

LEGAL NOTICE NO. ....

**THE PUBLIC SERVICE SUPERANNUATION SCHEME ACT**  
*(Cap 189A)*

**IN EXERCISE** of the powers conferred by section 55 of the Public Service Superannuation Scheme Act Cap 189A, the Cabinet Secretary for the National Treasury and Economic Planning, on the recommendation of the Public Service Superannuation Fund Board of Trustees makes the following Regulations—

**THE PUBLIC SERVICE SUPERANNUATION SCHEME REGULATIONS, 2024**

Citation.	<b>1.</b> These Regulations may be cited as Public Service Superannuation Scheme Regulations, 2024.
Interpretation.	<b>2.</b> In these Regulations, unless the context otherwise requires—
	“Act” means the Public Service Superannuation Scheme Act Cap 189A.
	“Cabinet Secretary” means the Cabinet Secretary for the time being responsible for matters relating to finance;
	“employer” means the—
	(a) the Teachers Service Commission;
	(b) the National Police Service Commission or an authorized officer duly appointed by the National Police Service Commission.
	(c) Public Service Commission or an authorized officer duly appointed by the Public Service Commission.
	(d) any other employer that the Cabinet Secretary determines to be a public service for the purposes of the Act.
	“other service” means any other service within the public service as defined in Article 260 of the Constitution other than the public service referred to in section 2 of the Act;
	“Retirement Savings Account” means an account maintained for a member that is credited with the member’s accrued benefits comprising the contributions made by or on behalf of the member, net of expenses, as well as the investment gains or losses allocated to the member as determined by the trustees of the scheme.

	“Trivial pension” means an amount which is considered to be small enough to allow it to be paid as a lumpsum as determined by the Retirement Benefits Authority from time to time.
Determination of other service to be Public Service	<b>3.</b> (1) The Cabinet Secretary may determine any other service to be Public Service for purposes of the Act upon request by that other service in writing
	(2) In determining whether any other service is Public Service for purposes of the Act, the Cabinet Secretary shall consider—
	(a) whether the entity is a National Government entity as defined under the Public Finance Management Act, 2012;
	(b) whether the employees are employed on permanent and pensionable terms; and
	(c) the size of the entity
Obligation of the employer.	<b>4.</b> (1) Every employer shall —
	(a) inform all eligible employees of their automatic membership to the scheme as per section 5 of the Act;
	(b) provide the employees with information about the scheme;
	(c) ensure the employee completes and submits—
	(i) the Membership Enrolment Form PSSS 1 set out in the Schedule;
	(ii) the Beneficiary Nomination Form PSSS 2 set out in the Schedule;
	(2) The employer shall require every new member of the Scheme to fill and deliver the membership enrolment form and the beneficiary nomination form provided under paragraph (1)(c) to the Scheme within fourteen days of first reporting on duty.
General Obligations of Members	<b>5.</b> (1) Each member shall—
	(a) at first appointment or upon joining the Scheme, complete and submit the Membership enrolment form and the Beneficiary

	nomination form provided under regulation 4(1)(c) to the Scheme within fourteen days of the date of first reporting on duty;
	(b) review and update the Beneficiary nomination form where necessary;
	(c) ensure that the employer deducts and remits the correct member's contribution to the Scheme on a monthly basis as provided in the Act;
	(d) scrutinize the annual statements issued by the scheme to confirm correctness and notify the Scheme in the event the statement contains any error;
	(e) attend the annual general or special meeting called by the Scheme.
	(2) Every member who joined the Scheme before the commencement of these regulations, shall within three months after the commencement of these regulations, complete and submit the Membership enrolment form and the Beneficiary nomination form provided under regulation 4(1)(c) to the Scheme.
Obligations of the Trustees.	<b>6. (1) The Board shall—</b>
No. 3 of 1997	(a) administer the Scheme in accordance with the provisions of the Act and the Retirement Benefits Act, 1997;
	(b) ensure that scheme funds are invested by a manager duly appointed in accordance with the Act.
	(c) keep proper books and records of account with respect to income, expenditure, liabilities and assets of the Scheme;
	(d) compute and prepare statements of payments of benefits to members;
	(e) liaise with the Retirement Benefits Authority, Government, the employers, members, manager, custodian and any other professionals engaged by the Scheme for the proper administration of the Scheme;
	(f) collect, keep and update retirement benefits data of each member including maintenance of up to date individual membership records;
	(g) ensure that the agreed contributions have been remitted to the custodian as required by the Act and these regulations;
	(h) provide members with annual membership benefits statements;
	(i) convene an Annual General Meeting of members;

