5. The Board may enter into an agreement known as an admission agreement that permits members of an organized group of persons whether eligible to become members of the Fund or not, to be subject to such conditions as the Board may prescribe, become members of the Fund.

6. (1) A person may apply for registration as a voluntary member of the Provident Fund by making an application in the prescribed form.

(2) Upon registration, the voluntary member shall pay an initial contribution of not less than two hundred shillings.

(3) The persons registering online shall be required to make the initial contribution of not less than two hundred shillings through an authorized mode of payment.

(4) On receipt and approval of an application for voluntary contribution, the Managing Trustee shall issue the applicant with a certificate for voluntary contributions.

7. A member shall not deliberately destroy deface, amend or erase a certificate issued under regulation 6.

PART III—CESSATION OF MEMBERSHIP AS VOLUNTARY MEMBER

8. A person shall cease to be a voluntary member if the person-
(a) becomes an employed contributor; or
(b) advises the Managing Trustee, in writing, that he or she no longer wishes to be a voluntary contributor.

9. A person who advises the Managing Trustee, in writing, that he no longer wishes to be a voluntary contributor may retain his membership without making contributions unless he opts to access the benefits.

Made on the 10th June, 2014.

KAZUNGU KAMBI,
Cabinet Secretary for Labour, Social Security and Services.

LEGAL NOTICE NO. 83
THE NATIONAL SOCIAL SECURITY FUND ACT
(No. 45. of 2013)

IN EXERCISE of the powers conferred by section 68 of the National Social Security Fund Act, 2013, the Cabinet Secretary for Labour, Social Security and Services makes the following Regulations—

THE NATIONAL SOCIAL SECURITY FUND (CLAIMS AND PAYMENTS FOR THE PROVIDENT FUND BENEFITS) REGULATIONS, 2014
PART I—PRELIMINARY

1. These Regulations may be cited as the National Social Security Fund (Claims and Payments for the Provident Fund Benefits) Regulations, 2014.

2. These Regulations shall apply to voluntary members and contributions to the Provident Fund.

3. In these Regulations unless the context otherwise requires—
   “approved form” means such forms as the Managing Trustee may, from time to time, approve for the purposes of making application for the payment of benefits under these Regulations, 2014;
   “certificate of membership” means a certificate of membership issued under the National Social Security Fund (Registration) Regulations, 2014;
   “qualified medical practitioner” means any person registered as a medical practitioner under the Medical Practitioners and Dentists Act and any other person who if the person was in Kenya would be eligible for registration as a medical practitioner under that Act.

PART II—APPLICATION FOR CLAIM

4. A claim for the payment of any benefit shall be made in writing in the approved form to the Managing Trustee or any person authorized in that behalf, and it shall be accompanied by the certificate of membership of the member to whom the claim relates:
   Provided that the Managing Trustee may dispense with the production of the certificate of membership where the Managing Trustee is satisfied that it is reasonable so to do.

5. The Managing Trustee may, when considering any claim for the payment of a benefit, consider the claim as a claim appropriate to a description of benefit other than that claimed.

6. Every person who makes a claim for the payment of a benefit shall, for the purpose of determining the claim—
   (a) furnish such certificates, documents, information and evidence as may be required by the Managing Trustee including where appropriate—
      (i) a statutory declaration as to the truth of any statement of fact made by the claimant in relation to the claim or in any evidence submitted by the claimant;
      (ii) an examination of the member by a properly constituted medical board or certified medical doctor;
      (iii) in claims for age benefits, production of evidence in support of the claimant’s statement that the claimant retired, or is about to retire, from employment;
      (iv) in claims for withdrawal benefit evidence that the person is no longer in self employment;
(v) in claims for survivor’s benefit, a certificate or other evidence of the death of the member concerned, evidence of the claimant’s own identity and relationship to the deceased member and information about other relatives of the deceased; and

(vi) in claims for emigration benefit, a claim shall be accompanied by retirement, termination or dismissal letter from the last employer, identity document and evidence that the claimant, who is emigrating to a country which does not have a reciprocal agreement with Kenya and has no present intention of returning to reside in Kenya.

(b) attend at such office or place as the Managing Trustee may direct if reasonably required to do so.

7. If, in the opinion of the Managing Trustee, any claim form is incomplete or defective at the date of its receipt, the Managing Trustee may refer the form to the claimant and the Managing Trustee may treat the claim as if it has been duly made in the first instance if the form is returned duly completed or rectified within twenty-one days from the date on which it was so referred.

8. (1) In the absence of evidence to the contrary the date of birth of a member of the Fund as recorded by the Fund shall be conclusive.

(2) Where no date of birth is recorded for a member or his dependants or the age of a member is disputed the Managing Trustee may require such further evidence of age including medical evidence as may be obtainable.

(3) Where there is a dispute regarding the date of birth of a member, a doctor shall determine the age of the member.

PART III–CLAIM PAYMENT

9. (1) Any sum payable by way of benefit shall be paid to the claimant in a manner prescribed by the Managing Trustee from time to time.

(2) Where by a cheque or any other document of payment has been sent by ordinary or registered post, delivery thereof shall, unless the contrary is proved, be deemed to have been effected at the time at which a letter would be delivered in the ordinary course of the post.

Provided that where the Managing Trustee is satisfied that a cheque or other document of payment has been lost or destroyed, he may on receipt of a duly executed indemnity, issue a duplicate of such cheque or other document of payment.

10. Where more than one person is having under the Act, an equal claim to survivor’s benefit, the benefit shall unless in a particular case the Managing Trustee is satisfied that a different apportionment would be appropriate, be apportioned equally among the persons.

11. The receipt of a benefit by a member of the Fund or a legal representative or by a person authorized to receive the benefit on behalf
of a member shall be a full and sufficient discharge to the Fund for the sum specified.

12. (1) Where the Managing Trustee is satisfied that a beneficiary is of unsound mind or for any reason is unfit to manage his own affairs he may pay the benefit, or any part thereof, due to that beneficiary to any other person who, in the opinion of the Managing Trustee, is a proper person to receive the sum on the beneficiary’s behalf and will apply the sum for the maintenance and benefit of the said beneficiary; and any receipt given by such person shall be a good and sufficient discharge to the Fund for the sum paid.

(2) A person paid under Regulation 12, shall execute a deed binding the person to use the benefits for the sole benefit of the beneficiary.

Made on the 10th June, 2014.

KAZUNGU KAMBI,  
Cabinet Secretary for Labour, Social Security and Services.

LEGAL NOTICE NO. 84  
THE NATIONAL SOCIAL SECURITY FUND ACT  
(No. 45. of 2013)  
IN EXERCISE of the powers conferred by section 68 of the National Social Security Fund Act, 2013, the Cabinet Secretary for Labour, Social Security and Services makes the following Regulations—

NATIONAL SOCIAL SECURITY FUND (CLAIMS AND PAYMENTS FOR THE PENSION FUND BENEFITS) REGULATIONS, 2014  
PART I—PRELIMINARY

1. These Regulations may be cited as the National Social Security Fund (Claims and Payments for the Pension Fund Benefits) Regulations, 2014.

2. These Regulations shall apply to the members of the Pension Fund.

3. In these Regulations, unless the context otherwise requires—

“approved form” means such forms as the Managing Trustee may, from time to time, approve for the purposes of making application for the payment of benefits under these Regulations;

“medical board” means medical boards established under the County Government for purposes of examining persons who have claims to any benefit under the Act;

“medical doctor” means any person registered as a medical practitioner under the Medical Practitioners and Dentists Act and appointed by the Board for the purposes of examining persons who...