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A LAW TO MAKE PROVISIONS FOR THE ESTABLISHMENT OF A CONTRIBUTORY PENSION SCHEME FOR EMPLOYEES IN THE PUBLIC AND PRIVATE SECTORS OF BENUE STATE AND FOR PURPOSES CONNECTED THEREWITH

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**BENUE STATE OF NIGERIA**  
No. 4, of 2019

**A LAW TO MAKE PROVISIONS FOR THE ESTABLISHMENT OF A CONTRIBUTORY PENSION SCHEME FOR EMPLOYEES IN THE PUBLIC AND PRIVATE SECTORS OF BENUE STATE AND FOR PURPOSES CONNECTED THEREWITH**

[28th May, 2019]

Date of commencement.

ENACTED by the House of Assembly of Benue State of Nigeria as follows:

**PART 1**

**PRELIMINARY**

- |   |                               |
|---|-------------------------------|
| <p>1. This Law may be cited as the Benue State Pension Reform Law, 2019 and shall come into force on 28th May 2019.</p>   | <p>Title and Commencement</p> |
| <p>2. In this Law:-</p> <p>“Act” means the Pension Reform Act, 2014;</p> <p>“Actuary” means the actuarial firm appointed by the Commission;</p> <p>“BEPKOM” means Benue State Pension Commission;</p> <p>“Commission” means BENUE STATE PENSION COMMISSION established by this Law;</p> <p>“Court” means the High Court of the State;</p> <p>“Employee” means any person employed in the State Public and Private Sectors and all the Local Government Councils of the State;</p> <p>“Employer” means Benue State Government, the Private Sector and all the Local Government Councils of the State and their agencies;</p> <p>“External Auditors” means auditors appointed by the Commission for the purpose of certifying the correctness and fairness of the financial statements pertaining to the Commission's activities;</p> <p>“Governor” means the Executive Governor of the State;</p> <p>“He”, “His” and “Him” refer to both male and female genders;</p> <p>“Investment” means putting to profitable use the contributions of the employers and the employees;</p> <p>“Monthly emolument” means the total sum of the basic salary and allowances;</p> <p>“Next-of-kin” means, the person(s) so appointed by an employee in his records with the Pension Fund Administrator (PFA) and in his records of service with his employer;</p> | <p>Definitions</p>            |

**“PENCOM”** means the **National Pension Commission** established under section 14 of the Act;

**“Pension Fund”** means an investment fund within the Pension Scheme which is intended to accumulate during an individual's working life, from contributions and investments income, with the intention of providing income in retirement from the purchase of an annuity or in the form of programmed withdrawals, with the possible option of an additional tax-free cash lump sum being paid to the individual;

**“Pension Fund Asset”** means assets which collectively constitute a pension fund;

**“Pension Fund Administrator”** (PFA) means any corporate-body licensed by the PENCOM as a Pension Fund Administrator;

**“Pension Fund Custodian”**(PFC) means a Company incorporated under the Companies and Allied Matters Act and duly licensed as a Pension Assets Custodian by PENCOM;

**“Programmed withdrawal”** means a product offered by a Pension Fund Administrator for periodic payments to a beneficiary of a retirement savings account as specified in Section 8(1) (a) of this Law;

**“Public Service of the State”** shall have the meaning as defined in Section 318 of the Constitution of the Federal Republic of Nigeria, 1999 as amended;

**“Retirement Savings Account”** (RSA) means an Account opened with a Pension Fund Administrator as specified in section 13(1) of this Law;

