

REPUBLIC OF ZAMBIA

**THE IMMIGRATION AND DEPORTATION ACT**

**CHAPTER 123 OF THE LAWS OF ZAMBIA**

**CHAPTER 123 THE IMMIGRATION AND DEPORTATION ACT**

THE IMMIGRATION AND DEPORTATION ACT

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CHAPTER 123

IMMIGRATION AND DEPORTATION

**An Act to regulate the entry into and the remaining within Zambia of immigrants and visitors; to provide for the removal from Zambia of criminals and other specified persons; and to make provision for matters incidental to the foregoing.**

29 of 1965  
16 of 1967  
20 of 1967  
31 of 1972  
Act No.  
13 of 1994

[21st February, 1967]

PART I PRELIMINARY

PRELIMINARY

1. This Act may be cited as the Immigration and Deportation Act. Short title
2. In this Act, unless the context otherwise requires— Interpretation

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"Chief Immigration Officer" means the person appointed as Chief Immigration Officer in accordance with section *four*;

"citizen" means a citizen of Zambia;

"educational institution" means a prescribed institution or one of a prescribed class of institutions the primary function of which is to provide academic or other instruction;

"entry permit" means a permit issued under section *fourteen*;

"established resident" means, in relation to any date, a person who is not a citizen or a prohibited immigrant and who has been ordinarily and lawfully resident in Zambia or the former Protectorate of Northern Rhodesia or both for the period of four years immediately preceding that date:

Provided that no period during which a person-

- (i) has been confined in a prison consequent on a sentence of imprisonment imposed by a court, which sentence has not on appeal or review been quashed or varied to a fine;
- (ii) has been an inmate of a mental institution; or
- (iii) has remained in Zambia or the former Protectorate of Northern Rhodesia or both as a visitor or in terms of a statutory permit allowing such person for a limited period only so to remain;

shall be counted for the purpose of this definition;

"immigration assistant" means a person appointed as an immigrant assistant in accordance with section *four*;

"immigration officer" means any person appointed as an immigration officer in accordance with section *four* and includes the Chief Immigration Officer and, in relation to the exercise of any power or the performance of any duty, any person on whom such power or duty has been conferred or imposed under that section;

"minor child" includes any child adopted under the Adoption Act and any other person under the age of twenty-one years whom the Minister has in writing declared to be a minor child for the purposes of this Act, but does not include a married woman;

Cap. 54

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"passport" means a passport or other travel document of identity-

- (a)
  - (i) issued by or on behalf of the Government of Zambia, the former Protectorate of Northern Rhodesia, the former Federation of Rhodesia and Nyasaland or any sovereign state recognised by the Government of Zambia or issued by the United Nations Organisation;
  - (ii) which contains a personal description of the holder, the name of the country in which he was born and the date of his birth;
  - (iii) to which is attached a photograph being a true likeness of the holder wherein his features are clearly and correctly depicted; and
  - (iv) which, except where a visa is dispensed with in pursuance of an arrangement to which the Government is a party, bears the visa or endorsement of a person authorised by the Government to that end; or
  
- (b) of a type prescribed;

"prohibited immigrant" means a person described in section *twenty-two* as a prohibited immigrant in relation to Zambia;

"study permit" means a permit issued under section *sixteen*;

"subordinate court" means a court constituted under the Subordinate Courts Act; Cap. 28

"temporary permit" means a permit issued under section *seventeen* to a prohibited immigrant.

**3. (1)** Subject to subsection (2), Parts III, IV and V shall not apply to- Application

- (a) any person duly accredited to Zambia by or under the authority of the government of any sovereign state;
  
- (b) any person who under any written law is entitled to any diplomatic immunities and privileges by reason of his association with an organisation of which the Republic or the Government and one or more other states or the government or governments thereof are members;
  
- (c) any member of the official staff or of the household of a person described in paragraph (a) or (b);
  
- (d) any citizen or established resident;

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- (e) any wife or minor child of a person described in paragraph (a), (b), (c) or (d);

and such persons shall be entitled to enter and re-enter into and to remain within Zambia.

(2) Notwithstanding the provisions of subsection (1), Parts III, IV and V shall apply to any person-

- (a) arriving in or departing from Zambia until he satisfies an immigration officer that he is a person to whom subsection (1) relates; or
- (b) who is an established resident for the purpose of the exercise by the Minister of his powers under section *twenty-two* or *twenty-six*.

PART II APPOINTMENTS AND POWERSPART II

APPOINTMENTS AND POWERS

**4.** (1) There shall be appointed as public officers a Chief Immigration Officer and such immigration officers and immigration assistants as shall be necessary for the proper administration of this Act.

Appointment of Chief Immigration Officer, etc.

(2) The Minister may by order confer all or any of the powers and impose all or any of the duties of an immigration officer under this Act upon any public officer or class of public officers.

**5.** (1) The Chief Immigration Officer may, in writing and subject to such restrictions, reservations, exceptions and conditions as he may think fit, delegate to an immigration officer all or any of the powers conferred upon him by or under this Act:

Delegation of powers of Chief Immigration Officer

Provided that no such delegation shall prevent the exercise by the Chief Immigration Officer of any delegated power.

(2) The Chief Immigration Officer may at any time in writing revoke or vary his delegation under subsection (1) of all or any of the powers included within such delegation.

**6.** (1) An immigration assistant may without warrant arrest any person whom he reasonably suspects to be a prohibited immigrant or to have contravened or to be about to contravene any provision of this Act.

Powers of arrest of immigration assistants

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(2) Any person arrested by an immigration assistant shall forthwith be delivered to an immigration officer who may release him or proceed in accordance with the provisions of this Act as though such person had been arrested by the immigration officer.

