

THE NATIONAL SOCIAL SECURITY FUND ACT, 1985

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THE NATIONAL SOCIAL SECURITY FUND

ACT, 1985.

AN ACT to provide for the establishment of a National Social Security Fund and to provide for its membership, the payment of contributions to, and the payment of benefits out of, the Fund and for other purposes connected therewith.

DATE OF ASSENT: 13th June, 1985.

Date of Commencement: (See section 56).

BE IT ENACTED by the President and the National Assembly, in this present Parliament assembled, as follows:-

ESTABLISHMENT AND MANAGEMENT OF THE FUND.

Act 8

National Social Security Fund

1985

ESTABLISHMENT AND MANAGEMENT OF THE FUND.

1. (1) There is hereby established a Fund to be known as the National Social Security Fund, into which there shall be paid all contributions and all other payments made in accordance with the provisions of this Act and out of which there shall be paid all benefits and other payments required by this Act.

Establishment
of the Fund.

(2) The Fund shall be a body corporate having perpetual succession and a common seal, and may sue or be sued in its corporate name and may, in connection with its functions under this Act purchase, hold, manage and dispose of any property, enter into contracts and do or suffer all such other things as bodies corporate may lawfully do or suffer.

(3) The Fund shall have a common seal and the seal shall be authenticated by the signature of the Chairman and one other member of the Board or of any other two members of the Board authorised by resolution of the Board either generally or specially to act in that behalf.

**Board of
Directors**

2. (1) The governing body of the Fund shall be a Board of Directors consisting of a Chairman, the Managing Director and not less than six nor more than eight other members.

(2) The Chairman and the other members of the Board other than the Managing Director, shall be appointed by the Minister for a period of three years and upon such terms and conditions as may be specified in their instrument of appointment and shall be eligible for reappointment.

(3) The Minister shall revoke the appointment of the Director,

- (a) if he is unable to perform the functions of his office;
or
- (b) if he is insolvent or bankrupt; or
- (c) if he is convicted of an offence involving fraud or dishonesty.

(4) A Director may, by writing under his hand addressed to the Minister, resign his office.

General
Functions
and duties of
the Board

3. (1) The Board shall operate and manage the Fund and exercise such functions, powers and duties as are conferred upon it by this Act.

(2) In the performance of its functions and duties in the exercise of its powers the Board may do all lawful things that are necessary or expedient to secure the due execution of the purposes of this Act.

(3) The Board shall ensure that there is secure, profitable and effective financial management of the Fund for the benefit of the workers in particular and the country at large.

(4) The Board may delegate any of its powers to a committee or any person, as it may deem necessary.

4. (1) The Chairman shall preside at all meetings of the Board but in his absence any member appointed in that behalf by the members present shall preside.

Meetings of the
Board.

(2) The Board shall meet for the discharge of its functions at least once every three months at such time and place as the Chairman may appoint or upon the request of the majority of the Board members.

(3) The quorum at any meeting of the Board shall be five.

(4) Decisions of the Board shall be taken by a simple majority of the members present and voting, with the person presiding having a casting vote.

(5) The Board may invite any person who is not a member to participate in the deliberations of the Board, but such person shall not be entitled to vote.

ELIGIBILITY, MEMBERSHIP AND REGISTRATION.

5. (1) Any employee of or above the age of sixteen and below the age of fifty-five years except, **Eligible Employee.**

- (a) an employee employed in excepted employment;
- (b) a non-resident employee;
- (c) an employee not employed in Uganda,

who is declared by the minister to be such employee and any farmer or artisan who is a member of a co-operative society, shall, for the purposes of this Act, be deemed to be an eligible employee.

(2) Notwithstanding the provisions of subsection (1) of this section, the Minister may, by statutory order, declare the following employees or class of employees eligible employees, that is to say,

- (a) any non-resident employees or any class of non resident employees;
- (b) any employees not employed in Uganda or any class of employees not employed in Uganda,

and such may, in such order or in a subsequent order, modify the application of this Act to any or all such employees or class of employees mentioned in the order.

Compulsory registration of employers and eligible employees.

- 6.** (1) The Minister may, by statutory order,
- (a) specify any class or description of eligible employees as persons who shall be registered as members of the Fund; and
 - (b) specify any class or description of employers as persons who shall be registered as contributing employers.

(2) When the Minister has made an order under the immediately preceding subsection, any person to whom such order applies shall register himself in the prescribed manner; and any employer of a class or description specified in the order as a contributing employer, whether such employer is registered or not, shall be subject to the same extent to those provisions of this Act which apply to a registered contributing employer.

- (3) Where, in the order made under subsection (1) of this

section, the Minister specifies any class or description of employers as contributing employers by reference to the number of employees, any employer affected by that order who is dissatisfied with such specifications may in writing authorise the Government Statistician to disclose to the minister the number of employees declared by that employer at the previous annual enumeration of employees and such disclosure shall be conclusive until the next enumeration.

(4) It shall be the duty of a registered employee to produce evidence of his registration and membership to his employer, and, if he changes his name, to give all such particulars to the Fund.

(5) An employer of a class or description specified in an order made under paragraph (b) of subsection (1) of this section, shall, whenever applying for a business licence, be required to produce a clearance certificate of up-to-date payments of due contributions issued by the Managing director; for the purposes of this subsection business licence includes a practising certificate for any profession.

(6) No employer of a class or description specified in an order made under paragraph (b) of subsection (1) of this section, shall leave or attempt to leave permanently, unless he is in possession of a clearance certificate issued by the Managing Director.

(7) A clearance certificate shall be valid for such period from the date of issue or for such number of journeys to a destination outside Uganda as may be specified therein. See S.6 (7) of the Act.

7. (1) For the purposes of this Act any Employment specified in Schedule 1 to this Act is an excepted employment.

**Excepted
employment
Schedule 1.**

(2) The Minister may, by statutory instrument, amend Schedule 1.

8. Any person registered as a contributing employer who,

(a) ceases to employ an eligible employee; or

(b) throughout the two years immediately preceding his application under this section has employed less than the minimum number of employees required under this Act for compulsory registration, may apply to the Managing Director, in the form approved by the Minister, for the cancellation of his registration; and the Managing Director shall, if he is satisfied with the information contained in such application, cancel the registration.

**Cancellation
of
registration.**

Voluntary membership

9. (1) Subject to the provisions of subsection (2) of this section, any employer who is not required by an order made under subsection (1) of section 6 of this Act may subject to any prescribed terms and conditions, apply for voluntary registration as a contributing employer; and any eligible employee of such employer may thereafter apply for voluntary registration as a member of the Fund.

