

CHAPTER 295

THE ARMED FORCES PENSIONS ACT.

Arrangement of Sections.

Section

1. Power to make regulations for grant of pensions, etc.
2. Pensions, etc. not to be assignable.
3. Pension, etc. may be cancelled if not drawn for one year.
4. Pensions, etc. may be withheld or forfeited in certain cases.

CHAPTER 295

THE ARMED FORCES PENSIONS ACT.

Commencement: 3 September, 1939.

An Act to provide for the payment of pensions, gratuities and other allowances in respect of the death, disablement or sickness of members of the armed forces while serving in any unit raised in Uganda and residents of Uganda while serving in any other unit of such forces.

1. Power to make regulations for grant of pensions, etc.

(1) The President may make regulations prescribing the conditions under which and the manner in which pensions, gratuities or other allowances may be granted in respect of the death, disablement or sickness of any member of the armed forces serving or who has served in any of the forces raised under the authority of any law for the time being in force in Uganda, and in respect of the death, disablement or sickness of any member of the armed forces who is serving or has served in any of the forces raised otherwise than under the authority of any law for the time being in force in Uganda, if the member was at the date of joining those forces resident in Uganda.

(2) All regulations made under this Act shall have the same force and effect as if they had been enacted in this Act and shall be laid as soon as conveniently may be before Parliament; and if a resolution is passed within forty days of their being so laid before Parliament praying that any such regulation shall be revoked or amended, the regulation shall thenceforth be deemed to be revoked or amended, but without prejudice to anything done under it.

2. Pensions, etc. not to be assignable.

No pension, gratuity or other allowance granted under this Act shall be assignable or transferable, or liable to be attached, sequestered or levied upon for or in respect of any debt or claim, other than a debt due to the Government.

3. Pension, etc. may be cancelled if not drawn for one year.

(1) Where any person fails for a continuous period of not less than one year to draw any pension or other allowance granted to that person under this Act, the President may direct that the pension or allowance shall forthwith be cancelled and payment of any arrears withheld.

(2) The President may in any particular case direct that the award shall be restored and any arrears paid either in whole or in part.

4. Pensions, etc. may be withheld or forfeited in certain cases.

(1) Where any person to or in respect of whom a pension, gratuity or allowance may be or has been awarded under this Act (hereafter referred to as “the pensioner”)—

- (a) is serving a term of imprisonment or detention, or is detained in an approved school or a remand home under a sentence or order of any competent court, whether within or without Uganda, for any crime or offence;
- (b) is deported or removed from, is required to leave or is prohibited from entering Uganda, under any law for the time being in force, or is a person whose certificate of naturalisation has been revoked; or
- (c) being a person to or in respect of whom an award of a pension, gratuity or allowance may be or has been made because of the death of a member of the armed forces, is in the opinion of the President unworthy of a grant from public funds,

the President may withhold the pension, gratuity or allowance or, if it has been awarded, direct that it shall be forfeited as from such date, including any past date, as he or she may think fit; but the pension, gratuity or allowance shall be restored with retrospective effect in the case of a person who after conviction at any time receives a free pardon.

(2) The President may, at any time, and upon such terms and as from such date, including any past date, as he or she thinks fit—

- (a) restore, either in whole or in part, a pension, gratuity or allowance withheld or forfeited under this section;
- (b) where he or she has withheld a pension, gratuity or allowance or directed that a pension, gratuity or allowance be forfeited, on any of the grounds specified in subsection (1)(a), (b) or (c), direct that for such period as he or she may think fit the whole or any part of

the pension, gratuity or allowance be paid to or applied for the benefit of any wife or child of the pensioner in such manner as he or she may think proper.

History: Cap. 298.