

State Service (Pensions) (Uniformed Forces) (Amendment)
Regulations, 2020 (No. 17)

IT is hereby notified that the Minister of Justice, Legal and Parliamentary Affairs on the recommendation of the Prison Service Commission and the Commissioner of Prisons has, in terms of section 130 of the Prisons Act [*Chapter 7:11*], the Minister of Defence and War Veterans Affairs after consultation with the Defence Forces Service Commission has, in terms of section 27 of the Defence Act [*Chapter 11:02*], and the Minister of Home Affairs and Cultural Heritage after consultation with the Police Service Commission has, in terms of section 72 of the Police Act [*Chapter 11:10*], made the following regulations:—

1. These regulations may be cited as the State Service (Pensions) (Uniformed Forces) (Amendment) Regulations, 2020 (No. 17).

2. The State Service (Pensions) (Uniformed Forces) Regulations, 1976, published in Rhodesia Government Notice 313 of 1976 (hereinafter called “the principal regulations”), are amended by the insertion after section 19B of the following sections—

“Special provisions for active ex-combatants in the Uniformed Forces

19C. (1) In this section and the Third Schedule—

“active ex-combatant” means an ex-combatant as defined in section 19B(1) who, on or after the fixed date, is or was a member of a uniformed force;

“commander” means the commander the uniformed force in which the active ex-combatant is active at the date of his or her retirement;

“fixed date” means the 1st December, 2017;

“monthly pensionable emoluments on retirement”, in relation to the monthly pensionable emoluments on retirement of an active ex-combatant, means one-twelfth of his or her retiring pensionable emoluments calculated in accordance with section 5(7)(a);

State Service (Pensions) (Uniformed Forces) (Amendment)
Regulations, 2020 (No. 17)

“potential beneficiary” and “beneficiary” mean, respectively, an active ex-combatant and a former active ex-combatant.

(3) Notwithstanding any other provision of these regulations, the following special provisions apply to an active ex-combatant who, on or after the fixed date, retires from a uniformed force—

- (a) he or she may commute one-third of his or her pension calculated in accordance with section 5(7)(a), so that (disregarding his or her actual age on retirement) the amount payable on commutation is equal to the amount he or she would have received had he or she retired on the 50th anniversary of his or her birthday and commuted the maximum amount possible in terms of section 8 of the Act of the pension that would have been payable to him on such retirement; and
- (b) when calculating his or her pension in terms of section 5(7)(a), the ceiling referred to in the proviso to that provision shall not apply to him or her, that is to say, his or her pension may exceed seventy-two *per centum* of his or her retiring pensionable emoluments; and
- (c) he or she shall, after commutation of one-third of his or her pension calculated in accordance with paragraphs (a) and (b), receive—
 - (i) a monthly pension equivalent to 90% of his or her monthly pensionable emoluments on retirement if, when he or she retires, he or she is a commissioned officer of the rank of General or Air Chief Marshal or the equivalent ranks in the other uniformed forces;
 - (ii) a monthly pension equivalent to 80% of his or her monthly pensionable emoluments on retirement if, when he or she retires, he or she is a commissioned officer of the rank of Lieutenant General or Major General, or Air Marshal or

- Air Vice Marshal or the equivalent ranks in the other uniformed forces;
- (iii) a monthly pension equivalent to 72% of his or her monthly pensionable emoluments on retirement if, when he or she retires, he or she is a commissioned officer of the rank of Brigadier General or Air Commodore or Colonel or Group Captain or Lieutenant Colonel or Wing Commander, or Major or Squadron Leader, or Captain or Flight Lieutenant or Lieutenant or Air Lieutenant or the equivalent ranks in the other uniformed forces;
 - (iv) a monthly pension equivalent to 72% of his or her monthly pensionable emoluments on retirement if, when he or she retires, he or she is a non-commissioned officer of the rank of Warrant Officer Class 1 or Master Technician or Warrant Officer Class 2 or Master Sergeant, or Flight Sergeant or Staff Sergeant or Sergeant or Corporal or the equivalent ranks in the other uniformed forces.

Commutation of pensions

19D. The provisions regarding the commutation of pensions contained in Part VII of the Public Service (Pensions) Regulations, 1992, published in Statutory Instrument 124 of 1992 (or any other law that may be substituted for the same) shall apply to the commutation of a pension calculated and paid in terms of these regulations.”.

