

No. **7** of 2022.

***Parliamentary Members' Retirement Benefits (Amendment) Act 2022.***

Certified on : **8 APR 2022**



No. of 2022.

*Parliamentary Members' Retirement Benefits (Amendment) Act 2022.*

**ARRANGEMENT OF SECTIONS.**

1. Interpretation (Amendment of Section 1).
2. Members to contribute (Amendment of Section 14).
3. Amount of contributions (Amendment of Section 15).
4. Eligibility for a benefit (Amendment of Section 20).
5. Calculation of rates of benefit (Amendment of Section 21).
6. Benefits under Division 2 (Amendment of Section 23).
7. Calculation of Division 2 pension and entitlements (Amendment of Section 24).
8. Calculation of rates of pension or entitlement (Amendment of Section 27).
9. New Division 5.

*“Division 5. - Benefits of former Speaker of Parliament.*

**27A. BENEFIT UNDER DIVISION 5.**

**27B. CALCULATION OF RATES OF PENSION OR ENTITLEMENT.”.**

10. Benefits payable upon the death of a contributor (Amendment of Section 28).



No.                    of 2022.

AN ACT

entitled

***Parliamentary Members' Retirement Benefits (Amendment) Act 2022.***

Being an Act to amend the *Parliamentary Members' Retirement Benefits Act 1997*,

MADE by the National Parliament to come into operation in accordance with a notice in the National Gazette by the Head of State, acting with, and in accordance with, the advice of the Minister.

**1. INTERPRETATION (AMENDMENT OF SECTION 1).**

Section 1 of the Principal Act is amended -

(a) by repealing the definition of "entitlement" and replacing it with the following:

""entitlement" means the payment made in lieu of a pension to -

(a) contributors under Section 20(2); or

(b) a former Prime Minister under Section 26(2); or

(c) a former Speaker of Parliament under Section 27A(2),

which shall be paid in the same manner as a pension into an account in the Members' name in the fund and which shall be paid, with accumulated interest, when he ceases to be a Member;"; and

(b) by repealing the definition of "former contributor" and replacing it with the following:

""former contributor" means a former Member of Parliament who contributed to the Fund;"; and

(c) by repealing the definition of "life pensioner" and replacing it with the following:

""life pensioner" means -

(a) a former Member in receipt of a pension under Section 21(1) or Section 24(2); or

(b) a former Prime Minister in receipt of a pension under Section 27(1) which; or

(c) a former Speaker of Parliament in receipt of a pension under Section 27A(1);"; and

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- (d) in the definition of "pensioner", by repealing Paragraph (b) and replacing it with the following:

“(b) spouse or relative of a deceased pensioner under Section 21(1), 24(2), 27(1) or 27A(1) who has determined under Section 28 to receive a pension; or”; and

- (e) by repealing the definition of "Section 16 Member"; and

- (f) by inserting after the definition of "Prime Minister's Salary" the following new definition:

““Speaker of Parliament's Salary” means the amount of salary paid to a Speaker of Parliament in respect of his duties from time to time but does not include allowances;”.

**2. MEMBERS TO CONTRIBUTE (AMENDMENT OF SECTION 14).**

Section 14 of the Principal Act is amended by repealing Subsection (1) and replacing it with the following:

“(1) Each Member shall contribute to the Fund in accordance with this Part while he remains a Member.”.

**3. AMOUNT OF CONTRIBUTIONS (AMENDMENT OF SECTION 15).**

Section 15 of the Principal Act is amended by repealing Subsection (1) and replacing it with the following:

“(1) A contributor shall contribute to the Fund at the rate of 15% of his salary.”.

**4. ELIGIBILITY FOR A BENEFIT (AMENDMENT OF SECTION 20).**

Section 20 of the Principal Act is amended -

- (a) in Subsection (1) -

- (i) by inserting immediately after the words "A former Member" the word "or";  
and  
(ii) by repealing the words "or a Section 16 Member"; and

- (b) in Subsection (2)(b), by repealing the words "or Section 16 Members.”.