	(j) conduct member education at intervals to be determined by the Board;
	(k) establish a dispute resolution mechanism for the Scheme;
	(l) ensure that documents intended to bind the Scheme are professionally prepared;
	(m) submit to the Cabinet Secretary, the employers and the Retirement Benefits Authority within a period of three months from the end of the financial year, the audited accounts of the Scheme;
	(n) notify the Cabinet Secretary, the employer and the Retirement Benefits Authority of the particulars of the manager, custodian and administrator of the scheme, which particulars shall include —
	(i) the full name of the manager, custodian and administrator;
	(ii) the physical and postal address of the registered office of the manager, custodian and administrator;
	(iii) the contents of the agreement limited to duties owed by the trustees to the service provider, duties of the service provider to the scheme and any other fixed timelines; and any other particulars as the Cabinet Secretary, the employer and the Retirement Benefits Authority may request from the trustees
	(o) submit to the Cabinet Secretary, the employer and the Retirement Benefits Authority at least once in every three months from the date of commencement of the financial year of the Scheme—
	(i) the valuation of the scheme fund representing all the assets of the scheme, and separately the investment return thereof of contributions made by or on behalf of members of the scheme who are employees of each employer;
	(ii) a report containing a review of the investment activity and performance of the investment portfolios comprising the scheme fund from the date of the last report containing the manager's proposals for investment of the scheme fund; and

	(iii) a record of all investment transactions of the scheme during the previous period.
	(p) Issue instructions as per the service level agreement with the custodian, manager and administrator.
	(2) The Board shall within six months of commencement of these Regulations ensure that all members of the Scheme under section 5 of the Act fill and submit the Membership Enrolment Form and Beneficiary Nomination Form provided under regulation (4) (1) (c) set out in the Schedule for their records.
	(3) The Board may delegate any of its functions and powers relating to the Scheme to any one or more of its number and may delegate any matters relating to the administrative affairs of the Scheme to such administrators, managers, approved issuers or custodians.
	(4) Despite paragraph (3), the Board shall not delegate the exercise of its discretionary power under the Act and these Regulations.
Annual General Meeting	<b>7.</b> (1) The Board shall hold an Annual General Meeting of members once in every year.
	(2) The agenda of the Annual General Meeting shall be—
	(a) reports on changes to the structure of contributions and benefits;
	(b) a report of audited accounts;
	(c) a report on investments;
	(d) a declaration of net investment return of the scheme
	(d) a report on the remuneration of Trustees;
	(e) questions from members; and
	(f) any other matter that relates to the administration of the scheme.
	(3) The Board shall at least fourteen days before the annual general meeting provide to the members—
	(a) a notice of the meeting including the agenda;
	(b) minutes of the last General Meeting;

	(c) the audited accounts; and
	(d) any other documents that shall be necessary for the meeting.
	(4) The Board shall publicize the notice under paragraph (3) (a) in such media as may facilitate widest reach to the members.
Special General Meeting	<b>8.</b> (1) The Board may at any time at its own discretion convene a Special General Meeting of the Scheme.
	(2) At least five percent of members of the Scheme or an employer may at any time requisition a Special General Meeting of the Scheme by a written notice signed by the persons requisitioning for the meeting, specifying the object of the proposed meeting and sent by post, or delivered, to the Secretary of the Board.
	(3) The Board shall, upon receipt of the notice referred to in paragraph (2), convene a Special General Meeting of the Scheme which shall be held within thirty days after the delivery of such notice.
	(4) Upon receipt of the requisition of a Special General Meeting referred to in paragraph (2), the Board shall issue a notice of the Special General Meeting within fourteen days.
	(5) If the Board fails to within thirty days after the delivery of the written notice mentioned in paragraph (2) to convene a Special General Meeting of the Scheme in accordance with the requisition, the requisitioning members or employer may themselves convene such meeting to be held at any time within two months after such delivery.
	(6) The resolutions of the Special General Meeting shall be conveyed to the Board in writing and implemented by the Board where applicable.
Additional Voluntary Contributions	<b>9.</b> (1) A Member may elect to pay additional voluntary contributions to the Scheme in addition to the mandatory contributions under section 6 of the Act.
	(2) A member who elects to make additional voluntary contributions shall instruct the employer to deduct the additional voluntary contributions