7. For the purpose of discharging his functions under this Act, an immigration officer may- Powers of search, etc.

- (a) without warrant stop, enter and search any aircraft, train, vehicle or vessel in Zambia;
- (b) require the person in charge of any aircraft, train, vehicle or vessel arriving in Zambia to furnish a list of the names of all persons in the aircraft, train, vehicle or vessel, as the case may be, and such other prescribed information as it is within the power of such person to furnish.

8. (1) The person in charge of any aircraft, train, vehicle or vessel bringing into Zambia any person found, on appearing before an immigration officer in accordance with section *nine*, to be a prohibited immigrant and the owners, agents and charterers of such aircraft, train, vehicle or vessel shall, upon being required by an immigration officer to remove such prohibited immigrant from Zambia, be responsible for such removal as soon as practicable thereafter and in default thereof shall be jointly and severally liable to pay to the Government all expenses incurred by the Government in connection with the removal of such prohibited immigrant from Zambia. Liability of carriers, etc., introducing prohibited immigrants

(2) The amount of such expenses shall be recoverable in an action brought in the name of the Chief Immigration Officer.

PART III EXAMINATION OF PERSONS ENTERING AND LEAVING ZAMBIA AND OTHERS  
PART III

EXAMINATION OF PERSONS ENTERING AND LEAVING ZAMBIA AND OTHERS

9. (1) Every person who arrives in Zambia by air- Entrants to appear before immigration officer

- (a) at any prescribed airport and intends to leave the precincts of such airport shall forthwith appear before an immigration officer;
- (b) at any place other than a prescribed airport shall forthwith proceed to and appear before the nearest immigration officer.

(2) Every person who enters Zambia by inland waters or overland shall forthwith proceed to and appear before the nearest immigration officer.

**10.** (1) An immigration officer may examine any person appearing before him in accordance with the provisions of section *nine* and any person whom he reasonably suspects to be a prohibited immigrant for the purpose of ascertaining in relation to such person-

Examination of entrants and others

- (a) his identity;
- (b) the objects of his entry into Zambia;
- (c) the nature of his claim to remain in Zambia; and
- (d) whether he is a prohibited immigrant.

(2) For the purpose described in subsection (1), an immigration officer may require any person to whom that subsection relates-

- (a) to produce his passport;
- (b) to make such declaration as may be prescribed;
- (c) to produce documentary or other evidence relative to his claim to enter or remain in Zambia; and
- (d) in writing or otherwise to answer such questions as the immigration officer may put to him.

**11.** An immigration officer may by notice in writing require any person-

- (a) not being the holder of a permit to remain in Zambia; or
- (b) being the holder of a visiting permit issued under section *fifteen*;

to appear before an immigration officer at such place and within such time as may be specified in the notice.

Certain visitors to reappear before immigration officer

**12.** (1) The Chief Immigration Officer may require in respect of any person entering Zambia, as a condition of his remaining therein, the deposit of a sum of money or the furnishing of such guarantee as the Chief Immigration Officer may accept in lieu of such deposit.

Security may be required from entrants

(2) The Chief Immigration Officer shall specify-

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- (a) the sum of money not exceeding one thousand kwacha to be deposited or guaranteed; and
- (b) the period not exceeding four years for which the deposit or guarantee is required.

(3) Any sum deposited or guaranteed in accordance with this section may be applied by the Chief Immigration Officer to meet any expenditure incurred by the Government within the specified period in connection with the care, treatment or maintenance within or the removal from Zambia of the person concerned.

**13.** (1) Every person departing from Zambia, except in direct transit through Zambia by air having not left the precincts of a prescribed airport, shall appear before an immigration officer.

Examination of  
persons leaving  
Zambia

(2) The immigration officer may require such person-

- (a) to produce his passport and any permit issued to him under this Act and to surrender any such permit which is no longer valid;
- (b) to make and sign such declaration as may be prescribed;
- (c) in writing or otherwise to answer such questions relating to his identity or departure as may be put to him by the immigration officer.

PART IV ISSUE, VARIATION AND REVOCATION OF PERMITS PART IV

ISSUE, VARIATION AND REVOCATION OF PERMITS

**14.** (1) On application being made in the prescribed manner, the Chief Immigration Officer may issue an entry permit to any person who he is satisfied-

Entry permits

- (a) is not a prohibited immigrant;
- (b) has an adequate knowledge of any language commonly used by the indigenous inhabitants of Zambia which may be prescribed, or of English;
- (c) intends to remain in Zambia for a period in excess of three months; and
- (d) belongs to a class set out in the First Schedule.

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(2) The Chief Immigration Officer shall issue an entry permit to any person in respect of whom the Minister directs that such permit be issued.

(3) The holder of an entry permit shall not for gain engage in any occupation other than an occupation specified in such permit.

(4) Subject to the provisions of this Act and regulations made thereunder, an entry permit shall authorise the holder-

- (a) for gain to engage, by employment under an employer resident in Zambia or otherwise, in such occupation as may be specified therein; and
- (b) until he becomes an established resident, to enter and re-enter into and to remain within Zambia.

(5) An entry permit shall cease to be valid if the holder-

- (a) fails to enter Zambia within six months of the date of issue of the permit or such later date as the Chief Immigration Officer may endorse thereon;
- (b) is absent from Zambia for a period in excess of six months without notifying the Chief Immigration Officer in writing that he proposes to return to Zambia; or
- (c) is absent from Zambia for any period in excess of twelve months.

*(As amended by No. 16 of 1967)*

**15.** (1) On application being made in writing, an immigration officer may issue a visiting permit to any person-

- (a) whose presence in Zambia is or is likely to become unlawful by virtue of his remaining therein for a period or periods totalling not less than three months in any period of twelve months;
- (b) who save as provided by paragraph (a) is not a prohibited immigrant; and
- (c) who is not the holder of any other permit to remain in Zambia.

