

**THE PENSIONS (INCREASE) (AMENDMENT)
ACT, 1979**

No. 4 of 1979

Date of Assent: 25th April, 1979

Date of Commencement: 1st July, 1977

An Act of Parliament to amend the Pensions (Increase) Act

ENACTED by the Parliament of Kenya, as follows:—

Short title and commencement.

1. This Act may be cited as the Pensions (Increase) (Amendment) Act, 1979, and shall be deemed to have come into operation on the 1st July, 1977.

Amendment of section 2 of Cap. 190.

2. The Pensions (Increase) Act (in this Act referred to as the principal Act) is amended in section 2 by renumbering the existing section as subsection (1) and adding the following new subsection—

Cap. 199.

(2) For the purposes of this Act a pension payable under the Armed Forces Act shall be deemed to be a pension payable in respect of public service.

Replacement of section 3 of Cap. 190.

3. The principal Act is amended by the repeal of section 3 and substitution therefor of the following—

Increase of certain pensions.

3. Subject to the provisions of this Act, there shall be paid, with effect from 1st July, 1977, on every specified pension, together with any other increase granted previously, the appropriate increase specified in relation thereto in the Second Schedule to this Act:

Provided that no increase shall be payable under this section—

(i) on any specified pension which became payable on or after 1st July, 1977, where the amount of the pension is calculated by reference to a salary received on or after 1st July, 1977;

No. 18 of
1977.

(ii) on any pension to which the Public Officers' Pensions (Kenya and United Kingdom) Agreement Act, 1977, applies;

(iii) 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; or

(d) a woman who has at least one dependant; or

(e) a woman who is in receipt of a pension under the Widows' and Orphans' Pensions Act, the Asiatic Widows' and Orphans' Pensions Act, the Asian Officers' Family Pensions Act or the Widows' and Children's Pensions Act, as the case may be, and who has attained the age of forty years; or

(f) a person who is under the age of sixteen years.

Cap. 192.

Cap. 193.

Cap. 194.

Cap. 195.

4. The First Schedule to the principal Act is amended by adding immediately after paragraph 12 the following new paragraphs—

Amendment
of the First
Schedule to
Cap. 190.

13. A pension payable under the Widows' and Children's Pensions Act.

Cap. 195.

14. A pension payable under the Armed Forces Act.

Cap. 199.

5. The principal Act is amended by the repeal of the Second Schedule and substitution therefor of the following—

Replacement
of the Second
Schedule to
Cap. 190.

SECOND SCHEDULE (s. 3)

Pension

Increase

I. Pension commencing before
1st April, 1964—

(a) not exceeding £40

the difference between £60 and
the pension.

(b) exceeding £40 but not
exceeding £50

£20 plus 37½ per cent of the
amount by which the pen-
sion exceeds £40.

SECOND SCHEDULE—(Contd.)

<i>Pension</i>	<i>Increase</i>
(c) exceeding £50 but not exceeding £100	£23 15s. plus 35 per cent of the amount by which the pension exceeds £50.
(d) exceeding £100 but not exceeding £200	£41 5s. plus 27½ per cent of the amount by which the pension exceeds £100.
(e) exceeding £200 but not exceeding £300	£68 15s. plus 21 per cent of the amount by which the pension exceeds £200.
(f) exceeding £300 but not exceeding £500	£89 15s. plus 12½ per cent of the amount by which the pension exceeds £300.
(g) exceeding £500 but not exceeding £1,000	£114 15s. plus 9 per cent of the amount by which the pension exceeds £500.
(h) exceeding £1,000	£159 15s. plus 6 per cent of the amount by which the pension exceeds £1,000.
2. Pension commencing between 1st April, 1964, and 30th June, 1967*, both dates inclusive—	
(a) not exceeding £40	the difference between £60 and the pension.
(b) exceeding £40 but not exceeding £50	£20
(c) exceeding £50 but not exceeding £100	£20 plus 28 per cent of the amount by which the pension exceeds £50.
(d) exceeding £100 but not exceeding £200	£34 plus 25 per cent of the amount by which the pension exceeds £100.
(e) exceeding £200 but not exceeding £300	£59 plus 19 per cent of the amount by which the pension exceeds £200.
(f) exceeding £300 but not exceeding £500	£78 plus 11 per cent of the amount by which the pension exceeds £300.
(g) exceeding £500 but not exceeding £1,000	£100 plus 8 per cent of the amount by which the pension exceeds £500.