	from the member's monthly pensionable emoluments and notify the Board in Form PSSS 4 set out in the Schedule.
	(3) A Member shall instruct the employer and notify the Board of his intention to increase, reduce or stop making additional voluntary contributions in form PSSS 4 set out in the Schedule.
Retirement Savings Account.	<b>10.</b> (1) Pursuant to section 24(1) of the Act, the Board shall ensure that the Administrator sets up and maintains for each member a retirement savings account in the member's name.
	(2) The retirement savings account of each member of the Scheme shall show an up-to date full breakdown of all contributions, transferred retirement savings, if any, and accrued interest.
	(3) Each member shall, within four months of the end of every financial year, receive from the Scheme an annual benefit statement which will reflect all contributions, transferred retirement savings, if any, and accrued interest.
	(4) Notwithstanding the provisions of paragraph (3), a member may, upon request in writing obtain a certified statement of their retirement savings account within seven days of the request.
	(5) Where the Board has provided the information herein required online, a member may access the information at any time.
	(6) The Board shall ensure that the information provided on the online platform is up to date and accessible at any time.
	(7) Where the information required by a member cannot be obtained from the online platform maintained for that purpose, the Board may on the request of the member avail that information through other appropriate means.
Withdrawal from the Retirement Savings Account.	<b>11.</b> (1) Pursuant to section 26 of the Act, a member who leaves employment of the Public Service as defined under the Act before attaining retirement age and who wishes to withdraw their retirement savings shall notify the Board in Form PSSS 3 set out in the Schedule.
	(2) A request under paragraph (1) shall be accompanied by—
	(a) copy of the member's National Identification Card;

	(b) proof of exit from employment of the Public Service as defined under the Act;
	(3) Upon receipt of a request under paragraph (1), the Board shall ensure that the member is paid his contributions and accrued interest in full together with the aggregate of any additional contributions together with accrued interest in full within thirty days from the date of notice.
Transfer of benefits.	<b>12.</b> (1) A member who leaves employment of the Public Service as defined under the Act before attaining retirement age and who wishes to transfer their retirement savings to another retirement benefits scheme, registered under the Retirement Benefits Act, 1997, shall request the Board to transfer their retirement savings to the new scheme in Form PSSS 3 set out in the Schedule.
	(2) A request under paragraph (1) shall be accompanied by—
	(a) a copy of the member’s National Identification Card;
	(b) proof of exit from employment of the Public Service as defined under the Act;
	(c) name and address of the new scheme;
	(d) letter of confirmation of admission into the new scheme.
	(3) Upon receipt of a request under paragraph (1), the Board shall ensure that the savings and accrued interest in full together with the aggregate of any additional contributions are transferred to the new Scheme within sixty days from the date of a member’s request.
Deferment of Benefits.	<b>13.</b> (1) A member who leaves employment of the Public Service as defined under the Act before attaining retirement age may defer access to their retirement savings upon giving notice to the Board in Form PSSS 3 set out in the Schedule.
	(2) A member who defers access to their retirement savings may at any time withdraw their contributions or transfer the benefits in accordance with the provisions of Regulation (11) and (12), respectively.
	(3) Upon attainment of retirement age, a member who had deferred access to their retirement savings may notify the Scheme in Form PSSS 3 set out in the schedule of their intention to access their retirement benefits in accordance with Regulation 11.
Retirement upon attainment of	<b>14.</b> (1) An employer shall notify the Scheme of a member’s retirement at least twelve months before attainment of retirement age.



