

GOVERNMENT NOTICE No. 140 published on 8/3/2023

THE SOCIAL SECURITY (REGULATORY AUTHORITY) ACT,
(CAP. 135)

REGULATIONS

(Made under section 25A)

THE SOCIAL SECURITY SCHEMES (BENEFITS) (AMENDMENT) REGULATIONS, 2024

ARRANGEMENT OF REGULATION

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THE SOCIAL SECURITY SCHEMES (BENEFITS) (AMENDMENT) REGULATIONS, 2024

Citation
GN. No.
467 of 2018

1. These Regulations may be cited as the Social Security Schemes (Benefits) (Amendment) Regulations, 2024 and shall be read as one with the Social Security Schemes (Benefits) Regulations, 2018 hereinafter referred to as “the principal Regulations”.

Amendment
of regulation
3

2. The principal Regulations are amended in regulation 3 by inserting in its appropriate alphabetical order the following new definition:
““un-skilled member” means a member whose work does not require a specific set of skills including those whose level of education is between standard seven and advanced certificate of secondary education without further professional qualifications;”.

Amendment
of regulation
6

3. The principal Regulations are amended in regulation 6 by-

(a) deleting the marginal note and substituting for it the following:
“Removal from employment in public interest”;

- (b) deleting the word “terminated” appearing in subregulations (1) and (2) and substituting for it the word “removed”; and
- (c) deleting figure “11” appearing at the end of paragraph (b) of subregulation (1) and substituting for it figure “12”.

Deletion and substitution of regulation 9

4. The principal Regulations are amended by deleting regulation 9 and substituting for it the following:

“Annual pensionable emolument

9. For the purpose of calculating pension pursuant to regulation 8(1), annual pensionable emoluments shall be an average of the highest three years salaries which a member received during the last ten years preceding his retirement.”.

Amendment of regulation 12

5. The principal Regulations are amended in regulation 12 by adding immediately after subregulation (2) the following:

“(3) Where a member whose pension was deferred secured a new employment of which he continued contributing to the Fund, his retirement benefit shall, until he attains retirement age, be recalculated considering additional credits made less the amount previously paid as commuted pension.

(4) Where a member whose pension was deferred secured a new employment of which he continued contributing to the Fund but his new employment ended before attaining retirement age, his contributions remitted to the Fund after his pension deferred shall be paid as special lumpsum

if he claims for the same before attaining retirement age, otherwise the added contributions shall lead to recalculation in accordance with subregulation (3) upon attaining retirement age.

(5) When a member whose pension was deferred dies before attaining retirement age, his dependants shall be paid survivor's monthly pension from the date of death in accordance with relevant schemes laws.

(6) Where a member whose pension was deferred becomes invalid before attaining retirement age, such a member shall, upon determination of the medical board, be paid invalidity pension from the date of becoming invalid.

(7) Save for deferred pension qualifications prescribed under these Regulations, a member whose pension is deferred shall not be subjected to a reduction factor as applies to a member who opts for early retirement.

(8) A member who contributed to more than one Fund shall have his contribution period totalised during processing of deferred pension.”.

Amendment
of regulation
13

6. The principal Regulations are amended in regulation 13 by-

- (a) deleting subregulation (1);
- (b) renumbering subregulations (2) and (3) as subregulations (1) and (2) respectively; and
- (c) adding the words “For the purpose of the Act, the schemes laws and these Regulations,” at the beginning of subregulation (1) as renumbered.

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Amendment
of regulation
17

7. The principal Regulations are amended in regulation 17 by-
- (a) deleting subregulation (6); and
 - (b) renumbering subregulation (7) as subregulation (6).

Amendment
of regulation
21

8. The principal Regulations are amended in regulation 21-
- (a) by adding immediately after subregulation (1) the following:
 - “(2) Notwithstanding subregulation (1), a member who has received unemployment benefit of 33.3 percent and thereafter secured another employment shall, upon cessation of his employment, be eligible for another unemployment benefit after having contributed for the period of not less than eighteen months.”; and
 - (b) by renumbering subregulations (2), (3), (4), (5), (6) and (7) as subregulations (3), (4), (5), (6), (7) and (8) respectively;
 - (c) in subregulation (3) as renumbered, by adding the words “or he may opt for the payment of special lumpsum” immediately after the word “choice” appearing at the end;
 - (d) in subregulation (4) as renumbered, by deleting a reference to “subregulation (2)” and substituting for it a reference to “subregulation (3)”;
 - (e) by deleting subregulation (5) as renumbered and substituting for it the following:
 - “(5) Where such member’s contributions are converted into a

supplementary scheme, or opted for special lumpsum, the amount to be converted or paid shall be special lumpsum minus total amount of unemployment benefit accessed.”;

- (f) in subregulation (6) as renumbered by deleting a reference to “subregulation (2)” and substituting for it a reference to “subregulation (3)”; and
- (g) by deleting subregulations (7) and (8) as renumbered.

Amendment
of regulation
21A

9. The principal Regulations are amended in regulation 21A by-

- (a) deleting subregulation (1) and substituting for it the following:

“(1) Save as otherwise prescribed in these Regulations, the following persons may be entitled for payment of specific lumpsum:

- (a) unskilled member who ceases to be employed for any reason other than resignation and his contribution period is below one hundred and eighty months;
- (b) a member who joins the Scheme after the age of forty-five years, who upon cessation of his employment for any reason other than resignation shall not qualify for old age pension even if he would have continued to contribute up to the pensionable age;
- (c) a member who is above forty-five years, upon cessation of employment for any reason other than resignation and his contributions are below one hundred and eighty months and shall not qualify for

- old age pension even if would have continued to contribute up to the pensionable age;
- (d) a foreigner employed in mainland Tanzania who leaves the country upon cessation of his employment;
 - (e) a member who, upon cessation of employment, emigrates from, and has no intention of returning to, the United Republic, and the country to which he emigrates has no bilateral agreement with the United Republic that allows portability of benefits;
 - (f) a member who has ceased to be employed for any reason other than resignation and his contribution period is below eighteen months;
 - (g) subject to conditions set out in the operational manual of the respective Fund, a member who has ceased to be employed for any reason other than resignation and is terminally ill and does not qualify for any long-term benefit;
 - (h) a member who qualifies for unemployment benefit and whose calculated 33.3 percent monthly instalment for six months exceeds his total accumulated contributions; and
 - (i) subject to conditions set out in the operational manual of the respective Fund, a member who has ceased to be employed for any reason other than resignation and is pursuing further

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studies in a recognised college or higher learning institutions, provided that his contribution period is below one hundred and eighty months.”;

- (b) deleting the words “or completion of specific task” appearing in subregulation (2)(b); and
- (c) deleting subregulation (3).

Deletion of regulations 24 and 25

10. The principal Regulations are amended by deleting regulations 24 and 25.

Dodoma,
6th February, 2024

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