(2) A visiting permit shall specify the period of its validity, being a period not exceeding three months from the date of issue of such permit but capable of extension for further successive periods not exceeding three months each to a maximum period of twelve months from such date of issue.

(3) Subject to the provisions of this Act and regulations made thereunder, a visiting permit shall authorise the holder to enter and re-enter into and to remain within Zambia until such permit expires.

**16.** (1) On application being made in the prescribed manner, the Chief Immigration Officer shall issue a study permit to any person who he is satisfied-

Study permits

(a) is not a prohibited immigrant; and

(b) has been accepted for instruction by an educational institution in Zambia.

(2) A study permit shall specify the educational institution to which it relates and, subject to the provisions of this Act and regulations made thereunder, shall authorise the holder to study at that institution and to enter and re-enter into and to remain within Zambia while under instruction at that institution and for such period thereafter as would reasonably enable him to depart from Zambia.

**17.** (1) An immigration officer may issue a temporary permit to a prohibited immigrant.

Temporary permits

(2) An immigration officer shall issue a temporary permit to any person in respect of whom the Minister directs that such permit be issued.

(3) An immigration officer may as a condition precedent to the issue of a temporary permit require a prohibited immigrant to deposit such sum, not being greater than a prescribed amount, as he or, in the case of a person to whom subsection (2) relates, the Minister may think fit for the purpose of securing compliance with the conditions specified in the permit and, if any such condition is not complied with, a subordinate court may, on application by an immigration officer and subject to any rules made under this Act, declare such sums to be forfeited.

(4) A temporary permit shall specify-

(a) such prescribed conditions for observance by the holder as the immigration officer thinks fit; and

(b) the period of its validity:

Provided that no period in excess of thirty days shall be specified without the approval of the Chief Immigration Officer or in any case in excess of two years.

(5) Subject to the provisions of this Act and regulations made thereunder and to the conditions therein specified, a temporary permit shall authorise the holder to enter and re-enter into and to remain in Zambia until such permit expires.

**18.** (1) On application being made in the prescribed manner, the Chief Immigration Officer shall issue an employment permit to any person outside Zambia who he is satisfied- Employment permits

- (a) is not a prohibited immigrant; and
- (b) belongs to Class A of the First Schedule.

(2) The Chief Immigration Officer shall, if so directed by the Minister, issue an employment permit to any person within Zambia who would be eligible under subsection (1) for such a permit if he were outside Zambia.

(3) An employment permit shall specify-

- (a) such conditions for observance by the holder, if any, as to the area within which the holder may engage in employment and the nature of the employment in which he may engage as the Chief Immigration Officer thinks fit; and
- (b) the period of its validity.

(4) The period of validity of an employment permit in any case shall be such period from the date of its issue as the Chief Immigration Officer, having regard to all the circumstances of the case, thinks fit, and shall be capable of extension for a further period or periods to a maximum of five years from the date of its issue.

(5) Subject to the provisions of this Act and regulations made thereunder and to any conditions specified in an employment permit, such permit shall authorise the holder-

- (a) to engage in paid employment under an employer resident in Zambia; and

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- (b) to enter and re-enter into and to remain within Zambia until such permit expires.

(No. 16 of 1967)

**19.** (1) Save under permit issued in accordance with the provisions of this Act authorising such employment, no person shall engage in paid employment under an employer resident in Zambia.

Prohibition on employment, study, etc., without permit

(2) Save in accordance with an entry permit, no person shall for gain engage in any prescribed trade, business or other occupation.

(3) A person shall not commence any course of study at an educational institution unless he is the holder of a valid entry permit or study permit.

**20.** On application being made in the prescribed manner by the holder of a permit issued under this Act, and subject to the provisions of this Act and regulations made thereunder relating to such permit, the Chief Immigration Officer may vary the conditions and the period of validity, if any, specified in such permit.

Variation of conditions of permits

**21.** (1) The Chief Immigration Officer may by notice in writing revoke any permit issued under this Act if he is satisfied that the holder-

Revocation of permits

- (a) has contravened any provision of this Act or regulations made thereunder or has failed to comply with any requirement made under this Act or such regulations;
- (b) obtained such permit by means of any representation which was false in any material particular or by means of the concealment of any material information;
- (c) has failed to observe any condition specified in such permit; or
- (d) has become or is likely to become a charge on the Republic in consequence of his failure to support himself and such of his dependants as may be in Zambia.

(2) A notice revoking a permit issued under this Act shall be served in person on the holder of the permit and shall specify-

- (a) the permit to be revoked;

(b) the date, not being less than three days after the service of such notice, on which the revocation shall take effect; and

(c) the ground on which the revocation is made;

and the permit shall cease to be valid on the specified date.

(3) Every permit, other than a temporary permit, issued under this Act to a prohibited immigrant shall be of no force and effect and shall be deemed never to have been so issued.

(4) Every permit, other than a temporary permit, issued under this Act to a person who thereafter becomes a prohibited immigrant shall cease to be of force and effect at such time as the holder became a prohibited immigrant.

## PART V PROHIBITED IMMIGRANTS AND DEPORTATIONPART V

### PROHIBITED IMMIGRANTS AND DEPORTATION

**22.** (1) Any person who belongs to a class set out in the Second Schedule shall be a prohibited immigrant in relation to Zambia. Prohibited immigrants

(2) Any person whose presence in Zambia is declared in writing by the Minister to be inimical to the public interest shall be a prohibited immigrant in relation to Zambia.

(3) Save as provided in section *seventeen*, the presence within Zambia of any prohibited immigrant shall be unlawful.

(4) An immigration officer may take or cause to be taken in his presence for the purposes of record and identification the measurements, photograph, finger and palm prints of any prohibited immigrant:

Provided that all records of such measurements, photograph, finger and palm prints shall be destroyed or handed over to a person who an immigration officer is satisfied has ceased to be a prohibited immigrant and who makes application in that behalf.

