

The Laws of Zambia

REPUBLIC OF ZAMBIA

THE ZAMBIA NATIONAL PROVIDENT FUND ACT

CHAPTER 273 OF THE LAWS OF ZAMBIA

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CHAPTER 273

ZAMBIA NATIONAL PROVIDENT FUND

An Act to establish a National Provident Fund and to provide for its administration and for the payment of contributions into and benefit out of the Fund; and to provide for matters incidental thereto and connected therewith.

[10th January, 1966]

Acts No.
1 of 1966
51 of 1967
30 of 1968
15 of 1969
19 of 1973
29 of 1975
21 of 1979
13 of 1994
17 of 1994
Statutory Instrument
233 of 1966
337 of 1967

PART I

PRELIMINARY

1. This Act may be cited as the Zambia National Provident Fund Act.

Short title

2. (1) In this Act, unless the context otherwise requires-

"annuitant" means a person who is in receipt of an annuity;

"annuity" means a fixed sum of money payable by monthly instalments in arrear on such conditions as may be specified in the annuity agreement with the Director;

"benefit" means benefit payable under this Act;

"Board" means the Zambia National Provident Fund Board established under section *five*;

"casual employee" at any time means an employee other than a domestic servant engaged on a daily contract of service who at that time has been employed by his employer for a continuous period of less than one month:

Provided that the continuity of the employee's period of service shall not be deemed to have been broken by reason only that the employee was not employed on Sundays, public holidays or not more than five other days during the period of one month;

"contributing employer" means an employer who has become a contributing employer by virtue of the provisions of section *ten*, *eleven* or *twelve*;

"contribution" includes statutory contribution, domestic contribution, special contribution and supplementary contribution;

"contribution period" means, where wages are paid to an employee-

- (a) at intervals of more than a fortnight, the month during which wages are paid; or
- (b) at intervals of more than a week but not more than a fortnight, the fortnight ending with the last day of the week in which wages are paid; or
- (c) at intervals of a week or less, the week in which wages are paid;

"dependant" means one of the family of a Member who was wholly or in part dependent upon the earnings of that Member at the time of the Member's death or would, but for the illness of the Member, have been so dependent:

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Provided that a person shall not be deemed to be in part dependent upon the earnings of another person unless he was dependent partially on assistance from that other person for the provision of the ordinary necessities of life suitable for persons of his station;

"Director" means the Director of the Fund appointed under section *six*;

"domestic contribution" means the contribution payable under section *seventeen A*;

"domestic servant" means an employee gainfully employed in domestic duties in or about his employer's dwelling house, other than for the purpose of the employer's trade or business;

"eligible employee" means an eligible employee in terms of section *eleven, fourteen, seventeen A or twenty-four F*

"employee" means any person who-

- (a) is employed in Zambia under any contract of service or of apprenticeship with an employer, whether the contract is expressed or implied, is oral or in writing, and whether employed by way of manual labour, clerical work or otherwise; or
- (b) is ordinarily resident in Zambia and is employed outside Zambia under any such contract of service with an employer in Zambia by whom he is paid;

"employee's share" means the amount so designated by statutory order of the Minister;

"employer" means, subject to the provisions of sub-section (2), the person with whom an employee has entered into a contract of service or of apprenticeship and who is responsible for the payment of the wages of the employee;

"Fund" means the Zambia National Provident Fund;

"Investment Committee" means the Zambia National Provident Fund Investment Committee;

"Member" means a person eligible for registration as a Member of the Fund or for whom the Director is required to maintain an account in the Fund

"minor child" means a person who has not yet attained the age of twenty-one years;

"one of the family" means-

- (a) when used in relation to a person not generally subject to customary law, the wife, husband, father, mother, grandfather, grandmother, stepfather, stepmother, child, grandchild, brother, sister, half-brother or half-sister of such person; and
- (b) when used in relation to a person generally subject to customary law, any one of such persons as are recognised under customary law as comprising his family;

"paid" means paid in money or money's worth and, where it has reference to a date of payment, means the date on which the payment was made in cash or, as the case may be, the bill of exchange or promissory note was met;

"Reserve Account" means the Reserve Account of the Fund;

"special contribution" means the special contribution payable under section *seventeen*;

"statutory contribution", in relation to any employee, means the amount so designated by statutory order of the Minister;

"supplementary contribution" is the supplementary contribution payable under section *nineteen*;

(2) Where a person enters into a contract whereby some other person is to provide employees for any lawful purpose of the first-mentioned person and it is not clear from the contract which of the two persons is the employer, then, unless the Board otherwise requires, the first-mentioned person shall be deemed, for the purpose of this Act, to be the employer of those employees.

(As amended by Act No. 51 of 1967 and 19 of 1973 and 29 of 1975)

3. For the purposes of this Act-

(a) the date of birth of any person registered under the National Registration Act shall be determined by reference to his particulars recorded under that Act and, where no date of birth has been so recorded in respect of the said person, he shall, in the absence of evidence to the contrary, be deemed to have been born on the first day of the apparent month of birth so recorded, or on the 1st January in the apparent year of birth so recorded, as the case may be; and

National registration particulars.
Cap. 126

(b) a national registration card issued in accordance with the provisions of the National Registration Act shall, in the absence of evidence to the contrary, be accepted as proof of the correctness of the particulars recorded thereon.

Cap. 126

PART II

ZAMBIA NATIONAL PROVIDENT FUND

4. (1) There is hereby established the Zambia National Provident Fund into which shall be paid all contributions and other moneys required or permitted by or under this Act to be so paid.

Zambia National Provident Fund established

(2) There may from time to time be paid out of the Fund such benefits and other payments, including payments in respect of the expenses of administration, as are authorised by or under this Act.

5. (1) There is hereby established a Board to be called the Zambia National Provident Fund Board in which the Fund shall be vested and which shall, subject to the provisions of this Act, be responsible for administering the Fund and advising the Minister on any matters in connection therewith, and the provisions of the First Schedule shall have effect as respects the constitution of the Board and its proceedings.

Establishment of the Board

(2) The Board shall be a body corporate with perpetual succession and a common seal and shall, in its corporate name, be capable of suing and being sued and, subject to the provisions of this Act, of purchasing or otherwise acquiring, holding, charging and alienating real or personal property, and of doing or performing such acts or things as bodies corporate may by law do or perform.

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(3) The Board may appoint, on such terms and conditions as it sees fit, such persons as are in its opinion necessary for the administration of the Fund.

(4) The Board shall render annual reports to the Minister; and the Minister shall, as soon as may be after the receipt of any such report, lay a copy thereof before the National Assembly:

Provided that the first report to be rendered under this sub-section may cover such period ending not later than two years after the commencement of this Act as the Board, with the approval of the Minister, may determine.

(As amended by Act No. 19 of 1973)

5A. The Board may guarantee loans made to employees of the Fund to assist them to acquire housing accommodation. Guaranteeing of loans

(As amended by Act No 21 of 1979)

6. (1) There shall be a Director of the Fund who shall be appointed by the Minister on such terms and conditions of service as may be determined by the Board and whose remuneration shall be paid from the Fund. The Director

(2) The Director shall be the chief executive officer of the Fund and shall, subject to the provisions of this Act and to the general directions of the Board, be responsible for the direction of persons appointed by the Board under this Act and for the management of the Fund and in particular-

- (a) for the assessment of contributions and payments under this Act, for their collection, and for their payment into the Fund;
- (b) for the payment out of the Fund of benefits and claims under this Act and of the expenditure necessary for the administration of the Fund;
- (c) for the investment of surplus funds from time to time; and
- (d) for accounting for all moneys received, paid out or invested under this Act.

(3) The Director may, in writing and subject to the general or special directions of the Board and such restrictions, reservations, exceptions and conditions as he may think fit, delegate to any person employed by the Board any of the powers or functions conferred upon him by or under this Act:

Provided that the Director may at any time in writing vary and revoke any delegation under this section and such delegation, while in force, shall not prevent the exercise by the Director of the powers delegated.

(As amended by Act No. 19 of 1973)

7. (1) The Board may at any time nominate as the deputy to the Director any person appointed by it for the administration of the Fund. Deputy to the Director

(2) On the occurrence from any cause of a vacancy in the office of Director (whether by reason of death, resignation or otherwise) and in the case of illness, absence or temporary incapacity of the Director (from whatever cause arising), and so long as such vacancy, illness, absence or temporary incapacity continues, the deputy shall have and may exercise all the powers, duties and functions of the Director.

(As amended by Act No. 19 of 1973)

8. The Director may, with the approval of the Board and the Minister, enter into arrangement with any person responsible for any savings, social security or pension scheme under which any of the functions of that person which are specified in the arrangement being functions in relation to the receipt and disbursement of contribution, assessment or payment due to or by that person may be carried out by the Director as the agent of that person. Arrangement with persons responsible for any savings, social security or pension scheme

(As amended by Act No. 19 of 1973)

9. (1) The Board may from time to time appoint persons to be inspectors for the purposes of this Act. Inspectors

(2) The Board shall provide every inspector with a certificate of his appointment, and an inspector, if in the course of his duty so required by any person, shall produce the certificate to such person.

(3) An inspector appointed under this Act shall for the purposes of this Act have power-

- (a) at all reasonable times to enter any premises or place where he has reasonable cause to believe persons are being employed in respect of whom contributions are payable under this Act, and there to make any examination or inquiry which he considers necessary to satisfy himself that the provisions of this Act are being complied with, and in particular may interrogate, either alone or in the presence of witnesses, any employer or employee on any matter concerning the application of any of the provisions of this Act, and may question any other person from whom he considers useful information may be obtained so, however, that no one shall be required to answer any question tending to incriminate himself; and

- (b) to require the production for examination of any book, register, account, receipt or other document relating to contributions or to liability to register or to contribute under this Act and may copy such document or make extracts therefrom.

(4) An inspector shall, on the occasion of any inspection or visit, notify the employer or his representative of his presence unless the inspection or visit is made in relation to premises not used as a private dwelling-house and it is considered by the inspector that such notification may be prejudicial to the performance of his duties for the time being.

PART III

CONTRIBUTING EMPLOYERS AND ELIGIBLE EMPLOYEES

10. (1) Subject to the provisions of this Act, every employer other than an employer of a domestic servant shall within one month register under this section in the prescribed manner. Registration of employers

(2) The Minister may by Statutory Order exempt any category of employers from the requirements of sub-section (1).

(3) In addition to any other categories of employers which may be exempted under sub-section (2), the Minister may exempt such categories by reference to the number of employees in the service of an employer.

(4) The period of one month mentioned in sub-section (1) shall in every case begin upon the commencement of this Act or the date when the person concerned becomes an employer in respect of whom no exemption under sub-section (2) is in force, whichever is the later.

(5) Upon the first day of the month following the month in which the period mentioned in sub-section (1) expires, the employer to whose registration that period relates shall be a contributing employer for the purposes of this Act:

Provided that the *(1)Minister may, for the purpose of the initial registration of any category of employers, by statutory order declare that that category of employers shall not be contributing employers until the expiry of such further period as the order may specify.

* See S.I. Nos. 233 of 1966 and 337 of 1967.

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11. (1) The President may, by Order, direct that any holder of a parliamentary or ministerial office under the provisions of the Ministerial and Parliamentary Offices (Emoluments) Act, and of any office constituted by him under the provisions of the Constitution, not being an office in the public service, shall, for the purposes of this Act, be deemed to be an eligible employee.

Eligible employees by
Order of the President.
Cap. 1

(2) The President shall, in such Order, designate the person who shall be liable to make contributions to the Fund in respect of the holders of offices listed in the Order, and such person shall be deemed to be an employer for the purposes of section *ten*.

*See S.I. Nos. 233 of 1966 and 337 of 1967.

(3) Any order made by the President under the provisions of sub-section (1) shall state the date when the person appointed under the provisions of sub-section (2) becomes a contributing employer for the purposes of section *ten*.

12. (1) A religious organisation which desires to make statutory contributions in respect of any minister of religion may apply to the Board in the prescribed manner to register under this section.

Religious
organisations

(2) If the Board approves an application under sub-section (1), it shall cause the religious organisation to be registered as an employer for the purposes of this Act and shall notify the organisation of such registration.

(3) A religious organisation registered under sub-section (2) shall notify the Director of the prescribed particulars of any minister of religion in respect of whom it wishes to make statutory contributions and shall become a contributing employer in relation to that minister of religion on the first day of the month following the month in which notification is made under this sub-section; and thereafter the minister of religion shall for the purposes of this Act be deemed to be an eligible employee.

(As amended by Act No. 19 of 1973)

13. (1) A contributing employer who ceases to be an employer of one or more eligible employees shall thereupon cease to be a contributing employer.

Contributing
employers to remain
contributing employers

(2) Save as in sub-section (1) provided, a contributing employer shall not cease to be a contributing employer.

14. (1) Any employee who does not belong to a category-

Eligible employees

(a) set out in the Second Schedule; or

(b) described in any order made by the Minister under sub-section (2); shall be an eligible employee and eligible to receive to the credit of an account in his name in the Fund a statutory contribution made by his employer.

(2) In addition to the categories set out in the Second Schedule, the Minister may by statutory order declare any category of employees not to be eligible employees.

(3) The Minister may by statutory order declare any category of casual employees to be eligible employees and, while a casual employee belongs to that category, he shall be an eligible employee.

(As amended by Act No. 19 of 1973)

15. Any employer who registers or is registered under the provisions of section *ten* or *eleven* shall without delay notify the Director, in relation to every person who is or who subsequently becomes an eligible employee in his service, of such particulars as may be prescribed.

Registered employers to notify the Director of all eligible employees

(As amended by Act No. 19 of 1973)

PART IV

CONTRIBUTIONS AND PAYMENTS TO THE FUND

16. (1) The Minister shall, after consultation with the Minister responsible for finance, by statutory order, prescribe the level of wages on which statutory contributions to the Fund shall be payable by a contributing employer.

Statutory contributions

(2) Subject to the provisions of this Part, a contributing employer shall, for every contribution period after the date when he became a contributing employer, pay into the Fund the statutory contribution in respect of each eligible employee other than domestic servant employed by him during that period:

Provided that no contribution shall be paid under this section in respect of an employee who dies during the contribution period unless the employer deducts the employee's share of the contribution from the wages payable in respect of any part of such period to the estate of the deceased employee.

(3) Every contribution due under this section shall be paid to the Fund within one month after the end of the month in which the last day of the relevant contribution period falls, and shall be credited to the account of the person in respect of whom it is paid.

(As amended by Act No. 19 of 1973)

16A. The Minister may after consultation with the Minister responsible for finance, by statutory instrument make regulations prescribing the statutory contribution which a contributing employer shall be required to pay into the Fund for every eligible employee employed by him during any contribution period:

Minister to prescribe
statutory contribution

Provided that such statutory contribution shall not exceed fifteen ngwee, and the employee's share of such contribution shall not exceed seven ngwee, for every complete kwacha of wages.

(As amended by Act No. 19 of 1973)

17. (1) Every contributing employer other than an employer of a domestic servant in a private dwelling house shall, for every month during which he employs one or more casual employees, pay into the Fund a special contribution, being fifteen ngwee for every complete two kwacha of the total wages paid to such casual employee or employees during the month:

Special contributions

Provided that no contribution shall be payable under this section in respect of any casual employee who belongs to a category of employees declared under sub-section (3) of section *fourteen* to be eligible employees.