3. The principal regulations are amended by the insertion of the following Schedule after the Second Schedule—

“THIRD SCHEDULE (*Section 19C*)

RETIREMENT BENEFITS OF ACTIVE EX-COMBATANTS

1. A potential beneficiary who is a commissioned officer of the rank of General or Air Chief Marshal, or Lieutenant General or Air Marshal, or Major General or Air Vice Marshal or the equivalent ranks in the other uniformed

State Service (Pensions) (Uniformed Forces) (Amendment)
Regulations, 2020 (No. 17)

forces, who has indicated his or her intention in writing to the President to retire in terms of section 19C, shall be entitled to the use and enjoyment of the following services, facilities and benefits—

Staff

- (a) the services of—
 - (i) three (3) security personnel, whose services shall be availed for only a single residence of his or her choice; and
 - (ii) a driver, when deployed for State duty as a member of the Reserve Force of a uniformed force or when called to attend at a national event;and

Housing

- (b) the provision of residential accommodation, namely—
 - (i) the free transfer of ownership to the beneficiary of a State residence already occupied by such beneficiary if appropriate on the date of his or her retirement; or
 - (ii) if the beneficiary was not occupying a State residence on the date of his or her retirement, the free transfer to the beneficiary of a single equivalent private residence on not more than 5 000 square metres of land, acquired or constructed on his or her behalf at any place of his or her choice in Zimbabwe, which acquisition or construction must be done or commenced within two months of the beneficiary's retirement;

Medical

- (c) medical benefits, that is to say drugs, dressings and specialist treatment in or outside Zimbabwe for the beneficiary and his or her spouse;

Transport

- (d) the provision of the following vehicles, namely—
 - (i) one sedan Mercedes Benz of the same kind as a serving commissioned officer of the same rank as the beneficiary is using in the course of his or her duties to the State; and
 - (ii) one four-wheel drive Land Cruiser or an equivalent or similar type of motor vehicle, of the same kind as a serving commissioned officer of the same rank as the beneficiary is using in the course of his or her duties to the State;

- (e) the beneficiary may purchase both of the vehicles referred to in subparagraph (d)(i) and (ii) at 3% of the residual value of the vehicle in accordance with the rate of depreciation of the vehicle (if the active ex-combatant concerned dies before retirement, his or her spouse shall be entitled to buy both vehicles at the same residual value);
- (f) the cost of fuel for the vehicles referred to in subparagraph (d) must be borne by the Government when the beneficiary is deployed for State duty as a member of the Reserve Force of a uniformed force or when he or she is invited to attend at a national event;

Funeral benefit

- (g) on the death of the beneficiary the State shall bear the cost of the funeral expenses of the beneficiary.

2. A potential beneficiary who is a commissioned officer of the rank of—

- (a) Lieutenant General or Air Marshal or the equivalent ranks in the other uniformed forces; or
- (b) Major General or Air Vice Marshal or the equivalent ranks in the other uniformed forces; or
- (c) Brigadier General or Air Commodore or the equivalent ranks in the other uniformed forces;

and who has indicated his or her intention in writing to the President to retire in terms of section 19C, shall be entitled to be promoted to the next higher rank six months before such retirement or discharge and shall enjoy all the benefits prescribed under paragraph 1 of this Schedule.

3. A potential beneficiary who is a commissioned officer—

- (a) of the rank of Colonel or Group Captain, or the equivalent ranks in the other uniformed forces and who has indicated his or her intention in writing to the President to retire in terms of section 19C, shall be entitled to be promoted to the next higher rank of Brigadier General or Air Commodore or the equivalent ranks in the other uniformed forces six months before such retirement; and
- (b) shall enjoy all the benefits prescribed under paragraph 1 of this Schedule, subject to the following—
 - (i) the benefits referred to in paragraph 1(a) and 1(b) do not apply to him or her;

State Service (Pensions) (Uniformed Forces) (Amendment)
Regulations, 2020 (No. 17)

- (ii) he or she is entitled to the provision of residential accommodation, namely—
 - A. the free transfer of ownership to the beneficiary of a State residence already occupied by such beneficiary on the date of his or her retirement; or
 - B. if the beneficiary was not occupying a State residence on the date of his or her retirement, the free transfer to the beneficiary of a single equivalent private residence on not more than 3 000 square metres of land, acquired or constructed on his or her behalf at any place of his or her choice in Zimbabwe, which acquisition or construction must be done or commenced within two months of the beneficiary's retirement;
 - (iii) instead of the benefits referred to in paragraph 1(d) and (f), he or she shall be entitled to—
 - A. a sedan vehicle of the same kind as a serving commissioned officer of the same rank as the beneficiary is using in the course of his or her duties to the State; and
 - B. a pick-up vehicle which is less than two years old at the date of retirement;
 - (iv) the beneficiary may purchase both vehicles at 3% of the residual value of the vehicle in accordance with the rate of depreciation of the vehicle (if he or she dies before retirement, his or her spouse shall be entitled to buy both vehicles at the same residual value).
4. A potential beneficiary who is a commissioned officer—
- (a) of the rank of Lieutenant Colonel or Wing Commander or the equivalent ranks in the other uniformed forces, and who has indicated his or her intention in writing to the President to retire in terms of section 19C, shall be entitled to be promoted to the next higher rank of Colonel or Group Captain or the equivalent ranks in the other uniformed forces six months before such retirement; and
 - (b) shall enjoy all the benefits prescribed under paragraph 1 of this Schedule, subject to the following—
 - (i) the benefits referred to in paragraph 1(a) and (b) do not apply to him or her;