(5) Notwithstanding the provisions of subsection (1), the Minister may in the prescribed manner exempt any person from all or any of the classes set out in the Second Schedule and, unless and until such exemption is in like manner revoked, such person shall be deemed not to belong to such class or classes.

**23.** (1) Any immigration officer may or, if so directed by the Minister in the case of a person to whom subsection (2) of section *twenty-two* relates, shall by notice served in person on any prohibited immigrant require him to leave Zambia.

Prohibited immigrants  
required to leave  
Zambia

(2) Any notice served in accordance with the provisions of subsection (1) shall specify in relation to the person on whom it is served-

- (a) the class set out in the Second Schedule to which it is considered he belongs or that he is a person to whom subsection (2) of section *twenty-two* relates;
- (b) the period within which he is required to leave Zambia; and
- (c) the route by which he shall travel in leaving Zambia.

(3) The period within which a person shall be required to leave Zambia shall, except in the case of a person who within seven days of his appearing before an immigration officer in accordance with section *nine* has been served with a notice under this section, be not less than forty-eight hours and shall commence-

- (a) in the case where such person does not make representations under this Act, from the time he is served with such notice requiring him to leave Zambia; or
- (b) in the case where such person makes representations in accordance with this Act, from the time he is advised that his representations have been unsuccessful.

(As amended by No. 16 of 1967)

**24.** (1) Any person required by notice under section *twenty-three* to leave Zambia who on receipt of such notice has lawfully remained in Zambia longer than seven days may, within forty-eight hours of receiving such notice, deliver to any immigration officer, police officer or prison officer written representations to the Minister against such requirement and such representations shall be placed before the Minister without delay.

Representations  
against requirement to  
leave Zambia

(2) If, after considering such representations, the Minister does not think fit to exercise his powers in relation to the issue of permits or the exemption of persons from the classes set out in the Second Schedule, the person who made such representations shall be notified that his representations have been unsuccessful.

**25.** (1) Any person in respect of whom there are reasonable grounds for suspecting that he is a prohibited immigrant may be detained by an immigration officer for such reasonable period, not exceeding fourteen days, as may be required for the purpose of making inquiries relating to such person.

Suspected prohibited  
immigrants

(2) Any person whom an immigration officer reasonably suspects by virtue of any physical or mental condition to be a prohibited immigrant may be required by an immigration officer to submit to examination by a prescribed medical practitioner and for the purpose of such examination to answer such questions and undergo such tests as the medical practitioner may think fit.

(3) Any person whom an immigration officer reasonably suspects to be a prohibited immigrant belonging to Class C of the Second Schedule may be required by the immigration officer to submit to the taking of his measurements, photograph and his finger and palm prints:

Provided that all records of such measurements, photograph, finger and palm prints shall be destroyed or handed over to such person if he is found not to be a prohibited immigrant and makes application in that behalf.

**26.** (1) After receiving the particulars under section *thirty-three* of the Penal Code, in respect of a person who is not a citizen, the Minister (unless the term of imprisonment is set aside on appeal) shall, at the expiration of the sentence, pursuant to a warrant under his hand deport such person from Zambia.

Deportation  
Cap. 87

(2) Any person who in the opinion of the Minister is by his presence or his conduct likely to be a danger to peace and good order in Zambia may be deported from Zambia pursuant to a warrant under the hand of the Minister.

(3) Any prohibited immigrant who-

- (a) having been required under section *twenty-three* to leave Zambia, fails to do so within the prescribed period; or
- (b) fails to comply with any condition specified in a temporary permit issued to him;

may without warrant be arrested, detained and deported from Zambia by an immigration officer or police officer.

(4) An immigration officer may without warrant arrest, detain and deport from Zambia any person whom, within seven days of such person appearing before an immigration officer in accordance with section *nine*, he reasonably believes to be a prohibited immigrant-

- (a) who is not the holder of a valid temporary permit;
- (b) who has not been served with a notice under section *twenty-three* requiring him to leave Zambia; and

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- (c) with respect to whom the procedure provided in section *twenty-three* is inadequate to ensure the departure from Zambia of such person.

(5) Any warrant issued under this section shall be sufficient authority for-

- (a) the detention of the person named therein pending completion of the arrangements for his deportation from Zambia at the first reasonable opportunity; and
- (b) the removal from Zambia in custody or otherwise of such person.

(6) For the purpose of establishing in relation to a person liable to be deported under this section his identity, his citizenship and the country of his origin, an immigration officer may require such person-

- (a) in writing or otherwise to answer such questions as the immigration officer may put to him; and
- (b) to produce any passport and any other pertinent document in his possession.

(As amended by No. 16 of 1967 and No. 31 of 1972)

PART VI MISCELLANEOUSPART VI

MISCELLANEOUS

**27.** Any document purporting to be-

Evidence

- (a) a warrant, notice, permit, certificate or other document properly issued under this Act; or
- (b) a certified true copy of any record kept by the Chief Immigration Officer;

shall, in any prosecution or other proceeding under or arising out of this Act, be *prima facie* evidence of the facts contained therein and shall be receivable in evidence without proof of the signature or the official character of the person appearing to have signed or certified the same:

Provided that the court before which the proceeding is brought may direct that oral evidence be brought relating to such facts, signature or official character.

**28.** In any proceedings under or for any of the purposes of this Act, the burden of proving with respect to any person- Burden of proof

- (a) his status as a person to whom the provisions of section *three* relate; or
- (b) that he is the holder of any permit issued under this Act or has been exempted under this Act from any provision thereof;

shall be upon such person.