(2) Each special contribution under this section shall be paid to the Fund within one month after the end of the month to which it refers, and shall be credited in full to the Reserve Account, notwithstanding that any casual employee in respect of whose employment it is paid is a Member.

17A. (1) Every employer of a domestic servant required to pay a domestic contribution under the provisions of this Act, shall, for every month during which he employs such domestic servant in his private dwelling house for a period exceeding thirteen days (including Sundays and Public Holidays) pay into the Fund such domestic contribution as may be prescribed by the Minister.

Domestic contribution

(2) Every contribution due under this section shall be paid into the Fund within one month after the end of the month in which the last day of the relevant contribution period falls, and shall be credited to the account of the person in respect of whom it is paid.

(3) A domestic contribution shall be deemed to have been paid into the Fund when a contribution stamp is purchased from a Post Office or such other place as the Director may designate and affixed to a contribution card in accordance with this section.

(4) The Director shall make available, without charge, contribution cards and records of employment relating to domestic servants which shall be current for such period as he may think fit, and shall be, and shall remain, the property of the Board.

(5) The Director may, with the approval of the Board and of the Minister enter into arrangements with the Minister responsible for the administration of the Postal Services Act under which domestic contribution stamps supplied by the Board shall be put on sale at Post Offices.

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(6) The proceeds of the sale of domestic contribution stamps shall be paid into the Fund at such intervals and in such manner as may be arranged between the Postmaster-General and the Director.

(7) Every domestic contribution represented by a contribution stamp on a contribution card received by the Director shall be credited to an account in the Fund maintained under the name and membership number of the employee in respect of whom it is paid, and if no such account exists, one shall be opened by the Director in accordance with the information stated on the contribution card.

(As amended by Act No. 19 of 1973)

18. (1) The Minister shall by statutory order prescribe the employee's share of any statutory contribution.

Employee's share

(2) A contributing employer who is liable to make or who has made a statutory contribution or domestic contribution in respect of an employee may deduct the employee's share of that contribution from the wages due from him to that employee in respect of the contribution period to which that statutory contribution or domestic contribution relates, but not otherwise.

(3) Where an employer deducts the employee's share of a statutory contribution or domestic contribution from an employee's wages under this section in advance of the payment of that contribution to the Fund, the employer shall, until he makes such payment, hold that share in trust for the employee.

(4) Where the Board is satisfied that the employer has deducted the employee's share of a statutory contribution or domestic contribution from an employee's wages but has failed to pay the statutory contribution or domestic contribution, or the employee's share thereof, to the Fund, the Board may, whether or not that contribution or share is recovered from the employer, direct that the amount of the employee's share be credited to the employee's account in the Fund and the cost thereof be charged to the general revenue of the Fund.

(As amended by Act No. 19 of 1973)

19. (1) Subject to the provisions of this section and in addition to any contributions payable by a contributing employer under the provisions of sections *eleven, sixteen, seventeen* and *seventeen A*, he may make monthly supplementary contributions to the Fund in respect of any part or the whole of any wages paid to an eligible employee for the purpose of providing his eligible employee with an improved benefit or purchasing an annuity at a selected age of fifty years, fifty-five years or sixty years:

Supplementary contributions by employers

Provided that the supplementary contribution is not less than five per centum of the employee's wages on which the supplementary contribution is assessed.

(2) An employer making any contribution in accordance with the provisions of sub-section (1) shall furnish such information as to the identity of the employee in respect of whom the contribution is made as the Director may require.

(Act No. 51 of 1967 as amended by Act No. 30 of 1968 and 19 of 1973)

20. An employer, including an employer of a domestic servant, may at any time pay into the Fund a capital sum for the purpose of providing a benefit or purchasing an annuity for his employee or former employee eligible for membership of the Fund or a dependent of such employee or former employee, and if such person is not a Member of the Fund, the Director shall cause an account to be opened in the name of that person for the said purpose, and administer it in accordance with any conditions agreed to by the employer and the Director.

Capital sum payment
by employer

(As amended by Act No. 19 of 1973)

21. (1) A Member who is not employed by an employer liable to make a statutory contribution or a domestic contribution in respect of him may apply in writing to the Director for authority to contribute to the Fund on his own behalf.

Member contributing
on his own behalf

(2) If the Director approves the application, the Member may make consecutive monthly payments to the Fund, each payment to be not less than his share of the contribution last paid by an employer in relation to him, and every such payment shall be credited to the amount of the Member making it.

(3) Where a Member who is authorised to make payments under this section enters the employment of an employer who is liable to make a statutory contribution or a domestic contribution in respect of him, the Member shall inform the Director forthwith and cease to be so authorised.

(As amended by Act No. 19 of 1973)

22. (1) Every contribution due to the Fund shall be a civil debt due to the Board.

Recovery of
contributions from
employers and penalty

(2) If any contribution for which a contributing employer is liable is not paid within the time specified in sections *sixteen* and *seventeen*, a sum equal to five per centum of the amount unpaid shall be added to the contribution for each month or part of a month during which the contribution remains unpaid after the date by which payment was due, unless the Director is satisfied that the employer has not omitted to take all reasonable action to ensure payment within the time specified by this Act, and any such additional amount shall be recoverable as a civil debt due to the Board as if it were a contribution:

Provided that the Board may, if it thinks fit, remit in whole or in part any penalty imposed by this sub-section.

(3) If any domestic contribution for which an employer is liable is not paid within the time specified in section *seventeen A*, a penalty of fifteen ngwee shall be levied for each month for which the domestic contribution is payable but no stamp has been affixed to the contribution card; and such additional amount shall be recoverable as a civil debt due to the Board as if it were a contribution.

(As amended by Act No. 51 of 1967 and 19 of 1973)

23. The Director shall establish and maintain for every eligible employee in respect of whom a contribution, other than a special contribution, has been made under this Act- Members' accounts

- (a) a main account to which shall be credited all contributions payable by an employer under the provisions of section *eleven, sixteen or seventeen A* and to which shall be charged any benefit granted or refund made in respect of that employee;
- (b) a savings account to which supplementary contributions, other than contributions for the purpose of purchasing an annuity, made by an employer under the provisions of section *nineteen* shall be credited and to which shall be charged any benefit granted or refund made in respect of that employee; and
- (c) an annuity purchase account for each age selected by his employer or former employer in terms of sub-section (1) of section *nineteen* to which shall be credited supplementary contributions identified for the purpose of purchasing an annuity:

Provided that, if it is not possible to purchase an annuity in terms of the regulations made by the Minister under section *forty-four*, the amount which would have been used to purchase an annuity shall be transferred to his main account.

(As amended by Act No. 19 of 1973)

24. The sum standing to the credit of a Member's account in the Fund shall, until paid out in accordance with the provisions of this Act, remain the property of the Board and shall not form part of the assets of a Member in the event of his bankruptcy or insolvency, or be liable to attachment in satisfaction of his debts; and any security, pledge or assignment given before or after the commencement of this Act which purports to include any such sum or part thereof shall to that extent be void. Protection of
Members' accounts

PART V

DOMESTIC SERVANTS

24A. (1) Subject to the provisions of this Act, every domestic servant employed in a private dwelling house in a municipality or a township and eligible for membership of the Fund shall within one month be registered with the Fund under this section in the prescribed manner, and every employer of a domestic servant shall ensure that any person gainfully employed by him on domestic duties in his private dwelling house has registered with the Fund and obtained a membership card or a provisional registration card as evidence of his registration as a Member of the Fund.

Registration of domestic servants

(2) Every employer of a domestic servant required to register under the provisions of sub-section (1) shall maintain such records as may be prescribed.

(As amended by act No. 19 of 1973)

24B. Every domestic servant to whom the provisions of section *twenty-four A* apply shall, within one month of his commencing employment or the coming into force of this section, register with the Fund.

Membership card

(As amended by act No. 19 of 1973)

24C. (1) An employer of a domestic servant shall, for every contribution period during which he employs a domestic servant, pay to the Fund the domestic contribution required by section *seventeen A* and any statutory order of the Minister.

Payment of domestic contribution

(2) Every contribution due under this section shall be paid by purchasing from a Post Office or such other place as the Director may designate a contribution stamp of such value as the Minister may by statutory order determine, and affixing such stamp to the domestic servant's contribution card.

(3) Every contribution due under this section shall be deemed to have been paid to the Fund when the employer has affixed the contribution stamp to the contribution card.

(As amended by act No. 19 of 1973)

24D. An employer of a domestic servant who is liable to make, or who has made, a domestic contribution in respect of such servant, may deduct the employee's share of that contribution from the wages due from him to that domestic servant in respect of the contribution period to which that contribution relates, but not otherwise.

Employee's share

(As amended by act No. 19 of 1973)

24E. The Minister shall by statutory order prescribe the employee's share of a domestic contribution.

Employee's share of domestic contribution

(As amended by act No. 19 of 1973)

24F. Notwithstanding anything contained in this Act, the employer of a domestic servant employed in a dwelling house situated in an area other than a township or a municipality may apply to the Director for his domestic servant to be a Member of the Fund and to pay the domestic contributions in respect of him, and the Director shall thereupon cause an account to be opened in the name of such employee and thereupon the domestic servant shall be deemed to be an eligible employee.

Voluntary registration
of employee

(As amended by act No. 19 of 1973)

PART VI

BENEFIT

25. Benefit payable under this Part shall in amount be the sum standing to the credit of the Member concerned in the Fund, including accrued interest, at the date of payment.

Amount of benefit

26. (1) The Minister shall, not later than five years after the commencement of this Act and at least once during the course of each five years thereafter, cause an actuary to review the operation of this Act and to make a report. The Minister shall lay before the National Assembly a copy of every such report, together with his observations on any recommendations contained therein.

Actuarial reports on
Fund and method of
payment of benefit

(2) The Board may, at any time, cause an actuary to make a report to the Board on the extent to which and the conditions under which benefit, other than benefit payable on emigration, may be converted into and paid in the form of an annuity. The Board may thereupon submit to the Minister a copy of any such report, together with its observations on any recommendations contained therein and, if the Minister is satisfied that it is expedient to do so, he may, by statutory instrument, make regulations to enable the Director to convert a Member's benefit into an annuity if the Member irrevocably exercises an option to acquire an immediate or deferred annuity in lieu of benefit to which he may be entitled.

(3) Benefit from a main account shall be paid in one amount or in instalments at the discretion of the Board in any particular case or class of case or may, by agreement with the Director, be converted into an annuity.

(4) Subject to the provisions of sub-section (5), benefit from a savings account may be claimed by a Member on leaving his employer's service and by agreement with the Director, may be paid in one amount or by instalments, or may be converted into an annuity:

Provided that a Member need not, on such claim, withdraw or utilise his total credit in the Fund but may, by agreement with the Director, withdraw or utilise a proportion of such credit.

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(5) The Minister may, by regulations, at any time approve one payment of a benefit not exceeding forty per centum of any capital sum paid into the Fund by an employer on behalf of his employee or former employee under the provisions of section *twenty*, where such capital sum represents such person's accrued credits in the employer's private pension or provident scheme.

(Act No. 51 of 1967 as amended by Act No. 15 of 1969 and 19 of 1973)

27. (1) The Minister may, by statutory order, make regulations prescribing the ages at which a Member is eligible to claim retirement benefit and age benefit: Benefit payable on age qualification

Provided that the Minister may prescribe different ages for different classes of Members.

(2) A retirement benefit may be claimed by a Member on satisfying the Director that he has attained the age prescribed by the Minister under the provisions of sub-section (1) and that he intends to be self-employed or to retire from regular paid employment under a contract of service.

(3) An age benefit may be claimed by a Member, whether or not he has retired from employment under a contract of service, on satisfying the Director that he has attained the age prescribed by the Minister under the provisions of sub-section (1).

(4) A person who has received benefit under this section shall not be entitled to a further payment of benefit there-under until the expiry of a period of two years from the date on which benefit on the grounds of age was last paid or, in the case where the benefit is paid in instalments, from the date when the first such instalment was paid.

(As amended by Act No. 19 of 1973)

28. (1) Subject to the provisions of this section, benefit in relation to a Member shall be payable on that Member's death. Benefit payable on death

(2) A Member may at any time, by notice in writing delivered to the Director, nominate any members of his family to receive such proportions of the benefit payable on his death as he may specify.

(3) A nomination made under sub-section (2) or the marriage of a Member shall be deemed to revoke any prior nomination made by the Member under that sub-section.

(4) On the death of a Member, the benefit in relation to that Member shall not be a part of the estate of that Member but shall be paid to any person nominated by the Member under sub-section (2):

Provided that where such person is found to have died or cannot, with the exercise of due diligence, be found within a period of three months from the date when the death of the Member is notified to the Director, the nomination shall be deemed to have ceased to be effective immediately prior to the death of the Member.

(5) Where, on the death of a Member, there exists or remains no effective nomination under sub-section (2), the Director shall, after such inquiry and upon such evidence as he may think fit-

- (a) pay the benefit to any widow or widower of the Member with whom at the time of the Member's death the Member was cohabiting; or
- (b) if no person satisfies the conditions of paragraph (a), pay the benefit in such proportions as he may think fit to any persons who were dependants of the Member:

Provided that where any such dependant is a minor child, payment may be made to his guardian for use on his behalf; or

- (c) in any other case, hold the benefit in trust for any persons subsequently found to be eligible under this sub-section to receive it.

(6) Benefit which is held in trust in accordance with paragraph (c) of sub-section (5) and which remains unpaid on the expiry of a period of five years from the Member's death shall be paid into the Reserve Account.

(7) No action or claim shall lie against the Director or the Fund in respect of any benefit paid in accordance with the provisions of sub-section (5).

(As amended by Act No. 19 of 1973)

29. Benefit shall be payable to a Member who is subject to mental or physical disability to an extent which, in the opinion of the Director, renders him unfit for employment of a regular nature.

Benefit payable on disability

(As amended by Act No. 19 of 1973)

30. Benefit shall be payable to a Member who satisfies the Director that he is about to emigrate or has already emigrated from Zambia and has no present intention of returning to Zambia:

Benefit payable on emigration

Provided that no benefit shall be payable under this section in the case where the emigration is to a country with which there is in force a reciprocal agreement made in pursuance of section *forty-five*.

30A. (1) The Minister may, by statutory order, prescribe the extent to which a benefit shall be payable from a Member's account where he proves to the satisfaction of the Director that he intends to acquire or build a dwelling house for his own occupation in a township or municipality.

Benefit payable for home ownership

(2) A benefit paid under the provisions of sub-section (1) shall be payable at the Member's direction as follows:

- (a) to the Zambia National Building Society;
- (b) to the township council or municipal council in whose area the dwelling house is situated or is to be erected;
- (c) to the vendor of the dwelling house; or
- (d) to a contractor engaged to build a dwelling house.

(3) The benefit payable under this section shall be such proportion of the Member's credit in the Fund as the Minister shall, by statutory order, prescribe, excluding the twenty-four contributions last credited to his account by a contributing employer.

(4) A benefit under the provisions of this section may be claimed once only, unless the Member has repaid in full to the Fund any earlier benefit paid on his behalf under the provisions of this section, and accordingly, notwithstanding any other provisions in this Act, the Director is authorised to receive a repayment of any benefit claimed under this section.