(2) The Minister may, by statutory order, appoint a period during which registration under this section may be made.

(3) Any member of the Fund in respect of whom the standard contribution has ceased to be payable under this Act may apply in time and in the manner prescribed to make voluntary contributions to the Fund which,

- (a) shall not be less than half of, nor more than, the average rate of standard contribution formerly payable by his employer; and
- (b) shall not be payable concurrently with the compulsory standard contribution.

(4) For the purpose of this section, “employee” includes a minister of religion, “employer” includes any person or body of persons or corporation from whom the minister of religion received his stipend; “minister of religion” includes any clerk in holy orders, pastor missionary, kahdi, imam, sheikh, or other person acting in any similar capacity who is engaged in ministering to the spiritual needs of others.

Payment of standard (contributions) by employers.**CONTRIBUTIONS.**

10. (1) Subject to the provisions of this section, See Act and after the appointed day every contributing employer shall for every month during which he pays wages to an eligible employee pay to the Fund, within fifteen days next following the last day of the month for which the relevant wages are paid, a standard contribution of fifteen percent calculated on the total wages paid during that month to that employee.

(2) The Minister may direct that any payment or class of payments of a kind mentioned in the direction shall be treated as wages and may in such direction direct the manner of assessing liability in a case where abnormal or unusual pay practices may have an appreciable effect on the contribution due.

(3) If an eligible employee is employed successively or

concurrently by two or more employers, each of such employers shall pay to the Fund in respect of such employees a contribution corresponding to the wages he pays such eligible employee.

(4) When a member of the Fund dies during a month, no standard contribution for the month in which he dies shall be paid on the wages of such member, but, if the standard contribution is paid to the Fund, whether or not at the time of such payment the employer knew of the death of the member of the Fund, such contribution shall not be refundable but shall be regarded as properly paid and accordingly shall be credited the deceased member's account and shall form part of the balance of his account.

(5) If after a contribution has been assessed on the wages of an eligible employee in any one month and paid to the Fund a further payment is made during a subsequent month in respect of the same period of service, no reassessment in respect of the first month shall be made but the further payment shall be included in the assessment of the contribution in respect of the month during which the further payment was made.

(6) Every employer shall furnish to the Managing Director on an approved form such particulars regarding each eligible employee in his service, his wages the contribution due on such wages, the total wages to such employees, and the total contributions and such other information as the Managing Director may require.

11. (1) A contributing employer may deduct from the monthly wage payment of his employee the employee's share of a standard contribution of five per cent calculated on the total wages paid during that month to the employee, but if more than one wage payment is made during any month, the employer may provisionally deduct from all but the last wage payment part of the employee's share of a standard contribution.

(2) Where, during any month, the total sum provisionally deducted in accordance with the provisions of subsection (1) of this section is equal to the employee's share of the standard contribution the employer may, notwithstanding the provisions of subsection (1) of this section, deduct from the last wage payment during that month the difference between the employee's share and the total sum already deducted, but, if the total sum so deducted exceeds the employee's share, he shall refund the amount in excess to the employee forthwith.

(3) Where through inadvertence the employer fails to recover any

**Employee's
share of
standard
contribution**

sum due at the proper time, he may recover that sum as is due in not less than four equal instalments and within six months of payment of wages unless the employee agrees in writing to the deduction being made over a shorter period or in fewer instalments; but, no such recovery shall be made where the failure to recover such sum was due to the employer's negligence; and no deduction shall be made for any other contribution or part thereof which is not authorised by this section, whether or not in pursuance of a contract or an agreement between an employee and the employer.

(4) If an eligible employee so agrees in writing, the employer may make deduction at an agreed rate from the employee's wage payment or payments in any month and shall adjust the wage payment during the month next following such deduction so as to take account of the difference between the agreed deduction or deductions and the employee's share of the standard contribution due for the month:

Provided that,

- (a) the employee may at any time withdraw his agreement by giving written notice to his employer which shall be effective from the second wage payment next following the giving of the notice to the employer;
- (b) such an arrangement shall not delay the payment to the Fund of the actual sum due nor shall such an arrangement authorise any extra deduction from wages over the period of the employee's engagement;
- (c) the employer shall notify the Managing Director the time when such an arrangement shall commence and the time when it shall cease;
- (d) the Minister may, at any time, direct that this subsection shall not apply to any employee or class of employees or any employer or class of employers.

(5) Where an employer deducts in whole or in part the employee's share of the standard contribution from the wages of his employee but does not pay it to the Fund as part of the employee's share of the standard contribution, the employee's account shall be credited, subject to such conditions as the Minister may prescribe, with the amount so deducted from the general revenue of the Fund.

(6) Every contributing employer who makes any deduction pursuant to the provisions of this section, before payment to the Fund is due shall hold the employee's share so deducted or any part thereof in

trust for the Fund.

(7) For the purpose of any enactment which provides for the payment of minimum remuneration and for the purpose of seeing whether a person's remuneration is less than the minimum provided for by that enactment his remuneration shall be calculated before deduction of his share of any standard contribution payable under this Act.

(8) The Minister may, subject to such conditions and limitations as he may impose by regulations, require all or any class of employers to make provisional deduction.

(9) The provisions of this section shall have effect notwithstanding the provisions of the Uganda Employment Act or any other enactment to the contrary.

12. (1) On and after the appointed day, every contributing employer shall, for each month during which he employs a person of the following class or description, whether such person is a member of the Fund or not, that is to say,

**Special
contribution by
contributing
Employers.**

- (a) a non-resident employee who is not an eligible employee;
- (b) an employee of or above the age of fifty-five years in respect of whom the Minister has specifically applied the provisions of this section by statutory order;
- (c) an eligible employee,

pay into the Reserve Account in such manner as may be prescribed by the Minister, within fifteen days next following the last day of the month for which wages are paid, a special contribution of ten per cent of the total wages payable to such persons calculated from fifty cents or more to the nearest multiple of a shilling which contribution shall not be payable on the same wages as standard contribution in respect of those persons.

(2) Every contribution employer shall render on an approved form such returns showing the number of,

- (a) a non-resident employees;
- (b) employees of or above the age of fifty-five years,

their wages, the contribution payable for them and such other information as the Managing Director may require.

(3) The Minister may, by statutory order, vary the rate of special contribution and may, in such order, apply different rates of contribution to different classes of employers and employees.