**29.** (1) Any person having been required by notice under section *twenty-three* to leave Zambia within a specified period who wilfully remains in Zambia after the expiry of such period shall be guilty of an offence. Offences

(2) Any person entering into or departing from Zambia who is required by section *nine* or *thirteen* to appear before an immigration officer and who fails to comply with the provisions of either of these sections shall be guilty of an offence.

(3) Save under temporary permit, any person who belongs to Class C of the Second Schedule and who returns to Zambia shall be guilty of an offence.

(4) Any person who fails to comply with any lawful requirement made in accordance with the provisions of section *seven* shall be guilty of an offence.

(5) Any person who assaults, resists or wilfully obstructs any immigration officer in the due execution of his duty or any person acting in aid of such officer shall be guilty of an offence.

(6) Any person who employs another knowing that that other is a person prohibited under subsection (1) of section *nineteen* from engaging in his employ shall be guilty of an offence.

(7) Any person who wilfully and with intent to conceal his identity, citizenship or country of origin-

- (a) fails to comply with a lawful requirement made under subsection (6) of section *twenty-six*; or
- (b) when required under subsection (6) of section *twenty-six* to answer questions put to him, makes any representations by words, writing or conduct of a matter of fact, which representation is false in fact;

shall be guilty of an offence.

(As amended by No. 16 of 1967)

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**30.** Any person guilty of an offence under this Act shall be liable on conviction to imprisonment for a period of twelve months or to a fine of seven thousand five hundred penalty units, or to both.

Penalty

(As amended by No. 13 of 1994)

**31.** The Minister may, by statutory instrument, make regulations for the better carrying out of the provisions of this Act and, without prejudice to the generality of the foregoing, such regulations may make provision for-

Regulations

- (a) anything which is to be or which may be prescribed under this Act;
- (b) the form of warrants, permits, notices, certificates or other documents to be used for the purposes of this Act;
- (c) the fees to be paid for any permit or certificate issued under this Act;
- (d) the issue of passes to any person departing from Zambia for the purposes of facilitating his re-entry into Zambia, and the fees to be paid for such passes; and
- (e) the places at which immigration controls shall be situated and the hours during which such controls shall operate.

**32.** The Chief Justice may, by statutory instrument, make rules providing, with respect to applications for forfeiture made under section *seventeen*, for-

Rules

- (a) the procedure and practice of subordinate courts, the forms to be used therein, the fees payable and the costs and charges to be allowed to legal practitioners practising therein;
- (b) the proper and effectual exercise of jurisdiction by subordinate courts; and
- (c) the procedure and practice relating to appeals from subordinate courts.

**33.** The Chief Immigration Officer shall issue to any established resident who makes application therefor in the prescribed manner the prescribed certificate of status as an established resident.

Certificates for established residents

**34.** Any written notice required under this Act to be served in person on any person may, if such person cannot be found, be published in the *Gazette* and shall be deemed to have been duly and properly served on the commencement of the day following the day of such publication.

Service of notice

**35.** (1) Every person arrested or detained under the provisions of this Act shall be informed as soon as reasonably practicable in a language that he understands of the reason for his arrest or detention.

Reasons to be given for arrests or detention

(2) Notwithstanding the provisions of subsection (1), no person shall be entitled to be informed as to the grounds on which the Minister has made any decision under section *twenty-two* or *twenty-six* relating to him.

**36.** (1) An immigration officer who detains any person under the provisions of section *twenty-five* or *twenty-six* may by warrant under his hand cause such person to be detained in a place described in subsection (2). Detention

(2) The public officer in charge of any place specially provided for the detention of persons for the purposes of this Act, any prison or any other place where facilities exist for the detention of persons, shall receive into his custody any person with respect to whom a warrant has been issued under section *twenty-six* or subsection (1) of this section.

(3) Any person detained under this Act and not serving a sentence of imprisonment shall be treated as a person awaiting trial.

## PART VII REPEALS AND SAVINGS

### REPEALS AND SAVINGS

**37.** (1) The Immigration Act, 1954 and the Deportation Act, 1954 and the regulations made under those Acts are hereby repealed. Repeals

(2) Notwithstanding the provisions of section *fourteen* of the Interpretation and General Provisions Act, any right or privilege acquired or accrued under section *thirteen* of the Immigration Act, 1954, or under section *six* of the Deportation Act, 1954, shall be deemed to have lapsed and ceased to have effect immediately upon the commencement of this Act. Cap. 2

*(As amended by No. 20 of 1967)*

**38.** (1) Every permit, warrant, direction, certificate, notice or other document and every order of deportation and every security which was valid immediately prior to the commencement of this Act and- Savings

(a) that was issued, made, granted or given under the laws repealed by this Act; or

(b) the effect of which was preserved under the laws repealed by this Act;

shall be given effect as if issued, made, granted or given under this Act.

(2) Any person who before the commencement of this Act was deported or removed from, required to leave or prohibited from entering into or remaining within the former Protectorate of Northern Rhodesia, or the former Federation of Rhodesia and Nyasaland, under any law of the said Protectorate or Federation in force at the time shall be deemed to have been deported or removed from, required to leave, or prohibited from entering into or remaining within, as the case may be, Zambia.

The Laws of Zambia

(3) Any person who-

- (a) on or before the 31st December, 1963, entered the former Protectorate of Northern Rhodesia from the Colony of Southern Rhodesia or the former Protectorate of Nyasaland;
- (b) at the time of that entry was lawfully resident without a permit in the former Federation of Rhodesia and Nyasaland; and
- (c) was on the 1st January, 1964, ordinarily resident in Zambia;

shall be deemed to have been lawfully resident in Zambia on the 1st January, 1964, and not thereafter to have become a prohibited immigrant of Class E of the Second Schedule.