(As amended by Act No. 19 of 1973)

PART VII

FINANCIAL

31. (1) The Board shall cause to be kept proper books of account, and other books and records in relation thereto, in which shall be recorded all the financial transactions of the Fund.

Accounts and audit

(2) The financial year of the Board shall be from the 1st April in any one year to the 31st March in the following year.

(3) The accounts of the Fund shall be audited by such person as the Board, with the approval of the Minister, may appoint.

(4) Such auditor as the Minister responsible for finance may appoint shall at all times have the right to inspect the accounts of the Fund on behalf of that Minister.

(5) The Minister shall, as soon as possible after the completion and auditing of the balance sheet and statements of the transactions of the Fund under this Act, lay copies thereof before the National Assembly.

(As amended by Act No. 51 of 1967)

32. (1) There shall be for the purposes of this Act a committee to be known as the Investment Committee
Zambia National Provident Fund Investment Committee, which shall consist of four members appointed by the Minister.

(2) The membership of the Investment Committee shall comprise-

- (a) one member nominated by the President;
- (b) one member nominated by the Minister responsible for finance;
- (c) three members nominated by the Minister responsible for labour, one of whom being a public officer, one representing employers' associations and one representing employees' associations;
- (d) one member nominated by the Board of Directors of the Bank of Zambia; and
- (e) the Director.

(3) Subject to the provisions of this Act, the Investment Committee may appoint a Chairman from among its members and may regulate the procedure at its meetings.

(4) The Investment Committee shall meet at such times as the Chairman may appoint.

(5) The Investment Committee shall have power to give general or special directions from time to time on the investment of moneys in the Fund which are surplus to current needs; and the Director shall give the Investment Committee any information required for the proper discharge of its function.

(As amended by Acts No. 19 of 1973 and 29 of 1975)

33. Investment of moneys in the Fund not otherwise required shall be made by the Director in accordance with the directions of the Investment Committee. Investment of moneys

(As amended by Act No. 19 of 1973)

34. (1) There shall be a Reserve Account of the Zambia National Provident Fund into which shall be paid- Reserve Account

(a) all fines and penalties authorised by or under this Act; and

(b) any other monies authorised to be so paid under this Act.

(2) Income from the investment of monies in the Reserve Account shall be dealt with as general income of the Fund.

(3) There shall be paid to the Reserve Account any part of the general income of the Fund for any financial year remaining after any allocation for that year in accordance with the provisions of section *thirty-five* to individual accounts and any allocation special reserves created by the Board to provide for-

(a) payments to be made to Members claiming benefit where the Board is satisfied that deductions were made from the wages of a Member but not paid over to the Fund by an employer who was liable to pay the statutory or domestic contribution;

(b) payments to be made to a Member claiming benefit where the Board is satisfied that a benefit has not been received by the Member due to misappropriation, theft or personation of such Member;

(c) the equalisation of interest credits to Members;

(d) grants to be paid to female Members of the Fund on confinement;

(e) grants to be paid towards the funeral expenses of deceased Members;

(f) such additional benefits for the Members as may be approved by the Minister; and

(g) any contingencies deemed expedient by the Board.

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(4) The Board may, subject to the general or special directions of the Minister, authorise the expenditure of moneys in the Reserve Account for the promotion, establishment and support of any organisation or scheme the objects of which consist of or include the maintenance of aged and indigent persons.

(As amended by Act No. 19 of 1973)

35. (1) Subject to the provisions of this section, the Board shall, before the commencement of a financial year, fix the rate of interest to be paid on the accounts of Members during the financial year.

Interest on accounts

(2) In determining the rate of interest the Board shall have regard to the estimated net income of the Fund for the financial year after allowing for such expenses of administration and appropriations to the Reserve Account as shall have properly been made under this Act.

(3) The interest due to any Member shall be calculated on the balance standing to the credit of his account at the end of the month prior to payment of a benefit.

(As amended by Act No. 19 of 1973)

36. Moneys paid to the Fund in excess of the amount for which an employer is liable in respect of an employee may be refunded to the employer, or to the employee, or to both, as the case may be, in such manner as the Director may approve in each case.

Refund of excess contributions

PART VIII

LEGAL

37. (1) Any person who-

Criminal proceedings

- (a) for the purpose of evading payment of any contribution by him or some other person knowingly makes any false statement or representation;
- (b) for the purpose of obtaining any payment or other benefit under the Act for himself or some other person-
 - (i) knowingly makes a false statement or representation; or
 - (ii) knowingly produces or furnishes or causes to be produced or furnished any document or information which is false in any material particular;
- (c) being required to register under section *ten*, fails to do so within the period specified therein;

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- (d) fails to ensure that any person gainfully employed by him on domestic duties in his dwelling house has, in accordance with the provisions of sub-section (1) of section *twenty-four A*, registered with the Fund and obtained a membership card or a provisional registration card;
- (e) being the employer of a domestic servant fails to maintain any records prescribed under sub-section (2) of section *twenty-four A*;
- (f) being required under this Act to furnish any information, without lawful excuse, fails to disclose that information or furnishes information which is false;
- (g) fails to pay to the Fund within the period specified in section *sixteen* or *seventeen* or *seventeen A* any contribution which he is liable to pay under this Act;
- (h) obstructs any inspector, officer or servant of the Fund in the discharge of his duties;
- (i) without lawful excuse, fails to produce documents which he is required to produce under this Act; or
- (j) knowingly deducts from an employee's wages any amount by way of the employee's share which is in excess of the amount due to be deducted under this Act;

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding three thousand penalty units or to imprisonment for a term not exceeding three months.

(2) In any court proceedings under sub-section (1) with respect to used domestic contribution stamps, a stamp shall be deemed to have been used if it has been affixed to a contribution card or cancelled or defaced in any way whatsoever, and whether it has actually been used for the purpose of paying a contribution or not and unless it is proved to the contrary, the evidence that a stamp has been affixed to any material shall be deemed to be sufficient evidence for the purpose of proving that the stamp was affixed to a contribution card.

(3) The court before which any person is convicted of an offence under this Act may, without prejudice to any civil remedy, order that person to pay to the Fund the amount of any contributions, together with any interest or penalty thereon, certified to be due from that person to the Fund at the date of conviction; and such amount shall be recovered in the same manner as a fine and shall be paid into the Fund for the credit, where applicable, of the accounts of the employees concerned.

(4) Proceedings in respect of any offence under this Act may be commenced at any time within the period of twelve months after the commission of the offence has been brought to the notice of the Director.

(As amended by Act No. 19 of 1973, 29 of 1975
and Act No. 13 of 1994)

38. Any action for the recovery of contributions and any criminal proceedings under section *thirty-seven* may be instituted by the Director. Institution of legal proceedings

(As amended by Act No. 19 of 1973)

38A. In the event of an employer becoming bankrupt or, if the employer is a company, in the event of the company having commenced to be wound up, the amount of any contribution, penalty or other payment due to the Fund in respect of any employee by such employer- Priority of payments
Cap. 83

(a) at the date of the receiving order; or

(b) at the date of the commencement of the winding up;

shall, notwithstanding anything to the contrary contained in any other written law, be deemed to be wages for all purposes of the Preferential Claims in the Bankruptcy Act.

(As amended by Act No. 19 of 1973)

39. (1) Where the Director has given the court written notice of a claim under this Act and- Protection of contributions

(a) any attachment is issued against the property of an employer in execution of a decree against him, and any such property is seized or sold or otherwise realised in pursuance of such execution; or

(b) on the application of a creditor the property of an employer is sold;

the proceeds of the sale or other realisation of the property shall not be distributed to any person entitled thereto until the court ordering the sale or realisation has made provision for the payment, after the costs of the sale or realisation, of any amounts due in respect of contributions payable by the employer under this Act during the twelve months before the date of such order.

(2) For the purpose of this section, "employer" includes any company in liquidation under the Companies Act. Cap. 388

(As amended by Act No. 19 of 1973)

40. A written extract of an entry in the accounts or records of the Fund shall, when certified by the Director, be received in all courts as *prima facie* evidence of the truth of the contents thereof. Certificates as evidence

(As amended by Act No. 19 of 1973)

PART IX

MISCELLANEOUS

41. (1) The employer of any employee who is a member of or is entitled to participate in an existing pension scheme or provident fund of his employer providing benefits for old age shall not thereby be exempt from contributing to the Fund in respect of that employee. Existing schemes

(2) Where an employer-

- (a) is liable to make statutory contributions in respect of any employee or employees; and
- (b) is by himself or in association with others operating a scheme to provide any benefits of the same class as those payable under this Act for such employee or employees;

he or, as the case may be, the governing body of that scheme may, by virtue of this sub-section and whether or not the rules of the scheme allow, amend the scheme to take into account contributions made to the Fund and provide for a reduction of the contributions made to the scheme.

(3) Nothing in sub-sections (1) and (2) shall be construed so as to-

- (a) authorise the amendment of a scheme in such a way that the benefits, excluding annual interest, to an employee under that scheme and this Act are reduced below those to which he would have been entitled if this Act had not been passed; or
- (b) require an employer to contribute to both the scheme and the Fund an amount in excess of that paid by the employer to the scheme for any comparable period before he became a contributing employer.

(4) Subject to the provisions of sub-section (5), an authority responsible for the administration of any existing pension scheme or provident fund may, with the approval of the Board, make a payment of any sum to the Fund in respect of any person who is or has been a member of or contributor to that scheme or fund, and the Board shall cause that sum to be credited to the account of such person in the Fund and for this purpose shall, if no such account exists, cause an account to be opened in the name of that person.

(5) An authority making any payment in accordance with the provisions of sub-section (4) shall furnish with such payment-

- (a) a certified copy of its resolution or other authority authorising the payment; and
- (b) such information as to the identity of the person in respect of whom the payment is made as the Director may require.

(As amended by Act No. 19 of 1973)

41A. Notwithstanding anything contained in the Workers Compensation Act, the Director may, with the approval of the Board and the Minister, establish and maintain on behalf of the Workers Compensation Fund Control Board, an account in the Fund to which may be credited any assessment payable by employers under the provisions of the Workers Compensation Act, and to which shall be charged all payments due to, or made on behalf of, the Workers Compensation Fund Control Board and such expenses of the administration of the account as may be approved by the Minister.

Account for Workers
Compensation Fund
Control Board,
Cap. 271

(As amended by Act No. 19 of 1973)

42. *Repealed by Act No. 17 of 1994.*

43. (1) An inspector or other person who in the exercise of any powers conferred or the performance of any duty imposed by, under or in connection with this Act acquires information relating to the personal or financial affairs of any other person shall not, save in the performance of his duty, publish or disclose such information to any person.

Prohibition against
misuse of information
received

(2) Any person who contravenes the provisions of sub-section (1) shall be guilty of an offence and on conviction shall be liable to a fine not exceeding two thousand penalty units or to imprisonment for a term not exceeding three months.

(As amended by Act No. 13 of 1994)

44. The Minister may, by statutory instrument, make regulations to give effect to the provisions of this Act and, without prejudice to the generality of that power, such regulations may make provision for-

Regulations

- (a) anything which is to be or which may be prescribed under this Act;
- (b) the nature of records to be kept by employers;
- (c) the amount of statutory or domestic contributions under this Act;
- (d) the method of collecting contributions under this Act;
- (e) the procedure for making claims, and the method of making payments, under this Act;
- (f) the occasions on which any person shall be required to produce his national registration card, or other identity document, for the purposes of this Act;
- (g) any forms required for the purposes of this Act;
- (h) the procedure for dealing with unclaimed moneys in the Fund;
- (i) the procedure for the administration of annuities;
- (j) the part payment of a benefit under the provisions of subsection (5) of section *twenty-six*;
- (k) the procedure for collecting assessments or contributions on behalf of the Workers' Compensation Fund Control Board, and the procedure for the administration of the account established by the Board under the provisions of section *forty-one A*.

(As amended by Act No. 19 of 1973)

45. (1) The President may enter into a reciprocal agreement with the government of any other country in which a fund or scheme similar to the Fund has been established, and there may be included in the agreement provision-

Reciprocal agreements

- (a) that any period of membership of such a fund or scheme in the country of that government may be treated as a period of membership of the Fund and *vice versa*; and
- (b) that, subject to such conditions as may be agreed, any amount standing to the credit of a Member who works for any employer in the country of that government may be transferred to his credit in such fund or scheme, and any amount standing to the credit in such fund or scheme of any person who becomes a Member may be transferred to his credit in the Fund.

(2) Any reciprocal agreement made under this section may modify, adapt or amend the provisions of this Act to give effect to the agreement:

Provided that, if it does so adapt or amend the provisions of this Act, it shall be laid before the National Assembly as soon as may be after it is made. If the National Assembly passes a resolution within seven sitting days after the laying, disallowing the agreement, the agreement shall be void, but without prejudice to the validity of anything previously done thereunder.

46. This Act shall bind the Republic.

Act to bind the Republic

FIRST SCHEDULE

(Section 5)

THE ZAMBIA NATIONAL PROVIDENT FUND BOARD

The Laws of Zambia

1. (1) The Board shall consist of sixteen persons appointed by the Minister, of whom-
- (a) five shall represent employers' associations in Zambia;
 - (b) five shall represent employees' associations in Zambia;
 - (c) five shall be public officers; and
 - (d) one shall be the Director.
- (2) The Minister shall designate two members of the Board to be the Chairman and Vice-Chairman respectively of the Board.
- (3) Members of the Board shall be appointed for any period not exceeding three years, but a retiring member shall be eligible for reappointment.
- (4) The office of a member of the Board shall become vacant-
- (a) upon his death;
 - (b) if he is adjudicated a bankrupt or makes a composition with his creditors;
 - (c) if he is absent from three consecutive meetings of the Board without special leave of the Board;
 - (d) if he gives one month's notice in writing to the Minister of his intention to resign office and his resignation is accepted by the Minister; or
 - (e) if his appointment is terminated by the Minister.

Constit
of Boa

2. (1) The Board may meet for the despatch of business, adjourn and, subject to the provisions of this Act, regulate its meetings as it thinks fit.

Proced
of Boar

(2) The quorum necessary for the transaction of the business of the Board shall be eight members provided that there are included at least one member representing employees and one member representing employers, and, in the absence of the Chairman and Vice-Chairman, the members present at any meeting shall elect one of their number to act as Chairman.

(3) Decisions of the Board shall be made according to the majority of votes of the members present and voting at a meeting of the Board at which a quorum is present and, in the event of an equality of votes, the Chairman presiding at the meeting shall have a casting vote in addition to his deliberative vote.

(4) The Board shall cause minutes to be kept recording-

- (a) all resolutions, proceedings and meetings of the Board; and
- (b) the names of the members present at each meeting of the Board.

(5) The Board may co-opt any one or more persons to attend any particular meeting of the Board for the purpose of advising or assisting the Board, but no such co-opted person shall have any right to vote.

(6) The Board may by resolution declare the remuneration and allowances of any co-opted person and such sums shall be properly payable out of the Fund.

(7) All documents, other than those required by law to be under seal, made by, and all decisions of, the Board may be signified under hand of the Director.

(8) The common seal of the Board shall not be affixed to any instrument except by authority of a resolution of the Board, and the sealing of any instrument shall be authenticated by the signature of the Director and of such other person as the Board may appoint for the purpose.

