

GOVERNMENT OF ZAMBIA

**ACT**

No. 11 of 1986

Date of Assent: 17th April, 1986

**An Act to amend the Civil Service (Local Conditions)  
Pensions Act**

[21st April, 1986

ENACTED by the Parliament of Zambia.

Enactment

1. (1) This Act may be cited as the Civil Service (Local Conditions) Pensions (Amendment) Act, 1986, and shall be read as one with the Civil Service (Local Conditions) Pensions Act, hereinafter referred to as the principal Act.

Short title and commencement.  
Cap. 410

(2) This Act shall be deemed to have come into operation on the 1st January, 1986.

2. Section *two* of the principal Act is amended in subsection (1) by the deletion of the definition of "pensionable age" and the substitution thereof of the following definition:

Amendment of section 2

"pensionable age" means—

- (a) in the case of a male officer, the fifty-fifth anniversary of the date of his birth; and
- (b) in the case of a female officer, the fiftieth anniversary of the date of her birth.

3. Section *five* of the principal Act is amended by the repeal of subsection (1) and the substitution thereof of the following subsection:

Amendment of section 5

(1) The Fund shall periodically be valued by an actuary appointed by the Minister.

4. Section *seven* of the principal Act is repealed and the following sections are substituted therefor:

Repeal and replacement of section 7

7. There is hereby established the Civil Service (Local Conditions) Pensions Fund Board which shall be a body

Establishment of Board

corporate with perpetual succession and a common seal, capable of suing and being sued in its corporate name, and with power, subject to the provisions of this Act, to do all such acts and things as a body corporate may do by law.

Composi-  
tion  
of Board

7A. The Board shall consist of the Permanent Secretary, Ministry of Finance, as chairman and six other members appointed by the Minister who shall hold office until the Minister decides otherwise.

Secretary  
and other  
staff

7B. (1) There shall be a Secretary to the Board who shall be appointed by the Board on such terms and conditions as the Board may determine, with the approval of the Minister.

(2) The Secretary shall be responsible for the administration of the day-to-day affairs of the Board under the general supervision of the Board.

(3) The Board may appoint such other staff as it may consider necessary for the performance of its functions.

Functions  
of Board

7C. The functions of the Board shall be—

(a) to manage the Fund and in particular to invest moneys belonging to the Fund in a business like manner; and

(b) to establish a scheme for home ownership by civil servants and to grant, on such terms and conditions as may be determined by the Board, loans to members of the Fund for the purposes of building or purchasing their own residential properties and meeting any other incidental charges thereto.

Financial  
year

7D. The financial year of the Board shall be the period of twelve months ending on 31st December in each year.

Books of  
account

7E. (1) The Board shall keep proper books of accounts and other records relating to its accounts.

(2) Such books of accounts and other records shall be open for inspection by the Minister or any person duly authorised by him in that behalf.

Audit of  
accounts

7F. (1) The accounts of the Board shall be audited annually and a detailed report thereon submitted to the Minister and to the Board.

(2) For the performance of his duties under subsection (1), the auditor to the Board shall have access at all reasonable times to all books of accounts, records, returns, reports and other documents relating to the Board's accounts.

(3) In respect of each financial year, the auditor to the Board shall certify whether or not—

- (a) he has received all the explanations and other information necessary for the performance of his duties;
- (b) the accounts of the Board have been properly kept; and
- (c) according to the explanations and other information received, and the books of accounts, records, returns, reports and other documents relating to the Board's accounts produced to him, the accounts of the Board reflect a true and accurate financial position of the Board or of its profit and loss position, for the period covered by his certification.

7G. (1) As soon as is practicable, but not later than six months after the expiry of each financial year, the Board shall submit to the Minister a report containing a balance sheet showing the assets and liabilities of the Board as at the last day of the financial year to which the report relates, accompanied by an audited statement of income and expenditure for that financial year together with any other statements and returns as may be relevant.

(2) The Minister, may at any time require the Board in writing to submit to him such additional reports, returns or statements, duly certified by the auditor to the Board, as the Minister considers necessary, and the Board shall comply with such requirement.