*(As amended by No. 16 of 1967)*

The Laws of Zambia

FIRST SCHEDULE

(Sections 14 and 18)

CLASSES OF PERSONS WHO MAY BE ISSUED WITH ENTRY PERMITS

*Class A*

Any person who intends for gain to engage in any trade, business, profession, employment or other occupation-

- (i) for which he is fitted by virtue of his academic or professional qualifications, standard of education, skill and financial resources;
- (ii) in which, having regard to the productivity and efficiency of the persons already engaged therein, there is not already a sufficient number of persons engaged or available in Zambia to meet the requirements of the inhabitants of Zambia; and
- (iii) which is likely to be of benefit to the inhabitants generally of Zambia.

*Class B*

Any person-

- (i) who has in his own right and at his full and free disposition for use in Zambia such financial resources as shall be sufficient to maintain him; and
- (ii) whose presence in Zambia is likely to be of benefit to the inhabitants generally of Zambia.

*Class C*

Any forebear, parent, wife, minor child or grandchild of a person who is dependent on that person if such person-

- (i) is the holder of a valid entry permit;
- (ii) is capable of maintaining such dependant; and
- (iii) undertakes such maintenance.

*Class D*

Any forebear, parent or grandchild of a person who is dependent on that person if such person-

- (i) is a citizen or established resident;
- (ii) is capable of maintaining such dependant; and
- (iii) undertakes such maintenance.

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SECOND SCHEDULE

(Section 22)

CLASSES OF PROHIBITED IMMIGRANTS

*Class A*

Any person who is infected or inflicted with or is a carrier of a prescribed disease and who is capable or likely to become capable of infecting any other person with such disease or of transmitting to him such disease.

Person capable of transmitting prescribed disease

*Class B*

Any prostitute or person who in Zambia has knowingly lived wholly or in part on the earnings of prostitution or has procured any other person for immoral purposes.

Prostitute etc.

*Class C*

Any person who under any law in force at the time has been deported or removed from, required to leave, or prohibited from entering into or remaining within Zambia;

Person previously deported or barred from the country

Provided that a person with respect to whom an immigration officer is satisfied that the ground on which he was so dealt with no longer applies to him shall not belong to this Class.

*Class D*

Any person in Zambia with respect to whom a permit to remain in Zambia has been revoked or has expired.

Person whose permit to remain in Zambia has become invalid

*Class E*

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Any person, not being the holder of a valid permit to remain in Zambia, who-

- (i) is likely to become a charge on the Republic in consequence of his inability to support himself and any of his dependants in Zambia and to provide for the removal of himself and such dependants from Zambia;
- (ii) has contravened any provision of this Act or regulations made thereunder or has failed to comply with any lawful requirement made under this Act or such regulations;
- (iii) remains in Zambia for a period or periods totalling not less than three months in any period of twelve months; or
- (iv) has made any false representation to or concealed any information from an immigration officer which is relevant to his entry into or presence within Zambia.

Visitors who are likely to be a charge on the Republic or who contravene this Act etc.

*Class F*

Any person appearing before an immigration officer on entering Zambia who is of the apparent age of sixteen years or more and who, on demand by the immigration officer, fails to establish that he is the holder of a valid passport.

Person entering without proper travel documents

*Class G*

Any person entering Zambia who is required under section 11 to appear before an immigration officer and who fails to comply with the provisions of that section.

Person failing to appear before an immigration officer on entering Zambia

*Class H*

Any person who-

- (a) before entering Zambia has been sentenced elsewhere than in Zambia to a term of imprisonment following on his conviction of an offence; and
- (b) in the opinion of the Chief Immigration Officer is not of good character.

Person with previous conviction

**SUBSIDIARY LEGISLATION**

**IMMIGRATION AND DEPORTATION**

CAP. 123

**SECTION 31-THE IMMIGRATION AND DEPORTATION REGULATIONS**

*Regulations by the Minister*

*Statutory Instruments*

343 of 1965  
79 of 1967  
280 of 1967  
410 of 1967  
257 of 1968  
35 of 1973  
14 of 1974  
121 of 1974  
193 of 1975  
200 of 1975  
87 of 1977  
88 of 1977  
55 of 1978  
112 of 1978  
3 of 1983  
200 of 1987  
82 of 1992  
62 of 1994  
33 of 1995  
*Act No.*  
13 of 1994

- |  |                               |
|--|-------------------------------|
| <p><b>1.</b> These Regulations may be cited as the Immigration and Deportation Regulations,</p>  | <p>Title and commencement</p> |
| <p><b>2.</b> The forms set out in the First Schedule are prescribed for the purposes of the provisions of the Act respectively mentioned in each such form.</p>  | <p>Prescribed forms</p>       |
| <p><b>3.</b> (1) Subject to sub-regulation (2), the fees specified in the second column of the Second Schedule shall be paid in respect of the matters specified in the first column of the said Schedule.</p> | <p>Prescribed fees</p>        |
| <p>(2) The Minister may, in respect of any person or class of persons, waive or reduce any fee payable under this regulation.</p>  |                               |
| <p><b>4.</b> The following airports are prescribed for the purposes of sections <i>nine</i> and <i>thirteen</i> of the Act:</p>  | <p>Prescribed airports</p>    |

Livingstone Airport                      Mbala Airport

Ndola Airport                                Nkana Airport

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Chipata Airport

Chingola Airport

Lusaka Airport

Mfuwe Airport

(As amended by No. 410 of 1967)

**5.** A deposit required under section *seventeen* (3) of the Act shall not exceed an amount of one thousand kwacha. Deposit on issue of a temporary permit

**6.** The following conditions are prescribed for the purposes of section *seventeen* (4) of the Act, being conditions for inclusion in a temporary permit: Conditions in temporary permits

- (a) The holder shall report to a specified person or authority at a specified place within a specified period or periods and shall keep that person or authority advised of his postal and residential address and any change in either of such addresses.
- (b) The holder if in transit through Zambia shall travel by a specified route and mode of conveyance.
- (c) The holder shall, except for the purpose of initially proceeding to or finally departing from Zambia or with the permission of an immigration officer, remain within a specified area of Zambia.
- (d) The holder shall not engage in any specified activity.
- (e) The holder shall leave Zambia before the expiration of the period of validity of the permit.