(9) If any member of the Board is directly or indirectly interested in any contract or proposed contract or other matter, and is present at a meeting of the Board at which the contract or other matter is the subject of consideration, he shall, at the meeting and as soon as practicable after the commencement thereof, disclose the fact of his interest and shall not take part in the consideration or discussion of, or vote upon any question with respect to, that contract or matter.

(10) The members of the Board shall be paid out of the Fund such fees for attendance at meetings of the Board and its sub-committees, and such travelling and subsistence allowances, as the Minister may direct.

(As amended by Act No. 19 of 1973)

SECOND SCHEDULE

(Section 14)

The Laws of Zambia
EMPLOYEES WHO ARE NOT ELIGIBLE EMPLOYEES

1. Any person who is required to contribute under the Public Service Pensions Act, or under the Teaching Service Commission (Pension) Regulations. Cap. 21
Cap. 4
of the
1971
edition
2. Any person who has been confirmed in his appointment, and whose service is qualifying service for pension or gratuity under the Civil Service (Local Conditions Pensions) Act (Chapter 410 of the 1971 edition) and the Police Act. Cap. 11
Cap. 21
Cap. 21
Cap. 11
Cap. 21
3. Any person who has been confirmed in a pensionable office, and who is qualifying for pension, under the European Officers' Pensions Act.
4. Any member of the Fund established under the Local Authorities Superannuation Fund Act.
5. Any member of the Regular Force within the meaning of the Defence Act.
6. Any member of the University of Zambia Superannuation Scheme for Senior Staff.
7. Any person who is exempt from social security schemes by virtue of the Diplomatic Immunities and Privileges Act.
8. Any employee, not being a citizen of Zambia, who is employed in Zambia for periods not exceeding six years at a time, provided that the employer has satisfied the Director that the employee is liable to contribute to or is prospectively entitled to benefit from, the social security scheme of any country other than Zambia or of any benefit scheme by virtue of his employment, on terms that would provide the employee with benefits substantially not less favourable than the like benefits to which he would have been entitled under this Act.
9. Casual employees in respect of whom no order has been made under section 14 (3).
10. Any person who is employed in Zambia under an employment permit issued on or after the 1st day of July, 1973, under the provisions of the Immigration and Deportation Act.

(As amended by Act No. 19 of 1973)

SUBSIDIARY LEGISLATION

ZAMBIA NATIONAL PROVIDENT FUND

CAP. 273

SECTION 10 (2)-THE EMPLOYERS EXEMPTION ORDER

Statutory Instrument
338 of 1967

Order by the Minister

1. This Order may be cited as the Employers Exemption Order. Title
2. Employers of domestic servants in private households shall be exempted from the requirements of sub-section (1) of section *ten* of the Act, relating to the registration of employers. Exemption of
employers of domestic
servants in private
households

SECTION 11-THE ZAMBIA NATIONAL PROVIDENT FUND (ELIGIBLE EMPLOYEES) ORDER

Statutory Instrument
2 of 1975

Order by the President

1. This Order may be cited as the Zambia National Provident Fund (Eligible Employees) Order. Title

The Laws of Zambia

2. It is hereby directed that the holders of the offices specified in column 1 of the Schedule shall, for the purposes of the Zambia National Provident Fund Act, be deemed to be eligible employees. Certain holders of offices to be deemed eligible employees

3. The persons designated in column 2 of the Schedule shall be liable to make contributions to the Fund in respect of the holders of the offices listed in column 1 thereof and such persons shall be deemed to be employers for the purposes of section *ten* of the Zambia National Provident Fund Act. Designated employees liable to make contributions

4. The date stated in column 3 of the Schedule shall be the date when the persons designated as employers in column 2 thereof become contributing employers for the purposes of section *ten* of the Zambia National Provident Fund Act. Declaration of date

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
<i>Office</i>	<i>Employer</i>	<i>Date</i>
Vice President	Permanent Secretary, Minister of Planning and Finance	1st January, 1975
Speaker	Clerk of the National Assembly	1st January, 1975
Minister	Permanent Secretary, Minister of Planning and Finance	1st January, 1975
Attorney-General	Permanent Secretary, Minister of Planning and Finance	1st January, 1975
Deputy Speaker	Clerk of the National Assembly	1st January, 1975
Junior Minister	Permanent Secretary, Minister of Planning and Finance	1st January, 1975
Member of the National Assembly	Clerk of the National Assembly	1st January, 1975
Town Clerk	Permanent Secretary, Minister of Planning and Finance	1st January, 1975

SECTION 14 (2)-THE EMPLOYEES DECLARATION ORDER

*Statutory Instrument
77 of 1966*

Order by the Minister

1. This Order may be cited as the Employees Declaration Order. Title

The Laws of Zambia

2. Whole-time students of any University or institution offering further education or vocational training who obtain temporary employment while on vacation from such a University or institution, and persons who having left school take temporary employment while waiting to take places granted for admission for a full-time course at such a University or institution, are hereby declared not to be eligible employees.

Students in vacation employment and school leavers in temporary employment declared to be non-eligible employees

3. Persons serving on probation and whose service would on being confirmed in appointment qualify as service for pension or gratuity under the African Civil Servants' Pensions Regulations, Chapter 57 of the 1964 Edition of the Laws, or under the Subordinate Police (Pensions) Regulations, and persons serving on probation or on probationary agreements who would on being confirmed in pensionable office qualify for pension under the European Officers' Pensions Act, are hereby declared not to be eligible employees.

Categories of probationers in the public service declared to be non-eligible employees.
Cap. 133
Cap. 400

SECTION 26 (5)-THE ZAMBIA NATIONAL PROVIDENT FUND (ZAMBIA RAILWAYS BENEFIT) REGULATIONS

Statutory Instrument
294 of 1969

Regulations by the Minister

1. These Regulations may be cited as the Zambia National Provident Fund (Zambia Railways Benefit) Regulations.

Title

2. Authority is hereby given to the Secretary of the Zambia National Provident Fund to pay to any employee of Zambia Railways who was until midnight on the 30th June, 1967, an employee of Rhodesia Railways and a member of the Rhodesia Railways Contributory Pension Fund, and who applies for such payment, one instalment of up to forty per centum of the capital sum paid by the Trustees of the Rhodesia Railways Contributory Pension Fund to the Zambia National Provident Fund on his behalf, and each such payment made in pursuance of this regulation is hereby approved.

Secretary authorised to make payments

SECTION 27-THE ZAMBIA NATIONAL PROVIDENT FUND (AGE BENEFIT) REGULATIONS

Statutory Instrument
77 of 1973

Regulations by the Minister

1. These Regulations may be cited as the Zambia National Provident Fund (Age Benefit) Regulations, and shall come into force on 1st April, 1973.

Title

2. A Member who has attained the age of 50 years and satisfies the Director that he intends to be self-employed or to retire from regular paid employment under a contract of service, shall be eligible for a retirement benefit from the Fund:

Benefit payable on retirement

Provided that any person who was a Member of the Fund prior to 1st April, 1973, may, at his option, claim a retirement benefit at any time after attaining the age of 45 years.

The Laws of Zambia

3. A Member who satisfies the Director that he has attained the age of 55 years, whether or not he has retired from employment under a contract of service, shall be eligible for an age benefit: Benefit payable on age qualification

Provided that any person who was a Member of the Fund prior to 1st April, 1973, may, at his option, claim an age benefit at any time after attaining the age of 50 years.

4. A claim by any Member for a benefit under these Regulations shall be in the form set out in the Schedule hereto, and shall be lodged at the head office of the Fund not less than fourteen days before the payment is required. Claim by Member for benefit

The Laws of Zambia

SCHEDULE

(Regulation 4)

NPF31

ZAMBIA NATIONAL PROVIDENT FUND

CLAIM FOR AGE BENEFIT

1.	Name and address of claimant (in block capitals) (a) Surname (b) Other names} (c) National Registration Number. (d) Year of birth (e) Member's Social Security Number (f) Date of joining National Provident Fund (g) Address for correspondence and benefit payment: (h) Residential address:	As on National Registration Card or Member's Registration Card	For Office Use Only		
	/...../.....	NPF64 sent		
		<table border="1" style="margin: auto;"> <tr> <td style="width: 20px; text-align: center;">:</td> <td style="width: 20px; text-align: center;">:</td> </tr> </table>	:	:	Initials
:	:				
		Date		
2.	(a) Age of claimant as shown on National Registration Card..... (b) If date of birth is different from that shown on National Registration Card, list documents to support difference: (a) (b)..... (c).....				
3.	Claimant's present or last employer (a) Employer's full name and address (b) Claimant's occupation and works No. (if any) (c) If not employed, state date left the above-mentioned employer	Account No. (if known)			
4.	Claimant's previous employers:				
Employer's full names and address	Claimant's occupation and works No. (if any)	Period employed From To	Employer's account No.		

The Laws of Zambia

(a) .....	.....	.....	.....	.....
.....
.....
(b) .....	.....	.....	.....	.....
.....
.....

(If this space is insufficient, please write details on a separate sheet)

5. Claim for benefit: *I declare that I have attained the age of 50/55 years.

I hereby claim an age benefit in accordance with the provisions of the Zambia National Provident Fund Act, and I declare that the above particulars stated in support of my claim are correct.

(a) I declare that I have not previously been paid a benefit.

(b) I declare that I received an age benefit on.....

(c) I declare that I have received the following other benefit(s) from the Fund.....

Complete
or delete
as
applicable

*Only persons who were members of the Fund prior to 1st April, 1973, are eligible for an age benefit at 50 years

Two years must elapse between payments of benefit to any member on age grounds, and if a member has received a benefit, this must be declared at (b).

I wish the benefit payment to be sent to me at the following address:

.....
.....

which will be my address for any correspondence in connection with this claim until

(Date).....

Claimant's signature (or mark).....

Date.....

Attesting Witness:

(A Labour Officer, or Social Welfare Officer in the Administrative Grade or Minister of Religion, or Legal Practitioner, or Bank } Manager, or Medical Practitioner, or Commissioner for Oaths)

Signature

Full Name

.....

(block letters)

Designation

Address

.....

This form should be sent to:

The Director
Zambia National Provident Fund
P.O. Box 2990
Lusaka

ZAMBIA NATIONAL PROVIDENT FUND

CLAIM FOR RETIREMENT BENEFIT

<p>1. Name and address of claimant (in block capitals)</p> <p>(a) Surname As on National Registration Card or Member's Registration Card</p> <p>(b) Other names</p> <p>(c) National Registration Number. / /</p> <p>(d) Year of birth</p> <p>(e) Member's Social Security Number : :</p> <p>(f) Date of joining National Provident Fund</p> <p>(g) Address for correspondence and benefit payment:</p> <p>(h) Residential address:</p>	<p>For Office Use Only</p> <p>NPF64 sent</p> <p>Initials</p> <p>Date</p>																	
<p>2. (a) Age of claimant as shown on National Registration Card</p> <p>(b) If date of birth is different from that shown on National Registration Card, list documents to support difference:</p> <p>(a)</p> <p>(b)</p> <p>(c)</p>																		
<p>3. Claimant's present or last employer</p> <p>(a) Employer's full name and address</p> <p>(b) Claimant's occupation and works No. (if any)</p> <p>(c) If not employed, state date left the above-mentioned employer</p>	<p>Account No. (if known)</p> <p>.....</p>																	
<p>4. Claimant's previous employers:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th rowspan="2" style="width: 35%;">Employer's full names and address</th> <th rowspan="2" style="width: 20%;">Claimant's occupation and works No. (if any)</th> <th colspan="2" style="width: 20%;">Period employed</th> <th rowspan="2" style="width: 25%;">Employer's account No.</th> </tr> <tr> <th style="width: 10%;">From</th> <th style="width: 10%;">To</th> </tr> </thead> <tbody> <tr> <td>(a)</td> <td>.....</td> <td>.....</td> <td>.....</td> <td>.....</td> </tr> <tr> <td>(b)</td> <td>.....</td> <td>.....</td> <td>.....</td> <td>.....</td> </tr> </tbody> </table> <p><i>(If this space is insufficient, please write details on a separate sheet)</i></p>		Employer's full names and address	Claimant's occupation and works No. (if any)	Period employed		Employer's account No.	From	To	(a)	(b)
Employer's full names and address	Claimant's occupation and works No. (if any)			Period employed			Employer's account No.											
		From	To															
(a)														
(b)														

5. Declaration of retirement:

I Declare that I am over *45/50 years of age and that -

The Laws of Zambia

- (a) I intend to retire from regular employment with effect from (date of retirement.....) Complete or
(b) I have already retired from regular employment. delete as
(c) I am self-employed. applicable

*Only persons who were members of the Fund prior to 1st April, 1973, are eligible for an age benefit at 50 years

6. Claim for benefit:

I hereby claim a retirement benefit under the Zambia National Provident Fund Act, and I declare that the particulars in support of this claim are correct to the best of my knowledge and belief.

I wish the benefit payment to be sent to me at the following address:

.....
.....

Claimant's signature (or mark)

Date

Attesting Witness:

(A Labour Officer, or Social Welfare Officer in the Administrative Grade or Minister of Religion, or Legal Practitioner, or Bank Manager, or Medical Practitioner, or Commissioner for Oaths)

Signature

Full Name

(block letters)

Designation

Address

.....

This form should be sent to:

The Director
Zambia National Provident Fund
P.O. Box 2990
Lusaka

SECTION 30A-THE ZAMBIA NATIONAL PROVIDENT FUND (HOME OWNERSHIP
WITHDRAWAL BENEFIT) ORDER

Statutory Instrument
136 of 1974

Order by the Minister

- 1.** This Order may be cited as the Zambia National Provident Fund (Home Ownership Withdrawal Benefit) Order. Title
- 2.** Subject to the provisions of this Order, a Member of the Fund who satisfies the Director that he intends to acquire or build a dwelling house for his own occupation in a township or municipality shall be entitled to withdraw a benefit from the Fund: Entitlement of a Member
- Provided that-
- (i) the benefit does not include the twenty-four statutory contributions last credited to the Member's account by a contributing employer;
 - (ii) the benefit claimed from the Member's main account does not exceed the cumulative total of sixty contributions; and
 - (iii) the benefit claimed from the Member's savings account does not exceed the cumulative total of sixty contributions.
- 3.** The benefit referred to in paragraph 2 shall at the direction of the Member be payable to one of the following: Payment of benefit
- (a) the Zambia National Building Society;
 - (b) the township council or municipal council in whose area the dwelling house is situated or is to be erected;
 - (c) the vendor of the dwelling house; or
 - (d) a contractor engaged to build a dwelling house.
- 4.** The Director shall pay the benefit direct to the person named by the Member under the provisions of paragraph 3 at such times and in such instalments as may be required, and shall inform the Member of each payment so made. Method of payment
- 5.** A claim by any Member for a benefit in terms of this Order shall be in the form prescribed in the First Schedule, and shall be lodged at the head office of the Fund not less than thirty days before the payment is required. Claim by Member for benefit
- 6.** The Director may require such supporting documents or other evidence as, in his opinion, are necessary to substantiate the claim for benefit. Evidence to be produced

The Laws of Zambia

- 7.** Where a husband and wife are both Members of the Fund and are otherwise both eligible to claim a benefit in terms of this Order, a joint application in respect of the same dwelling house may be made. Claim by husband and wife
- 8.** Where a benefit or any part thereof has been paid to the person named by the Member under the provisions of paragraph 4 and the Member is unable for any reason beyond his control to proceed with the acquisition or building of the dwelling house described in his application and wishes to transfer the amount of his benefit towards the acquisition or building of another house, he shall notify the Director forthwith in the form prescribed in the Second Schedule. Transfer of benefit to another house
- 9.** Where the person named by the Member in paragraph 3 does not utilise the whole of the amount of the benefit paid to him, he shall refund the unutilised balance to the Director for credit to the Member's account. Refund of unutilised balance of benefit
- 10.** A benefit under the provisions of paragraph 2 may be claimed only once by a Member unless he has repaid in full to the Director for credit to his account any earlier benefit paid on his behalf under this Order. Benefits to be claimed only once
- 11.** The person receiving the benefit under the provisions of paragraph 3 shall furnish the Director with such information as he may require for the administration of the benefit, and in any event shall inform the Director when the transfer or erection of the dwelling house has been completed. Information to be furnished

FIRST SCHEDULE

(Paragraph 5)

NPF

ZAMBIA NATIONAL PROVIDENT FUND

CLAIM FOR HOME OWNERSHIP WITHDRAWAL BENEFIT

Transfer of benefit to another house

1.	Name and address of claimant (in BLOCK CAPITALS)		For Office Use Only
	(a) Surname	As on National Registration Card or Member's Registration Card	NPF64 sent
	(b) Other names		Initials

	(c) National Registration Number. .... / .... / .....		.....
	(d) Year of birth .....		.....
	(e) Member's Social Security Number	.....	Date
	(f) Date of joining National Provident Fund		
	(g) Address for correspondence:		
		
	(h) Residential address:		
		

2. Claimant's present or last employer: Account No. (if known)

(a) Employer's full name and address:

.....