mandatory retirement age.	
	(2) The Board shall, not less than thirty days before a member attains the retirement age, in accordance with section 27(1)(a) of the Act, inform a member of the retirement benefit options available to the member.
	(3) Upon retirement, an employer shall notify the Scheme and provide the following documents to facilitate processing of the member's retirement benefits—
	(a) a copy of the member's National Identification Card;
	(b) proof of retirement from the service;
	(c) duly filled claim Form PSSS 3 set out in the Schedule;
	(d) option election form for members who joined PSSF at age forty-five years and above as at 1 <sup>st</sup> January 2021;
	(4) Upon receipt of the documents referred to in paragraph (3), the Scheme shall process and pay the benefits within thirty days.
Early Retirement.	<b>15.</b> (1) An employer shall inform the Board of retirement of a member who retires other than under section 27(1) (a) of the Act in Form PSSS 6 set out in the Schedule.
	(2) Within fourteen days of receipt of the notice specified in paragraph (1), the Board shall inform a member of the retirement benefit options available to the member.
	(3) Upon retirement as specified in paragraph (1), the employer shall provide the following documents to facilitate processing of the member's retirement benefits—
	(a) a copy of the member's National Identification Card;
	(b) proof of retirement from the service;
	(c) duly filled claim form PSSS 3 set out in the Schedule.
	(d) option election form for members who joined PSSF at age forty-five years and above as at 1 <sup>st</sup> January 2021;
	(4) Upon receipt of the documents referred to in paragraph (3), the Scheme shall process and pay the benefits within thirty days.

Payment of Retirement Benefits.	<b>16.</b> (1) Upon retirement, a member may on request be paid a one-off lumpsum of up to one-third of the retirement savings and the balance shall be utilized as follows—
	(a) for the payment of monthly or quarterly withdrawal from an income drawdown arrangement administered by the Scheme; or
	(b) for the payment of monthly or quarterly withdrawal from an income drawdown arrangement of a member's choice;
	(c) for the purchase of an annuity for life from a life insurance provider of a member's choice; or
	(d) for a combination of (a), (b) and (c) as guided by the member.
	(2) Where the balance of the retirement savings after the determination of the lumpsum referred to in paragraph (1) results in an amount determined by the Retirement Benefits Authority as a trivial pension, the member may opt to receive the full retirement savings as a lumpsum payment.
	(3) Upon retirement, a member may apply to withdraw any additional voluntary contributions into the Scheme and accrued interest in full.
Benefits from the Scheme upon Death in Service.	<b>17.</b> (1) Where a member dies in service, the member's beneficiaries shall be entitled to —
	(a) the member's retirement savings;
	(b) the insurance benefit from the life insurance policy maintained under section 6(4) of the Act.
	(2) Where a member dies in service, the employer shall notify the Board of Trustees of the death in form PSSS 6 set out in the Schedule.
	(3) The notification shall be accompanied by—
	(a) a duly filled claim Form PSSS 5 set out in the Schedule;
	(b) a duly filled Beneficiary Nomination Form PSSS 2 where available;

	(c) certified copy of the Death Certificate of the deceased member;
	(d) certified copy of the Marriage Certificate or Affidavit of marriage, where applicable;
	(e) certified copies of the Birth Certificates of the deceased member's children;
	(f) certified copies of the National Identification Cards of the beneficiaries, where applicable
	(g) clear coloured copy of the front-side of a bank ATM Card for each of the beneficiaries;
	(4) The Board may require the employer or a claimant to provide such other information as may be necessary to facilitate the determination of a claim.
	(5) On the death of a member, the Board shall pay the retirement savings of the deceased member as provided in the member nomination form or as determined by the Trustees at their discretion to the beneficiaries.
	(6) A beneficiary may request the Scheme to pay the retirement savings under Regulation 17(1)(a) as follows—
	(a) a refund of one hundred percent of the retirement savings to beneficiaries in lumpsum; or
	(b) a refund of up to one-third of the total retirement savings as lumpsum and the remaining two-thirds to be utilized to purchase an annuity; or
	(c) a refund of up to one-third of the total retirement savings as lumpsum and the remaining two-thirds be paid out in form of an Income Draw Down arrangement administered by the Scheme; or
	(d) a refund of up to one-third of the total retirement savings as lumpsum and the remaining two-thirds be paid out in form of regular income from an Income Drawdown Fund of the beneficiary's choice; or

