

Pensions Circular No : 01/2018

My No- P/Circular/2018
Department of Pensions
Maligawatta
Colombo 10
2018/06/20

Heads of Foreign Missions
District Secretaries
Divisional Secretaries

Payment of Pensions to Sri Lankan Pensioners Resident Abroad

This Circular is issued to enable the Sri Lankan pensioners residing abroad on personal and official requirement to receive their monthly pension on the due date of pension itself and to regulate further the correct and formal procedure of paying monthly pensions.

02. The following Circulars/ Letters will be annulled with the issuance of this Circular.

- Pensions Circular No.3/96 dated 1996.07.11
- Pensions Circular No.3/96 (1) dated 1997.12.26
- Pensions Circular No.4/2007 dated 2007.01.22
- Pensions Circular No.16/2009 dated 2010.04.06 (Revision)
- Pensions Circular No.5/2011 dated 2011.06.30
- Pensions Circular No.15/2014 dated 2014.11.21
- Pensions/Letters of Instructions No.03/2016 dated 2016.02.08

03. It is emphasized that the following provisions will continue to be in force for the payment of pensions to pensioners residing abroad.

- Minutes on Pensions
- Army Pensions and Gratuity Code of 1981
- Navy Pensions and Gratuity Code of 1981
- Air Force Pensions and Gratuity Code of 1981
- Widows' and Orphans' Pensions Ordinance/Widowers' and Orphans' Pension Ordinance
- Armed Forces Widows' and Orphans' Pension Act/ Armed Forces Widowers' and Orphans' Pension Act

04. Pensioners residing abroad will not be given opportunity to transfer their pension to any other person, to grant power of attorney or to deposit in the name of another account holder.

Instances where a person can draw him/his pension as a foreign pension

05. Foreign pensions could be paid to the pensioners receiving their pensions through the Divisional Secretariats and the pensioners whose pensions are initiated to be paid by the First Payment Division of the Department of Pensions. Citizenship of the pensioner and the period of residence abroad should be taken into consideration for the payment of foreign pensions. Accordingly, the pensioners listed under I, II and III below are considered as pensioners residing abroad.

I Pensioners holding citizenship of another country

Even though these pensioners reside abroad for a long period of time or reside in Sri Lanka or reside abroad and visit Sri Lanka from time to time, the payment of their pension should only be done by the Foreign Pension Division of the Department of Pensions.

II Pensioners holding dual citizenship

Payment of pensions of these pensioners should compulsorily be made only by the Foreign Pension Division of the Department of Pensions, irrespective of their period of stay abroad.

III Sri Lankan Pensioners going abroad for a period of more than two years

In the event of going abroad for a period of more than two years, arrangements should be made by the pensioners to receive their pensions from the Foreign Pension Division of the Department of Pensions, informing of the same to the relevant Divisional Secretariat from which they draw their pensions at present.

06. I. Pensioners going abroad for a period of less than two years on service requirement and pensioners going abroad for a period between six months (06) to two years (02) on their personal requirements.

- a) To facilitate the pensioners and their dependants going abroad for a period of less than two years on service requirement and pensioners going abroad for a period between six months (06) to two years (02) on their personal requirements, the payment of pension will be done by the Divisional Secretariats to which they belong.

- b) When making payments related to these pensioners, the Cost of Living Allowance of Rs.2000/- and Other Allowances of Rs.3500/- should be paid from the date of departure up to the date of arrival in Sri Lanka of the pensioner concerned. A list comprising particulars of these pensioners should be maintained by the relevant Divisional Secretariat and such details should be sent to reach the Department of Pensions by 31st June and 31st December, every year.

II. Pensioners going abroad for a period not exceeding six months (06) on their personal requirement.

These pensions are not considered as foreign pensions. Accordingly, the pensions of those going abroad for a period not exceeding 6 months for reasons such as personal requirement/ pleasure/ pilgrimage or private visit, should be paid through the Divisional Secretariats as usual.

07. I. Maintenance and updating of pension files and initiating the payment of pensions of pensioners referred to at 05 (I, II, III) above, who are receiving their pension through the Head Office should be done by the Foreign Pension Division of the Head Office.

II. Payment of pensions of category 06 (I) above made by the Divisional Secretariats, obtaining Life Certificates certified by the Foreign Missions, maintenance and updating of pension files should be done by the Divisional Secretariats to which the pensioner belongs.

Documents required to be submitted for obtaining a foreign pension.

08. Pensioners who intend to receive foreign pension in the future, belonging to the category 06 (I) above should furnish the following documents to the Divisional Secretariats to which they belong and those falling under category 05 (I,II,III) above should furnish such documents to the Foreign Pension Division of the Department of Pensions, two months prior to their departure from Sri Lanka.