(b) Claimant's occupation and works No. (if any):

(c) If not employed, state date left the above-mentioned employer:

3. Claimant's previous employers:

	Employer's full names and address	Claimant's occupation and works No. (if any)	Period Employed		Employer's Account No.
			From	To	
(1)
(2)
(3)
(4)

The Laws of Zambia

4. Claim for benefit:

I hereby claim a withdrawal benefit in accordance with the provisions of section 30A of the Zambia National Provident Fund Act, and I declare that the particulars stated in support of my claim are correct.

*(a) I declare that I have not previously been paid a benefit from the Fund.

*(b) I declare that I have previously received a home ownership withdrawal benefit but repaid this to the Fund on.....

*Complete or delete as applicable



5. (a) I wish the benefit payment to be sent to one of the following:

- (i) The Zambia National Building Society, P.O. Box.....
- (ii) Council, P.O. Box.....
- (iii) The vendor of the house, namely:
P.O. Box.....

(iv) The contractor engaged*/* to be engaged to build the house, namely:
.....P.O. Box

(b) *I wish the total benefit to be paid on or before
(date payment required)

(c) *I wish payment to be made in.....instalments as follows:
(number)

	<i>Amount</i>	<i>Date Payment Required</i>
1st instalment	K.....	.....
2nd instalment	K.....	.....
3rd instalment	K.....	.....
4th instalment	K.....	.....
5th instalment	K.....	.....
6th instalment	K.....	.....
7th instalment	K.....	.....
8th instalment	K.....	.....

6. I declare that my wife*/*husband is an eligible Member of the Fund and is also claiming a home ownership withdrawal benefit for the house described below.

Particulars of wife*/*husband:

(a) Surname As on National Registration Card
(b) Other names or Member's Registration Card

(c) National Registration Number...../...../.....
*Delete words inapplicable

(d) Year of Birth.....

(e) Social Security Number

(f) Date of joining National Provident Fund

(g) Home Ownership Withdrawal Benefit Claim Form (NPF) for wife*/*husband attached*/*sent to the Fund's office on

7. Particulars of house to be acquired or built:

(a) General:

- (i) Name of property.....
- (ii) Plot Number:.....
- (iii) Street Number:.....
- (iv) Town:.....

(b) To be completed if the house is already built (otherwise complete (c) below):

(i) No. of living rooms:.....No. of bedrooms:

The Laws of Zambia

Water point: Yes*/*No. W.C.: Yes*/*No.

Bath or Shower: Yes*/*No.

(ii) Type of construction (brick, asbestos, etc.

Walls:.....Roof:.....

(iii) Municipal valuation of land K.....and improvements K.....

(iv) Purchase Price K.....

(v) Name and address of present owner:

(vi) Name and address of vendor's solicitors/advocates:

(c) To be completed if the house is not yet built:

(i) Do you own the land, or have you been allocated the land by the local authority?

(ii) What is the receipt number for the deposit for the plot paid to the local authority?

(iii) Who is going to build the house?

Name:

(iv) No. of living rooms:.....No. of bedrooms:

Water point: Yes*/*No. W.C.: Yes*/*No.

Bath or Shower: Yes*/*No.

(v) Type of construction (brick, asbestos, etc.)

Walls:.....Roof:.....

(vi) Architect (if any). Name

*Delete words inapplicable

(vii) Estimated cost: K

(viii) Estimated time for completion:

8. (a) *I wish to claim a benefit amounting to K.....

(b) *I wish to claim the maximum benefit for which I am eligible in terms of the First Schedule to the Zambia National Provident Fund (Home Ownership Withdrawal Benefit) Regulations, 1974.

Claimant's signature (or mark)

Date

Attesting Witness:

(A Labour Officer, or Social Welfare Officer in the Administrative Grade or Minister of Religion, or Legal Practitioner, or Bank } Manager, or Medical Practitioner, or Commissioner for Oaths)



Signature

Full Name

(BLOCK LETTERS)

Designation

Address

This form should be sent to:

The Director

Zambia National Provident Fund

P.O. Box

Lusaka

For Office Use Only

The Member is eligible for a benefit amounting to K

N.B. You should attach to this form copies of any documents in your possession which will support your application.

The Laws of Zambia

SECOND SCHEDULE

(Paragraph 5)

NPF

ZAMBIA NATIONAL PROVIDENT FUND

HOME OWNERSHIP WITHDRAWAL BENEFIT:

NOTIFICATION TO DIRECTOR OF TRANSFER OF BENEFIT

1. Name and address of Member (in block capitals)

- (a) Surname
- (b) Other names.....
- (c) National Registration Number...../...../.....
- (d) Year of Birth.....
- As on National
Registration Card
or Member's
Registration Card

(e) Member's Social Security Number:

(f) Address for correspondence:

(g) Residential address:

2. Member's present employer: Account No. (if known)

(a) Employer's full name and address:

(b) Member's occupation and works No. (if any):

3. Particulars of property for which benefit was paid:

- (a) General:
- (i) Name of property:.....
- (ii) Plot Number:.....
- (iii) Street number:.....
- (iv) Town:.....
- (b) Amount of benefit approved K.....
- (c) Amount of benefit actually paid (if known) K.....
- (d) Name of person receiving benefit:
- (i) Zambia National Building Society
- (ii) Local Authority
- (iii) Vendor:.....
- (iv) Contractor:.....

4. Reason why transfer of benefit to another property is necessary:

.....

5. Particulars of house to be acquired or built:

- (a) General:
 (i) Name of property:.....
 (ii) Plot Number:.....
 (iii) Street Number:.....
 (iv) Town:.....
- (b) To be completed if the house is already built (otherwise complete (c) below):
 (i) No. of living rooms:.....No. of bedrooms:
 Water point: Yes*/*No. W.C.:Yes*/*No.
 Bath or Shower: Yes*/*No.
 (ii) Type of construction (brick, asbestos, etc.)

 Walls:..... Roof:
 (iii) Municipal valuation of land K.....
 and improvements K.....
 (iv) Purchase price K.....
 (v) Name and address of present owner

 (vi) Name and address of vendor's solicitors

 (c) To be completed if the house is not yet built:
 (i) Do you own the land, or have you been allocated the land by the local authority?

 (ii) What is the receipt number for the deposit for the plot paid to the local authority?

 (iii) Who is going to build the house?
 Name:
 Address:
 (iv) No. of living rooms:.....No. of bedrooms:
 Water point: Yes*/*No. W.C.: Yes*/*No.
 Bath or Shower: Yes*/*No.
 (v) Type of construction (brick, asbestos, etc.)

 Walls:.....Roof:
 (vi) Architect (*if any*).
 Name
 Address.....

*Delete words inapplicable

6. Revised schedule for instalment payments:

Please send the schedule of instalment payments for my bebfit as follows:

	<i>Amount</i>	<i>Date Payment Required</i>
1st instalment	K.....	.....
2nd instalment	K.....	.....
3rd instalment	K.....	.....
4th instalment	K.....
5th instalment	K.....
6th instalment	K.....
7th instalment	K.....
8th instalment	K.....

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Member's signature (or mark).....
Date.....

This form should be sent to:

The Director
Zambia National Provident Fund
P.O. Box

Lusaka

SECTION 44-THE ZAMBIA NATIONAL PROVIDENT FUND (FUNERAL GRANT) REGULATIONS

Statutory Instrument
193 of 1973

1. These Regulations may be cited as the Zambia National Provident Fund (Funeral Grant) Regulations. Title

2. In these Regulations, unless the context otherwise requires- Interpretation

"administrator" means a person appointed as such by the High Court or a Local Court;

"Board" means the Zambia National Provident Fund Board established under section *five* of the Act;

"contribution" means a contribution payable by an employer under the provisions of section *sixteen, sixteen A or seventeen A* of the Act;

"Director" means the Director of the Fund appointed under section *six* of the Act;

"employer" means an employer registered under section *ten* of the Act;

"executor" means a person appointed by a deceased person to be executor of his Will;

"Fund" means the Zambia National Provident Fund;

"relative of a person" means-

(a) when used in relation to a person not generally subject to customary law, the wife, husband, father, mother, grandfather, grandmother, stepfather, step-mother, child, grandchild, brother, sister, half-brother or half-sister of such person; and

(b) when used in relation to a person generally subject to customary law, any one of such persons as are recognised under customary law as comprising his family.

3. The executor or administrator of a deceased Member's estate, or any relative of such deceased person who is responsible for the expenses of a deceased Member's burial, shall be entitled to claim from the Fund a grant towards the funeral expenses, if-
- (a) the deceased Member is buried or cremated in Zambia; and
 - (b) such grant is claimed within six months of the deceased Member's date of death; and
 - (c) at least twenty-four contributions of any class have been credited, or are due to be credited, by an employer to the account of the deceased Member at the date of his death; and
 - (d) the claim is supported by a certified copy of an entry in the Register of Deaths maintained by the Registrar-General under the provisions of the Births and Deaths Registration Act, or, in the absence of such certificate of registration of death, such evidence of death and burial as the Director may require; and
 - (e) the claim is supported by evidence of disbursement of moneys in connection with the deceased Member's burial and funeral arrangements.
4. Only one funeral grant shall be paid from the Fund in connection with the funeral arrangements of a deceased Member.
5. The Board shall determine the amount of any funeral grant payable under these Regulations, having regard to the amount or probable amount of the special reserve created by the Board for such grants under the provisions of sub-section (3) (e) of section *thirty-four* of the Act.
6. An application for a grant under these Regulations shall be in such form as the Director may determine from time to time.
7. The Director may enter into an arrangement with any registered employer under which such employer may act as the agent of the Board for the payment on behalf of the Board of a funeral grant to any person entitled to claim and complying with the provisions of regulation 3 and, if such an arrangement is made, the Director is authorised to reimburse such employer by an amount not exceeding the extent of the funeral grant determined under regulation 5.
- Funeral grant
Cap. 51
- One grant to be paid
- Board to determine amount of grant
- Application for grant
- Employer may act as agent

SECTION 44-THE ZAMBIA NATIONAL PROVIDENT FUND (MATERNITY GRANT)
REGULATIONS

Statutory Instrument
192 of 1973

Regulations by the Minister

1. These Regulations may be cited as the Zambia National Provident Fund (Maternity Grant) Regulations.
2. In these Regulations, unless the context otherwise requires-
- Title
- Interpretation

The Laws of Zambia

"Board" means the Zambia National Provident Fund Board established under section *five* of the Act;

"child" includes all children delivered as a result of the confinement in respect of which a maternity grant is claimed, and a child stillborn;

"contribution" means a contribution payable by an employer under the provisions of section *sixteen, sixteen A or seventeen A* of the Act;

"Director" means the Director of the Fund appointed under section *six* of the Act;

"Fund" means the Zambia National Provident Fund;

"maternity grant" means a grant from the special reserve created by the Board under the provisions of sub-section 3 (*a*) of section *thirty-four* of the Act;

"Member" means a person to whose credit there is an amount standing in the Fund.

3. A female Member of the Fund shall, after confinement, be entitled to claim from the Fund a maternity grant towards the expenses of her confinement: Maternity grant

Provided that-

Cap. 51

- (a) the confinement shall have taken place in Zambia;
- (b) such grant is claimed within six months of the birth of her child;
- (c) at least twenty-four contributions of any class have been credited, or are due to be credited, by an employer to the account of the Member at the date of the child's birth; and
- (d) the claim is supported by a certified copy of an entry in the Register of Births maintained by the Registrar-General under the provisions of the Births and Deaths Registration Act, or, in the absence of such certificate of registration of birth, or of a still-birth, such evidence of confinement as the Director may require.

