

THE UNITED REPUBLIC OF TANZANIA



No. 15 OF 1981

I ASSENT.

Julius N. Nyerere

 President

7TH SEPTEMBER, 1981**An Act to amend certain written laws relating to pensions**

[.....]

ENACTED by the Parliament of the United Republic of Tanzania.

PART I

PRELIMINARY

- 1.** This Act may be cited as the Pensions Laws (Miscellaneous Amendments) Act, 1981. Short title
- 2.** In this Act unless the context otherwise requires- Interpretation
Cap. 371
 "the Ordinance" means the Pensions Ordinance;
 "Regulations" means the Pensions Regulations set out in the schedule to the Ordinance.

PART II

AMENDMENT OF THE PENSIONS ORDINANCE

- 3.** This Part shall be read as one with the Ordinance. Construction
- 4.** Section 2A of the Ordinance is hereby amended In paragraph (b) by deleting the words "President's Office" wherever they occur and substituting for them the words "to the Prime Minister". Amendment
of section 2A
- 5.** Section 11A of the Ordinance is hereby amended by deleting the whole of subsection (1) and substituting for it the following subsection:- Amendment
of section 11
- "(1) In this section "Minimum pension" means a specified amount of money which may, from time to time, by order published in the *Gazette*, be declared by the President, as the minimum pension."

- Amendment of section 13 **6.** Section 13 of the Ordinance is hereby amended by deleting the phrase "may with his consent if the appropriate authority thinks fit" which appears in the fifth line and substituting for it the word "shall".
- Amendment of Regulation 2 **7.** Regulation 2 of the Regulation is hereby amended by deleting the word "President" which appears in the fifth line and substituting for it the words "Prime Minister"
- Amendment of Regulation 18 **8.** Regulation 1.8 of the Regulations is hereby amended in paragraph (b) of sub-regulation (1) by deleting the word "President" wherever it appears and substituting for it the words "Prime Minister's Office"
- Amendment of Regulation 23 **9.** Regulation 23 of the Regulations is hereby revoked and replaced by the following regulation-
- "Gratuity Pension **23.**-(1) Subject to the provisions of these Regulations and reduced any officer who qualifies for a pension under the Ordinance may, on retirement be granted-
- (a) a reduced annual pension of an amount equal to one-half. of the specified amount',
- (b) a reduced pension gratuity equal to twelve and one-half times the amount of the reduction so made in the pension unless the said officer exercises an option in writing to be paid in lieu of such gratuity and reduced pension, such specified amount:
- Provided that in the application of this Regulation, the officer shall not be entitled to a minimum, pension under section 11A Of the Ordinance.
- (2) For the purpose of this regulation "Specified amount" means an annual amount equal to one-six hundredth of an officer's annual pensionable emoluments for each completed month of his pensionable service.
- (3) If an officer exercises the option, his decision shall be irrevocable so far as concerns any pension granted to him under these Regulations.
- (4) The exercise of any option made under the provisions of this section shall be in writing addressed to the appropriate authority."

PART III

AMENDMENTS TO THE UNIFIED TEACHING SERVICE (PENSIONS AND GRATUITIES) REGULATIONS, 1965

- Construction G.N. 1965 No. 304 **10.** This Part shall be read as one with the Unified Teaching Service (Pensions and Gratuities) Regulations, 1965.
- Amendment of Regulation 9A **11.** Regulation 9A of the Unified Teaching Service (Pensions and Gratuities) Regulations, 1965, is hereby amended by deleting the whole of sub-regulation (1) and substituting for it the following new sub-regulation: -

"(1) In this Regulation, minimum pension" means a specified amount of money which may, from time to time, by an order published in the Gazette, be declared by the Presidents the minimum pension."

12. The Unified Teaching Service (Pensions and Gratuities) Regulations, 1965, are hereby amended by adding immediately after regulation 12 the following new regulation: -

Addition of new Regulation 12A

"Suspension of pension on re-employment" **12A.** If a teacher to whom a pension has been granted under these Regulations is re-employed or re-appointed to an office in the public service, the payment of his pension shall be suspended during the period of his re-employment or re-appointment."

13. Regulation 13 of the Unified Teaching Service (Pensions and Gratuities) Regulations, 1965, is hereby revoked and replaced by the following new Regulation: -

Revocation of Regulation 13

"Rate of pension and gratuity" **13A.**-(1) Subject to the provisions of these Regulations any teacher who qualifies for pension under these Regulations may, on retirement be granted-

- (a) a reduced annual pension of an amount equal to one-half of the specified amount;
- (b) a reduced pension gratuity equal to twelve and one-half times the amount of the reduction so made in the pension unless the said teacher exercises an option in writing to be paid in lieu of such gratuity and reduced Pension. such specified amount:

Provided that in the application of this Regulation, the teacher shall not be entitled to a minimum pension under Regulation 9A of these Regulations.

(2) For the purpose of this regulation "specified amount" means an annual amount equal to one-six hundredth of a teacher's annual pensionable emoluments for each completed month of his pensionable service.

(3) If a teacher exercises the option his decision shall be irrevocable so far as concerns any pension granted to him under these Regulations.

(4) The exercise of any option made under the provisions of this Regulation shall be in writing addressed to the Board."

PART IV

AMENDMENT OF THE DEFENCE FORCES (SERVICE PENSIONS AND GRATUITY) REGULATIONS, 1968

14. This Part shall be read as one with the Defence Forces (Service Pensions and Gratuities) Regulations, 1968.

Construction G.N 1968 No. 52

Amendments
of Regulation
7A

15. Regulation 7A of the Defence Forces (Service Pensions and Gratuities) Regulations, 1968 is hereby amended by deleting the whole of sub-regulation (1) and substituting for it the following sub-regulation —

"(1) In this regulation, "minimum pension" means a specified amount of money which may, from time to time, by order published in the *Gazette*, be declared by the President as the minimum pension

Revocation
of Regulation
11

16. Regulation 11 of the Defence Forces (Service Pensions and Gratuities) Regulations, 1968, is hereby revoked and replaced by the following new regulation:-

"Rate of
pension and
gratuity

11.-(1) Subject to the provisions of these Regulations any officer or man who qualifies for a pension under these Regulations may, on retirement be granted-

- (a) a reduced annual pension of an amount equal to one-half of the specified amount;
- (b) a reduced pension gratuity equal to twelve and one-half times the amount of the reduction so made in the pension unless the said officer or man exercises an option in writing to be Paid in lieu of such gratuity and reduced Pensions, such specified amount:

(2) For the purposes of this Regulation "specified amount" means an annual amount equal to one six hundredth of an officer's annual pensionable emoluments for each completed month of his pensionable service.

(3) If an officer or a man exercises the option his decision shall be irrevocable so far as concerns any pension granted to him under these Regulations.

(4) The exercise of any option made under the provisions of this regulation shall be in writing and addressed to the Service Pension Board.

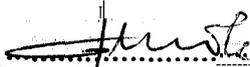
Revocation
of Regulation
14

17. Regulation 14 of the Defence Forces (Service Pensions and Gratuities) Regulations, 1968 is hereby revoked and replaced by the following new regulation:-

"Suspension
of pension
on re-enroll-
ment are
recall

14. If an officer or man to whom a pension has been granted under these Regulations is re-enrolled in, or is recalled for service with, the Defence Forces, the pension shall be suspended during the period of his re-enrollment."

Passed in the National Assembly on the twenty-fourth day of July, 1981.


Clerk of the National Assembly