- a) Duly perfected Bio Data Sheet (downloaded from www.pensions.gov.lk)
- b) Request Letter for obtaining foreign pension
- c) Two recently obtained (within six months) color photographs of 3.5 cm x 4.5 cm.
- d) Visa confirming the visit abroad or Certificates of Permanent Residence or Citizenship Certificate or if going abroad on contract /temporary/ casual service basis, a photocopy of the Service Agreement certified by the pensioner.
- e) A copy of the valid passport issued either by the Government of Sri Lanka or a foreign country
- f) Life Certificate issued for the relevant year

09. In furnishing the documents referred to at (a) to (f) above, if the pensioners indicated at 06 (I) above, do not directly appear before the relevant Divisional Secretariats and those indicated at 05 (I,II,III) above before the Foreign Pension Division of Department of pensions, they should furnish the documents duly certified only by an authorized officer of the Sri Lankan Embassy/ High Commission Office or the Foreign Mission of the country of residence.

(Documents certified by any other officer or person/ institution will not be accepted)

10. The officers of the Department of Pensions/ the officers of Divisional Secretariats will examine the duly perfected documents at the time of receipt and incomplete applications will be rejected then and there itself. Actions will be pursued expeditiously to initiate the payment of pensions in respect of duly completed applications.

Commencement of the payment of pensions for pensioners residing abroad.

11. Payments for pensioners holding the citizenship of another country, holding dual citizenship and Sri Lankan Pensioners going abroad for a period of more than two years, are made by the Foreign Pension Division of the Department of Pensions only through the special bank accounts maintained at the following branches.

- a) Bank of Ceylon - Metropolitan Branch
- b) People's Bank - Queens Branch
- c) Pan Asia Bank - Borella Branch
- d) Hatton National Bank - Maligawatta Branch

12. The pensioner should open an **Individual Savings Account** in any one of the banks stated above. For the said purpose, the following should be duly completed;

- ❖ Account Opening form of the relevant bank of his/her choice from among the above banks.
- ❖ Letter of Consent
- ❖ KYC (know Your Customer)

and submitted to the relevant bank after appearing in person and obtaining approval for the same from the Foreign Pension Division of the Department of Pensions or else they should be produced to the relevant bank, after getting the said documents certified by an Authorized Officer of the Sri Lankan Embassy/High Commission or Foreign Mission of the country of residence and obtaining approval of the Foreign Pension Division.

(The documents aforementioned are available on www.pensions.gov.lk)

13. For convenience of pensioners, they are provided with the opportunity of transferring pensions from their special bank account to -

- an Individual Savings Bank Account of another branch of the same bank maintained under the pensioner's name;

or

- to an Individual Savings Bank Account of a foreign Bank maintained under the pensioner's name.

In such instance, the pensioner will be able to obtain money at the exchange rate of the country of residence. In every instance where the pensioner exchanges money, the currency exchange slip should be presented to the bank along with the Life Certificate.

14. Accordingly, pensioners who intend to exchange money between bank accounts should submit their request directly to the relevant bank and the bank should have the identity of the pensioner confirmed by perusing the Departmental website. If further issues arise pertaining to the confirmation of identity, the bank should take action to consult the Department of Pensions.

15. Pensioners can receive their pension from the relevant Divisional Secretariat in the event of going abroad for a period of less than two years on the exigencies of service. Arrangements are made for the said pension to be paid to an Individual Savings Account of any recognized commercial bank maintained by him/her and the **use of ATM cards for the said accounts will be frozen.**

16. Similarly, payment of foreign pensions through Foreign Missions/ High Commissions will be herein after further restrained. Commencement of foreign pensions anew will only be done in the future through the bank accounts maintained under the guidance of the Foreign Pension Division, for the convenience of pensioners.

17. **Arrangements will be made to pay the monthly pension through the High Commissions only to those pensioners who currently receive pensions** through the High Commissions of the United Kingdom, United State of America, Australia, Canada and India.

18. All administrative matters on bank accounts, including opening and maintaining accounts for pensioners residing abroad and exchanging money are carried out by the Commercial Banks as directed by the Central Bank of Sri Lanka.

Payment of accumulated pensions

19. Accumulated Pensions of pensioners who left the country prior to 2009 were paid after their return to Sri Lanka. However, the Foreign Pension Division was established in 2009, enabling the pensioners residing abroad to receive their pension on the due date of pension. Therefore the necessity of paying arrears of pensions has been minimized. Nevertheless, claims are being made to obtain accumulated pensions for the;

- pensioners whose payment of pension was stopped before 2009,
- pensioners whose duly prepared pension files are not available,
- pensioners whose payment documents are not available/ destroyed,
- pensioners whose temporary pension payments were suspended.

The following documents should be furnished by the pensioner for consideration and to pursue action on such requests.

- a) The certification of the Divisional Secretary to the effect that the pension was not paid during the period under reference.
- a) An affidavit stating that the relevant pension was not obtained.
- b) Life Certificate of the relevant year.

