

(Legislative Supplement No. 41)

CORRIGENDUM

Legal Notice No. 5 of 1964, page 26:—

For "1963" substitute "1964" in the title and regulation 1.

LEGAL NOTICE No. 261

(EPN 1/7/01. F)

THE PENSIONS ACT

(Cap. 189)

IN EXERCISE of the powers conferred by section 3 of the Pensions Act, the Governor-General hereby makes the following Regulations:—

THE PENSIONS (AMENDMENT) REGULATIONS, 1964

1. (1) These Regulations may be cited as the Pensions (Amendment) Regulations, 1964.

(2) Regulation 2 (b) hereof shall be deemed to have come into operation on the 1st April 1963 and regulations 3 and 4 on the 10th December 1963.

2. Regulation 8 of the Pensions Regulations, hereinafter referred to as the principal Regulations, is amended—

First Schedule,
Cap. 189.

(a) by renumbering that regulation as paragraph (1) thereof;

(b) by substituting for subparagraph (g) of paragraph (1) thereof, the following subparagraph—

(g) any authority in respect of the service thereunder of an officer which service is pensionable under the Kenya Local Authorities Superannuation Fund Rules, 1963, or the Kenya Local Government Officers' Superannuation Fund Rules, 1963;

L.N. 293/1963.

L.N. 313/1963.

(c) by inserting at the end of paragraph (1) thereof, the following paragraph—

(2) For the purpose of these Regulations—

(a) any officer in public service under the Government of the Federation of Rhodesia and Nyasaland immediately before the 1st January 1964, who was immediately before that date employed on secondment to service under the Government of Southern Rhodesia, or Northern Rhodesia, or Nyasaland, or was as from that date so employed, shall be deemed to continue to serve in public service under the Government of the Federation of Rhodesia and Nyasaland until his employment on secondment is terminated.

(b) any pension awarded on or after the 1st January 1964 in respect of service under the Government of the Federation of Rhodesia and Nyasaland shall be deemed to have been granted by that Government

notwithstanding the provisions of the Federation of Rhodesia and Nyasaland (Dissolution) Order in Council 1963.

3. Regulation 12 of the principal Regulations is amended—

(a) by substituting for the words "Provided that where such an officer" which appear in the proviso thereto the following—

"Provided that—

(i) where such an officer";

(b) by inserting immediately after "Government of" where it first appears in proviso (i) thereto the words "Northern Rhodesia,"; and

(c) by inserting at the end of the proviso thereto a further proviso as follows—

(ii) where an officer, having been a contributor to the Nairobi Municipality (Superannuation Fund) Rules, 1950 (now revoked) retires from employment with, or whose services are terminated by, the City Council of Nairobi under the Kenya Local Authorities Superannuation Fund Rules, 1963, and such officer is under those Rules permitted to receive a pension, he may be granted, in respect of his services under the Government of Kenya and in lieu of any gratuity under the provisions of this regulation, a pension calculated in accordance with the provisions of regulation 9 or regulation 11 of these Regulations notwithstanding that he has not completed in the aggregate the minimum period of qualifying service.

4. Regulation 21 (1) of the principal Regulations is amended by substituting for paragraph (viii) of the proviso thereto a new paragraph as follows—

(viii) where an officer has been granted a gratuity under any contract, or where a female officer has been granted a marriage gratuity under regulation 6 or regulation 14 of those Regulations, and such gratuity—

(a) has been refunded the period of service in respect of which the gratuity was granted may be taken into account as to one-half of such service or such greater proportion or the whole thereof as the Governor-General may determine;

(b) has not been refunded the period of service in respect of which the gratuity was granted shall not be taken into account as pensionable service.

5. The Schedule to the principal Regulations is amended by inserting therein, in its proper alphabetical position, the following items—

British Antarctic Territory

Sabah

Made this 11th day of August 1964.

MALCOLM MACDONALD.

Governor-General.