Penalty for
delay of
payment of
contribution

13. (1) Subject to the provisions of subsection (2) of this section, if a contributing employer fails to pay into the Fund a standard or special contribution which he is liable to pay under this Act by the end of the month next following the month for which the relevant wages are paid there shall be added, until the whole sum including the penalty is paid into the Fund,

- (a) a penalty to such contribution of a sum equal to ten per cent of the amount of the contribution; and
- (b) on and after the sixteenth day of each month, a penalty to the original amount of that contribution of a further sum equal to ten per cent,

calculated in all cases where there is a fraction of a shilling to one shilling and any such penalty may be recovered in the same way as the contribution to which it is added, and when recovered, shall be paid into the Reserve Account.

(2) The Managing Director may remit the whole or part of any penalty under this section subject to such conditions as he may determine.

14. (1) The Managing Director may exempt any employer who applies to him in that behalf on an approved form from the payment of a standard or special contributions or both in respect of a person employed by him within the category specified in Schedule 2 to this Act by granting him a certificate of exemption which shall cease to be of any effect,

Certificate of
exemption

- (a) on a date specified in the certificate or, if such date is extended by the Managing Director, on such later date as is specified in the extension; or
- (b) as soon as it is revoked by the Managing Director, and on the expiration of revocation of the certificate the provisions of this Act relating to contribution and registration shall again apply to him.

(2) The Minister may amend Schedule 2 to this Act.

15. Any contributing employer may make an annual supplementary

Supplementary

payment, or with the consent of the Managing Director, more than one supplementary payment in any one year in respect of his employee who, at the time of such payment or payments, is a member of the Fund and is permanently resident in Uganda or is deemed to be so permanently resident in Uganda under reciprocal arrangement with any other country; and such payment,

- (a) shall be accompanied by such particulars as to membership and identity of such member as the Managing Director may require;
- (b) shall be credited to the account of that member of the Fund; and
- (c) shall not include any fraction of a shilling.

16. (1) The Treasury may make payments to the Fund in respect of those Government employees specified by the Minister responsible for Public Service who are under fifty-five years of age.

(2) Any payment made under this section shall be credited to the account of the employee in respect of whom it is made and if such employee is not a member of the fund, he shall forthwith be registered and admitted to membership even if such employee is no longer a Government employee; but if such payment is made within three months of the day appointed for the registration of Government employees, that sum shall be treated as his balance on the first day of the first financial year of the Fund and an interest of two-and-half per cent shall be added to it provided that such employee is still alive at the end of that financial year and no benefit has been paid out of the account, and provided further that no interest declared under section 34 shall be added to it in respect of that year.

**Provisions
for persons
formerly in
excepted
employment**

17. (1) The Minister may make Regulations to apply to persons of any class or description who cease to be employed in excepted employment and, in particular, he may either omit persons emigrating permanently out of Uganda or may prescribe different provisions for different persons or class of persons.

- (2) Regulations made under this section may,
 - (a) make provision for the former employer to secure registration of such person to provide any information required for registration;
 - (b) require the former employer to pay to the Fund within the prescribed time the aggregate amount of contribution

which he would have paid less the employee's share had the employment not been excepted employment, but the Regulations may, instead, permit or direct another method of calculating such amount;

- (c) provide for a penalty for an employer who fails to make payment within the prescribed time and the manner of the exercise by the Managing Director of his discretion for remitting in whole or in part any such penalties;
- (d) provide for voluntary payment by the person formerly in excepted employment not exceeding the amount payable by his former employer.

(3) Except an additional penalty which shall be paid into the Reserve Account, any payment made under this section shall be credited in the Fund to the account of the person formerly employed in excepted employment.

(4) For the purpose of this section "former employer" in relation to any person means the employer who formerly employed him in excepted employment.

BENEFITS.

18. (1) Benefits shall be of the following descriptions, namely,

- (a) age benefit;
- (b) withdrawal benefit;
- (c) invalidity benefit;
- (d) emigration grant;
- (e) survivor's benefit

Descriptions of benefits.

(2) Where a member of the Fund qualifies under this section for more than one benefit, he shall nevertheless, be paid only one benefit which is the most advantageous of the benefits he is entitled to.

(3) Subject to the provisions of subsection (2) of section 21 of this act, the amounts of the benefits described in subsection (1) of this section shall be the balance of the member's account in the Fund at the date of payment.

(4) A claimant for a benefit under this Act shall in support of his claim submit evidence and documents as the Managing Director considers necessary or proper on the form approved by the Minister.

(5) When the date of the birth of a member of the Fund is in doubt, and if such date is not proved by any written record kept in behalf for official purpose or by a religious organisation, then, the Managing Director may, in his discretion, for the purpose of any claim under this Act, accept the date of birth declared at the time of registration of that member.

**Age
benefits**

19. (1) Subject to the provisions of section 18 of this Act, a member of the Fund shall be entitled to age benefit,

(a) if he attains the age of fifty years and has retired from regular employment; or

(b) if he attains the age of fifty-five years.

(2) For the purpose of this section, a member of the Fund may be treated as having retired from regular employment when he attains the age of fifty years,

(a) if he is not in a gainful occupation; or

(b) if he engages or intends to engage in a gainful occupation only occasionally, inconsiderably or in circumstances not inconsistent with his retirement.

(3) A member of the Fund who receives an age benefit is not to receive a second age benefit,

(a) until he attains the age of fifty-five years; or

(b) until two years have elapsed from the day on which he received his first payment of first instalment or other recurrent payment (if benefit is paid in that way),

but, if any member receives two age benefits before he attains the age of fifty-five he shall not receive a third age benefit until he attains the age of fifty-five years.

20. (1) Subject to the provisions of section 18 of the Act a member of the Fund shall be entitled to withdrawal benefit,

**Withdrawal
benefit.**

(a) if he attains the age of fifty years; and

(b) if he not been employed under a contract of service for a period of one year immediately preceding his claim.

(2) Subject to the provisions of section 18 of this Act, any person who ceases to be a member of the Fund by virtue of being employed in excepted employment shall, if contributions under the provisions of this Act have been paid in respect of such member to the Fund during four financial years, be entitled to the full balance of his account in the Fund, but in any other case he shall be entitled to his own contribution only and the rest shall be paid into Reserve Account.

21. (1) Subject to the Provisions of section 18 of this Act, a member of the Fund shall be entitled to invalidity benefit,

**Invalidity
benefit.**

(a) if he is subject to such physical or mental disability as to be suffering from permanent total incapacity; or

(b) if he is subject to such physical or mental disability as to be suffering from partial incapacity or a permanent nature and he is unable by reason of such disability to earn a reasonable livelihood.

(2) In this section, “permanent total incapacity” means such incapacity of a permanent nature as incapacities a person for any employment which he was capable of undertaking before the accident, illness or other occurrence that was the cause of that incapacity.