SECOND SCHEDULE—(Contd.)

<i>Pension</i>	<i>Increase</i>
(h) exceeding £1,000	£140 plus 5 per cent of the amount by which the pension exceeds £1,000.
* 31st March, 1966, for Armed Forces.	
3. Pension commencing between 1st July, 1967*, and 30th June, 1971, both dates inclusive—	
(a) not exceeding £40	the difference between £60 and the pension.
(b) exceeding £40 but not exceeding £50	£20.
(c) exceeding £50 but not exceeding £100	£20 plus 25 per cent of the amount by which the pension exceeds £50.
(d) exceeding £100 but not exceeding £200	£32 10s. plus 24 per cent of the amount by which the pension exceeds £100.
(e) exceeding £200 but not exceeding £300	£56 10s. plus 18 per cent of the amount by which the pension exceeds £200.
(f) exceeding £300 but not exceeding £500	£74 10s. plus 10½ per cent of the amount by which the pension exceeds £300.
(g) exceeding £500 but not exceeding £1,000	£95 10s. plus 7½ per cent of the amount by which the pension exceeds £500.
(h) exceeding £1,000	£133 plus 5 per cent of the amount by which the pension exceeds £1,000.
* 1st April, 1966, for Armed Forces.	
4. Pension commencing between the 1st July, 1971, and 31st December, 1973*, both dates inclusive—	
(a) not exceeding £45	the difference between £60 and the pension.
(b) exceeding £45 but not exceeding £50	£15.

SECOND SCHEDULE—(Contd.)

<i>Pension</i>	<i>Increase</i>
(c) exceeding £50 but not exceeding £100	£15 plus 24 per cent of the amount by which the pension exceeds £50.
(d) exceeding £100 but not exceeding £200	£27 plus 20 per cent of the amount by which the pension exceeds £100.
(e) exceeding £200 but not exceeding £300	£47 plus 15 per cent of the amount by which the pension exceeds £200.
(f) exceeding £300 but not exceeding £500	£62 plus 9 per cent of the amount by which the pension exceeds £300.
(g) exceeding £500 but not exceeding £1,000	£80 plus 6 per cent of the amount by which the pension exceeds £500.
(h) exceeding £1,000	£110 plus 4 per cent of the amount by which the pension exceeds £1,000.

* 31 October, 1973, for Servicemen.

5. Pension commencing between 1st January, 1974*, and 30th June, 1975, both dates inclusive—

(a) not exceeding £45	the difference between £60 and the pension.
(b) exceeding £45 but not exceeding £50	£15.
(c) exceeding £50 but not exceeding £100	£15 plus 8 per cent of the amount by which the pension exceeds £50.
(d) exceeding £100 but not exceeding £200	£19 plus 15 per cent of the amount by which the pension exceeds £100.
(e) exceeding £200 but not exceeding £300	£34 plus 10 per cent of the amount by which the pension exceeds £200.
(f) exceeding £300 but not exceeding £500	£44 plus 7½ per cent of the amount by which the pension exceeds £300.

SECOND SCHEDULE—(Contd.)

<i>Pension</i>	<i>Increase</i>
(g) exceeding £500 but not exceeding £1,000	£59 plus 5 per cent of the amount by which the pension exceeds £500.
(h) exceeding £1,000	£84 plus 3 per cent of the amount by which the pension exceeds £1,000.

* 1st November, 1973, for servicemen.

6. Pension commencing between 1st July, 1975, and 30th June, 1977, both dates inclusive—

(a) not exceeding £50.	the difference between £60 and the pension.
(b) exceeding £50 but not exceeding £100	£10 plus 3½ per cent of the amount by which the pension exceeds £50.
(c) exceeding £100 but not exceeding £200	£11 15s. plus 7½ per cent of the amount by which the pension exceeds £100.
(d) exceeding £200 but not exceeding £300	£19 5s. plus 6 per cent of the amount by which the pension exceeds £200.
(e) exceeding £300 but not exceeding £500	£25 5s. plus 5 per cent of the amount by which the pension exceeds £300.
(f) exceeding £500 but not exceeding £1,000	£35 5s. plus 4 per cent of the amount by which the pension exceeds £500.
(g) exceeding £1,000	£55 5s. plus 2 per cent of the amount by which the pension exceeds £1,000.