

LAWS OF THE COMMUNITY



The Pensions (Increase) Act

CHAPTER 12

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THE PENSIONS (INCREASE) ACT

9 of 1952,
1 of 1956,
11 of 1957,
1 of 1964,
L.N. 1/1967
(E.A.C.).

Commencement: 1st January 1951

An Act of the Community to make provision for the increase of certain pensions payable by the Community or the East African Posts and Telecommunications Corporation in respect of public service and for other matters connected therewith

Short title.

1. This Act may be cited as the Pensions (Increase) Act.

Interpretation.

2. (1) In this Act, except where the context otherwise requires—

“other public service” means service under any scheduled Government (as defined in the Pensions Regulations) other than service under—

- (a) the Colonial Audit Department (Home Establishment);
- (b) the Crown Agents for the Colonies;
- (c) any employing authority under the Colonial Superannuation Scheme if such employing authority is situate in the United Kingdom;
- (d) the Union of South Africa;
- (e) the United Kingdom of Great Britain and Northern Ireland;

“pension” means any pension, or other benefit, payable by way of periodical payments, but does not include any gratuity or any sum payable otherwise than by way of periodical payments, nor the gratuity payable under regulation 26 of the Pensions Regulations;

“pension authority” means, in relation to any pension, the authority by whom the pension is payable;

“scheduled pension” means any pension payable to an officer under the Pensions Act.

Cap. 11.

(2) Subject to subsection (1) the words and expressions used in this Act have the same meaning as those assigned to them in the Pensions Act.

3. (1) Subject to this Act, there shall be paid, with effect from the 1st July 1962, on every scheduled pension the appropriate increase specified in relation thereto in the Schedule:

Increase of certain pensions. 1 of 1964.

Provided that—

(i) no increase shall be payable under this section on any scheduled pension which became payable on or after the 1st April 1960, where the amount of the pension is calculated by reference to a salary received on or after the 1st April 1960;

(ii) no increase shall be payable under this section except to—

(a) a person who has attained the age of fifty-five years; or

(b) a person who has retired on grounds of ill health; or

(c) a person who is permanently incapacitated from engaging in full-time employment.

(2) Nothing in this section shall operate so as to reduce the amount of any increase, or deprive any person of any increase, payable under this Act immediately before the 1st July 1962.

4. Where a person is or becomes eligible for a scheduled pension and in addition thereto is or becomes eligible for a pension or pensions in respect of other public service, the amount by which such scheduled pension shall be increased under this Act shall be such an amount as bears the same proportion to the amount by which the aggregate of the scheduled pension and such pension or pensions in respect of other public service would have been increased under this Act had such aggregate amount been wholly payable from the funds referred to in section 4 of the Pensions Act as his scheduled pension bears to the aggregate amount of such scheduled pension and such pension or pensions in respect of other public service.

Provisions in the case of other public service.

Cap. 11.

5. Subject to this Act, the provisions of the Pensions Act shall, in so far as they relate to the apportionment of the cost of a pension between two or more pension authorities,

Application of general provisions. Cap. 11.

or to the manner in which a pension is to be paid, or to the cessation of a pension and the application of all or part of the moneys equivalent thereto, or to the proof of title to sums payable on account of a pension, or in so far as they prohibit or restrict the assignment or charging of a pension or its application towards the payment of debts, have effect in relation to any increase payable under this Act as they have effect in relation to the scheduled pension in respect of which the increase is payable.

Funds out of which increase payable and apportionment between funds. Cap. 11, L.N. 1/1967.

6. (1) Where any scheduled pension is increased under this Act, the cost of such increase shall be charged on and paid out of the appropriate fund in accordance with the provisions of section 4 of the Pensions Act.

(2) Where a scheduled pension is increased under this Act and the service in respect of which such scheduled pension is granted has not been wholly in any self-contained service, or in the non-self-contained services, of the High Commission, the Organization or the Community or the Corporation, then the amount of such increase which shall be charged on and paid out of each such appropriate fund shall be such an amount as bears the same proportion to the total increase granted under this Act as the portion of such scheduled pension paid out of that appropriate fund bears to the total of the scheduled pension.

Penalty for false statement, etc.

7. Any person who, for the purpose of obtaining either for himself or any other person any sum payable under this Act, knowingly makes any false statement shall be guilty of an offence and liable to a fine not exceeding one thousand shillings or to imprisonment for a term not exceeding three months, or to both such fine and such imprisonment.

Non-application to officers in East African Office.

8. Nothing in this Act shall authorize the increase of any scheduled pension granted to an officer in the service of the High Commission in respect of his service in the East African Office in London.

Power of Authority to vary certain provisions.

9. The Authority may, with approval of the Assembly to be signified by resolution, by order amend section 3; and any such order may provide for the retrospective operation thereof.

SCHEDULE

(s. 3) 1 of 1964.

1. Pension commencing before 1st January 1946—

<i>Pension</i>	<i>Increase</i>
(a) not exceeding £60	120 per cent.
(b) exceeding £60 but not exceeding £100	£72 plus 65 per cent of the amount by which the pension exceeds £60.
(c) exceeding £100 but not exceeding £130	£98 plus 20 per cent of the amount by which the pension exceeds £100.
(d) exceeding £130 but not exceeding £200	£104 plus 55 per cent of the amount by which the pension exceeds £130.
(e) exceeding £200 but not exceeding £350	£142.10.00 plus 25 per cent of the amount by which the pension exceeds £200.
(f) exceeding £350 but not exceeding £440	£180 plus 20 per cent of the amount by which the pension exceeds £350.
(g) exceeding £440	Rates in force on 30th June 1962 to continue unchanged.

2. Pension commencing between 1st January 1946 and 31st December 1953, both dates inclusive—

<i>Pension</i>	<i>Increase</i>
(a) not exceeding £80	60 per cent.
(b) exceeding £80 but not exceeding £150	£48 plus 20 per cent of the amount by which the pension exceeds £80.
(c) exceeding £150 but not exceeding £250	£62 plus 25 per cent of the amount by which the pension exceeds £150.
(d) exceeding £250 but not exceeding £1,530	The rates in force on 30th June 1962 to continue unchanged.
(e) exceeding £1,530	13 per cent plus £126.

3. Pension commencing between 1st January 1954 and 30th June 1956, both dates inclusive—

<i>Pension</i>	<i>Increase</i>
(a) not exceeding £1,000	10 per cent.
(b) exceeding £1,000 but not exceeding £1,250	£100.
(c) exceeding £1,250	8 per cent.

4. Commencing between 1st July 1956 and 31st March 1960, both dates inclusive—

<i>Pension</i>	<i>Increase</i>
All pensions	2 per cent.