

# THE PENSIONS (AMENDMENT) ACT, 2003

No. 6 of 2003

*Date of Assent: 22nd September, 2003*

*Date of Commencement: 1st January, 2004*

## An Act of Parliament to amend the Pensions Act

ENACTED by the Parliament of Kenya, as follows:—

1. This Act may be cited as the Pensions (Amendment) Act, 2003, and shall come into operation on the 1st January, 2004.

Citation and commencement.

2. The Pensions Act, in this Act referred to as “the principal Act”, is amended by inserting the following new section immediately after section 16—

Insertion of new section 16A in Cap. 189.

Pensioner to be retained in service pending payment of gratuity.

16A. A person to whom a pension or other allowance is payable under this Act shall be entitled to be retained in the service until the payment in full of the gratuity payable to him consequent upon the exercise by him of his option to receive such gratuity under the provisions of this Act.

3. The principal Act is amended by inserting the following new section immediately after section 19—

Insertion of new section 19A in Cap. 189.

Payment of dependant's pensions.

19A. A dependant's pension payable under the foregoing sections shall be paid to the dependants within a period of ninety (90) days after the death of the officer concerned, failing which interest shall accrue thereon at bank rates until payment is made in full:

Provided that no interest shall be payable under this section where the failure to pay is occasioned by legal proceedings in respect of the payment.