**“Scheme”** means the Contributory Pension Scheme established under section 3 of this Law;

**“The State”** means Benue State of Nigeria.

## PART 2

### ESTABLISHMENT, OBJECTIVES AND OPERATION OF THE CONTRIBUTORY PENSION SCHEME

3. (1) There is hereby established for the State, Local Governments, Private Sector and Self Employed Persons a fully funded Pension Scheme (called “the scheme” in this Law) and a fund of the Scheme (called “the Fund” in this Law) for the prompt payment of retirement benefits to employees of the organizations the Scheme applies to. Establishment of the Contributory Pension Scheme
- (2) Subject to section 5 of this Law, the Scheme shall apply to all employees in the Public and Private Sector of the State.
4. The objectives of the Scheme shall be to- Objectives of the Scheme.
- (a) ensure that every person who has worked in the Public Service of the State receives his retirement benefit as and when due;
  - (b) assist improvident individuals by ensuring that they save in order to cater for their livelihood during old age;
  - (c) implement a uniform set of rules, regulations and standards as may be prescribed by the Commission, for the administration and payment of retirement benefits in the Public Service of the State.

5. (1) Subject to such rules, regulations and standards as may be prescribed by the Commission, the contribution of any employee to whom this Law applies shall consist of—
- Rates of Contribution to the Scheme and points of deduction.
- (a) a minimum of Ten Percent (10%) of the total monthly emolument of the employee to be contributed by the employer; and
  - (b) a minimum of Eight percent (8%) of the total monthly emolument of the employee to be contributed by the employee.
  - (c) The point of deduction of contribution of any employee shall be as follows:
    - (i) The Permanent Secretary responsible for payment of salaries and Pensions shall make monthly deductions from the salary of each employee of the State Government a sum equivalent to 8% (Eight percent) of the monthly emolument of the employee and remit same to the Commission as the employee's monthly contribution;
    - (ii) The Chief Registrar of the State High Court shall make monthly deductions from the salary of each employee a sum equivalent to 8% (Eight percent) of the monthly emolument of the employee and remit same to the Commission as the employee's contribution;
    - (iii) The Permanent Secretary of the Agency responsible for Local Government shall ensure that monthly contribution of 8% (Eight percent) of the monthly emolument of all Local Government employees is deducted from the Commission as the monthly contribution of the employees of the Local Government Councils;
    - (iv) The Chairman of the State Universal Basic Education Board shall ensure that the monthly contribution of 8% (Eight percent) of the salary of all its employees in the State is deducted from the monthly emolument and remitted to the Commission as the monthly contribution.
    - (v) The Clerk of the House of Assembly shall deduct monthly contribution of 8% (Eight percent) of the monthly emolument of each employee of the House of Assembly from the employee's total emolument and remit to the Commission as the employee's contribution.
- (2) The rates of the contribution mentioned in sub-section (1) of this section may, upon an agreement between the employer and the employee be revised upwards, from time to time and PENCOM shall be notified of such revision through the Commission.

- (3) Notwithstanding any of the provisions of this law, the employer may agree or elect to bear the full burden of the Scheme, provided that in such a case the employer's contribution shall not be less than Eighteen Percent (18%) of the total monthly emolument of the employee.
- (4) Subject to such guidelines as may be issued from time to time by **PENCOM**, any person who is not ordinarily covered under Section 3 of this Law shall be entitled to make voluntary contributions under the Scheme.
- (5) Any employee to whom this Law applies may, in addition to the total contributions being made by him and his employer, make voluntary contributions to his Retirement Savings Account.
- (6) In addition to the rates specified in sub-section (1) of this section, the employer shall maintain a life insurance policy in favor of the employee for a minimum [sum assured] of three times the total annual emolument of the employee.
6. (1) Notwithstanding the provisions of Section 3 of this Law, any employee who at the commencement of this Law is entitled to retirement benefits under any pension scheme existing before the commencement of this Law but has less than 5-years to retire shall be exempted from this Scheme. Exemptions from the Scheme.
- (2) The categories of persons mentioned in section 291 of the Constitution of the Federal Republic of Nigeria, 1999, as amended, shall be exempted from the scheme.
- (3) Any person who falls within the provisions of subsections 1 and 2 of this section shall continue to derive retirement benefits under the existing Pay-As-You-Go Pension Scheme of the Public Service of the State as amplified in the Schedule to this Law.
- (4) Nothing in this Law shall preclude the right of any person mentioned in subsections (1) and (2) of this section to be paid his pension as and when due.
7. (1) Subject to sub-section (2) of this section, as from the commencement of this Law, no person shall be entitled to make any withdrawal from his retirement savings account opened under section 13 of this Law, unless he has attained the age of 50 years. Withdrawal from retirement savings Account
- (2) Notwithstanding the provisions of sub-section (1) of this section, any employee who:
- a. is retired on the advice of a suitably qualified physician or a properly constituted medical board certifying that the employee is no longer mentally or physically capable of carrying out the functions of his office;
  - b. is retired due to his total or permanent disability either of mind or body; or
  - c. retires before the age of 50 years in accordance with the terms and conditions of his employment;