**7.** All Government Medical Officers and such other medical practitioners as are thereunto authorised in writing by the Chief Immigration Officer are prescribed for the purposes of section *twenty-five* (2) of the Act. Medical practitioners

**8.** Every application for-

- (a) an entry permit under section *fourteen* of the Act;
- (b) a study permit under section *sixteen* of the Act;
- (c) an employment permit under section *eighteen* of the Act;
- (d) the variation of any condition or the period of validity of any permit under section *twenty* of the Act; or
- (e) a certificate of status as an established resident under section *thirty-three* of the Act;

Manner of making applications

shall be made by submission to the Chief Immigration Officer of-

- (i) the appropriate form set out in the First Schedule completed by the applicant in the manner indicated on that form; and
- (ii) the appropriate fee (if any) set out in the Second Schedule.

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9. Active pulmonary tuberculosis and smallpox are prescribed for the purposes of Class A of the Second Schedule to the Act. Diseases

(As amended by No. 410 of 1967)

10. In issuing an employment permit to any person, the Chief Immigration Officer may endorse upon the permit the names of any wife and minor children of that person and the persons so named shall thereupon be entitled to enter and re-enter into and to remain within Zambia until such permit expires. Scope of employment permits

(No. 79 of 1967)

11. Immigration controls shall be situated at the places named in the first column and shall operate during the hours set out in the second column respectively of the Third Schedule. Immigration controls

(No. 410 of 1967)

FIRST SCHEDULE

(Regulation 2)

PRESCRIBED FORMS

LIST OF FORMS

1. Immigration-Declaration
2. Notice to Appear before an Immigration Officer
3. Application for Entry Permit
4. Entry Permit
5. Application for Visiting Permit
6. Visiting Permit
7. Application for Study Permit
8. Study Permit
9. Temporary Permit
10. Application for Employment Permit
11. Employment Permit
12. Application for Variation of Conditions or Period of Validity of Permit
13. Notice of Revocation of Permit
14. Exemption
15. Notice to Prohibited Immigrant to Leave Zambia
16. Warrant of Deportation
17. Application for Certificate of Status as an Established Resident
18. Certificate of Status as an Established Resident
19. Warrant of Detention of Suspected Prohibited Immigrant
20. Warrant of Detention of Prohibited Immigrant

The Laws of Zambia

SCHEDULE

REPUBLIC (CREST) OF ZAMBIA

IMMIGRATION-DECLARATION

THE IMMIGRATION AND DEPORTATION ACT

(Section 10 (2))

To be completed by all persons entering Zambia (please print). Citizens of Zambia, Returning Residents, or Returning Valid Employment Permit Holders need not complete this Form unless an Immigration Officer directs otherwise.

Mr/Mrs/Miss .....  
Surname Other Names

Nationality Passport No.....

Date of Expiry.....

Date of Birth Place of Birth.....

Number in Group (families only).....

Country of last Permanent Residence

Intended Address in Zambia

Purpose of Visit (tick one):

- Holiday                       Visit friends or relatives                       Business
- In transit                       Employment                       Other (Specify)

Expected length of stay in Zambia (If less than 24 hours, enter 0 days):

Years	Months	Days

Date..... Signature of Declarant.....

(As amended by S.I. No. 15 of 1976)

REPUBLIC (CREST) OF ZAMBIA

THE IMMIGRATION AND DEPORTATION ACT

(Section 11)

NOTICE TO APPEAR BEFORE AN IMMIGRATION OFFICER

To.....

TAKE NOTICE that you are required to report to the immigration officer at .....  
within ..... days of the date hereof.

.....  
*Immigration Officer*

DATE STAMP

Acknowledged:  
.....

WARNING: Failure to comply with the terms of this notice renders you a prohibited immigrant.

The Laws of Zambia

FORM 3

REPUBLIC (CREST) OF ZAMBIA

THE IMMIGRATION AND DEPORTATION ACT

(*Section 14*)

APPLICATION FOR ENTRY PERMIT

The Laws of Zambia

NOTES AND INSTRUCTIONS

Please read carefully as incomplete applications cannot be considered.

All questions must be answered in full.

- A. This application form is to be completed in duplicate and must be attested by a Magistrate or Commissioner for Oaths before despatch, or in a foreign country, by a Zambian Consul or if there is no Zambian Consul, by a British Consul.  
Applications must be forwarded to the Chief Immigration Officer, P.O. Box 391, Livingstone, Republic of Zambia.
- B. One form may be used for a husband, wife and dependent children under the age of 21 years.  
Separate applications are required from persons over the age of 21 years who are dependent and wish to accompany their parents to Zambia and must be forwarded together with the parents' application.  
Separate applications are required from persons aged under 21 years who are financially independent of their parents.
- C. The undermentioned documents *should be attached to this application*:
- (a) Two full-face photographs of the applicant and of his wife (if married) of passport size and quality, taken at the time of the application. One copy of each must be certified on the back as a true likeness by the officer who attests this form.
  - (b) One certified copy of Birth Certificate of the applicant, and of his wife's Birth Certificate, if married.
  - (c) One certified copy of Marriage Certificate, if married.
  - (d) Documentary evidence of divorce or legal separation, if applicable.
  - (e) Documentary proof of professional or other qualifications, training and experience.
  - (f) At least two testimonials as to character from persons of standing who have known the applicant for some years. The testimonials should clearly indicate identity and standing of the persons giving them.
  - (g) If the applicant has been offered employment in the Republic of Zambia, documentary evidence of this must be submitted showing employer, occupation, salary and conditions of employment.
  - (h) If the applicant intends to establish his own business or practise a profession on his own account, full details should be submitted on a separate sheet.
  - (i) If the applicant is financially dependent on a relation in Zambia, documentary evidence that the relation undertakes to support the applicant and is capable of so doing.
  - (j) A certified copy of any certificate of citizenship held by the applicant.
  - (k) Any additional information affecting the application may be given on separate sheets.

