;
- d. Family, up to second degree relationship, vertically or horizontally, including son/daughter in law, brother/sister in law as referred in letter c; and/or
- e. Other party controlled by the party as referred to letter b.

CHAPTER VII

SANCTION

Article 23

Any violations to provisions of Article 2 item (1), Article 4, Article 9 item (1), Article 16, Article 17 item (1), Article 18 item (1), Article 19 item (1), Article 21, Article 22, Article 24 item (5), Article 28, and Article 29, this Regulation of the Minister of Finance, is subject to administrative sanction as referred in the Government Regulation Number 73 Year 1992 concerning the Insurance Business Implementation as several times amended most recently by Government Regulation Number 81 Year 2008.

CHAPTER VIII

TRANSFER PROVISIONS

Article 24

- (1) Non-State Employee's Old Age Saving Program that has been implemented by the Organizing Body before the stipulation of this Regulation of the Minister of Finance, shall be still



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implemented without adding new participants, in period not longer than 2 (two) years since the stipulation of this Regulation of the Minister of Finance.

- (2) In the event of period of time as referred in item (1) ends, the Organizing Body shall transfer the whole accountability portfolio of Non-State Employee's Old Age Saving to other insurance companies.
- (3) Transfer of the whole accountability portfolio of Non-State Employee's Old Age Saving Program by the Organizing Body as referred in item (2) can only be conducted after being approved by the Minister.
- (4) Approval as referred in item (3) shall be given by Minister not longer than 30 (thirty) days since the date of complete proposal document submission.
- (5) After the approval as referred in item (4), the Organizing Body shall transfer the accountability portfolio of Non-State Employee's Old Age Saving Program is obliged to notify beforehand in written form to every policy holders.
- (6) The Organizing Body shall transfer the accountability portfolio of Non-State Employee's Old Age Saving Program must announce the referred transfer to Indonesian daily newspaper with wide distribution not later than 3 (three) days consecutively.
- (7) After the insurance portfolio transfer of Non-State Employee's Old Age Saving Program ends, the Organizing Body shall report to the Minister of the implementation result of the referred insurance portfolio transfer.

Article 25

- (1) In the event of non-transferred insurance portfolio of Non-State Employee's Old Age Saving Program to other insurance companies, excluded the type of The Allowed Wealth as referred in Article 12, on solvability level limit calculation, the Organizing Body still calculate the non-investment The Allowed Wealth derived from Non-State Employee's Old Age Saving Program i.e.:
  - a. Payable Dues for Non-State Employee's Old Age Saving Program; and
  - b. Payable Dues on past service liability for Non-State Employee's Old Age Saving Program.
- (2) Assessment on The Allowed Wealth in the form of non-



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investment as referred in item (1) is as follows:

- a. Payable Dues for Non-State Employee's Old Age Saving Program, based on outstanding invoice value;
  - b. Payable Dues on past service liability for Non-State Employee's Old Age Saving Program, based on outstanding invoice value.
- (3) The Allowed Wealth in the form of non-investment for solvability level calculation as referred in item (1) is the wealth pursuant to the following limits:
- a. Payable Dues for Non-State Employee's Old Age Saving Program, with age not longer than 2 (two) months calculated since the date of payment due date;
  - b. Payable Dues on past service liability for Non-State Employee's Old Age Saving Program, with age not longer than 2 (two) months calculated since the payment due date.

Article 26

- (1) In the event of non-transferred insurance portfolio of Non-State Employee's Old Age Saving Program to other insurance companies, the Organizing Body shall establish future policy benefit liability as referred in Article 15 letter a for Non-State Employee's Old Age Saving Program.
- (2) Future policy benefit liability as referred in item (1) is calculated prospectively with actuarial interest rate not exceeding than 10% (ten percent) per year and other normal actuarial assumptions, by considering the total revenue and expenses in future in accordance with the policy provisions.

Article 27

- (1) In the event of non-transferred insurance portfolio of Non-State Employee's Old Age Saving Program to other insurance companies, the Organizing Body shall formulate non-consolidation financial report as referred in article 17 that presents the joint financial position of State Employee's Old Age Saving Program and Non-State Employee's Old Age Saving Program.
- (2) Non consolidation financial report as referred in item (1) must be able to present the financial position of each State Employee's Old Age Saving Program and Non-State Employee's Old Age Saving Program.

Article 28



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In the event of non-transferred insurance portfolio of Non-State Employee's Old Age Saving Program to other insurance companies, directors and commissioners of the Organizing Body, or every one that possess authority in wealth management of the Organizing Body, is prohibited to conduct any action as referred in Article 22, and is also prohibited to conduct any actions causing the Organizing Body to sell, to alienate, to lease, to give loan, to provide service, facilities, or goods, to transfer, or to permit the use of Organizing Body wealth not for the need of the Organizing Body, to:

- a. Party that own at minimum 50% (fifty percent) of shares with vote right by the company that hire the non-state employee participant;
- b. Family, up to second degree relationship, horizontally or vertically, of the directors, or commissioners of the company that hire non-state employee participant, or every one as referred in letter a, and other parties as referred in Article 22 letter b.

Article 29

- (1) The Allowed Wealth placement in the form of investment by the Organizing Body that has been conducted before the stipulation of this Regulation of the Minister of Finance, shall be adjusted not later than 1 (one) year since the date of this Regulation of the Minister of Finance stipulation.
- (2) The Organizing Body is obliged to deliver to the Minister the adjustment plan as referred in item (1) not longer than 3 (three) months since this Regulation of the Minister stipulation.

Article 30

- (1) Solvability level measurement as referred in Article 2 is implemented start from year book that ends at December 31, 2010.
- (2) Report in using the format as referred in Article 18 item (2) and announcement by using the format as referred in Article 19 item (4), is stipulated start from year book ends at December 31, 2010.

CHAPTER IX

CLOSING PROVISIONS

Article 31

By the time this Regulation of the Minister of Finance shall come



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into force, Minister of Finance Decree Number 491/KMK.06/2004 concerning the Old Age Saving Program Implementation and Wealth Management by PT Taspen (Persero) as amended by Regulation of the Minister of Finance Number 219/PMK.010/2008, is revoked and void.

Article 32

This Regulation of the Minister of Finance shall come into force on its promulgation date.

For public cognizance, this Regulation of the Minister of Finance shall be promulgated by placing it in State Gazette of the Republic of Indonesia.

Stipulated in Jakarta

On April 12, 2011

MINISTER OF FINANCE

Signed,

AGUS D.W. MARTOWARDOJO

Promulgated in Jakarta

On April 18, 2011

MINISTER OF LAW AND HUMAN RIGHTS

Signed

PATRIALIS AKBAR

STATE GAZETTE OF THE REPUBLIC OF INDONESIA YEAR 2011 NUMBER 219