	(e) utilize one hundred percent of the total retirement savings to purchase an annuity; or
	(f) utilize one hundred percent of total retirement savings to receive a regular income from an Income Drawdown Fund of the member's choice; or
	(g) utilize one hundred percent of total retirement savings to receive a regular income from the Scheme; or
	(h) transfer the total retirement savings to a Trust Fund for management of upkeep and education expenses for minor beneficiaries; or
	(i) payment of up to 1/3 of the retirement savings in lumpsum and transfer of the balance to a Trust Fund for management of upkeep and education expenses for minor beneficiaries.
	(7) The Trustees shall have discretion on the distribution of the benefits referred to in paragraph (1) while taking into consideration the wishes of the deceased member as provided in the beneficiary nomination form, if any.
	(8) The reasons for the exercise of the discretion and the decision of the Board of Trustees shall be recorded in the minutes of the meeting of Trustees and disclosed to the beneficiaries.
Benefits under Life Insurance.	<b>18.</b> (1) Upon receipt of a notification under regulation 16(2), the Board shall notify the provider of the life insurance policy maintained under section 6(4) of the Act of the death in writing and require the insurance provider to settle the claim.
	(2) Upon receipt of the proceeds of the life insurance benefit, the Board shall determine the application of the benefits in accordance with paragraph (3).
	(3) the Board may pay the death benefits under section 6(4) of the Act as follows—
	(a) directly to the nominated beneficiaries; or
	(b) to any other person as the Board may determine in the exercise of its discretionary powers.
	(4) Where the beneficiaries are children below the age of eighteen years, the Board shall exercise its discretion to determine that the retirement

	savings and the life insurance benefits referred to in section 6(4) of the Act are retained and administered by the Scheme or are transferred to a Trust Fund determined by the Board.
	(5) The retirement savings and life insurance benefits referred to in paragraph 4 shall be utilized for the education, healthcare and upkeep of the children until the children attain the age of twenty-five years or complete their education, whichever is earlier.
Retirement Benefits accrued before the commencement of the Act. Cap. 189  Cap. 195	<b>19.</b> (1) The Government shall-
	(a) determine the value of benefits relating to service under other pension schemes existing before the commencement of the Act through an actuarial valuation of the benefits entitled to each member as at the date of joining the Scheme;
	(b) revalue the benefits determined under sub-paragraph (a) at a rate of 5% per year up to the date of member's exit from the Scheme;
	(c) communicate the amount under sub-paragraph (a) and the revaluation rate under sub-paragraph (b) to the members of the Scheme through issuance of recognition letters in accordance with section 50(1)(b) of the Act;
	(d) copy the recognition letters to the employer;
	(e) on or before the exit of a member from the Scheme, charge the amount determined under sub-paragraphs (a) and (b) on the Consolidated Fund.
	(f) ensure that the member is paid within three months of retirement.
Dispute Resolution.	<b>20.</b> Any dispute arising from the decision of the manager, administrator, custodian or the Board on matters relating to contributions, benefits, registration, rejection or variation of dependants or cancellation arising from the application of the Act and these Regulations, shall be resolved by the Board in the first instance; and in accordance with sections 46 and 48 of the Retirement Benefits Act, where a member is dissatisfied with the decision of the Board.

Cases not covered by the Regulations	<b>21.</b> (1) Any matter not addressed by these Regulations shall be dealt with in accordance with such special or general instructions issued by the Board.
	(2) Subject to the Constitution and any other written law, nothing in these Regulations shall preclude the Board from considering and determining any matter that is within the Board's mandate but has not been addressed in these Regulations.