

Zambia

Pensions (Increase) Act, 1951

Chapter 258

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Pensions (Increase) Act, 1951

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Pensions (Increase) Act, 1951

Chapter 258

Commenced on 25 July 1951

[This is the version of this document at 31 December 1996.]

[27 of 1951; 2 of 1954; 36 of 1954; 33 of 1955; 16 of 1956; 37 of 1957; 28 of 1958; 31 of 1960; 5 of 1961; Government Notices 239 of 1964; 497 of 1964; Statutory Instrument 144 of 1965]

An Act to provide for the increase of certain pensions payable by the Government; and to provide for matters incidental thereto or connected therewith.

1. Short title

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

2. Interpretation

In this Act, unless the context otherwise requires—

"appropriate Commission" shall have the meaning assigned to that expression in the Constitution;

[Cap. 1]

"the Governments" means the Government of Zambia, or in respect of any period before the 24th October, 1964, the Government of the former Protectorate of Northern Rhodesia;

"other service" means public service not under the Governments;

"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.

[As amended by No. 2 of 1954, No. 16 of 1956, No. 37 of 1957, No. 28 of 1958, No. 5 of 1961 and S.I. No. 144 of 1965]

3. Increase of pensions payable

- (1) Where a pension became payable before the 2nd January, 1957, to any person eligible for the grant of a pension specified in the Schedule, the amount of such pension as increased in accordance with the provisions of this Act in force on the 30th June, 1960, shall be deemed to be pension for the purposes of subsection (3).
- (2) Where a pension specified in Part I of the Schedule became or becomes payable after the 1st January, 1957, to any person as a beneficiary of a deceased officer who retired before and died on or after the 1st January, 1946, the amount of such pension as increased in accordance with the provisions of this Act in force on the 30th June, 1960, shall be deemed to be pension for the purposes of subsection (3).
- (3) Every pension specified in subsections (1) and (2) shall, from the 1st July, 1960, or from the date on which such pension became or becomes payable, whichever is the later, be increased by seven and one-half *per centum*.
- (4) Subject to the provisions of subsections (5) and (6), and with the exception of any pension specified in subsection (2), where a pension became payable on or after the 2nd January, 1957, and before the 2nd July, 1960, to any person eligible for the grant of a pension specified in the Schedule, the amount of such pension shall, from the 1st July, 1960, be increased by seven and one-half *per centum*.

- (5) Where a pension became or becomes payable after the 1st January, 1957, to any person eligible for the grant of a pension specified in Part I of the Schedule, the pension granted shall not be increased unless the appropriate Commission, having regard to all the emoluments on which such pension is computed and to any general revision of salaries by which such emoluments may have been increased, otherwise orders if such person—
- (a) retired or retires from other service; or
 - (b) is eligible for the grant of a pension as a dependant of a deceased officer who retired after the 31st December, 1945.
- (6) Where a pension became or becomes payable after the 1st January, 1957, to any person eligible for the grant of a pension specified in Part II of the Schedule and such person retired or retires from other service, the pension granted shall not be increased unless the appropriate Commission, having regard to all the emoluments of the office in respect of which such pension is computed and to any general revision of salaries by which the emoluments of such office may have been increased, otherwise orders.

[No. 5 of 1961 as amended by G.N. No. 239 of 1964 and S.I. No. 144 of 1965]

4. Saving

Except as otherwise specifically provided, nothing in this Act shall be deemed to authorise the increase of any gratuity, whether payable by way of commuted pension or otherwise, or other amount payable under the provisions of any enactment specified in the Schedule.

5. Aggregation of pensions

Where, after the 1st January, 1957, any person has become or becomes eligible for the grant of two or more pensions under one or more of the items of the Schedule, the aggregate of such pensions shall be deemed for the purposes of this Act to be the pension payable to such person.

[No. 37 of 1957]

6. President's powers

The President may, with the approval of the National Assembly, by statutory notice—

- (a) amend the Schedule by making any addition thereto;
- (b) vary the rate of increase specified in subsections (3) and (4) of section three.

[As amended by No. 36 of 1954, No. 37 of 1957, No. 5 of 1961, G.N. No. 239 of 1964 and S.I. No. 144 of 1965]

Schedule (Section 3)

Specified pensions

Part I

1. A pension payable out of the general revenues of the Republic to or in respect of the services of a European officer in accordance with the provisions of the Superannuation Acts, 1859 and 1887, of the United Kingdom.

[As amended by G.N. No. 239 of 1964 and S.I. No. 144 of 1965]

2. A pension payable to or in respect of the services of a European officer in pursuance of a special resolution of the National Assembly.
[As amended by G.N. No. 239 of 1964 and S.I. No. 144 of 1965]
3. A pension payable under the Public Servant's Agreements Act ([Cap. 58](#) of the 1948 Edition of the Laws).
4. A pension payable under the European Officers' Pensions Act ([Cap. 266](#)).
5. A pension payable under the Widows' Pensions Act (Cap. 279).
6. Obsolete.
7. A pension payable to or in respect of the services of a European officer in accordance with the provisions of the Northern Rhodesia Police Act (Cap. 46 of the 1930 Edition of the Laws).
8. Obsolete.
9. Obsolete.
10. A pension payable to or in respect of the services of a European officer in accordance with the provisions of the Northern Rhodesia Police (Amendment) Proclamation, 1921.
11. A pension payable to or in respect of the services of a European officer in accordance with the provisions of the Civil Service Act ([Cap. 57](#) of the 1964 Edition of the Laws).
12. A pension payable under the Hope and Hudson Pensions Act ([Cap. 62](#) of the 1952 Edition of the Laws).

Part II

1. A pension payable to or in respect of the services of an African policeman in accordance with the provisions of the Northern Rhodesia Police (Amendment) Proclamation, 1921.
2. A pension payable to or in respect of the services of an African policeman in accordance with the provisions of the Northern Rhodesia Police Act (Cap. 46 of the 1930 Edition of the Laws).
3. A pension payable to or in respect of the services of an African Civil Servant in accordance with the provisions of the Civil Service Act ([Cap. 57](#) of the 1964 Edition of the Laws).
4. A pension payable under the Northern Rhodesia Police Act, 1933.
5. A pension payable under the Northern Rhodesia Regiment Act (Cap. 48 of the 1948 Edition of the Laws).
6. A pension payable under the Northern Rhodesia Police Act (Cap. 44 of the 1948 Edition of the Laws).
7. A pension payable to or in respect of the services of an African junior prison officer under the provisions of the Prisons Act (Cap. 43 of the 1948 Edition of the Laws).
8. A pension payable under the Northern Rhodesia Civil Service Proclamation, 1920.
9. A pension payable to or in respect of the services of a member of the Unified African Teaching Service in accordance with the provisions of the African Education Act ([Cap. 135](#)).
[No. 28 of 1958]