4. The Board shall determine the amount of any maternity grant payable under these Regulations, having regard to the amount or probable amount of the special reserve created by the Board for such grants under the provisions of sub-section 3 (*a*) of section *thirty-four* of the Act. Board to determine amount of grant

5. An application for a grant under these Regulations shall be in such form as the Director may determine from time to time. Application for grant

The Laws of Zambia

SECTION 44-THE ZAMBIA NATIONAL PROVIDENT FUND (DOMESTIC SERVANTS)
REGULATIONS

Regulations by the Minister

Statutory Instruments
194 of 1973
69 of 1984
98 of 1984
75 of 1993
85 of 1995

1. These Regulations may be cited as the Zambia National Provident Fund (Domestic Servants) Regulations. Title
2. Every employer of a domestic servant required to register under the provisions of section *twenty-four A* of the Act shall maintain a register of domestic servants employed by him in the form set out in the Schedule. Employer's records
3. Whether an employer is liable to pay a domestic contribution in respect of an employee or is not so liable, the employer shall complete the register referred to in regulation 2 in respect of every domestic servant employed by him. Every domestic servant to be recorded
4. The register maintained in accordance with regulation 2 shall be forwarded to the Director of the Fund before the thirtieth day of April in every year, or within fourteen days of the employer ceasing to employ any domestic servant whatsoever. Register to be forwarded to Director
5. Every employer of a domestic servant shall, for every month during which he employs such domestic servant in his private dwelling house for a period exceeding thirteen days (including Sundays and public holidays), pay into the Fund-
- (a) the domestic contribution of K1,500.00 in respect of which contribution the employer may deduct from the employee's wages a sum of K200.00, as the employee's share of such contribution; and
- (b) an assessment of 10 ngwee under section *one hundred and nine* of the Workers' Compensation Act.
- (As amended by S.I. No. 85 of 1995)
6. Out of the said domestic contribution of K1,500.00 mentioned in regulation 5, a sum of K1,000.00 be credited to the domestic servant's account in the Fund and K300.00 is hereby authorised as payment to the Fund in respect of the expenses of administration. Amount of domestic contribution
- (As amended by S.I. No. 85 of 1995)
7. The domestic contribution and assessment mentioned in regulation 5 shall be deemed to have been paid into the Fund when a contribution stamp is purchased from a Post Office, or such other place as the Director may designate, and affixed to the domestic servant's contribution card, which shall be made available by the Director to any employer without charge. Payment of domestic contributions

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- 8.** When the domestic contribution stamp is affixed to the contribution card, it must be cancelled forthwith by writing or stamping in non-washable ink across the face of the stamp the date on which it was affixed and the initials of the employer. Contribution stamp to be cancelled
- 9.** Where a domestic servant's wages for any contribution period are paid in advance by an employer, the employer shall pay before the payment of such wages the domestic contribution and the assessment mentioned in regulation 5 and due for such period by affixing stamps to the contribution card in accordance with the provisions of regulation 7. Wages paid in advance
- 10.** During the currency of the employment of a domestic servant a contribution card for the domestic servant shall be in the custody of the employer and, on expiration of the period for which the card is current or on termination of employment, shall be delivered by the employer to the Director within a period of fourteen days after such expiration or termination. Custody of domestic contribution card
- 11.** Subject to the provisions of regulation 12, a domestic servant shall be entitled during the currency of his employment to examine his contribution card at any reasonable time once in each calendar month. Member's right of access to card
- 12.** On termination of a domestic servant's employment a domestic servant shall be entitled to examine his contribution card before leaving his employer's service, and is required to acknowledge by his signature or mark on the appropriate space on the card that the card has been correctly stamped. Termination of employment
- 13.** Where a domestic servant finds that his employer has not complied with regulation 5, he shall report the facts forthwith to the Director of the Fund, an inspector appointed by the Board, or to a Labour Officer. Non-compliance by employer
- 14.** No person shall assign or charge, or agree to assign or charge, any contribution card, and any sale, transfer or assignment of, or any charge on, any contribution card shall be void and of no effect. Contribution card not to be assigned or charged
- 15.** No person shall deface or destroy any contribution card or, save as authorised by the Director, alter, amend or erase any of the particulars thereon, except to record any changes of address of the employer. Prohibition of defacing or destroying of card

The Laws of Zambia

Important

Please-

- Complete this Register in ink or with a ballpoint pen and use block letters.
- Copy exactly the names, registration number and year of birth as shown on the employee's national registration card and NPF membership card.
- Always quote the servant's social security number, as this is his savings account number.
- State the work on which each servant is primarily engaged, e.g., gardener, house servant, cook, nursemaid.
- Enter the employee's basic wages ignoring ration moneys, rent allowances and the value of any benefits in kind. Gross up daily or weekly pay to a monthly total.
- Ensure that the details on the front cover of this register are completed before the register is returned to the ZNPF Head Office on 1st April next or if you cease to employ any domestic servants.

I certify that the information contained in this Register is correct.

Employer's signature:

.....

This Register, duly completed for the previous year, and signed by the employer, must be sent by post to:

The Director,
Zambia National Provident Fund,
P.O. Box,
Lusaka.

THE ZAMBIA NATIONAL PROVIDENT FUND REGULATIONS

ARRANGEMENT OF REGULATIONS

PART I

PRELIMINARY

Regulation

1. Title
2. Interpretation

PART II

REGISTRATION OF EMPLOYERS AND IDENTIFICATION OF EMPLOYEES

3. Registration of employers
4. Change of circumstances
5. Religious organisations
6. Employer's account number
7. Registration of employee
8. Membership card
9. Social security number
10. Employee responsible for card
11. Custody of cards
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13. Disposal of card
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PART I

PRELIMINARY

The Laws of Zambia

1. These Regulations may be cited as the Zambia National Provident Fund Regulations. Title
2. In these Regulations, unless the context otherwise requires- Interpretation
- "account number" means an account number allotted under regulation 6;
- "attesting witness" includes a labour officer, a social welfare officer, a public officer in the administrative grade, a minister of religion, a legal practitioner, a bank manager, a qualified medical practitioner, a commissioner for oaths and, exceptionally, such other person as the Director may approve for the purpose;
- "Fund Office" means the head office of the Board or any district office established by the Board;
- "inspector" means any person who is appointed an inspector under section *nine* of the Act;
- "member" means a person registered as such under the provisions of regulation 7, and includes a Member as defined in the Act;
- "social security number" means the number allotted as such by the Director under the provisions of regulation 9;
- "termination of employment" means the day on which the employment actually comes to an end, whether or not such termination is in accordance with the terms of the contract, and whether or not the employment is to be resumed at a later date.

PART II

REGISTRATION OF EMPLOYERS AND IDENTIFICATION OF EMPLOYEES

3. An employer who is required to register under section *ten* of the Act shall forward to the Director in writing the following: Registration of employers
- (a) full particulars of-
- ii(i) his name, the nature of his business, and his trader's licence (if any);

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- i(ii) the address where his business is carried on, his postal address telephone number;
 - (iii) the number of his employees; and
 - (iv) any branches of the business, if the business is organised in branches (shops, departments, etc.), which have separate arrangements for paying wages; and
- (b) a declaration signed by him in the following form:

"I declare that the information given above is correct to the best of my knowledge and belief.

Signature

Date

Designation or official status

....."

4. Every registered employer shall inform the Director of the occurrence of any of the following events, not later than fourteen days after the event, that is to say: Change of circumstances

- (a) if he changes his address;
- (b) if he changes his business name or designation;
- (c) if a branch of his business, which has been separately registered, is closed;
- (d) if a new branch of his business, which is due to be separately registered, is opened; or
- (e) if he ceases to be an employer.

5. An application by a religious organisation to register under section *twelve* of the Act shall be supported in writing by full particulars of- Religious organisations

- (a) the name of the organisation, its account number (if already allotted) and the name and postal address of its treasurer;
- (b) the names of the ministers of religion concerned; and
- (c) a certified copy of the resolution of the organisation authorising the application.

6. The Director shall allot an account number to every registered employer. Employer's account number

The Laws of Zambia

7. (1) Every person who intends to engage in regular employment and who will, in such employment, become an eligible employee, shall apply to the Director in such manner as the Director shall specify for registration as a member of the Fund and obtain a membership card or provisional registration card.

Registration of employee

(2) Every member of the Fund at the *(2)commencement of these Regulations shall be deemed to have applied for registration in accordance with this regulation, and the Director shall issue a membership card or provisional registration card.

* 23rd October, 1970.

8. (1) A membership card or provisional registration card shall be issued without charge to a person properly applying therefor and, when issued, shall remain the property of the Fund.

Membership card

(2) A membership card of an eligible employee shall be in the form set out in the First Schedule.

(3) A provisional registration card shall be in the form set out in the Second Schedule.

9. The Director shall allot a social security number to every member of the Fund.

Social security number

10. (1) A person, on obtaining a membership card or provisional registration card, shall be responsible for its custody unless or until it is delivered to an employer or a Fund Office, or retained by an inspector.

Employee responsible for card

(2) Every eligible employee, on first commencing employment with an employer, must produce to his employer his membership card or provisional registration card, or furnish such particulars as the employer may require for the purpose of compliance with the provisions of the Act.

11. (1) The employer, on obtaining the membership card or provisional registration card, shall become responsible for the custody thereof so long as the employment continues or until the membership card or provisional registration card is returned to the member or delivered to a Fund Office or retained by an inspector in accordance with these Regulations or any other regulations made under the Act.

Custody of cards

(2) The employer or any other person for the time being responsible for the custody of the membership card or provisional registration card in accordance with these Regulations, or any person having in his possession or under his control any membership card or provisional registration card issued in respect of an eligible employee, shall produce it for inspection at any reasonable time when required to do so by the Secretary or by an inspector, who may, if he thinks fit, retain it. The Secretary or the inspector shall give a receipt for any membership card or provisional registration card so retained by him.

* 23rd October, 1970.

12. Every employer responsible for the custody of the membership card or provisional registration card in accordance with these Regulations shall permit the person to whom it relates to have access to such card for the purpose of obtaining any details thereon:

Member's right of access to card

Provided that no member of the Fund shall be entitled by virtue of this provision to inspect his membership card or provisional registration card more than once in any one month nor except at such time within or immediately before or after working hours as may be fixed by the employer for the purpose.

13. (1) Subject as hereinafter provided in these Regulations, the employer shall, on the termination of the employment, forthwith return the membership card or provisional registration card to the member to whom it relates:

Disposal of card

Provided that where the employment is terminated by the member without any notice or intimation to the employer, the membership card or provisional registration card shall be returned to the member or, where this is impracticable, to a Fund Office, within fourteen days of the termination of employment.

(2) The member, on the termination of his employment, shall apply to the employer for the return of his membership card or provisional registration card, and, on the card being returned to him, shall give to the employer, if he demands it, a receipt for the card.

(3) If for any reason other than the loss or destruction of the card, the membership card or provisional registration card is not returned to the member on the termination of his employment in accordance with sub-regulation (1), the employer shall, within fourteen days, send the card to a Fund Office.

(4) On the death of a member, any membership card or provisional registration card in the custody of an employer or any other person having possession or thereafter obtaining possession of the deceased member's card, shall forthwith send it to a Fund Office.

The Laws of Zambia

14. Where a membership card or provisional registration card of any member is destroyed or lost or is defaced in any material particular, the employee shall apply to the Secretary for a new card, and the Secretary, on being satisfied as to such destruction, loss or defacement, shall issue a new card:

Lost or destroyed cards

Provided that where a membership card or provisional registration card is in the custody of an employer at the time it is destroyed, lost or so defaced, it shall be the duty of the employer forthwith to report the destruction, loss or defacement of the card to a Fund Office and to the member so that he may comply with the provisions of this regulation.

15. Any person who finds a membership card or provisional registration card shall forthwith deliver it to some responsible officer at a police station, employment exchange, post office or a Fund Office.

Found cards

16. A person who has a membership card or provisional registration card containing any particulars which are to his knowledge incorrect shall forthwith inform a Fund Office so that a fresh membership card or provisional registration card may be issued in lieu thereof.

Incorrect card

17. No person shall deface or destroy any membership card or provisional registration card, or, save as authorised by the Director, alter, amend or erase any of the figures or particulars therein contained.

Prohibition of defacing or destroying of cards

18. A person who has in his possession a membership card or provisional registration card except as provided by these Regulations shall forthwith send it to a Fund Office.

Incorrect possession of card

19. A person who has in his possession more than one membership card or provisional registration card relating to the same person shall forthwith inform the Director.

Possession of more than one card

PART III

CONTRIBUTIONS

20. Every contributing employer shall maintain a record showing-

(a) in respect of each eligible employee whom he has engaged-

Records to be kept by contributing employers

ii(i) the social security number allotted in accordance with regulation 9;

i(ii) the dates on which the employment commences and terminates;

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- (iii) the date and amount of each payment of wages to the employee;
- (iv) the amount of each statutory contribution due in respect of the employee; and
- (v) the amount deducted from any payment of wages by way of an employee's share of a statutory contribution;
- (b) in respect of each casual employee whom he has engaged-
 - (i) the days during which the employee is employed; and
 - (ii) the date and amount of each payment of wages to the employee; and
- (c) the date and amount of each payment he makes to the Fund by way of contributions under the Act.

21. Every contributing employer shall forward to the Director each month, together with the contributions payable under sections *sixteen* and *seventeen* of the Act, a return showing the following:

Monthly return to be made by contributing employers

- (a) full particulars of-
 - (i) the month to which the return relates;
 - (ii) the employer's name, postal address and account number;
 - (iii) the names of all eligible employees employed by him during the month and the social security number of each of them;
 - (iv) employees who commenced employment during the month;
 - (v) the total wages paid to each employee, and the total statutory contributions due in respect of each employee, for contribution periods ending during the month; and
 - (vi) the total wages paid to casual employees during the month and the special contribution due in respect of such payment; and
- (b) a certificate signed by him and completed in the following form:

"I certify that the amount of wages paid and the amounts of contributions payable by me under the Zambia National Provident Fund Act, as set out on the attached return, are correct.

Signature

Date

Employer's official stamp....."

22. An application by a member to contribute to the Fund under section *twenty-one* of the Act shall be supported in writing by full particulars of- Member contributing on his own behalf

- (a) his name, postal address and social security number;
- (b) the name, postal address and (if known to him) account number of his last employer, and the date the employment ceased; and
- (c) wages received, and the employee's share deducted for the last contribution period in his previous employment.

23. (1) Where an employee is regularly employed by two or more employers during the same contribution period, the Director may, on application by those employers and the employee, direct that the statutory contributions payable in respect of the employee for that period shall be reduced, in such proportion as the Director may think fit, so that in total they do not exceed the statutory contribution which would have been payable if the employee's wages during that period had been received from one contributing employer, and that the employee's share shall be correspondingly reduced. Employment by two or more employers

(2) For the purposes of this regulation, a person shall not be deemed to have been regularly employed by any two employers unless he has been employed by each of them during at least two days in each week of any four consecutive weeks.

(3) Where any statutory contribution which is the subject of a direction under sub-regulation (1) has already been paid, the Director shall, subject to the provisions of regulation 26, refund the appropriate amount of that contribution.

24. All contributions to the Fund shall be paid- Payment of contributions

- (a) by money order, postal order or cheque drawn on any bank in Zambia, delivered or sent by post to the head office of the Fund;
- (b) by cash at a Fund Office; or
- (c) in such manner as the Director may from time to time authorise in any particular case.

25. Where the Director is satisfied that any amount has been paid to the Fund in excess of the amount which was due to be paid, he may, subject to the provisions of regulation 26, refund the amount so paid to the person by whom it was paid. Contributions made in error

26. (1) No refund shall be made except with the consent of the Director, who may require the person by or in respect of whom the relevant payment was made to make a written application for refund and to furnish such other information as the Director may require to determine the circumstances in which the payment was made and the amount to be refunded. Making of refunds

(2) No refund shall be made of any amount which, having been credited to the account of a member in the Fund, has been withdrawn as benefit, and any such benefit shall be deemed to have been properly paid.

(3) If any debt is due to the Fund by the person to whom a refund would otherwise be paid, the Board may retain the whole or any part of the amount to be refunded and set it off against the debt.

(4) Where any amount to be refunded is in respect of a payment made by way of statutory contribution to the Fund, the Director may, if he is satisfied that a deduction has been made from the wages of any employee by way of the employee's share of that contribution, reduce the amount to be refunded by the amount of that deduction and repay the amount of the deduction to the employee.

(5) Where any amount to be refunded has been in the Fund throughout the whole of a financial year, that amount shall be increased by adding thereto interest at the rate fixed by the Board for accounts of members in respect of that financial year.

PART IV

BENEFIT

27. A claim by a member for benefit shall be made to a Fund Office or other office designated by the Board for this purpose and shall be supported in writing by the following: Claim by member for benefit

- (a) full particulars of-
- (i) the member's name, social security number, national registration number, year of birth, postal address and residential address;
 - (ii) the grounds of the application and the conditions which the member claims to satisfy as justifying his claim; and
 - (iii) any supporting documents bearing on the member's age and retirement, disability or emigration; and
- (b) a declaration signed by the member and completed in the following form:

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"I hereby declare that the particulars in support of this claim are correct to the best of my knowledge and belief.