(3) The Minister shall, not later than thirty days after the first sitting of the National Assembly next after the receipt of the report referred to in subsection (1) lay it before the National Assembly.

5. Section *eleven* of the principal act is Amended by the repeal of subsection (1) and the substitution therefor of the following subsection:

Amendment  
of section 11

(1) Subject to the provisions of this section—

- (a) an officer in Division I, II or III—
  - (i) shall retire on attaining pensionable age;
  - (ii) may, on giving due notice, retire at any time during the five years before that officer attains pensionable age;
  - (iii) may, on giving due notice, retire at any time after completing twenty-years' service;

- (b) an officer of or below the rank of Chief Inspector in the Zambia Police Force or an officer of or below the rank of Chief Officer III in the Zambia Prison Service may, on giving due notice, retire on or after attaining the age of forty-five years or on or after completing twenty years' service which ever is earlier :

Provided that the appropriate authority may, by statutory instrument, prescribe earlier dates for the retirement of all or any officers.

**Amendment  
of section 18**

6. Section *eighteen* of the principal Act is amended in subsection (1) by the deletion of :

- “ C= (i) in the case of a female officer whose service commenced prior to 14th September, 1973:660; and  
(ii) in the case of a male officer who opted to retain fifty-five years as his age of retirement and whose service commenced prior to the 1st December, 1980:660; and  
(iii) in any other case: 720; and ”

and the substitution thereof of:

- “ C=the age at which an officer retires, expressed in complete months; and ”.

**Amendment  
of section 19**

7. Section *nineteen* of the principal Act is amended in subsection (2) by the deletion of :

- “ C= (i) in the case of a female officer whose service commenced prior to 14th September, 1973:660; and  
(ii) in the case of a male officer who opted to retain fifty-five years as his age of retirement and whose service commenced prior to the 1st December, 1980:660; and  
(iii) in any other case:720; and ”

and the substitution thereof of:

- “ C=the age at which an officer retires; expressed in complete months; and ”.

**Amendment  
of section 20**

8. Section *twenty* of the principal Act is amended by the deletion of:

- “ C= (i) in the case of a female officer whose service commenced prior to 14th September, 1973:660; and

- (ii) in the case of a male officer who opted to retain fifty-five years as his age of retirement and whose service commenced prior to 1st December, 1980:660; and
- (iii) in any other case:720."

and the substitution therefor of:

"O=the age at which an officer retires expressed in complete months."

9. Section *twenty-seven* of the principal Act is amended in subsection (1) by the deletion of:

Amendment  
of section 27

"D= (i) in the case of a male officer who opted to retain fifty-five years as his age of retirement or in the case of a female officer whose service commenced prior to 1st December, 1980:660; and

(ii) in any other case:720; and "

and the substitution therefor of:

"D=the age at which an officer retires, expressed in complete months; and "

10. Section *twenty-eight* of the principal Act is amended in subsection (2) by the deletion of:

Amendment  
of section 28

"D= (i) in the case of a male officer who opted to retain fifty-five years as his age of retirement or in the case of a female officer whose service commenced prior to 1st December, 1980:660; and

(ii) in any other case:720; and "

and the substitution therefor of:

"D=the age at which an officer retires, expressed in complete months; and "

11. Section *twenty-nine* of the principal Act is amended by the deletion in paragraph (b) of:

Amendment  
of section 29

"D= (i) in the case of a male officer who opted to retain fifty-five years as his age of retirement or in the case of a female officer whose service commenced prior to 1st December, 1980:660; and

(ii) in any other case:720."

and the substitution therefor of:

"D=the age at which an officer retires, expressed in complete months."

**Amendment  
of section 55**

12. Section *fifty-five* of the principal Act is amended in subsection (5) by the deletion in paragraph (b) of "whichever is less" and the substitution therefor of "whichever is the greater".

**Amendment  
of section 59**

13. Section *fifty-nine* of the principal Act is amended by the repeal of subsection (6) and the substitution therefor of the following:

(6) Where an officer is prematurely retired in order to enable him to take up an appointment with a recognised authority the pension of such officer shall be paid with effect from the date of such premature retirement.