- shall be entitled to make withdrawals in accordance with section 8 of this Law.
- (3) The Medical Board or a suitably qualified Physician may, at the request of a retired employee, review the fitness of such employee and where the Medical Board or Physician certifies that he is mentally and physically capable of carrying out the functions of his office, such employee may re-enter the Scheme upon securing another employment. Such a request shall not be made more than once in every two years.
- (4) For the purpose of sub-section (1) of this section, the authentic age of an employee entering the public service or any other employment shall be that submitted by him on entering the service or taking up the employment. Retirement Benefits.
8. (1) A holder of a Retirement Savings Account, upon retirement or attaining the age of 50 years, whichever is later, shall utilize the balance standing to the credit of his retirement Savings Account for the following benefits –
- (a) programmed monthly or quarterly withdrawals;
  - (b) annuity for life purchased from a Life Insurance Company licensed by the National Insurance Commission with monthly or quarterly payments; and
  - (c) a lump sum from the balance standing to the credit of his Retirement Savings Account, provided that the amount left after the lump sum withdrawal shall be sufficient to procure an annuity or fund a programmed withdrawal that will produce an amount not less than 50 percent of his annual remuneration as at the date of his retirement.
- (2) Where an employee retires under paragraph (c) of sub-section (2) of Section 7 of this Law, the employee may, on request, withdraw a lump sum of money not more than 25% of the amount standing to the credit of his Retirement Savings Account: provided that such withdrawal shall only be made 3 months after his retirement and the retired employee shall not have secured another employment.
9. (1) Where an employee dies, his entitlements under the life insurance policy maintained under sub-section (6) of section 5 of this Law shall be paid to the designated beneficiary in line with Section 57 of the Insurance Act. Death of an Employee.
- (2) The Pension Fund Administrator shall apply the amount paid under sub-section (1) of this section in favour of the beneficiary under a will or any person designated by him during his life time or in the absence of such designation, to any person appointed by the Probate registry as the administrator of the Estate of the deceased
10. Notwithstanding anything to the contrary contained in any other Law, where an employee is missing and is not found within a period of one (1) year from the date he was declared missing, and a Board of Enquiry set up by the Commission finds that it is reasonable to presume that he has died, the provisions of Section 9 of this Law shall apply. Missing Employee.