**Emigration
grant**

22. (1) Subject to the provisions of section 18 of this Act, a member of the Fund, who emigrates permanently from Uganda to a country with which no reciprocal arrangement under this Act has been made, if contributions under this Act have been paid in respect of such member to the Fund during four financial years otherwise than by payment under section 17 or termination of excepted employment, shall be entitled to the full balance of his account in the Fund; and in any other case, he shall be entitled to his own contribution and the rest shall be paid into the Reserve Account in accordance with the provisions of section 35 of this Act.

(2) Notwithstanding the provisions of subsection (1) of this section, when payment has been made in respect of any member of the Fund in accordance with the provisions of subsection (1) of section 16 or subsection (3) of section 43 of this Act, the full amount of that payment shall be included in the grant payable under this section.

**Survivors
benefit**

23. (1) Subject to the provisions of section 18 of this Act and to the other conditions contained in this section, the dependent relatives of a member of the Fund shall be entitled upon his death to survivor’s benefit which shall be payable in accordance with the provisions of this section and the regulations made under this section, if any, in the

following order, that is to say,

- (a) where the dependent relatives of a deceased member include a wife, a husband, a son or daughter under eighteen years of age or a son or daughter of or above the age of eighteen years who is wholly or substantially dependent on the deceased, the benefit shall be paid to or for the benefit of any one of this class or all of them in preference to any other class of the deceased's relatives; or
- (b) where the dependent relatives of a deceased member do not include dependent relatives of the class mentioned in paragraph (a) but include a parent, a brother or a sister the benefit shall be paid to or for the benefit of any one of this class or all of them; or
- (c) where the dependent relatives of a deceased member do not include dependent relatives of the classes mentioned in paragraphs (a) or (b) but include a grandparent, a grandchild or any other relatives prescribed by the Minister as belonging to a class of the deceased's relatives, the benefit shall be paid to or for the benefit of any one of this class or all of them,

and, when payment of the balance in the account of the Fund has been made to any dependent relative of the deceased member or to any class of them in accordance with the provisions of this section, no further claim shall lie against the Fund or the Managing Director.

(2) Where there are no dependent relatives of the deceased member of any classes mentioned in subsection (1) of this section, the person or persons who pay the reasonable funeral expenses of the deceased member shall be entitled to a refund, out of the balance in the member's account in the Fund, of a sum not exceeding five thousand shillings or the amount of the reasonable expenses paid by that person or persons whichever is the lesser; and when such refund has been made,

- (a) no further claims by any person or person for refund of funeral expenses under this subsection shall lie against the Fund or the Managing Director; and
- (b) no claim by any dependent relative or relatives or any class of them shall lie against the Fund or the Managing Director for any sum exceeding the balance remaining in the account of the deceased member.

(3) No benefit under this section shall be paid except to or for the benefit of a dependent relative who is alive on the date of such payment; and any benefit which is paid otherwise than in accordance with this section shall be recoverable as a sum due to the Fund from the estate of that dependent relative or from the person to whom it was paid.

(4) The Minister may prescribe,

- (a) persons as the relatives of the deceased member in addition to the dependent relatives of the deceased member described in subsection (1) this section;
- (b) the manner of apportionment of benefit or funeral expenses within the class of beneficiaries or persons claiming funeral expenses;
- (c) application of the benefit on behalf of dependent children of the deceased;
- (d) any other additional conditions.

(5) In this section, unless the context otherwise requires, “brother” includes a half-brother;

“dependent relatives” means,

- (a) a wife or husband of the deceased member,
- (b) a son or daughter of the deceased member,
- (c) any other relative of the classes mentioned in paragraphs (b) and (c) of sub section (1) who, on wholly or substantially dependent on the deceased member for the provision of the ordinary necessities of life suitable to a person of this status;

“daughter” includes a step-daughter, an illegitimate daughter and a daughter adopted in any manner recognised as lawful by the laws of Uganda;

“grandchild” means a son or daughter of a son or daughter;

“parent” includes a step-parent, an adoptive parent and a parent of an illegitimate son or daughter;

“grandparent” means a parent of a parent;

“sister” includes half-sister;

“son” includes a step-son, an illegitimate son and a son adopted in any manner recognised as lawful by the laws of Uganda.

24. The Minister may make regulations,

- (a) providing for and regulating the manner of making claims for benefits or payment thereof under this Act;
- (b) requiring a member of the Fund to undergo a medical examination to ascertain or confirm his age or the degree of his disablement;
- (c) providing for the postponement of payment of benefit pending the results of an inquiry;
- (d) prescribing the conditions for application of money paid to one person on behalf of or for the benefit of a beneficiary;
- (e) providing for adjustment in amount of benefit and the time and manner of payment of such benefit where workmen’s compensation is also payable;
- (f) prescribing disqualifications of members for benefits or postponement of payment while the member is in legal custody;
- (g) providing for the manner of determining whether a person is wholly, mainly or substantially maintained by another person;
- (h) providing for conversion of benefit into instalments, annuities or other forms of periodic payment;
- (i) making provision for enabling or requiring a person to be appointed to receive, administer or to exercise under this Act any right or power on behalf of a person who is unable for the time being to act for himself.

Regulations regarding benefits.

Determination of claims and questions

25. (1) Provisions may be made by regulations made under this section by statutory instrument for the determination of any claim for benefit and any question relating to membership of the Fund; and such regulations may provide for,

- (a) the appointment of an officer or any person or tribunal for the determination of such claim or question arising

under the regulations;

- (b) an appeal from the decision of such officer or any person or tribunal appointed under the regulations to any other person or tribunal;
- (c) the reference of any question of law to the High Court by a person or tribunal appointed under the provisions of this subsection;
- (d) a second appeal to the High court on a point of law.

(2) Any person or tribunal appointed under this section may summon any witness to give evidence or produce any documents for the purpose of determining any question before him or it under this Act, and any person who fails without lawful excuse to answer the summons, commits an offence.

(3) The Chief Justice may, by statutory instrument, make rules of court to regulate the practice and procedure relating to,

- (a) the reference of any question of law to the High Court;
- (b) the time within which an appeal to the High Court shall lie from the decision of any person or tribunal appointed;
- (c) the making of orders as to costs in such reference or appeals.

26. (1) Subject to subsection (2) of this section any person or tribunal appointed under the provisions of the immediately preceding section may,

- (a) on new facts being brought to his or its notice; or
- (b) if that person or tribunal is satisfied that the decision was given in ignorance of or was based on a mistake of fact, review his or its decision.

(2) No decision shall be reviewed under the provisions of this section while an appeal on a question of law arising in connection therewith is pending against the decision of such person or tribunal.

Correction of erroneous decision otherwise than by appeal

FINANCE.

