

GOVERNMENT OF ZAMBIA

ACT

No. 40 of 1993

Date of Assent: 20th December, 1993

An Act to provide for the pension and other retirement benefits of former Presidents of the Republic of Zambia; and to provide for matters connected with or incidental to the foregoing.

[24th December, 1993

ENACTED by the Parliament of Zambia.

Enactment

1. This Act may be cited as the Benefits of Former Presidents Act, 1993.

Short title

2. In this Act, unless the context otherwise requires—

Interpretation

"President" means President of the Republic of Zambia; and

"repealed Act" means the State Leaders Retirement Benefits Act, 1990, or the Specified Offices (Terminal Benefits) Act, 1989.

Act No. 5 of 1990
Act No. 9 of 1989

3. This Act applies to all former Presidents, including those that ceased to hold office before the commencement of this Act.

Application

4. (1) Subject to the other provisions of this Act, a former President shall, upon ceasing to hold office, be entitled to—

Pension and other retirement benefits

(a) a tax free monthly pension at the rate of eighty per cent of the incumbent President's emoluments; and

(b) the benefits set out in the Schedule to this Act;

all of which shall be a charge on the general revenues of the Republic.

(2) The pension referred to in paragraph (a) of subsection (1) and item 10 of the Schedule shall be paid retrospectively.

Circum-
stances when
benefits not
payable

5. (1) The pension and other benefits conferred by this Act shall not be paid and shall not accrue during any period when a former President is in receipt of a salary from the State.

(2) A former President shall be disqualified from the pension and other benefits conferred by this Act—

(a) if he ceases to hold office on the ground of wilful violation of the Constitution or of misconduct; or

(b) if he is convicted of an offence and sentenced to imprisonment for a term exceeding six months;

and the National Assembly, on a motion supported by not less than two-thirds of the members of the Assembly, resolves that the former President shall not receive the whole or such part of the pension and other benefits as it may determine.

Death of
President

6. Where a former President who is entitled to the pension and other benefits conferred by this Act dies while in or after having left office, his spouse and any children of the family who have not attained the age of twenty-one years shall be entitled jointly to—

(a) a tax free monthly pension at the rate of fifty per cent of the incumbent President's emoluments; and

(b) the benefits set out in items 4, 5, 7, 8, 9, 10 and 11 of the Schedule.

Retirement
benefits not
payable
under
repealed Act

7. (1) Except as provided in subsection (2) of section *four*, no person shall be entitled to receive any pension or other retirement benefit under any repealed Act, whether he claimed for benefits before or after the commencement of this Act.

(2) Any person who has received a pension or any benefit under any repealed Act before the commencement of this Act shall refund to the Government such pension and surrender the benefit received or the monetary equivalent of such benefit within six months of the commencement of this Act.

(3) Where any proceedings to claim any pension or other benefit under any repealed Act have been instituted before the commencement of this Act, the court shall, on the application of the Attorney-General, forthwith dismiss the claim.

SCHEDULE
(Sections 4 and 6)

OTHER BENEFITS

1. An office.
 2. One personal secretary.
 3. Three security persons.
 4. Three cars, with free maintenance, and petrol entitlement to the extent determined by the Cabinet, but only one car for the surviving spouse.
 5. Three drivers, but only one for the surviving spouse.
 6. One Administrative Assistant, who shall be at the level of Deputy Permanent Secretary.
 7. Three house employees, which number may be increased by Cabinet.
 8. A diplomatic passport for the former President and his spouse.
 9. A house built at a place of the former President's choice at the expense of the State, which house shall be owned by him.
 10. Medical insurance for the former President and his spouse.
 11. In each year, one return air ticket for the former President and one for his spouse.
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