11. (1) Any amount payable as a retirement benefit under this Law shall not be taxable. Retirement benefits not taxable.
- (2) Notwithstanding the provisions of subsection (1) of this section, any income that accrues on voluntary contributions made under section 5 of this Law shall be subject to tax at the point of withdrawal where the withdrawal is made before the end of 5 years from the date the voluntary contribution was made.
12. Notwithstanding anything under any Law, contribution by an employee to the Scheme under this Law shall form part of tax deductible expenses in the computation of tax payable by such employee under the relevant income tax Law. Contribution to be part of Tax deductible expenses.
13. (1) Every Employee shall maintain an account (in this Law referred to as Retirement Savings Account), in his name, with any Pension Fund Administrator of his choice, among those selected by the Commission. Retirement Savings Account, Remittance of contributions etc,
- (2) The employee may, not more than once in a year, transfer the Retirement Savings Account maintained under subsection (1) of this section from one Pension Fund Administrator to another without adducing any reason for such transfer.
- (3) The employee shall notify his employer of the Pension Fund Administrator chosen by him and the identity of the retirement Savings Account opened in his name under sub-section (1) of this section.
- (4) The employee shall not have access to his Retirement savings Account nor have any dealing with the custodian with respect to the Retirement Savings Account except through the Pension Fund Administrator.
- (5) The employer shall –
- (a) deduct at source the monthly contribution of each employee in his employment, and
  - (b) not later than 7 working days from the day the employee is paid his salary, remit an amount comprising both the employee's contribution deducted under paragraph (a) of this sub-section and the employer's contribution, to the custodian specified by the Pension Fund Administrator of the employee, to the exclusive order of the Pension Fund Administrator.
- (6) Upon receipt of the contributions remitted under sub-section (5)(b) of this section, the Custodian shall notify the Pension Fund Administrator who shall cause to be credited, the Retirement Savings Account of the employee for whom the employer had made the payment.
- (7) Where the employee fails to open a Retirement Savings Account within a period of Six Months after assumption of duty, the commission shall, subject to the guidelines issued by PENCOT, request a pension fund administrator

to open a nominal retirement savings account for such employee for the remittance of his contributions. The account shall be regularized as soon as documentation is completed.

- (8) Any employer who fails to remit the stipulated contributions within the time prescribed under sub-section (5)(b) of this section shall in addition to making the remittance already due, be liable to a penalty to be stipulated by the Commission provided that the penalty shall not be less than 2 percent of the total arrears of contributions that remain unpaid for each month or part of each month during which the default continues and the amount of the penalty shall be recoverable as a debt owing to the employee's Retirement Savings Account as the case may be.
- (9) Contributions by the State Government and Local Governments to the Pension of employees in its Service shall be a charge on the Consolidated Revenue Fund of the State Government and the Local Governments and shall be deductible therefrom.
- (10) The Accountant-General of the State shall, immediately upon the request of the Commission, effect the deductions mentioned in sub-section (8) of this section.
14. (1) As from the commencement of this Law, the right to retirement benefits of employees who are already under the Pay-As-You-Go pension scheme before the commencement of this Law and have 5 years or more to retirement shall:-
- Transfer of entitlement from defined benefits scheme.
- (a) in the case of State Government employees, be recognized in the form of an amount acknowledged through the issuance of a bond to be known as State Government Retirement Bonds, in favour of the employees and the bond issued under this sub-section shall be redeemed upon retirement of the employee in accordance with section 16 of this Law. The amount so redeemed shall be added to the Retirement Savings Accounts of the employee and applied in accordance with the provisions of Section 7 of this Law; or
- State Government Retirement Board.
- (b) in the case of Local Government employees, be recognized in the form of an amount acknowledged through the issuance of a bond to be known as Local Government Retirement Bonds, in favour of the employees and the bond issued under this sub-section shall be redeemed upon retirement of the employee in accordance with section 16 of this Law and the amount so redeemed shall be added to the Retirement Savings Account of the employee and applied in accordance with the provisions of section 7 of this Law.
15. Where an employee transfers his service or employment from one employer or organization to another, the same Retirement Savings Account shall continue to be maintained by the employee.
- Transfer from one employment



16. (1) There shall be issued to each employee of the Public Service of the State who migrates from the present, unfunded, Pay-As-You-Go Pension Scheme, Retirement Benefit Bonds to the tune of each employee's accrued (retirement) benefit, at the time of migration. Retirement benefits bond Redemption Fund.
- (2) The Bonds shall be issued by the Benue State Debt Management Office which shall redeem the bonds as each holder of the bonds retires, by a remittance into the retiree's Retirement Savings Account.

