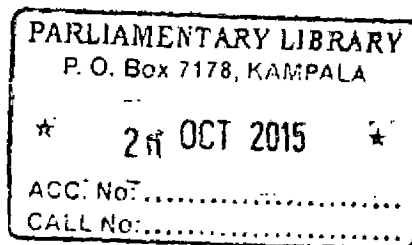




THE REPUBLIC OF UGANDA

**THE PARLIAMENTARY PENSIONS (AMENDMENT)
ACT, 2015.**





THE REPUBLIC OF UGANDA

I SIGNIFY my assent to the bill.

Y. Museveni
.....
President

Date of assent:..... *12/10/2015*

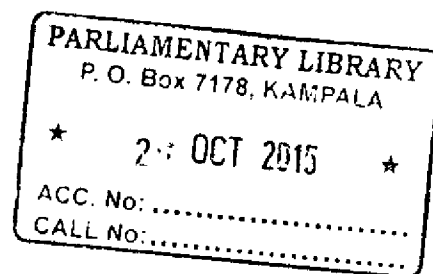
~~Act~~ ~~Parliamentary Pensions (Amendment) Act~~ ~~2015~~

THE PARLIAMENTARY PENSIONS (AMENDMENT) ACT, 2015

ARRANGEMENT OF SECTIONS.

Section

1. Amendment of section 2 of the Parliamentary Pensions Act, 2007.
2. Amendment of section 4 of the principal Act.
3. Amendment of section 7B of the principal Act.
4. Amendment of section 10A of the principal Act.
5. Amendment of section 12 of the principal Act.
6. Amendment of section 12A of the principal Act.
7. Amendment of section 13 of the principal Act.
8. Amendment of section 14 of the principal Act.
9. Amendment of section 15 of the principal Act.
10. Repeal of section 15A of the principal Act.
11. Amendment of section 18 of the principal Act.
12. Insertion of a new section 18A.
13. Insertion of a new section 21A.
14. Amendment of section 23 of the principal Act.
15. Amendment of section 23A of the principal Act.
16. Amendment of section 24 of the principal Act.
17. Insertion of a new section 27.
18. Amendment of Schedule 1.





THE REPUBLIC OF UGANDA

**THE PARLIAMENTARY PENSIONS (AMENDMENT) ACT,
2015**

An Act to amend the Parliamentary Pensions Act, 2007, Act No. 6 of 2007 to make the Parliamentary pension scheme a body corporate with perpetual succession and a common seal; to provide for additional powers of the board of trustees; to change the pensionable period of service from five years to ten years; to change the duration for carrying out actuarial valuation from five years to three years; and to provide for payment of trivial pension and for other related matters.

DATE OF ASSENT:

Date of Commencement:

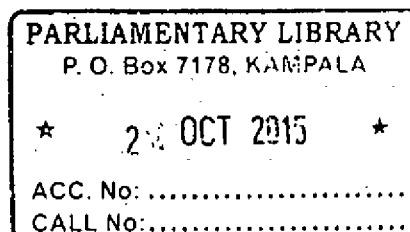
BE IT ENACTED by Parliament as follows:

1. Amendment of section 2 of the Parliamentary Pensions Act, 2007.

Section 2 of the Parliamentary Pensions Act, 2007 in this Act referred to as "the principal Act" is amended by—

(a) substituting the interpretation of the following words,

- (I) "actuary" means a person recognized as such by the Institute of Actuaries in England, the Faculty of Actuaries in Scotland, the Canadian Institute of Actuaries, the Society of Actuaries of the United



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~~States of America, the Institute of the Actuaries of Australia or a person holding such equivalent qualification as the Board of the Uganda Benefits Regulatory Authority may, by notice in the Gazette, prescribe”;~~

(II) “custodian” means a financial institution whose business includes taking responsibility for the safe custody of the funds, securities, financial instruments and documents of title of the assets of the scheme funds and licensed under the Uganda Retirement Benefits Regulatory Authority Act”;

(III) “retirement” to mean retirement as, or ceasing to be, a member after a period of ten continuous years of service as a member and on attainment of forty five years of age;

(b) inserting immediately before the interpretation of beneficiary the following—

“Authority” means the Uganda Retirement Benefits Regulatory Authority;

(c) deleting the interpretation of “disability”.

2. Amendment of section 4 of the principal Act.

Section 4 of the principal Act is amended—

by inserting immediately after subsection (2), the following—

“(3) The scheme shall be a body corporate with perpetual succession and a common seal and shall be capable of suing and being sued in its corporate name and shall do all such other things a body corporate may lawfully do”.

3. Amendment of section 7B of the principal Act.

Section 7B of the principal Act is amended by substituting for subsection (2), the following—

“(2) Notwithstanding section 7 and subsection (1), a prescribed proportion of the benefits accruing to a member may be assigned and used by the member to—

- (a) secure a mortgage or a loan from any institution on such terms as may be determined by the Board;
- (b) pay for medical treatment in respect of a member, or a pensioner on recommendation of the Uganda Medical Board.

(3) Notwithstanding any other laws, the funds of the scheme may be sent to members of the scheme on such terms as may be determined by the Board.”

4. Amendment of section 10A of the principal Act.

Section 10A of the principal Act is amended—

- (a) in paragraph (b) by deleting the word “and”; and
- (b) by inserting a new paragraph (d) as follows—

“(d) trivial pension”.

5. Amendment of section 12 of the principal Act.

Section 12 of the principal Act is amended—

- (a) by substituting for subsection (1), the following—

“(1) Pension shall be paid to a member who ceases to be a member on or after attaining forty five years of age, subject to service as a member for a continuous period of ten years or more”;

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- (b) in subsection (5) by substituting for the words “twenty five percent”, the words “thirty three and one third percent”.