27. The funds and resources of the Fund shall consist of,

- (a) all sums from time to time received by or falling due to the Fund in respect of contributions, income on investment, fees, fines, penalties and interest on dues;
- (b) any sums borrowed by the Board in accordance with the provisions of this Act;
- (c) any sums which may in any manner become payable to or vested in the Fund under this Act or any other written law.

Financial resources of the fund.

28. (1) The Board shall, within such period before the end of each financial year as the Minister shall determine, and submit to the Minister for approval of its income and its capital, recurrent and other expenditure likely to be incurred by the Board for the net ensuing year.

Annual and supplementary budget.

(2) The Board may, from time to time, make and submit to the Minister for his approval supplementary estimates to provide for unforeseen or urgently required expenditure on matters not provided in the estimates or necessary additional expenditure on matters provided for in the estimates.

(3) The Minister shall, upon receipt of annual budget or any supplementary budget, approve or disapprove the same or may approve subject to such amendment as he may deem fit.

(4) The Board may,

- (a) with the sanction of the Minister, make a disbursement notwithstanding that such disbursement is not provided for in any budget;
- (b) from the amount of expenditure provided for in any budget in respect of an item, transfer a sum not exceeding five hundred thousand shillings to any other item contained in such budget;
- (c) adjust expenditure limits to take account of circumstances not reasonably unforeseeable at the time the budget was prepared, subject to submitting a supplementary budget to the Minister within two months of such alteration of

expenditure limits becoming necessary.

Investment **29.** All money in the Fund, including the Reserve Account, which are not for the time being required to be applied for the purpose of the Fund shall be invested in such investments as may be determined by the Board in consultation with the Minister.

Power to borrow **30.** The Board may, subject to prior approval of the Minister, borrow money by way of loan or overdraft for the purpose of its obligations or discharging any of its functions under this Act, upon such security and such terms and conditions relating to the repayment of the principal and the payment of interest as the Board deems fit.

31. (1) The Board shall cause to be provided and kept proper books of accounts and records with respect to, **Accounts and audit.**

(a) the receipt and expenditure of moneys by, and other financial transactions of the Fund;

(b) the assets and liabilities of the Fund, and shall cause to be made out for every financial year a balance sheet and statement showing details of the income and expenditure of the Fund and all its assets and liabilities.

(2) Not late than six months after the close of every financial year the accounts including the balance sheet of the Fund relating to that financial year shall be audited by the Auditor-General or an auditor appointed by him.

(3) As soon as the account of the Fund have been audited, and in any case not later than six months after such audit, the Board shall submit to the Minister a copy of the audited statement of accounts together with a copy of the audited report thereon made by auditors.

32. (1) The Board shall not later than six months after the end of each financial year make and submit to the Minister a report showing the performance of the Fund during that financial year. **Annual report**

(2) The Minister shall, as soon as possible after receiving the report referred to in subsection (1) and a copy of the audited accounts of the Fund, cause the annual statement of accounts and the annual report of the Board to be published in such manner as he may direct.

33. (1) There shall be opened and maintained for each member of the Fund an account in the Fund to which shall be credited all standard, voluntary and supplementary contributions and interest thereon and from which there shall be paid any benefits and refunds to or in respect **Member's account.**

of such member and all prescribed fees chargeable for issuing evidence of membership and registration.

(2) The member's account in the Fund shall be closed and his membership shall cease on the happening of any of the following events, that is to say,

- (a) when an emigration grant is paid;
- (b) when he ceases to be a member by reason of
 - (i) attaining the age of sixty years;
 - (ii) attaining the age of fifty-five years and there is no balance in his account;
- (c) when he dies,

and if, on the closing of the member's account by virtue of this subsection, any sum of money is standing to the credit of his account in the Fund, such sum shall vest in the Minister forthwith who shall dispose of it in accordance with the provisions of subsection (3) of this section, and thereafter no claim on the said account in respect of that member shall be entertained.

(3) Any sum standing to the credit of the account of a member which has vested in the Minister by virtue of the immediately foregoing subsection, whether,

- (a) after payment of emigration grant;
- (b) when the member attains the age of sixty years there is a claim pending; or
- (c) when the member dies and the whole amount in account is not paid as survivor's benefit or as a refund of funeral expenses within six years of the date of his death. shall be paid into the Reserve Account.

(4) Subject to the provisions of this Act, any assignment of or change on the account of a member of the Fund or any benefit payable out of this account or any agreement to assign or charge any such account of benefit shall be void.

(5) When a member of the Fund is adjudged bankrupt and a receiving order is made for the protection of the estate of such member of the Fund, any contribution for him to the Fund under this Act shall

not vest in the official receiver but his share shall continue to be deducted in full from his wages by his employer, and no sum of money in his account or benefit paid out of that account shall pass to any trustee or other person acting on behalf of his creditors.

34. (1) Subject to the provision of this section, interest at the rate declared by the Minister calculated on the balance standing to the credit of the account of the member of the Fund on the first day of the financial year shall be added to the account of every member of the Fund for each financial year throughout which it has been open if no benefit has been paid out.

Interest on accounts.

(2) As soon as may be, after the end of each financial year, and any event not later than 1st October next, following, the Minister shall after consultation with the Board declare the rate of interest for that financial year which shall be the rate applicable to every account in respect of which no benefit has been paid during the period between the end of that financial year and the date of the declaration of the rate of interest.

(3) In any case where payment has been made out of an account during the period between the end of that financial year and the date of the declaration of the rate of interest, the rate applicable to that account shall be two-and-one-half per cent, or, if the Minister before the end of that financial year declares a higher rate of interest for the purpose of this subsection, that higher rate of interest.

(4) Where a member dies during a financial year,

- (a) the rate of interest applicable in respect of the immediately preceding financial year shall be the rate applicable on the day of his death; or
- (b) if any payment during the current financial year has been made out of his account, the rate of interest applicable shall be the rate applicable on the day of that payment.

(5) If the amount of interest calculated under this section is,

- (a) less than fifteen cents, ten cents shall be added;
- (b) any other amount, the nearest multiple of ten cents shall be added.

(6) Before declaring any interim or final rate of interest higher than two-and-half per cent for any financial year under this section, the Minister shall consult with the Board.

(7) A declaration of the rate of interest by the Minister under this section shall take effect of the day it is made and shall thereafter be published in the Gazette as soon as it may be.

Reserve
account

35. (1) There shall be established a Reserve Account of the Fund to which shall be deposited.

- (a) any fines and penalties required by this Act to be paid into the Fund;
- (b) any special contribution and any contribution which cannot be allocated to the account of any member of the Fund;
- (c) any income from investments such as the Minister, after consultation with the Board, may determine; and
- (d) any other income authorised by this Act.