### PART 3

#### ESTABLISHMENT AND COMPOSITION OF BENUE STATE PENSION COMMISSION (BEPKOM)

17. (1) There is established a body to be known as the **BENUE STATE PENSION COMMISSION (BEPKOM)** (in this Law referred to as "the Commission"). Establishment of the commission.
- (2) The Commission shall be directly answerable to the Governor.
18. The Commission: Body corporate with perpetual succession.
- (1) Shall be a body corporate with perpetual succession and a common seal; and
- (2) May sue and be sued in its corporate name.
19. The Commission may acquire, hold or dispose of any moveable or immoveable property for the purpose of its function under this Law. Acquisition of property.
20. The principal object of the Commission shall be to supervise and ensure the effective administration of pension matters in Benue State Public Service. Objects of the commission.
21. The Commission shall consist of: Composition of the commission.
- (1) A full-time Chairman who shall possess a university degree or its equivalence with not less than 20 years cognate working experience, physically fit and of proven integrity.
- (2) A Permanent Secretary to be posted from the Office of the Head of Service.
- (3) There shall be three full-time Commissioners, each of whom shall supervise a department as stated in sub-section 5 of this section.
- (4) Other part time members of the Commission who shall be appointed by the Executive Governor shall be a Representative each of:
- (a) Head of the Civil Service of the State;
- (b) Honorable Commissioner of Finance;

- (c) Planning Commission;
- (d) Nigeria Union of Pensioners;
- (e) Organized Labour;
- (f) Local Government Service Commission;
- (5) There shall be 3 Departments of the Commission namely:
- (a) Finance and Investment Department;
- (b) Administration and Information Technology Department.
- (c) Pension Administration Department
- (6) The Chairman and Members of the Commission and all the Commissioners shall be appointed by the Governor subject to the confirmation by the State House of Assembly.
- (7) Appointment of the Chairman and all the members of the Commission shall be for a term of 5 years which may be renewable only once.
22. In the event of a vacancy, the Governor shall appoint a new member of the Commission to complete the tenure of his predecessor.
23. A member of the Commission shall cease to hold office if:
- (a) he resigns his appointment as a member of the Commission by a written notice;
- (b) he becomes bankrupt;
- (c) he is convicted of a felony or of any offence involving dishonesty or corruption;
- (d) he becomes incapable of carrying out the functions of his office either arising from an infirmity of mind or body, or
- (e) the Governor is satisfied that it is not in the interest of the Commission or the public for the person to continue in office and notifies that member in writing to that effect.
24. The Chairman, the Commissioners and the part-time members (mentioned in sub-section (4) of Section 21 of this Law) shall be paid such emoluments, allowances and incidental expenses as obtainable in the State Public Service.
25. The functions of the Commission shall include to:
- (a) supervise the Scheme established under this Law;
- (b) make budgetary estimates for existing pensioners and officers exempted from this Scheme under Section 6 of this Law;
- (c) receive budgetary allocations from the Government and make payments to the pensioners as and when due;
- (d) ascertain deficit in pension payments, if any, to the existing pensioners or the categories of officers exempted under Section 6 of this Law and carry out such other functions aimed at ensuring the welfare of pensioners as the Government or BEPCOM may, from time to time, direct;

Appointment in case of vacancy.

Cessation of office of a member of the commission.

Payment of emoluments.

Functions of the Commission.

