

2013 *Presidential Retirements Benefits (Amendment)*

No. 9

**THE PRESIDENTIAL RETIREMENTS BENEFITS
(AMENDMENT) ACT, 2013**

No. 9 of 2013

Date of Assent: 14th January, 2013

Date of Commencement: 25th January, 2013

**AN ACT of Parliament to make amendments to the
Presidential Retirement Benefits Act to take
into account inflation trends and for
connected purposes**

ENACTED by the Parliament of Kenya, as follows—

1. This Act may be cited as the Presidential Retirement Benefits (Amendment) Act, 2013.

Short title

2. Section 2 of the Presidential Retirement Benefits Act, 2003, hereafter referred to as the “principal Act” is amended by inserting the following new definition in its proper alphabetical sequence—

Amendment of section 2 of No. 11 of 2003.

“eligible child” means any child of a deceased entitled person who—

- (a) is under eighteen years of age; or
- (b) is under twenty-four years of age and is undergoing a course of full time education; or
- (c) was at the time of the death of the deceased wholly or mainly dependent on the deceased and was at that time and has at all times since been either a person falling within paragraphs (a) and (b) or is incapable, and likely to remain permanently incapable, by reason of bodily or mental infirmity, of earning his own living, and is not for the time being maintained out of moneys provided by the Government in a hospital or similar institution;

3. Section 5 of the principal Act is amended—

Amendment of
section 5 of
No. 11 of
2003.

- (a) in paragraph (c), by deleting the words “of two hundred thousand shillings per month” and substituting therefor the words “equal to fifteen per cent of the monthly salary currently paid to the serving President”;
- (b) in paragraph (d), by deleting the words “of three hundred thousand shillings per month” and substituting therefor the words “equal to twenty-three per cent of the monthly salary currently paid to the serving President”;
- (c) in paragraph (g), by inserting the words “at least” immediately after the words “capacity of”;
- (d) in paragraph (h), by deleting the words “of two hundred thousand shillings per month” and substituting therefor the words “equal to fifteen per cent of the monthly salary currently paid to the serving President”; and
- (e) in paragraph (i), by deleting the words “of three hundred thousand shillings per month” and substituting therefor the words “equal to twenty-three per cent of the monthly salary currently paid to the serving President”.

4. The principal Act is amended by inserting the following new section immediately after section 7—

Insertion of
new Clause
7A.

Children’s benefit.

7A. Children’s pension shall be payable for the benefit of an eligible child where an entitled person dies and—

- (a) if there is only one child, pension at the rate of twenty-five percent of the pension entitlement of the entitled person;
- (b) if there are two or more children, a pension at the rate of fifty percent of the pension entitlement

of the deceased entitled person to be divided equally for the benefit of each child.

5. The Schedule to the principal Act is amended—

Amendment of
the Schedule to
No. 11 of 2003.

- (a) in paragraph (e)—
 - (i) sub-paragraph (i), by deleting the words “Provided that there shall be a maximum of six security guards”; and
 - (ii) sub-paragraph (ii), by deleting the words “Provided that there shall be a maximum of six security guards”;
- (b) in paragraph (f), by deleting the word “two” and substituting therefor the word “four”;
- (c) in paragraph (g), by deleting the word “two” and substituting therefor the word “four”;
- (d) in paragraph (h), by deleting the word “two” and substituting therefor the word “four”;
- (e) in paragraph (i), by deleting the word “two” and substituting therefor the word “four”; and
- (f) in paragraph (m), by adding the words “for the President and his or her spouse” at the end of the paragraph.