(2) No money shall be drawn out of or otherwise appropriated from the Reserve Account other than money paid into the Reserve Account by mistake or in excess of the amount due on the contribution except for purposes of this Act approved by the Minister.

(3) Any sums of money determined to be income of the Reserve Account shall be treated as income forming part of the general income of the Fund.

36. No stamp duty shall be chargeable under the Stamps Act in respect of any instrument executed by any person on behalf of or in favour of the Fund or in respect of the payment of any benefit or the refunding of any contribution under this Act in any case where, but for this exemption, the Fund or any person acting on behalf of the Fund would be liable to such duty.

**Exemption
from stamp
duty.**

37. Any benefit paid under this Act shall be exempt from income tax

**Exemption
from income
tax**

ADMINISTRATION

38. (1) There shall be a Managing Director of the Fund who shall be appointed by the Minister for such period and on such terms and conditions as the Minister may deem fit.

Managing
Director.

(2) The Managing Director shall be the Chief Executive

Officer of the Fund and shall, subject to the provisions of this Act and to the general control of the Board on matters of policy, be responsible for the general management, administration and organisation 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 of all moneys received, paid out or invested under this Act.

**Deputy
Managing
Director**

39. There shall be a Deputy Managing Director appointed by the Minister on such terms and conditions of service as the Minister thinks fit.

40. (1) The Fund shall have a Secretary who shall be appointed by the Minister on such terms and conditions as the Minister may determine.

(2) In addition to any other functions conferred upon him by the Minister and the Board, the Secretary shall have the custody of the seal of the Fund and be responsible for,

- (a) the taking of minutes of the meetings of the Board and any of its committees and sub-committees;
- (b) the keeping of the records of all transactions of the Fund;
- (c) the provision of legal advice on all its activities to the Fund.

Staff.

41. The Board may, subject to such directions as the Minister may give in that behalf, appoint on such terms and conditions as it may think fit, such other officers, inspectors and employees as may be necessary for the administration of the Fund.

**Functions
of
Inspectors**

42. An Inspector appointed for the purpose of the administration of the Fund under this Act, may in execution of his duties enter, at all reasonable times, any premises or place of trade or business where he has reasonable cause to believe that persons are being employed in respect of whom contributions are payable under this Act, and may,

- (a) make any examination or enquiry to satisfy himself that the provisions of this Act are being complied with;
- (b) question any employer, employee or any other person on any matter concerning the application of or compliance with any of the provisions of this Act; or
- (c) require the production for examination of any book, register, account, receipt or other document relating to contributions or to liability to register or contribute under this Act, and may make a copy of or an extract from any such document.

(2) Every inspector shall be furnished with a certificate of his appointment signed by or under the authority of the Minister, and, if so required, on applying for admission to any premises or place for the purposes of this Act, shall produce the said certificate to the occupier or the person holding a responsible position of management at such premises or place.

(3) The Minister may appoint any public officer to be an inspector for the purposes of this Act and may, subject to such conditions and limitation as he may specify in such appointment, confer on such public officer all or any of the functions of an inspector under this Act.

- (4) Any person who,
 - (a) obstructs an inspector in the exercise of his powers under this Act;
 - (b) refuses or neglects to answer any question; or
 - (c) refuses to furnish any information or to produce any documents when required to do so,

commits an offence and shall be liable on conviction to a fine not exceeding ten thousand shillings or to a term of imprisonment not exceeding six months or to both.

LEGAL PROCEEDINGS.

43. (1) Any person who,
- (a) knowingly makes any false statement or false

Offences and penalties

representation;

- (b) for the purpose of obtaining any benefit or in order to evade payment of the contribution, whether for himself or for some other person, produces or causes or knowingly allows to be produced any document or gives or causes to be given any information which he knows to be false in a material particular;
- (c) misrepresents or fails without lawful excuse to disclose any material fact;
- (d) fails without lawful excuse to register or to furnish particulars required by or under this Act to be furnished;
- (e) make an unauthorised deduction from a wage payment to an employee;
- (f) fails to pay at or within the time prescribed under or by this Act or the regulations any contributions or payment which he is liable under this Act to pay;
- (g) contravenes in way provision of this Act as a result of which there is a loss to the Fund or the member's account cannot be credited with all the contributions or interest due,

commits an offence and shall be liable to a fine not exceeding ten thousand shillings or to a term or imprisonment not exceeding six months or to both.

(2) Where an offence under this Act is proved to have been committed with the consent or connivance of, or to be attributable to any negligence on the part of, any director, manager, secretary or other officer of a body corporate, he as well as the body corporate shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

(3) The court by or before which any person is convicted of an offence under this Act relating to contribution may, without prejudice to any civil remedy and in addition to any other punishment that the court may impose, order such person to pay to the Fund the amount of any contribution and any other sum together with any interest or penalty thereon and any sum so ordered shall be recoverable as a fine and paid into the Fund.

44. Any person who contravenes any provision of this Act for which no penalty is prescribed shall be liable on conviction to a fine not exceeding ten thousand shillings or to a term of imprisonment not exceeding six months or to both such fine and imprisonment.

**General
punishment**

45. All criminal and civil proceedings under this Act may, without prejudice to any other power in that behalf, be instituted by any inspector or other public officer of the Fund in a magistrate's court.

**Institution
and conduct
of cases.**

46. Subject to the provisions of the Magistrate's Court Act, a magistrate of any grade has jurisdiction to hear any cause or matter in all cases arising under this Act regarding any question of liability of an employer to register as a contributing employer or any question of his liability to pay contribution to the Fund.

**Jurisdiction
of magistrates
Cap. 36**

47. (1) All sums due to the Fund shall be recoverable as debts due to the Fund and, without prejudice to any other remedy, may be recovered summarily as a civil debt.

**Recovery of
sums due to
the Fund.**

(2) Any sums recovered under this section representing standard contribution shall be credited to the account of the member of the Fund to whom they relate and where there is more than one account in respect of which such contributions are due and the sums recovered are less than the sums due to such member's accounts, the sums are recovered shall be divided, disregarding any fraction of a shilling, as far as possible in proportion to the amounts due to the account of each such member.

48. In any proceedings connected with any matter under this Act, a copy of any entry in the account of the Fund or any extract there from, if it is supported by a certificate purporting to be signed by the Managing Director or his deputy shall be received in evidence as prima facie evidence of the truth of the contents thereof.

Evidence

MISCELLANEOUS

ting mes.