**5. CALCULATION OF RATES OF BENEFIT (AMENDMENT OF SECTION 21).**

Section 21 of the Principal Act is amended -

- (a) in Subsection (1) by repealing the number and symbol "5%" and replacing them with the following:

“10%”; and

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- (b) in Subsection (2) by repealing the word "A" and replacing with the following:

"Subject to Section 28, a".

**6. BENEFITS UNDER DIVISION 2 (AMENDMENT OF SECTION 23).**

Section 23 of the Principal Act is amended -

- (a) in Subsection (1) -

- (i) by repealing the words "or a Section 16 Member"; and  
(ii) by inserting immediately after the words "former Prime Minister" the following:

"or a former Speaker of Parliament"; and

- (b) by repealing Subsection (2) and replacing it with the following:

"(2) The benefit under Subsection (1) shall consist of a contributor's final benefit which shall be taken as a pension for former contributors plus an amount equal to the contributor's contributions plus accumulated interest."

**7. CALCULATION OF DIVISION 2 PENSION AND ENTITLEMENTS (AMENDMENT OF SECTION 24).**

Section 24 of the Principal Act is amended -

- (a) in Subsection (2) by repealing the number and symbol "5%" and replacing them with the following:

"10%"; and

- (b) in Subsection (3) by repealing the word "A" and replacing it with the following:

"Subject to Section 28, a".

**8. CALCULATION OF RATES OF PENSION OR ENTITLEMENT (AMENDMENT OF SECTION 27).**

Section 27 of the Principal Act is amended -

- (a) in Subsection (1) by repealing the number and symbol "5%" and replacing them with the following:

"10%"; and

- (b) in Subsection (2) by repealing the word "A" and replacing it with the following:

"Subject to Section 28, a"

**9. NEW DIVISION 5.**

The Principal Act is amended in Part VI by inserting after Section 27 the following new Division:

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*"Division 5. - Benefits of former Speaker of Parliament.*

**27A. BENEFITS UNDER DIVISION 5.**

(1) A former contributor who served as Speaker of Parliament for a period in excess of 12 months shall be entitled to a benefit in respect of contributory service.

(2) The benefit under Subsection (1) shall consist of a contributor's final benefit which shall be taken as a pension or entitlement plus an amount consisting of the former contributor's contributions plus accumulated interest.

(3) The pension provided by Subsection (2) shall be separate from any pension provided by Division 1 but in calculating the rate at which the pension shall be paid, terms of contributory and non-contributory service shall be calculated together.

**27B. CALCULATION OF RATES OF PENSION OR ENTITLEMENT.**

(1) The rate at which the pension or entitlement provided under Section 27A(2) shall be paid is a rate of 10% of a Speaker's salary for each year of completed service.

(2) Subject to this Act, a pension paid under Subsection (1) ceases on the death of a former Speaker of Parliament."

**10. BENEFITS PAYABLE UPON THE DEATH OF A CONTRIBUTOR (AMENDMENT OF SECTION 28).**

Section 28 of the Principal Act is amended -

- (a) in Subsection (1), by repealing the words "or a Section 16 Member"; and
- (b) in Subsection (2), by repealing the words "and Section 16 Member entitlements"; and
- (c) by repealing Subsection (3) and replacing it with the following:

"(3) Where the deceased Member served three or more terms and would have received a pension under Section 21(1), 24(2), 25, 27(1) or 27B(1), the Board shall, in its discretion, determine to which relative the pension shall be paid."

***Parliamentary Members' Retirement Benefits (Amendment)***

I hereby certify that the above is a fair print of the ***Parliamentary Members' Retirement Benefits (Amendment) Act 2022***, which has been made by the National Parliament.



Clerk of the National Parliament.  
8 APR 2022

I hereby certify that the ***Parliamentary Members' Retirement Benefits (Amendment) Act 2022***, was made by the National Parliament on 24 February 2022.



Speaker of the National Parliament.  
8 APR 2022