- (ii) he or she is entitled to the provision of residential accommodation, namely, the free transfer to the beneficiary of a single private residence on not more than 2 000 square metres of land, acquired or constructed on his or her behalf at any place of his or her choice in Zimbabwe, which acquisition or construction must be done or commenced within two months of the beneficiary's retirement;
 - (iii) instead of the benefits referred to in paragraph 1(d) and (f), he or she shall be entitled to a pick-up vehicle which is less than three years old at the date of retirement, and which is of the same kind as that of a serving commissioned officer of the rank of Colonel or Group Captain or the equivalent ranks in the other uniformed forces;
 - (iv) the beneficiary may purchase the vehicle at 3% of the residual value of the vehicle in accordance with the rate of depreciation of the vehicle (if he or she dies before retirement, his or her spouse shall be entitled to buy the vehicle at the same residual value).
5. A potential beneficiary who is a commissioned officer of the rank of—
- (a) of Major or Squadron Leader or the equivalent ranks in the other uniformed forces, who has indicated his or her intention in writing to retire in terms of section 19C, shall be entitled to be promoted to the next higher rank of Lieutenant Colonel or Wing Commander or the equivalent ranks in the other uniformed forces, six months before such retirement; and
 - (b) shall enjoy all the benefits prescribed under paragraph 1 of this Schedule, subject to the following—
 - (i) the benefits referred to in paragraph 1(a) and (b) do not apply to him or her;
 - (ii) the provision of residential accommodation, namely, the free transfer to the beneficiary of a single private residence on not more than 1 000 square metres of land, acquired or constructed on his or her behalf at any place of his or her choice in Zimbabwe, which acquisition or construction must be done or commenced within two months of the beneficiary's retirement;
 - (iii) instead of the benefits referred to in paragraph 1(d) and (f), he or she shall be entitled to a pick-up vehicle which is less than three years old at the date of retirement;

State Service (Pensions) (Uniformed Forces) (Amendment)
Regulations, 2020 (No. 17)

(iv) the beneficiary may purchase the vehicle at 3% of the residual value of the vehicle in accordance with the rate of depreciation of the vehicle (if he or she dies before retirement, his or her spouse shall be entitled to buy the vehicle at the same residual value).

6. A potential beneficiary who is a commissioned officer of the rank of—

- (a) Captain or Flight Lieutenant, or Lieutenant or Air Lieutenant or the equivalent ranks in the other uniformed forces who has indicated his or her intention in writing to retire in terms of section 19C, shall be entitled to be promoted to the next higher rank of Major or Squadron Leader or Captain or Flight Lieutenant or the equivalent ranks in the other uniformed forces, as the case may be, six months before such retirement; and
- (b) shall enjoy all the benefits prescribed under paragraph 1 of this Schedule, subject to the following—
 - (i) the benefits referred to in paragraph 1(a), (d) and (f) do not apply to him or her;
 - (ii) the provision of residential accommodation, namely, the free transfer to the beneficiary of a single private residence on not more than 750 square metres of land, acquired or constructed on his or her behalf at any place of his or her choice in Zimbabwe, which acquisition or construction must be done or commenced within two months of the beneficiary's retirement.

7. A potential beneficiary who is a non-commissioned officer of the rank of—

- (a) Warrant Officer Class 1 or Master Technician or the equivalent ranks in the other uniformed forces who has indicated his or her intention in writing to retire in terms of section 19C, shall be entitled to be promoted to the next higher rank of Captain or Flight Lieutenant or the equivalent ranks in the other uniformed forces, six months before such retirement; and
- (b) shall not enjoy any of the benefits prescribed under paragraph 1 of this Schedule, except for 1(c) and 1(g);
- (c) is entitled to the free transfer to him or her of a single two-bed roomed private residence on not more than 500 square metres of land, acquired or constructed on his or her behalf at any place of his or her choice in Zimbabwe, which acquisition or construction

must be done or commenced within two months of the beneficiary's retirement;

8. A potential beneficiary who is a non-commissioned officer of the rank of—

- (a) Warrant Officer Class 2 or the equivalent ranks in the other uniformed forces and below who has indicated his or her intention in writing to retire in terms of section 19C, shall be entitled to be promoted to the next higher rank, six months before such retirement; and
- (b) shall not enjoy any of the benefits prescribed under paragraph 1 of this Schedule, except for 1(c) and 1(g);
- (c) is entitled to the free transfer to him or her of a single two-bed roomed private residence on not more than 300 square metres of land, acquired or constructed on his or her behalf at any place of his or her choice in Zimbabwe, which acquisition or construction must be done or commenced within two months of the beneficiary's retirement.”.