6. Amendment of section 12A of the principal Act.

The principal Act is amended by repealing section 12A.

7. Amendment of section 13 of the principal Act.

Section 13 of the principal Act is amended—

- (a) by substituting for subsection (1) the following—

“(1) A member who ceases to be a member whose age is less than forty-five years, or who has had less than ten years of pensionable service, shall be entitled to a refund of his or her scheme credit”.

- (b) by substitute for (b) the following—

“by inserting the word “the Year” between the words ‘before’ and 2010.”

8. Amendment of section 14 of the principal Act.

Section 14 of the principal Act is amended by substituting for subsection (1) the following—

“(1) Notwithstanding the provision of subsection (1) of section 13, a member whose membership ceases before he or she attains the age of forty-five years, but whose pensionable service is ten years or more, may leave his or her contribution in the Scheme as deferred benefits until he or she attains the age of forty-five years”.

9. Amendment of section 15 of the principal Act.

Section 15 of the principal Act is amended by—

(a) substituting for paragraph (a) the following—

“(a) where the member has had ten years or more of pensionable service, a pension under section 12, notwithstanding that he or she has not attained the age of forty-five years; or”

(b) substituting for paragraph (b) the following—

“(b) where the member has less than ten years of pensionable service, a refund of the member’s contributions together with the contribution made by the Government on his or her behalf calculated with interest as may be determined by the board”.

10. Repeal of section 15A of the principal Act.

The principal Act is amended by repealing section 15A.

11. Amendment of section 18 of the principal Act.

Section 18 of the principal Act is amended—

(a) in subsection (1) by inserting immediately after paragraph (e), the following—

“(f) the Clerk to Parliament.”;

(b) by inserting a new subsection (1a) immediately after section 18(1) as follows—

“(1a) The members elected under Subsection 1(b), (d) and (e) shall have qualification or substantial experience in the field of finance, accounts, statistics, economics, actuarial science or law.”

(c) by substituting for subsection (4), the following—

“(4) The Clerk to Parliament shall be the secretary to the board and principal signatory to the scheme”;

12. Insertion of a new section 18A.

The principal Act is amended by inserting immediately after section 18 the following—

“18A. Powers of the board.

(1) Notwithstanding subsection 5 of section 18 and any other law, the board shall in addition and without prejudice to all powers conferred upon trustees by any other law, have the following powers—

- (a) to delegate any of its functions to any other person;
- (b) to raise or borrow any sum of money in such manner and upon such terms as the board may deem necessary;
- (c) to commence or carry on or defend proceedings relating to the scheme or the determination of any rights of the members and others therein;
- (d) to invest any monies forming part of the scheme as it deems fit;
- (e) to underwrite or sub-underwrite and enter into agreements for underwriting or sub-underwriting any investments or securities whether on issue or sale and whether jointly with other persons or not and to do all things incidental thereto;
- (f) to apply any monies forming part of the scheme in effecting or maintaining any insurance which in the opinion of the trustees is suited for the purpose of the scheme to vary the terms of surrender, sell or otherwise dispose of any insurance or exchange the same for a substituted insurance;

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- (g) to form subcommittees of the board as and when desired to execute certain duties;
- (h) to determine trivial pension on the advice of the actuary to be paid in lump sum; and
- (i) execute and do all such acts and things as the trustees may consider necessary or expedient for the maintenance and preservation of the scheme and of the rights of the members and others therein.

(2) Except as otherwise expressly provided in this Act, the board may carry out its functions notwithstanding any vacancy in its membership.”

13. Insertion of a new section 21A .

The principal Act is amended by inserting a new section 21A immediately after Section 21 of the Principal Act—

“21A. Section 21A Bi-annual reports to Parliament.

(1) The Board of Trustees shall at least once in every six months submit a report to Parliament on the performance of its functions.

(2) Parliament shall consider the report submitted under subsection (1).

14. Amendment of section 23 of the principal Act.

Section 23 of the principal Act is amended by substituting for subsection (1), the following—

“(1) The board shall at least once in every three years appoint a duly accredited actuary to review the performance and operations of the scheme and the fund and make appropriate recommendations to the board.”

15. Amendment of section 23A of the principal Act.

Section 23A of the principal Act is amended in subsection (1)(b), by substituting for the words “an arbitrator in accordance with the Arbitration and Conciliation Act” with the words “the Authority”.

16. Amendment of section 24 of the principal Act.

Section 24 of the principal Act is amended by substituting for subsection (3) the following—

“(3) A statutory instrument made under this section shall be laid before Parliament for information”.

17. Insertion of a new section 27.

The principal Act is amended by inserting immediately after section 26 the following—

“27. Transitional provision.

Notwithstanding section 18(7), the term of the current members of the board elected under section 18(1) (d) and (e) shall end on the 31st day of July 2017.

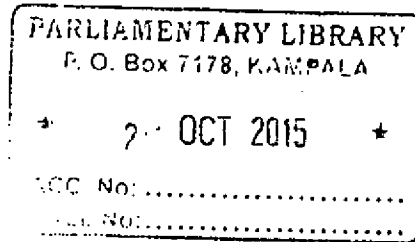
18. Amendment of Schedule 1.

In Schedule 1 of the principal Act, there is substituted for “Fr=75%” the following—

“Fr = 66 2/3%”.



THE REPUBLIC OF UGANDA



This printed impression has been carefully compared by me with the bill which was passed by Parliament and found by me to be a true copy of the bill.


.....
Clerk to Parliament

Date of authentication: 30th / 09 / 2015