

## **Statutory Instrument 280 of 1997.**

### **War Veterans (Pension Scheme) Regulations 1997**

**IT is hereby notified that the Minister of Public Service, Labour and Social Welfare, with the approval of the Minister of Finance, has, in terms of section 7 of the War Veterans Act [Chapter 11:15] made the following regulations:—**

#### ***1. Title***

These regulations may be cited as the War Veterans (Pension Scheme) Regulations, 1997.

#### ***2. interpretation***

In these regulations—

“dependent child” includes a step-child, legally adopted child or child born posthumously, who has not attained the age of eighteen years and is or was, at the date of death of the war veteran, dependent upon him for support; “surviving spouse” means—

- (a) a widow or widower of a war veteran; or
- (b) any person with whom the war veteran was, in the opinion of the Director, living as man and wife at the date of the death of the war veteran and for a reasonable period before that date, was wholly or partly maintained by the war veteran.

#### ***3. Application***

These regulations shall apply only to war veterans who—

- (a) underwent military training and participated, consistently and persistently, in the liberation struggle which occurred in Zimbabwe and in neighbouring countries between the 1st January, 1962, and the 29th February, 1980, in connection with the bringing about of Zimbabwe’s independence on the 18th April, 1980;
- (b) are registered in terms of the War Veterans (Registration) Regulations, 1997 War Veterans (Pension Scheme) Regulations, 1997

#### ***4. War veterans pension***

(1) A war veteran shall, with effect from the 1st January, 1998, be entitled to a monthly pension at the rate of two thousand dollars which shall, subject to these regulations, be payable until the death of the war veteran.

(2) Where at the time of his death a registered war veteran was in receipt of a pension in terms of this section or would, but for his death, have been entitled to a pension in terms of this section, a pension shall be ‘payable to—

- (a) the surviving spouse; and
- (b) any dependent child; of the deceased war veteran.

(3) A pension in terms of subsection (2) shall become payable with effect from the 1st January, 1998, in respect of the death of any war veteran and shall be payable—

- (a) in the case of a surviving spouse, until the death of the surviving spouse; and
- (b) in the case of a child, until he attains the age of eighteen years or marries, whichever occurs first.

#### ***5. Rate of pension for surviving spouse and children***

(1) A surviving spouse shall be entitled to a pension equal to fifty-five *per centum* of the pension to which the deceased war veteran s or would have been entitled.

(2) If a deceased war veteran is survived by a spouse and dependent children, there shall be paid in respect of the children a pension equal to the following percentages of the pension payable to the surviving spouse—

- (a) in respect of one child, twenty-five *per centum*;
- (b) in respect of two children, forty *per centum*;
- (c) in respect of three children, fifty *per centum*;
- (d) in respect of four children, sixty *per centum*;
- (e) in respect of five or more children, sixty-six and two-thirds *per centum*.

(3) If a deceased war veteran leaves no surviving spouse but is survived by one or more dependent children, a pension equal to the following percentages of the pension which would have been payable to the surviving spouse shall be payable—

- (a) in respect of one child, fifty *per centum*;

- (b) in respect of two children, eighty *per centum*;
- (c) in respect of three children, one hundred *per centum*;
- (d) in respect of four children, one hundred and twenty *per centum*;
- (e) in respect of five or more children, one hundred and thirty-three and one-third *per centum*;

(4) A pension payable in terms of subsections (2) and (3) shall be paid to such person or persons as shall in each case be determined by the Director and shall, in accordance with his determination, be paid in respect of one child or apportioned between two or more of the children.

(5) If a child dies or ceases to be a dependent child, the pension payable in terms of subsection (2) or (3) shall cease or, if there are other children, shall be adjusted accordingly.

#### ***6. Supplementary benefits***

If a deceased war veteran is survived by a spouse, there shall be paid to that surviving spouse for each month for a period of twelve months after the death of the war veteran an amount equal to the difference between the monthly rate of the pension of the deceased war veteran immediately before his death and the monthly rate of the aggregate of—

- (a) any pension payable to that surviving spouse and any additional pension payable to the surviving spouse; and
- (b) any pension payable in respect of any child of that deceased war veteran and any additional pension payable in respect of any child.