Signature

Date

Signature of attesting witness and designation

..... "

28. A claim by any person for benefit payable upon the death of a member shall be made to a Fund Office or other office designated by the Board for this purpose and shall be supported in writing by the following:

Claim for benefit after death of a member

- (a) full particulars of-
 - (i) the claimant's name, national registration number (if any), postal address and residential address;
 - ii) the name, social security number and date of death of the member;
 - (iii) the conditions which the applicant claims to satisfy as justifying his claim; and
 - (iv) any supporting documents bearing on the member's death, or the applicant's relationship to the member or status as a dependant; and
- (b) a declaration signed by the claimant and completed in the following form:

"I hereby declare that the particulars in support of this claim are correct to the best of my knowledge and belief.

Signature

Date

Signature of attesting witness and designation

..... "

The Laws of Zambia

- 29.** The Director may require such further evidence of identity and of entitlement as is in his opinion necessary to substantiate the claim for benefit, including production by the applicant of his national registration card. Further evidence
- 30.** The Director may require any member whose application for benefit is based on mental or physical disability to attend for medical examination by a registered medical practitioner and may use the report of any such examination as evidence in deciding the claim for benefit. Medical examination
- 31.** The Director may require any person who has made an application for benefit to make a statutory declaration as to the truth of any statement of fact made by him in his application or in connection therewith. Statutory declaration

PART V

MISCELLANEOUS

- 32.** Payments from the Fund shall be made in cash or by cheque. Form of payment
- 33.** Any document used in connection with the Fund which requires a person's signature may be signed with his written signature or, if he is unable to write, with his mark and shall, where the document so requires, be authenticated by the signature of an attesting witness. Signing of documents
- 34.** Every employee shall furnish to his employer any information, and produce any document, necessary for the completion of forms or returns required by these Regulations to be made by his employer. Duty of employees
- 35.** If, in the opinion of the Director, any document containing information required to be furnished under these Regulations is incomplete or inaccurate or is insufficiently clear for its purpose, he may return the document to the sender; and the sender shall comply with all lawful directions given to him and shall complete and deliver a fresh document in its place, or return the original document duly corrected, as the case may require. Incomplete or inaccurate documents
- 36.** (1) There shall be transferred to the Reserve Account any amount standing to the credit of a member in the Fund in respect of whom no contributions have been received for five years after he appears from the records to have attained the age of sixty years and in respect of which no claim for benefit has been received before the end of that period. Transfer to the Reserve Account

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(2) Any amount which is in the Reserve Account may be paid to any person who can establish a valid claim thereto within a period of five years from the date of its transfer to the Reserve Account, provided he gives such indemnity to the Fund as the Board may require.

(As amended by Act No. 18 of 1971)

37. In the case of an employee whose wages consist of remuneration falling within two or more of the categories contained in the definition of wages in section *two* of the Act, the Director may at his discretion treat the amounts falling within one only, or two or more, of those categories as the wages of that employee.

Classification of wages

The Laws of Zambia
FIRST SCHEDULE

(Regulation 8 (2))

ZAMBIA NATIONAL PROVIDENT FUND

MEMBERSHIP CARD

N P F	National Registration	Year of Birth
MEMBERSHIP CARD	183275/11/1	1925
BANDA JOHN	Temporary Registration	
	305576/01/0	1925
<input type="text" value="121 347 174"/>	189525/02/0	1925

The Number shown above is your social Security Number and your Account Number in the National Provident Fund.

Please give this card to your employer when you start a new job.

The Laws of Zambia
SECOND SCHEDULE

(Regulation 8 (3))

ZAMBIA NATIONAL PROVIDENT FUND

PROVISIONAL REGISTRATION CARD

N P F	<i>NPF.11C</i>
PROVISIONAL REGISTRATION CARD	Surname
Give this card to your employer so that he can send your contribution to the Fund using your Social Security Number, which is your account number in the National Provident Fund.	First Name
	Membership No. <input type="text"/>
	National Registration No. / /
	Year of Birth

SECTION 44-THE ZAMBIA NATIONAL PROVIDENT FUND (ANNUITY) REGULATIONS

Statutory Instrument
395 of 1967

Regulations by the Minister

1. These Regulations may be cited as the Zambia National Provident Fund (Annuity) Regulations. Title
2. In these Regulations, unless the context otherwise requires- Interpretation
- "annuity account" means the account to which all amounts meant to purchase annuities and all amounts determined under sub-regulation (3) of regulation 3 shall be credited, and to which all payments, charges and expenses in accordance with sub-regulation (4) of regulation 3 shall be debited;
- "deferred annuity" means an annuity other than an immediate annuity;
- "immediate annuity" means an annuity commencing on the last day of the month next following the month during which the benefit is converted into an immediate annuity or during which an immediate annuity is purchased;
- "registered employer" means an employer registered under the provisions of section *ten* of the Act;
- "selected age" means the age referred to in regulation 8.
3. (1) There shall be established and maintained by the Director a separate account in the Fund to be termed "the Annuity Account". Establishment of Annuity Account
- (2) There shall be transferred to the Annuity Account-
- (a) any capital sum paid by the employer to purchase an annuity for his employee, or former employee, in terms of section *twenty* of the Act;
- (b) the whole or any part of a Member's main account or savings account, as defined in section *twenty-three* of the Act, which is converted into an annuity in terms of regulation 4.
- (3) There shall be credited to the Annuity Account each year interest at the average rate earned on the total assets of the Fund for that year as determined by the Board's actuaries.

(4) There shall be debited to the Annuity Account-

- (a) all payments of annuity;
- (b) all payments in commutation of annuity;
- (c) all expenses incurred in payment of annuities; and
- (d) such charges of administration as the Board may determine.

4. A Member of the Fund may, on satisfying a condition for benefit under the Act, other than that for emigration benefit, exercise an irrevocable option to convert at least two-third of such benefit into- Purchase of annuity by Member of Fund

- (a) an immediate annuity in accordance with regulation 7, provided that he has attained the age of forty-five years and that the amount of such annuity is at least forty-eight kwacha per annum;
- (b) a deferred annuity in accordance with regulation 7, provided that the amount of the deferred annuity is at least forty-eight kwacha per annum.

5. A registered employer may, at any time, pay into the Annuity Account a capital sum in terms of section *twenty* of the Act in respect of an employee, or former employee, for the purpose of purchasing either- Purchase of annuity by a registered employer

- (a) an immediate annuity in accordance with regulation 7, provided that the employee, or former employee, has attained the age of forty-five years; or
- (b) a deferred annuity in accordance with regulation 7, provided that the amount of such annuity is at least forty-eight kwacha per annum.

6. (1) The amount of any annuity shall be determined by the Secretary in accordance with the annuity tables set out in the Schedules: Calculation of annuity

Provided that if an age other than one between the age of fifty years and sixty years is approved for a deferred annuity in terms of regulation 8, or if an immediate annuity is required for an age greater than sixty-five years for males or sixty years for females, the annuity shall be calculated by the Director after reference to the Board's actuaries.

(2) The tables set out in the Schedules shall be reviewed from time to time by the Board's actuaries who shall make a report to the Board and, as may be required, recommendations to the Board concerning any amendment of the tables.

(3) Any amendment to the tables approved by the Board in accordance with the actuaries' recommendations shall only apply to annuities or deferred annuities purchased after a date determined by the Board.

7. (1) The annuity will be payable for a term certain and for the lifetime of the annuitant thereafter. Conditions of payment of annuity

(2) The term certain will be one hundred and twenty months:

Provided that for an immediate annuity the Director may agree to a term certain of sixty months.

(3) An annuity will be payable in monthly instalments in arrear.

(4) The first payment of an immediate annuity will be made on the last day of the month next following the month during which the benefit is converted into an immediate annuity or during which an immediate annuity is purchased.

(5) The first payment of a deferred annuity will be made on the last day of the month next following the month in which the selected age is attained, unless such age is attained on the first day of the month when the first payment will be made on the last day of that month.

(6) For the purpose of these Regulations, the age of any person shall be determined in accordance with section *three* of the Act.

(7) The method of payment of annuity shall in every case be determined by the Director.

(8) The annuitant shall furnish the Director with such evidence of survival as he may require.

8. A Member who wishes to purchase a deferred annuity, or a registered employer who purchases a deferred annuity for an employee, or former employee, shall select an age of attainment at which the deferred annuity shall commence. The selected age shall normally be one between fifty years and sixty years, but, in special circumstances, the Secretary may approve the purchase of an annuity at any other age. Age for commencement of deferred annuity

9. If an annuitant dies during the period certain of his annuity, his annuity will be continued to his nominated dependant for the balance of the period certain: Death of annuitant

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Provided that the nominated dependant may elect to receive in lieu of the annuity a lump sum payment equal to the discounted value of those payments as determined by the Board's actuaries.

10. If a person prospectively entitled to an annuity dies before attainment of the selected age, the amount applied to purchase a deferred annuity, together with five per centum compound interest from the date of purchase to the date of death, shall be paid to his nominated dependant. Death before commencement of a deferred annuity

FIRST SCHEDULE

(Regulation 6)

ZAMBIA NATIONAL PROVIDENT FUND
IMMEDIATE ANNUITIES

Age	Annuity purchased by payment of K100			
	Payable for 5 years certain and lifetime thereafter		Payable for 10 years certain and lifetime thereafter	
	Males	Females	Males	Females
	K	K	K	K
18	6.127	6.023	6.097	5.995
19	6.160	6.049	6.127	6.019
20	6.194	6.076	6.158	6.044
21	6.229	6.104	6.190	6.070
22	6.265	6.133	6.224	6.097
23	6.302	6.163	6.259	6.126
24	6.341	6.195	6.296	6.156
25	6.382	6.228	6.334	6.187
26	6.424	6.262	6.374	6.219
27	6.468	6.297	6.415	6.252
28	6.514	6.333	6.458	6.286
29	6.562	6.371	6.503	6.321
30	6.612	6.410	6.550	6.357
31	6.665	6.451	6.599	6.395
32	6.720	6.494	6.651	6.435
33	6.778	6.538	6.705	6.476
34	6.839	6.584	6.762	6.519
35	6.903	6.632	6.822	6.564
36	6.971	6.682	6.885	6.611
37	7.043	6.734	6.952	6.661
38	7.119	6.789	7.023	6.713
39	7.200	6.847	7.098	6.767
40	7.286	6.909	7.177	6.824
41	7.377	6.974	7.261	6.885
42	7.474	7.043	7.349	6.949
44	7.690	7.193	7.541	7.087
45	7.810	7.275	7.645	7.163
46	7.938	7.362	7.755	7.243
47	8.073	7.455	7.870	7.328
48	8.215	7.554	7.990	7.418
49	8.365	7.660	8.115	7.514
50	8.524	7.774	8.245	7.616
51	8.692	7.896	8.380	7.724
52	8.869	8.026	8.520	7.839
53	9.056	8.165	8.666	7.961

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54	9.253	8.314	8.818	8.090
55	9.461	8.474	8.975	8.226
56	9.680	8.646	9.137	8.370
57	9.911	8.831	9.305	8.523
58	10.155	9.030	9.478	8.685
59	10.413	9.243	9.656	8.855
60	10.686	9.471	9.838	9.032
61	10.975		10.024	
62	11.280		10.214	
63	11.602		10.406	
64	11.943		10.599	
65	12.305		10.792	

*Calendar year of purchase minus calendar year of birth.

SECOND SCHEDULE

(Regulation 6)

ZAMBIA NATIONAL PROVIDENT FUND
DEFERRED ANNUITIES

Males

Age*	Annual amount of deferred annuity payable for 10 years certain and lifetime thereafter purchased by K100 and commencing at age										
	50	51	52	53	54	55	56	57	58	59	60
18	44.18	47.36	50.80	54.50	58.49	62.80	67.44	72.44	77.82	83.63	89.91
19	41.87	44.89	48.15	51.66	55.44	59.53	63.93	68.67	73.77	79.27	85.22
20	39.68	42.55	45.64	48.97	52.55	56.42	60.60	65.09	69.92	75.14	80.78
21	37.61	40.33	43.26	46.42	49.81	53.47	57.44	61.69	66.27	71.23	76.57
22	35.65	38.23	41.00	44.00	47.21	50.68	54.44	58.47	62.82	67.52	72.58
23	33.79	36.24	38.86	41.70	44.75	48.04	51.60	55.42	59.55	64.00	68.79
24	32.03	34.35	36.83	39.52	42.42	45.54	48.91	52.53	56.45	60.66	65.20
25	30.36	32.56	34.91	37.46	40.21	43.17	46.36	49.79	53.51	57.49	61.80
26	28.78	30.86	33.09	35.51	38.11	40.92	43.94	47.19	50.72	54.49	58.58
27	27.28	29.25	31.37	33.66	36.12	38.79	41.65	44.73	48.07	51.65	55.53
28	25.86	27.73	29.74	31.91	34.24	36.77	39.48	42.40	45.56	48.96	52.64
29	24.51	26.29	28.19	30.25	32.46	34.85	37.42	40.19	43.18	46.41	49.90
30	23.23	24.92	26.72	28.67	30.77	33.03	35.47	38.10	40.93	43.99	47.30
31	22.02	23.62	25.33	27.17	29.17	31.31	33.62	36.11	38.80	41.70	44.83
32	20.87	22.39	24.01	25.75	27.65	29.68	31.87	34.23	36.78	39.53	42.49
33	19.78	21.22	22.75	24.41	26.21	28.13	30.21	32.45	34.86	37.47	40.27
34	18.75	20.11	21.56	23.14	24.84	26.66	28.63	30.76	33.04	35.52	38.17
35	17.77	19.06	20.44	21.93	23.54	25.27	27.13	29.16	31.32	33.67	36.18
36	16.85	18.07	19.38	20.79	22.31	23.95	25.71	27.64	29.69	31.91	34.30
37	15.97	17.13	18.37	19.71	21.15	22.70	24.37	26.20	28.14	30.24	32.51
38	15.14	16.23	17.41	18.68	20.05	21.52	23.10	24.83	26.67	28.66	30.81
39	14.35	15.38	16.50	17.71	19.00	20.40	21.90	23.53	25.28	27.17	29.20
40	13.60	14.58	15.64	16.79	18.01	19.34	20.76	22.30	23.96	25.76	27.68
41	12.89	13.82	14.82	15.92	17.07	18.33	19.68	21.13	22.71	24.42	26.24
42	12.22	13.10	14.05	15.09	16.18	17.37	18.65	20.04	21.53	23.15	24.87
43	11.58	12.42	13.32	14.30	15.34	16.46	17.68	19.00	20.41	21.94	23.57
44	10.98	11.77	12.63	13.55	14.54	15.60	16.76	18.01	19.35	20.79	22.34
45	10.41	11.16	11.97	12.84	13.78	14.79	15.89	17.07	18.34	19.70	21.18
46	9.87	10.58	11.34	12.17	13.06	14.02	15.06	16.18	17.38	18.67	20.08
47	9.35	10.03	10.75	11.53	12.38	13.29	14.28	15.34	16.47	17.70	19.03
48	8.86	9.51	10.19	10.93	11.73	12.60	13.54	14.54	15.61	16.78	18.04

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49	8.40	9.01	9.66	10.36	11.12	11.94	12.83	13.78	14.80	15.91	17.10
50		8.54	9.16	9.82	10.54	11.32	12.16	13.06	14.03	15.08	16.21
51			8.68	9.31	9.99	10.73	11.52	12.38	13.30	14.29	15.36
52				8.83	9.47	10.17	10.92	11.73	12.60	13.54	14.56
53					8.98	9.64	10.35	11.12	11.94	12.83	13.80
54						9.14	9.81	10.54	11.32	12.16	13.08
55							9.30	9.99	10.73	11.53	12.40
56								9.47	10.17	10.93	11.75
57									9.64	10.36	11.14
58										9.82	10.56
59											10.01

* Calendar year of purchase minus calendar year of birth.