- (e) pay gratuity and pension to the existing pensioners and the category of officers exempted under **Section 6** of this Law, in accordance with the relevant and applicable computations under the existing Pay-As-You-Go Pension Scheme of the State Public Service;
  - (f) establish a data-base of all Pensioners and contributors under the Contributory Scheme and ensure the continued maintenance of a State Data Bank on all pension matters;
  - (g) receive and review complaints on the Contributory Scheme from the public with a view to passing them to **BEPKOM**, where necessary for appropriate action;
  - (h) monitor compliance levels and appraise the effectiveness of the operations of the Contributory Scheme within the State, with a view to making suggestion for improvement to **BEPKOM**;
  - (i) carry out public awareness and education on the management of the Scheme;
  - (j) receive and investigate complaints of impropriety leveled against any Pension Fund Administrator, Custodian or any of their staff or agents be sanctioned appropriately.
  - (k) perform such other duties which, in the opinion of the Commission, are necessary or expedient for the discharge of its functions under this Law.
26. The Commission shall have the power to:
- (a) formulate, direct and oversee the overall policy on pension matters in the state;
  - (b) fix the terms and conditions of service including remuneration of the employees of the Commission as obtained in the Benue State Civil Service;
  - (c) request or call for information from any ministry or agency of government on matters relating to retirement benefits of government employees or retirees;
  - (d) establish and acquire offices and other premises for the use of the Commission in such locations as it may deem necessary for the proper performance of its functions under this Law; and
  - (e) do such other things which in its opinion are necessary to ensure the efficient performance of the functions of the Commission under this Law.
27. There shall be for the Commission, a Secretary and Legal Adviser who shall-
- (a) be appointed by the Commission;
  - (b) be responsible to the Permanent Secretary and the Commission;
  - (c) possess professional skills and cognate experience;
  - (d) be responsible for:
    - (i) taking the minutes of meetings of the Commission,
    - (ii) keeping records and conducting the correspondence of the Commission,

Powers of the Commission.

Secretary and legal Adviser of the Commission.

- (iii) issuing notices for the meetings of the Commission;
- (e) be in-charge of the Legal Unit of the commission; and
- (f) perform such other duties as may be assigned to him, from time to time, by the Commission or the Permanent Secretary.
28. The Commission shall, from inception, appoint such other category of employees as may appear to it expedient and necessary for the proper and efficient performance of its functions under this Law on highly competitive basis, the criteria being emphatic on relevant industry experience so as to establish an appropriate work culture. Other employees of the Commission.
29. The Commission shall pay its employees such remuneration, allowances and other benefits as obtained in the Civil Service of Benue State. Emoluments of employee.
30. (1) The Commission shall establish and maintain a fund from which all its expenses shall be defrayed. Financial Provisions.
- (2) The fund established under subsection (1) of this section shall consist of:
- (a) the initial take-off grant from the State Government;
- (b) monthly/annual subvention from the State Government;
- (c) income from any investments of the Commission; and
- (d) all sums of money or income accruing to the Commission by way of any endowments.
- (e) Such other monies as may accrue to the commission
31. The Commission shall cause to be prepared, not later than the thirtieth day of September in each year, an estimate of its income and of expenditure for the succeeding year. Estimate of income and expenditure.
32. The Commission shall cause to be kept proper books of accounts and records showing its income, expenditure, assets, investments made, returns on investments made and the contributions of employees in its respective Services as the case may be. Such account shall, not later than 4 months after the end of each year, be audited by external auditors appointed by the Commission from the list and in accordance with the guidelines supplied by the Auditor-General of the State. Books of accounts to be kept and audited.
33. The Commission shall not later than 6 months after the end of each year submit to the Governor and BEPCOM, report on the activities and administration of the Commission during the immediate preceding year and include in such report the Audited Accounts and the auditors' report thereon. Submission of audited accounts.
34. The Commission may submit such other reports to the Governor on matters of expediency or urgency relating to its functions under this Law as the Commission may from time to time, determine. Submission of other Reports.
35. As from the commencement of this Law, the responsibilities, funds, assets and liabilities of all existing Pension Offices in the Public Service of the State shall be vested in the Commission as provided under this Law. Financial Provisions.