**Amendment  
of section 66**

14. Section *sixty-six* of the principal Act is amended by—  
(a) the renumbering of subsection (4) as subsection (5); and  
(b) the addition, immediately after subsection (3), of the following new subsection:

(4) An officer in Division I, II or III who retires may opt to commute either one-third or two-thirds of his pension for a lump sum payment, as gratuity, calculated in accordance with the commutation factors as set out in the Fourth Schedule.

**Addition of  
section 69**

15. The principal Act is amended by the addition of the following new section:

**Review of  
pensions**

69. There shall be a review of pensions before the 1st October, 1986, and at such intervals thereafter as the Board may decide.

**Insertion  
of Fourth  
Schedule**

16. The principal Act is amended by the addition of the Fourth Schedule as set out in the Appendix hereto.

APPENDIX  
(Section 16)  
FOURTH SCHEDULE  
(Section 66)  
COMMUTATION TABLE

Single cash payment in commutation of pension of K2 (two kwacha) per annum.

Nearest half-age	Cash payment		Nearest half-age	Cash payment	
	Male	Female		Male	Female
Up to 20	34.98	35.66	48	26.64	28.76
20½	34.88	35.58	48½	26.40	28.56
21	34.78	35.48	49	26.16	28.38
21½	34.68	35.40	49½	25.92	28.18
22	34.58	35.30	50	25.68	28.00
22½	34.48	35.22	50½	25.44	27.80
23	34.38	35.12	51	25.18	27.60
23½	34.28	35.04	51½	24.94	27.38
24	34.16	34.94	52	24.68	27.18
24½	34.06	34.86	52½	24.42	26.96
25	33.94	34.76	53	24.18	26.74
25½	33.84	34.66	53½	23.92	26.52
26	33.72	34.56	54	23.66	26.30
26½	33.60	34.46	54½	23.40	26.06
27	33.48	34.36	55	23.14	25.84
27½	33.36	34.26	55½	22.86	25.58
28	33.24	34.16	56	22.60	25.34
28½	33.12	34.06	56½	22.32	25.10
29	33.00	33.96	57	22.06	24.84
29½	32.88	33.86	57½	21.78	24.60
30	32.76	33.74	58	21.52	24.34
30½	32.62	33.64	58½	21.24	24.06
31	32.50	33.54	59	20.96	23.80
31½	32.36	33.42	59½	20.68	23.52
32	32.24	33.30	60	20.40	23.26
32½	32.10	33.20	60½	20.12	22.98
33	31.96	33.08	61	19.84	22.70
33½	31.82	32.96	61½	19.56	22.40
34	31.68	32.84	62	19.28	22.12
34½	31.54	32.72	62½	18.98	21.82
35	31.40	32.60	63	18.70	21.52
35½	31.24	32.48	63½	18.42	21.22
36	31.10	32.36	64	18.12	20.92
36½	30.94	32.24	64½	17.84	20.60
37	30.80	32.10	65	17.56	20.30
37½	30.64	31.98	65½	17.26	19.98
38	30.48	31.84	66	16.96	19.66
38½	30.32	31.72	66½	16.68	19.34
39	30.14	31.58	67	16.38	19.02
39½	29.98	31.44	67½	16.10	18.70
40	29.82	31.30	68	15.80	18.38
40½	29.64	31.16	68½	15.60	18.06
41	29.46	31.02	69	15.20	17.72
41½	29.28	30.88	69½	14.92	17.40
42	29.10	30.72	70	14.62	17.06
42½	28.92	30.58	70½	14.32	16.72
43	28.72	30.42	71	14.02	16.38
43½	28.52	30.28	71½	13.72	16.06
44	28.34	30.12	72	13.42	15.72
44½	28.14	29.96	72½	13.12	15.38
45	27.94	29.80	73	12.82	15.04
45½	27.72	29.62	73½	12.54	14.72
46	27.52	29.46	74	12.24	14.38
46½	27.30	29.28	74½	11.96	14.04
47	27.08	29.12	75	11.68	13.70
47½	26.86	28.94			