THIRD SCHEDULE

(Regulation 6)
ZAMBIA NATIONAL PROVIDENT FUND
DEFERRED ANNUITIES
Females

Age*	Annual amount of deferred annuity payable for 10 years certain and lifetime thereafter purchased by K100 and commencing at age										
	50	51	52	53	54	55	56	57	58	59	60
18	40.86	43.72	46.79	50.13	53.71	57.58	61.79	66.35	71.30	76.67	82.49
19	38.72	41.44	44.35	47.52	50.91	54.59	58.57	62.89	67.58	72.68	78.19
20	36.70	39.28	42.04	45.04	48.25	51.75	55.52	59.61	64.06	68.90	74.12
21	34.79	37.23	39.85	42.69	45.73	49.05	52.63	56.51	60.72	65.31	70.26
22	32.98	35.29	37.77	40.46	43.34	46.49	49.89	53.57	57.56	61.90	66.60
23	31.26	33.45	35.80	38.35	41.08	44.06	47.29	50.78	54.57	58.67	63.13
24	29.63	31.71	33.93	36.35	38.94	41.76	44.82	48.13	51.73	55.61	59.84
25	28.09	30.06	32.16	34.45	36.91	39.58	42.48	45.62	49.03	52.71	56.72
26	26.63	28.49	30.48	32.65	34.99	37.52	40.26	43.24	46.47	49.96	53.76
27	25.24	27.00	28.89	30.95	33.17	35.57	38.16	40.98	44.04	47.35	50.96
28	23.92	25.59	27.39	29.34	31.44	33.72	36.17	38.84	41.74	44.88	48.31
29	22.67	24.26	25.97	27.81	29.81	31.96	34.28	36.81	39.56	42.54	45.79
30	21.49	23.00	24.62	26.36	28.25	30.29	32.49	34.89	37.50	40.32	43.40
31	20.37	21.80	23.33	24.99	26.78	28.71	30.80	33.07	35.55	38.22	41.13
32	19.31	20.66	22.11	23.69	25.38	27.21	29.20	31.35	33.70	36.23	38.98
33	18.30	19.58	20.96	22.46	24.05	25.79	27.68	29.72	31.94	34.34	36.95
34	17.35	18.56	19.87	21.29	22.80	24.45	26.24	28.17	30.27	32.55	35.03
35	16.45	17.59	18.83	20.18	21.62	23.18	24.87	26.70	28.69	30.86	33.21
36	15.59	16.67	17.85	19.12	20.50	21.97	23.57	25.31	27.20	29.25	31.48
37	14.77	15.80	16.92	18.12	19.43	20.82	22.34	23.99	25.79	27.72	29.84
38	14.00	14.98	16.04	17.17	18.41	19.73	21.17	22.74	24.45	26.27	28.28
39	13.27	14.20	15.20	16.27	17.45	18.70	20.07	21.56	23.17	24.90	26.80
40	12.58	13.46	14.40	15.42	16.54	17.73	19.03	20.44	21.96	23.60	25.40
41	11.93	12.76	13.65	14.62	15.68	16.81	18.04	19.37	20.81	22.37	24.08
42	11.31	12.10	12.94	13.86	14.86	15.94	17.10	18.36	19.72	21.21	22.83
43	10.72	11.47	12.27	13.14	14.08	15.11	16.21	17.40	18.69	20.11	21.64
44	10.16	10.87	11.63	12.46	13.34	14.32	15.36	16.49	17.72	19.06	20.51
45	9.63	10.30	11.02	11.81	12.64	13.57	14.56	15.63	16.80	18.06	19.44
46	9.13	9.76	10.44	11.19	11.98	12.86	13.80	14.82	15.93	17.12	18.42
47	8.65	9.25	9.90	10.61	11.36	12.19	13.08	14.05	15.10	16.23	17.46
48	8.20	8.77	9.39	10.06	10.77	11.55	12.40	13.32	14.31	15.38	16.55
49	7.77	8.31	8.90	9.53	10.21	10.95	11.75	12.62	13.56	14.58	15.69

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50		7.88	8.44	9.03	9.68	10.38	11.14	11.96	12.85	13.82	14.87
51			8.00	8.56	9.18	9.84	10.56	11.34	12.18	13.10	14.09
52				8.12	8.70	9.33	10.01	10.75	11.54	12.42	13.36
53					8.25	8.84	9.49	10.19	10.94	11.77	12.67
54						8.38	8.99	9.66	10.37	11.15	12.01
55							8.52	9.16	9.83	10.57	11.38
56								8.68	9.32	10.02	10.78
57									8.84	9.50	10.22
58										9.01	9.69
59											9.19

* Calendar year of purchase minus calendar year of birth.

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THE ZAMBIA NATIONAL PROVIDENT FUND (STATUTORY CONTRIBUTIONS) REGULATIONS

Statutory Instrument
86 of 1995

1. These Regulations may be cited as the Zambia National Provident Fund (Statutory Contributions) Regulations and shall come into operation on 1st June.

Title and
commencement

2. A contributing employer, shall for every contributing period, pay into the Fund a statutory contribution in respect of each eligible employee employed by him during every such period at the rate prescribed in the Schedule to these Regulations.

Statutory contribution

3. A contributing employer who is required to make a statutory contribution in respect of an employee may deduct the employee's share of that contribution due from him to that employee at the rate prescribed in the Schedule to these Regulations.

Employee's share

SCHEDULE

(Regulations 2 and 3)

ZAMBIA NATIONAL PROVIDENT FUND

TABLE FOR EMPLOYEES PAID WEEKLY

The Laws of Zambia

The normal rate of statutory contribution for each kwacha of wages paid (rounded off to the nearest kwacha is 7 per cent of rounded wages paid). The rate of employee's share is 3.5 per cent of rounded wages paid (50 per cent of statutory contribution) at each level. The ceiling of statutory contribution is K37,500 per week.

(Wages are to be rounded to the nearest kwacha before using this table.)

<i>Rounded wages paid</i>	<i>Statutory contribution</i>	<i>Employee's share</i>
K	K	K
3,750.00	262.50	131.25
4,250.00	297.50	148.75
4,750.00	332.50	166.25
5,250.00	367.50	183.75
5,750.00	402.50	201.25
6,250.00	437.50	218.75
6,750.00	472.50	236.25
7,250.00	507.50	253.75
7,750.00	542.50	271.25
8,250.00	577.50	288.75
8,750.00	612.50	306.25
9,250.00	647.50	323.75
9,750.00	682.50	341.25
10,250.00	717.50	358.75
10,750.00	752.50	376.25
11,250.00	787.50	393.75
11,750.00	822.50	411.25
12,250.00	857.50	428.75
12,750.00	892.50	446.25
13,250.00	927.50	463.75
13,750.00	962.50	481.25
14,250.00	997.50	498.75
14,750.00	1,032.50	516.25
15,250.00	1,067.50	533.75
15,750.00	1,102.50	551.25
16,250.00	1,137.50	568.75
16,750.00	1,172.50	586.25
17,250.00	1,207.50	603.75
17,750.00	1,242.50	621.25
18,250.00	1,277.50	638.75
18,750.00	1,312.50	656.25
19,250.00	1,347.50	673.75
19,750.00	1,382.50	691.25
20,250.00	1,417.50	708.75
20,750.00	1,452.50	726.25
21,250.00	1,487.50	743.75
21,750.00	1,522.50	761.25
22,250.00	1,557.50	778.75
22,750.00	1,592.50	796.25
23,250.00	1,627.50	813.75
23,750.00	1,662.50	831.25
24,250.00	1,697.50	848.75
24,750.00	1,732.50	866.25
25,250.00	1,767.50	883.75
25,750.00	1,802.50	901.25
26,250.00	1,837.50	918.75
26,750.00	1,872.50	936.25
27,250.00	1,907.50	953.75
27,750.00	1,942.50	971.25
28,250.00	1,977.50	988.75
28,750.00	2,012.50	1,006.25
29,250.00	2,047.50	1,023.75
29,750.00	2,082.50	1,041.25
30,250.00	2,117.50	1,058.75
30,750.00	2,152.50	1,076.25
31,250.00	2,187.50	1,093.75
31,750.00	2,222.50	1,111.25
32,250.00	2,257.50	1,128.75
32,750.00	2,292.50	1,146.25
33,250.00	2,327.50	1,163.75
33,750.00	2,362.50	1,181.25
34,250.00	2,397.50	1,198.75
34,750.00	2,432.50	1,216.25

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TABLE FOR EMPLOYEES PAID FORTNIGHTLY

The Laws of Zambia

The normal rate of statutory contribution for each kwacha of wages paid (rounded off to the nearest kwacha is 7 per cent of rounded wages paid). The rate of employee's share is 3.5 per cent of rounded wages paid (50 per cent of statutory contribution) at each level. The ceiling of statutory contribution is K75,000 per week.

(Wages are to be rounded to the nearest kwacha before using this table.)

<i>Rounded wages paid</i>	<i>Statutory contribution</i>	<i>Employee's share</i>
K	K	K
7,500.00	525.00	262.50
8,000.00	560.00	280.00
8,500.00	595.00	297.50
9,000.00	630.00	315.00
9,500.00	665.00	332.50
10,000.00	700.00	350.00
10,500.00	735.00	367.50
11,000.00	770.00	385.00
11,500.00	805.00	402.50
12,000.00	840.00	420.00
12,500.00	875.00	437.50
13,000.00	910.00	455.00
13,500.00	945.00	472.50
14,000.00	980.00	490.00
14,500.00	1,015.00	507.50
15,000.00	1,050.00	525.00
15,500.00	1,085.00	542.50
16,000.00	1,120.00	560.00
16,500.00	1,155.00	577.50
17,000.00	1,190.00	595.00
17,500.00	1,225.00	612.50
18,000.00	1,260.00	630.00
18,500.00	1,295.00	647.50
19,000.00	1,330.00	665.00
19,500.00	1,365.00	682.50
20,000.00	1,400.00	700.00
20,500.00	1,435.00	717.50
21,000.00	1,470.00	735.00
21,500.00	1,505.00	752.50
22,000.00	1,540.00	770.00
22,500.00	1,575.00	787.50
23,000.00	1,610.00	805.00
23,500.00	1,645.00	822.50
24,000.00	1,680.00	840.00
24,500.00	1,715.00	857.50
25,000.00	1,750.00	875.00
25,500.00	1,785.00	892.50
26,000.00	1,820.00	910.00
26,500.00	1,855.00	927.50
27,000.00	1,890.00	945.00
27,500.00	1,925.00	962.50
28,000.00	1,960.00	980.00
28,500.00	1,995.00	997.50
29,000.00	2,030.00	1,015.00
29,500.00	2,065.00	1,032.50
30,000.00	2,100.00	1,050.00
30,500.00	2,135.00	1,067.50
31,000.00	2,170.00	1,085.00
31,500.00	2,205.00	1,102.50
32,000.00	2,240.00	1,120.00
32,500.00	2,275.00	1,137.50
33,000.00	2,310.00	1,155.00
33,500.00	2,345.00	1,172.50
34,000.00	2,380.00	1,190.00
34,500.00	2,415.00	1,207.50
35,000.00	2,450.00	1,225.00
35,500.00	2,485.00	1,242.50
36,000.00	2,520.00	1,260.00
36,500.00	2,555.00	1,277.50
37,000.00	2,590.00	1,295.00
37,500.00	2,625.00	1,312.50
38,000.00	2,660.00	1,330.00
38,500.00	2,695.00	1,347.50

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TABLE FOR EMPLOYEES PAID MONTHLY

The Laws of Zambia

The normal rate of statutory contribution for each kwacha of wages paid (rounded off to the nearest kwacha is 7 per cent of rounded wages paid). The rate of employee's share is 3.5 per cent of rounded wages paid (50 per cent of statutory contribution) at each level. The ceiling of statutory contribution is K150,000 per week.

(Wages are to be rounded to the nearest kwacha before using this table.)

<i>Rounded wages paid</i> K	<i>Statutory contribution</i> K	<i>Employee's share</i> K
15,000.00	1,050.00	525.00
15,500.00	1,085.00	542.50
16,000.00	1,120.00	560.00
16,500.00	1,155.00	577.50
17,000.00	1,190.00	595.00
17,500.00	1,225.00	612.50
18,000.00	1,260.00	630.00
18,500.00	1,295.00	647.50
19,000.00	1,330.00	665.00
19,500.00	1,365.00	682.50
20,000.00	1,400.00	700.00
20,500.00	1,435.00	717.50
21,000.00	1,470.00	735.00
21,500.00	1,505.00	752.50
22,000.00	1,540.00	770.00
22,500.00	1,575.00	787.50
23,000.00	1,610.00	805.00
23,500.00	1,645.00	822.50
24,000.00	1,680.00	840.00
24,500.00	1,715.00	857.50
25,000.00	1,750.00	875.00
25,500.00	1,785.00	892.50
26,000.00	1,820.00	910.00
26,500.00	1,855.00	927.50
27,000.00	1,890.00	945.00
27,500.00	1,925.00	962.50
28,000.00	1,960.00	980.00
28,500.00	1,995.00	997.50
29,000.00	2,030.00	1,015.00
29,500.00	2,065.00	1,032.50
30,000.00	2,100.00	1,050.00
30,500.00	2,135.00	1,067.50
31,000.00	2,170.00	1,085.00
31,500.00	2,205.00	1,102.50
32,000.00	2,240.00	1,120.00
32,500.00	2,275.00	1,137.50
33,000.00	2,310.00	1,155.00
33,500.00	2,345.00	1,172.50
34,000.00	2,380.00	1,190.00
34,500.00	2,415.00	1,207.50
35,000.00	2,450.00	1,225.00
35,500.00	2,485.00	1,242.50
36,000.00	2,520.00	1,260.00
36,500.00	2,555.00	1,277.50
37,000.00	2,590.00	1,295.00
37,500.00	2,625.00	1,312.50
38,000.00	2,660.00	1,330.00
38,500.00	2,695.00	1,347.50
39,000.00	2,730.00	1,365.00
39,500.00	2,765.00	1,382.50
40,000.00	2,800.00	1,400.00
40,500.00	2,835.00	1,417.50
41,000.00	2,870.00	1,435.00
41,500.00	2,905.00	1,452.50
42,000.00	2,940.00	1,470.00
42,500.00	2,975.00	1,487.50
43,000.00	3,010.00	1,505.00
43,500.00	3,045.00	1,522.50
44,000.00	3,080.00	1,540.00
44,500.00	3,115.00	1,557.50
45,000.00	3,150.00	1,575.00
45,500.00	3,185.00	1,592.50
46 000 00	3 220 00	1 610 00

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Endnotes

1 (Popup - Popup)

See S.I. Nos. 233 of 1966 and 337 of 1967.

2 (Popup - Popup)

23rd October, 1970.