36. Where an officer exempted under **Section 6** of this Law dies in service or in the course of duty, the Commission shall pay, to his next-of-kin or designated survivors, gratuity and pension to which the officer would have been entitled at the date of his death calculated in accordance with section 25 (e) of this law. Death if exempt officer in service etc.
37. (1) Where an officer exempted under **Section 6** of this law is retired by his employer as a result of mental or physical incapacity, the officer shall be paid gratuity and Pension in accordance with section 25(e) of this law. Retirement of exempt officer .
- (2) The Commission shall submit its audited financial accounts to the State Government and BEPCOM not later than six months from the end of the financial year. Annual Report.
38. (1) Any external auditor appointed by the Commission under section 32 of this Law shall have responsibility to BEPCOM for the protection of pension funds and shall, in the discharge of its duties to BEPCOM, report any of the following situations to BEPCOM, that is:- Duties of External Auditors.
- (a) any evidence that there has been significant lapses in the accounting and other records or the internal control systems of the Commission;
  - (b) any evidence that the Commission has reported financial information to BEPCOM which is misleading in material particulars;
  - (c) where it believes that a fraud or other misappropriation has been committed by the management of the Commission or has evidence of an attempt by management to commit such fraud or misappropriation; or
  - (d) where there has been an event or occurrence which affects or is likely to affect the auditor's confidence in the competence of the management to conduct the affairs of the Commission in a prudent or safe and sound manner.
- (2) Nothing in this section shall be construed to be a breach of the duty of the auditor to the Commission by reason only of its communicating in good faith to BEPCOM, whether or not in response to a request made by the BEPCOM for any information or opinion on any matter or situation to which this section applies.
- (3) Any auditor who acts in contravention of or fails deliberately or negligently to comply with any of the provisions of sub-section (1) of this section commits an offence and is liable on conviction to a fine of not less than **N10,000,000** in the case of a firm or imprisonment for a term of not less than 3 years or both for the responsible partner or principal officer.

- 39. Any person who contravenes any provision of this Law in respect of which no specific penalty is prescribed under this Law, commits an offence and shall be liable upon conviction to a fine of **N250,000** or to imprisonment for a term of one year or to both such fine and imprisonment. Penalty for contravention of this Law.
  
- 40. Where an offence under the provisions of this Law is committed by a body corporate, the body corporate and every director or officer who had knowledge or should have had knowledge of the commission of the offence and who did not exercise due diligence to ensure compliance with this Law **commits an offence** and shall be liable individually as prescribed by **Section 39** of this Law. Offences by body corporate.
  
- 41. If any other law relating to Pensions in the State is inconsistent with this Law, the provisions of this Law shall prevail to the extent of the inconsistency. Inconsistency with other Laws.
  
- 42. This Law repeals any pre-existing Pension Laws applicable in the State from the date of commencement of this Law. Repeal of pre-existing Pension Law.

SCHEDULE  
( Section 6 (3) )

Years of qualifying Service	Gratuity as percentage of Financial Total emolument	Pension as percentage of Final total emolument
5	100	-
6	108	-
7	116	-
8	124	-
9	132	-
10	100	30
11	108	32
12	116	34
13	124	36
14	132	38
15	140	40
16	148	42
17	156	44
18	164	46
19	172	48
20	180	50
21	188	52
22	196	54
23	204	56
24	212	58
25	220	60
26	228	62
27	236	64
28	244	66
29	252	68
30	260	70
31	268	72
32	276	74
33	284	76
34	292	78
35	300	80
Perm.Sec.	300	100

This Printed impression has been carefully compared by me with the Bill which was passed by the State Legislature and found to be a true and correctly printed copy of the said Bill.



**TORÉSE AGENA, Ph.D.**  
Clerk of the House.

This printed impression has been endorsed by me to be correct.



**HON. TITUS TYOAPINE UBA**  
*Speaker*  
Benue State House of Assembly

I ASSENT this 28th day of May, 2019.



**SAMUEL ORTOM**  
*Governor*  
Benue State of Nigeria.

#### EXPLANATORY NOTE

The purpose of this Law is to provide for a contributory pension scheme for employees in the public and Private Sector of Benue State in order to enhance the efficient payment of retirement benefits to pensioners and improve their welfare in retirement