49. (1) Where an employer,

(a) is liable to pay a standard contribution under this Act in respect of a member of the Fund; and

(b) is, whether by himself or in association with any other persons, operating or contributing to any existing scheme under which that member of the Fund is a beneficiary for the provision of any benefits of similar

descriptions to the benefits provided by this Act, that employer may, notwithstanding the rules or other provisions of the scheme,

- (i) reduce any contribution payable under the scheme by that member of the Fund for any period by an amount payable in respect of that member of the Fund under this Act by way of standard contribution for the same period;
- (ii) reduce the contribution to the existing scheme by that employer by an amount payable in respect of that member by way of standard contribution for the same period.

(2) Where payment of all contributions to an existing scheme in respect of any employee is extinguished by a reduction or reductions made under subsection (1) of this section, the membership of that employee in that scheme shall not nevertheless be affected by reason only of no contribution being paid to that scheme on his behalf so long as that employee remains in that employment to which this scheme relates and has not received his benefit under that scheme.

(3) Where any authority administering or operating existing pension scheme, provident scheme or occupational gratuity scheme to which neither the employer nor his employee contributes at a rate exceeding half the standard contribution, if the employee is permanently resident in Uganda, or is deemed to be so permanently resident in Uganda, such authority may, upon production of a certified copy of its resolution or other documentary evidence and with the approval of the Labour Commissioner, pay into the Fund such sums representing the benefits of such employee under the existing scheme; and such payment,

- (a) shall operate as a discharge against the authority from all liability under that scheme;
- (b) shall,
 - (i) if such employee has an account with the Fund, be credited to such employee's account in the Fund;
 - (ii) if such employee has no account in the Fund he shall, notwithstanding that he is not an eligible employee, be registered and on opening an account for him, be credited to such an account; and

- (c) shall include,
- (i) contribution made by the employee to the private scheme and any interest, bonus or other accruals thereto,
 - (ii) contributions made by the employer and any interest, bonus or other accruals thereto (in the calculation of any interest, bonus or other accruals thereto any rule which provides for a minimum period of employment, membership or contribution before entitlement shall be disregarded);
 - (iii) where the employer contributes to the private scheme or adds to the benefit payable under it only when the rules of the scheme have been satisfied, an appropriate proportion of his contribution or additions calculated by reference to the extent to which any conditions in the rules of the scheme have been met by the employee;
 - (iv) where neither employer nor employee contributes to the scheme or separate account for the purpose of the private scheme and the benefits are paid from the general revenue of the employer, the amount due under the rules of the scheme;
 - (v) such further amount within the discretion of the authority operating the private scheme as may be paid without reducing unduly the benefits of any residual members.

(4) Subject to the provisions of this Act no money shall be transferred from an existing scheme to the Fund as provided under subsection (3) of this section unless the majority of the members of that scheme agree to the dissolution of the scheme.

(5) In this section “existing scheme” means a scheme which is in existence on the day appointed for the coming into force of section 10 of the this Act in relation to the employer who is operating or contributing to the scheme.

**Reciprocal
agreements.**

50. (1) For the purpose of giving effect to any agreement providing for reciprocal arrangements with the government of any country in which a fund or scheme similar to the Fund has been established, the Minister may make regulations for giving effect in Uganda to any such arrangement and for modifying or adapting this Act in its application to cases affected by such arrangements.

- (2) The modifications of this Act which may be made by virtue of subsection (1) of this section shall include provision for,
- (a) securing that acts, omissions and events having any effect for the purpose of the law of the country in respect of which the agreement is made shall have the like effect for the purposes of this Act, but not so as to confer a right to double benefit;
 - (b) determining, in cases where rights accrue both under this Act and under the law of the said country, which of those rights shall be available to the person concerned;
 - (c) making any provision of this Act or of any regulations thereunder relating to administration and enforcement applicable for the purpose of the law of the said country; and
 - (d) making any necessary financial adjustments by payments into or out of the Fund.

51. (1) The Minister may, without prejudice to any other power conferred by the provisions of this Act, make Regulations for the better carrying into effect the principles and provisions of this Act, and without prejudice to the generality of the foregoing provisions, regulations may be made under this section,

Regulations

- (a) prescribing the particulars, information, or evidence to be furnished or adduced in respect of any question or matter arising under this Act;
- (b) prescribing, in respect of any action required or permitted to be taken under this Act, the time and manner of taking that action and the procedure to be followed;
- (c) regulating the manner of payment of contributions or the refund of contributions paid in error or in excess of the statutory contribution;
- (d) prescribing the records to be kept and the returns to be made by employers;
- (e) providing for public searches if all or any records required to be kept, the issue of certificates and certified copies of any records and prescribing the fees payable for

searches, certificates and certified copies of records;

- (f) prescribing fees to be charged for the second or subsequent registration and for the issue of membership card;
- (g) providing for the registration of contributing employers and eligible employees of any employer or class of employers or employees, or class of employees and the terms and conditions attached to such registration;
- (h) requiring employers and employees to be registered;
- (i) prescribing voluntary payments by any member of the Fund for whom standard contributions have ceased to be payable and the manner of calculating such payments;
- (j) requiring any employer or any class of employers to make provisional deductions;
- (k) prescribing anything required to be prescribed under this Act.

(2) Any regulations made under this Act may make different provisions with respect to different cases or classes and cases for different purposes of this Act, may impose conditions and make exceptions and may contain such incidental or supplement provisions as appear to the Minister to be expedient for the purposes of the regulations.

Forms

52. Where under this Act any claim, notice, application, declaration or any other matter is required to be made or given, such claim, notice, application, declaration or any other matter may be made or given on a form approved by the Minister, but the Managing Director may, in any particular case accept any claim, notice, application, declaration or any other matter notwithstanding that it is not made or given on a form approved by the Minister.

Amendments to Companies Act and bankruptcy Act.

53. (1) The Bankruptcy Act is hereby amended in section 37 by adding to subsection (1) thereof, the following new paragraph,

“(g) all amounts due in respect of contributions payable during the period of twelve months immediately preceding the date of the receiving order by the bankrupt as the employer to any person under the National Social Security Act, 1985.”

Cap. 71.

(2) The Companies Act is hereby amended in section 315 by adding to subsection (1) thereof, the following paragraph,

Cap. 85.

“(e) all amounts due in respect of contributions payable by the company under the National Social Security Fund Act, 1985, during a period of twelve months immediately preceding the relevant date, unless the company is being wound up voluntarily merely for the purposes of reconstruction or amalgamation with another company.”

