

GOVERNMENT OF ZAMBIA

# ACT

No. 20 of 1997

Date of Assent: 6th November, 1997

**An Act to provide for the granting of a pension and other retirement benefits to a Speaker of the National Assembly on ceasing to hold office.**

[14th November, 1997.]

ENACTED by the Parliament of Zambia.

Enactment

1. (1) This Act may be cited as the National Assembly Speaker's Retirement Benefits Act, 1997.

Short title and commencement

(2) Subject to section *three*, this Act shall be deemed to have come into operation on 24th October, 1964.

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

Interpretation

" active politics " means—

(a) the doing of any act indicating a person's intention to hold elective or appointive office; or

(b) the holding of elective or appointive office; in a political party or in an organisation whose main aim is the furtherance of political objectives;

" emoluments " means salary and allowances; and

" Speaker " means a person elected Speaker of the National Assembly under Article 69 of the Constitution.

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3. (1) Subject to the other provisions of this Act, a person who has served as Speaker for at least two terms of five years each, shall upon ceasing to hold office, be entitled to—

Pension and other retirement benefits

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

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

Provided that where a Speaker who is entitled to the benefits conferred by this Act dies while in or after having left office—

- (i) there shall not devolve upon the estate of that person the benefits specified under this section other than the house; and
- (ii) there shall devolve upon the estate of that person a lump sum payment which shall be based on an incumbent Speaker's annual emoluments multiplied by five.

(2) Where a person has served as Speaker for a period less than that specified in subclause (1) the person shall subject to section *four* be entitled to such emoluments and other benefits as the National Assembly shall resolve, on a motion supported by not less than two thirds of the members of the National Assembly.

(3) The pension and other benefits specified under this section shall be a charge on the general revenues of the Republic.

Circumstances when benefits not payable

4. (1) Any pension or benefits payable under this Act shall not be paid out to any person so entitled whilst such person is—

- (a) in receipt of a salary from the Government;
- (b) holding the office of Speaker; or
- (c) engaged in active politics;

but shall become payable upon such person ceasing to receive a salary from the Government, hold the office of Speaker or to engage in active politics.

(2) A person who has served as Speaker in accordance with section *three* shall be disqualified from receiving the pension and other retirement benefits conferred by this Act if—

- (a) the person ceases to hold office on the ground of wilful violation of the Constitution or misconduct in accordance with a resolution of the National Assembly; or
- (b) 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 National Assembly, resolve that the person shall not receive the whole or such part of the pension and other retirement benefits as it may determine.