20. In addition, action will be taken to pay the accumulated pension on fulfillment of the following;

- a) Duly prepared Pension file
- b) A notification in the data base of the Department of pensions indicating that the pension was not paid.

Claims made for accumulated pensions cannot be considered in respect of the pensioners whose aforesaid documents are incomplete and only the payment of future monthly pension will be considered.

Granting Life Certificates

21. All pensioners residing abroad should furnish their Life Certificates every year within the period from 01st December to 31st March of the ensuing year. Pensioners who possess the citizenship of another country, pensioners who have dual citizenship and Sri Lankan pensioners going abroad for a period of more than 03 years and whose payments are made by the Head office, should submit their Life Certificates to the Head office by visiting the Front Operation Counter of the Department of Pensions or through Foreign Missions.

22. Pensioners going abroad on exigency of the service and whose payments are made by the Divisional Secretariats should submit their Life Certificates obtained through Foreign Missions, to the Divisional Secretariats.

23. Pensions of pensioners who go abroad for personal requirement for a period not exceeding 06 months will not be considered as foreign pensions and their Life Certificates should be submitted through the Grama Niladharis to the Divisional Secretariats.

24. Pensioners who are unable to visit the Embassy due to aging or sickness should submit their Life Certificates obtained from a recognized medical officer of the relevant country, by getting it certified by the Embassy. Life Certificates not certified by the Embassies will be rejected.

25. Pensioners residing abroad should hand over the duly perfected and attested Life Certificate to the Department only by him/her in person or through Foreign Missions and the powers vested with relations, representatives, or power of attorney to hand over the Life Certificate to the Department will be revoked from the date on which this Circular takes effect.

26. Instructions for granting Life Certificates will be updated on the web site of the Department of Pensions in the relevant years.

27. Life Certificates submitted through the Foreign Missions should be entered to the data base by the Foreign Missions and those submitted to the Department of Pensions should be entered to the data base by the Foreign Pension Division.

28. The power of attestation of the Life Certificates submitted by the pensioners is vested only with the following officers.

- a) Director General of Pensions
- a) Authorized officers of Foreign Missions
- b) Director of Pensions
- c) Assistant Director of Pensions
- d) Head of Branch (Foreign Pensions)

It is mandatory for the officer attesting the signature to place the official stamp which contains the Name, Designation and Office Address of the officer concerned and incomplete certificates will be rejected. Similarly, the life certificates certified by persons other than the aforesaid officers will also be rejected. (These instructions will be applicable in similar manner for the approval referred to in paragraph 09 above)

29. The name list of rejected Life Certificate holders will be available on the Department's web site from 1st to 30th April of the relevant year. A relief period to submit Life Certificates for only those rejected will be given from 1st to 30th April in the same year. Payment of pension of the pensioners who have not submitted the Life Certificate by 31st of March and the pension of pensioners who have not submitted correct Life Certificates by 30th April in place of incomplete ones, will be temporarily suspended from the month of May in the relevant year.

30. In the event that any pensioner submits a Life Certificate subsequent to the suspension of his/her pension from the Month of May, payments of his/her pension will be made on approval of the Director General of Pensions. Action will be taken to pay the pension frozen due to the non-submission of the Life Certificate, as an accumulated pension. Accordingly, the pensioner should submit a claim for the accumulated pension as specified in paragraph (19) above.

31. Pensions of pensioners who obtain their pensions through Embassies / High Commissions, which have been temporarily suspended due to the non submission of Life Certificates will be reactivated only after opening bank accounts in a manner set out in Paragraph (11) above and payments shall be made herein after through the relevant bank accounts only.

32. Action should be taken as per the paragraph (26) above, for the provision of life certificates for banking activities, including exchange of money.

33. This Circular shall come into force with effect from 2018.03.31

34. Your assistance in managing the pension expenditure will be highly appreciated.

35. This Circular is issued with the concurrence of the Secretary, Ministry of Public Administration & Management and Law & Order.

Sgd:

A. Jagath D. Dias

Director General of Pensions

Copies:

- | | | |
|-----|---|--|
| 1. | Secretary to the President | - for information pl. |
| 2. | Secretary to the Prime Minister | - for information pl. |
| 3. | Secretary to the Cabinet | - for information pl. |
| 4. | Secretary, Ministry of Public Administration & Management and Law & Order | - for information pl. |
| 5. | Secretary, Ministry of Foreign Affairs | - for information & necessary actions pl. |
| 6. | Secretary, Ministry of Finance & Mass Media | - for information pl. |
| 7. | Secretary, Ministry of Home Affairs | - for information pl. |
| 8. | Secretary, Ministry of defense | - for information pl. |
| 9. | Director General, Treasury Operations Department | - for information & necessary actions pl. |
| 10. | Auditor General | - for information pl. |
| 11. | General Managers of Commercial Banks | - for information and to notify all the branches for necessary action accordingly. |