54. In this Act, unless the context otherwise requires,

Interpretation

“age” where actual age is not known, includes apparent age;

“appointed day” means a day appointed by the Minister pursuant to section 56 of this Act;

“benefit” means a benefit payable under this Act;

“Board” means the Board of Directors established under section 2 of this Act;

“contract of service” means any contract of service or apprenticeship or learnership whether written or oral and whether express or implied;

“contributing employer” means any employer who,

(a) belongs to a class of description of employers specified as contributing employers by an order made under section 6 of this Act; or

(b) has registered voluntarily as a contributing employer pursuant to section 9 of this Act;

“contribution” includes standard contribution and special contribution;

“Managing Director” means the managing director of the National Social Security Fund, appointed under section 38 of the Act.

“eligible employee” has the meaning assigned to it by section 5 of this Act;

“employee” means any person who,

(a) is employed in Uganda under a contract of service; or

- (b) is ordinarily resident in Uganda and is employed outside Uganda (or partly in and partly outside Uganda) under a contract of service entered into with the employer who resides in a place or business in Uganda; or
- (c) is ordinarily resident in Uganda and is employed under a contract of service as master or member of the crew of any ship, or as pilot, commander, navigator or member of the crew of any aircraft, where the owner of the ship or aircraft (or managing owner if there is more than one owner) or the manager resides in or has a place of business in Uganda;

“employee’s share” in relation to contribution means such part of that contribution (if any) as the employer may lawfully deduct from the wage of the employee in respect of whom that contribution is payable;

“employer” includes the Government, manager or a sub-contractor who provides employees for the principal contractor;

Provided that 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, the first mentioned person shall be deemed, for the purposes of this Act, to be the employer;

“excepted employment” means any one of the employments specified in Schedule 1;

“excepted person” means a person in excepted employment;

“exempt person” means any person in respect of whom a certificate of exemption has been issued pursuant to Schedule 2 to this Act;

“financial year” means a period of twelve months starting on 1st July and ending on 30th June in any year, so however, that the first financial year of the Fund shall be the period beginning with the appointed day and ending with the second occurrence of the 30th day of June;

“functions” includes power and duties;

“Fund” means the National Social Security Fund established under section 1 of this Act;

“local authority” means an administration of a district, a municipal council, a town board or the National Water and Sewerage Corporation;

“member” means a person who is registered as a member of the Fund pursuant to this Act;

“Minister” means the Minister responsible for social security;

“non-resident employee” means an employee not ordinarily resident in Uganda and is to be employed in Uganda for a continuous period of not more than three years or such longer period as is allowed in any particular case by the Managing Director;

Provided that where a non-resident employee employed by an employer in Uganda becomes at any time an employee ordinarily resident or becomes employed in Uganda in circumstances which qualify him to be an eligible employee under this Act he shall not cease to be, in relation to that employer, a non-resident employee before the end of a month;

“Reserve Account” means the Reserve Account of the Fund established pursuant to section 35 of this Act;

“special contribution” means the contribution payable under section 12 of this Act;

“Standard contribution” means the contribution payable under section 10 of this Act;

“Wages” means all emolument which would be payable in cash to an employee under his contract of service if no deductions were made, whether in pursuance of any law requiring or permitting of any deduction or otherwise.

**Repeal,
Act 21 of
1967,
Decree 33
of 1972.**

55. The Social Security Act, 1967, and the Social Security (Amendment) Decree, 1972, are hereby repealed.

**Commence
ment**

56. This Act shall come into force on such day as the Minister may, by statutory instrument, appoint.

SCHEDULES.,

SCHEDULE 1.

EXCEPTED EMPLOYMENT.

1. Persons entitled to exemption from contribution to Social Security schemes under any International Convention to which Uganda is a member.

2. Employment by a University or college by virtue of which the employee is entitled to receive benefits under any superannuation scheme approved by the Minister in writing.

3. Employment as a member of the Uganda Police Force.

4. Employment as a member in the Uganda Prisons Service.

5. Employment as a soldier in the Army and Air Force.

6. Employment by virtue of which employees are eligible for pensions benefits under the Pensions Act.

7. Employment by virtue of which employees are eligible for pensions under the Teachers Pensions Act.

8. Employment by virtue of which employees in the public service, local authority any corporation or body established for public purposes, are eligible for pensions under any statutory or non statutory scheme approved by the Minister.

9. Any employment referred to in paragraph 3 to 8 of the Schedule under probationary service conditions.

10. In the case of a person undergoing full-time education in a University or a Government administered school or college, employment solely during the vacation period of the University, school or college.

11. Employment of person under the age of eighteen who,

- (a) is an apprentice under written binding contract of apprenticeship or is undergoing full-time education in a University, school or college; and

- (b) receives for any month less than three-quarters of the legal monthly minimum wage for full-time employees in the area where he is employed (or if no such minimum has been prescribed less than three-quarters of the legal monthly minimum wage for full-time employees on agricultural estates).

SCHEDULE 2.

CERTIFICATE OF EXEMPTION.

The persons in respect of whom the Managing Director may grant a certificate of exemption to an employer are;

1. Persons not ordinarily resident in Uganda who are liable to contribute to or are or will be entitled to benefit from the social security scheme of another country, if that scheme is approved by the minister for this purpose.

2. Persons not ordinarily resident in Uganda who are liable to contribute to or are or will be entitled to benefit from any scheme associated with their employment under which benefits comparable to the benefits under this Act are provided, if that scheme is approved by the Minister for this purpose.

STATUTORY INSTRUMENTS.

1986 No. 4

The National Social Security act (Commencement)
Instrument, 1986.

**Act 8
2 1985**

IN EXERCISE of the powers conferred upon the Minister by section 56 of the National Social Security Act, 1985, this Instrument is hereby made this 18th day of December, 1985.

1. The 1st day of December, 1985, is hereby appointed to be the date upon which the National Social Security Act, 1985, came into force.

2. This Instrument may be cited as the National Social Security Act (Commencement) Instrument, 1986.

J. S. MAYANJA-NKANGI

Minister of Labour.

Date of publication: 14th March, 1986

STATUTORY INSTRUMENTS

1986 No. 5

The National Social Security (Registration Of Employers And Employees) Order, 1986

**Act 8 of
1985.**

IN EXERCISE of the powers conferred upon the Minister by subsection (1) of section 6 of the Social Security Act, 1985, this Order is hereby made this 18th day of December, 1985

1. All eligible employees whether wholly or partly employed in Uganda, who are in the employment of employers with 5 or more employees, are hereby specified as persons who shall register as members of the Social Security Fund.

2. All employers with 5 or more employees are hereby specified as persons who shall register as contributing employers.

3. This Order may be cited as the National Social Security (Registration of Employers and Employees) Order, 1986.

J. S. MAYANJA-NKANGI,

Minister of Labour.

Date of publication: 14th March, 1986