



THE REPUBLIC OF KENYA

LAWS OF KENYA

PENSIONS ACT

CHAPTER 189

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CHAPTER 189
PENSIONS ACT

[Date of assent: 13th June, 1950.]

[Date of commencement: Section 17 – 8th May, 1942
Remainder – 1st January, 1946.]

An Act of Parliament to provide for the grant and regulating of pensions, gratuities and other allowances in respect of the public service of officers under the Government of Kenya

[Act No. 31 of 1950, Act No. 2 of 1951, Act No. 54 of 1951, G.N. 844/1953; Act No. 45 of 1954, Act No. 65 of 1954, G.N. 241/1955, G.N. 1683/1955, Act No. 39 of 1956, L.N. 112/1956, L.N. 397/1956, L.N. 560/1956, Act No. 43 of 1958, L.N. 554/1958, L.N. 173/1960, Act No. 21 of 1961, L.N. 694/1961, Act No. 26 of 1962, Act No. 13 of 1963, L.N. 241/1963, L.N. 687/1963, L.N. 731/1963, L.N. 2/1964, L.N. 77/1964, L.N. 261/1964, Act No. 10 of 1965, Act No. 16 of 1966, Act No. 32 of 1966, L.N. 86/1966, L.N. 150/1966, Act No. 49 of 1968, L.N. 271/1968, L.N. 203/1969, Act No. 10 of 1979, L.N. 89/1978, Act No. 13 of 1980, L.N. 39/1982, Act No. 5 of 1983, Act No. 20 of 1985, Act No. 7 of 1990, L.N. 487/1994, Act No. 4 of 1999, Act No. 6 of 2003, Act No. 9 of 2007, Act No. 4 of 2018.]

1. Short title

This Act may be cited as the Pensions Act.

2. Interpretation

(1) In this Act, unless the context otherwise requires—

“**African District Council service**” means service before the 30th April, 1963 under an African District Council established under the African District Councils Act, 1950 (No. 12 of 1950 now repealed);

“**General Fund Services**” means services which were being administered by the East African Community on behalf of the Republic of Kenya, the United Republic of Tanzania and the Sovereign State of Uganda under the provisions of Article 43(2) of the Treaty for East African Co-operation, as listed in the Sixth Schedule to this Act;

“**local authority service**” means service on or after the 30th April, 1963 under a local authority established or deemed to have been established under the Local Government Act (Cap. 265);

“**Minister**” means the Cabinet Secretary responsible for matters relating to finance;

“**other public service**” means public service not under the Government;

“**Overseas Superannuation Scheme**” means the United Kingdom scheme to establish a fund to provide service pensions and gratuities and pensions to dependants on a contributory basis for overseas research and allied services;

“**pensionable emoluments**” means—

- (a) in respect of service under the Government after the 31st December, 1953, includes salary, inducement and overseas addition to salary and personal allowance, but does not include duty allowance, house allowance, entertainment allowance or any other emoluments whatever;