

MACAU SPECIAL ADMINISTRATIVE REGION

Law n° 10/2001

Amendments to the legal framework of private pension funds

The Legislative Assembly decrees, under the terms of Article 71 paragraphs 1) and 3) of the Basic Law of the Macau Special Administrative Region, that the following shall be enforced as law:

Article 1

Amendment to Decree-Law n° 6/99/M

Articles 9 and 43 of Decree-Law n° 6/99/M of 8 February shall contain the following text:

Article 9

(Acquired rights)

1. Each participant in the pension plan is entitled to receive the payments made by the contributors to the pension plans, plus the product of the respective capitalisation less management charges, according to the terms set out in the respective pension plan.
2. The formation of the right stipulated in the previous paragraph shall be subject to verification of any one of the circumstances indicated in Article 2 or according to the circumstance referred to in the following paragraph.
3. When the working relationship between the associate and the participant ceases for reasons other than those mentioned in Article 2, such participant shall have the option either to receive the pecuniary payments referred to in paragraph 1 above or transfer the same to a new pension fund.

Article 43

(Deposit)

1. Securities and other documents representing the assets of the pension fund shall be held in custody with credit institutions under the supervision of the AMCM. However, where such securities or documents are located overseas, the same may be held in custody with institutions duly authorised and supervised by competent authorities of the country or

territory where such institutions are domiciled, provided that such institutions hold a credit rating equal to or higher than the minimum credit rating established in the notice of the AMCM awarded by at least one of the specialised credit rating agencies.

2. For the purposes of this law, entities performing the functions as referred to in the preceding paragraph shall be called depositories.

Article 2

Extension of period

1. *The period laid down in Article 47 paragraph 1 of Decree-Law n° 6/99/M of 8 February is hereby extended to 31 December 2002.*
2. *During the period from 8 March 2001 to the effective date of the present law, the provident funds shall also benefit from the fiscal regime established in Decree-Law n° 6/99/M of 8 February.*

Approved on 14 June 2001.

The President of the Legislative Assembly, Susana Chou

Signed on 2 July 2001.

To be published

The Chief Executive, Ho Hau Wah