NOTE.-Copies of documents certified by the officer who attests this application and *not originals* should be submitted. These copies will not be returned. Any documents not in the English language must be accompanied by a certified translation.

- D. A successful applicant must produce to an immigration officer on arrival in Zambia or, if already in Zambia, as soon as he is advised that this application has been successful, a certificate signed by a radiologist within the preceding six months showing the applicant to be free from active pulmonary tuberculosis. Similar certificates are required for the applicant's wife and children over the age of 3 years.
- E. The successful applicant will, until he becomes an established resident, be confined to the occupation shown in his permit.
- F. An entry permit may not properly be issued to a prohibited immigrant and if so issued will be of no effect.
- G. No person other than a visitor or a person in direct transit shall be admitted to the Republic of Zambia unless he is in possession of a permit issued in terms of the Immigration and Deportation Act. Therefore an applicant not already in Zambia is strongly advised not to make any preparations for leaving for Zambia until he has been notified of acceptance by the Chief Immigration Officer.
- H. One copy of this form will be returned to each successful applicant not already in Zambia together with his entry permit, and this copy must be surrendered to the immigration officer on entry. The permit will not be surrendered.
- I. All the questions set out below must be answered-N/A may be inserted if the question does not apply to the applicant.
- J. The answer to question 7 is required for statistical purposes only.

To the Chief Immigration Officer:

Having read the foregoing notes and instructions, I wish to apply for an entry permit and the answers to the questions set out below are given in support of that application.

1. Surname of applicant (BLOCK CAPITALS).....  
First names (BLOCK CAPITALS).....
2. (a) Present address in full.....

The Laws of Zambia

*For Use of Immigration Authority*

Number of Entry Permit.....

Date and Place of Issue.....

Entered Zambia on.....Port of Entry.....

(Signed).....

*Immigration Officer*

REPUBLIC (CREST) OF ZAMBIA

THE IMMIGRATION AND DEPORTATION ACT

(Section 14)

ENTRY PERMIT

File Reference..... Serial No.....

Subject to the provisions of the Immigration and Deportation Act and any regulations made under it, this permit entitles.....

born at .....on.....

until he becomes an established resident to enter and re-enter into and remain within Zambia and for gain to engage in the occupation of:

.....



PHOTOGRAPH

.....  
*Chief Immigration Officer*

Date.....

NOTES

A. Section 14 (5) of the Immigration and Deportation Act states:

"An entry permit shall cease to be valid if the holder-

(a) fails to enter Zambia within six months of the date of issue of the permit or such later date as the Chief Immigration Officer may endorse thereon;

(b) is absent from Zambia for a period in excess of six months without notifying the Chief Immigration Officer in writing that he proposes to return to Zambia; or

(c) is absent from Zambia for any period in excess of twelve months."

B. Section 21 (1) of the Immigration and Deportation Act states:

"The Chief Immigration Officer may by notice in writing revoke any permit issued under this Act if he is satisfied that the holder-

(a) has contravened any provision of this Act or regulations made thereunder or has failed to comply with any requirement made under this Act or such regulations;

(b) obtained such permit by means of any representation which was false in any material particular or by means of the concealment of any material information;

(c) has failed to observe any condition specified in such permit; or

(d) has become or is likely to become a charge on the Republic in consequence of his failure to support himself and such of his dependants as may be in Zambia."

REPUBLIC (CREST) OF ZAMBIA

THE IMMIGRATION AND DEPORTATION ACT

(Section 15)

APPLICATION FOR VISITING PERMIT

I, .....  
born at ..... and permanently  
resident at ..... hereby apply  
for a permit to extend my visit to Zambia beyond a period of three months.

The answers to the following questions are given in support of this application:

- 1. When did you enter Zambia? .....
- 2. What is the reason for your visit? .....
- 3. When do you expect to leave Zambia? .....
- 4. What is your address in Zambia? .....
- 5. If staying with friends or relations what are their names and addresses? .....
- 6. What members of your family are accompanying you on this visit?
  - (a) Wife (first name) .....  
born at ..... on .....
  - (b) Children:
    - (i) Name.....born at.....on.....
    - (ii) Name.....born at.....on.....
    - (iii) Name.....born at.....on.....
    - (iv) Name.....born at.....on.....
- 7. Do you and those accompanying you hold return air/rail/road tickets out of Zambia?.....
- 8. If answer to 7 is "No", are you travelling in your own vehicle and if so give particulars?.....
- 9. What funds have you at your disposal in Zambia?.....

I declare that I and those shown on this application as accompanying me are not prohibited immigrants nor the holders of any other immigration permit.

Date.....

Signature

The Laws of Zambia

NOTES

- A. Under the Immigration and Deportation Act, a visiting permit may not exceed three months in duration without extension and may not be extended to cover a total period in excess of twelve months.
- B. Children accompanying a parent may be included on the parent's application form as may a wife on her husband's.
- C. This application should be handed to the nearest Immigration Officer.
- D. A visiting permit does not entitle the holder to seek or obtain paid employment in Zambia.

THE IMMIGRATION AND DEPORTATION ACT

(Section 15)

VISITING PERMIT

Serial No.....

Application to extend a visit in Zambia having been made on Immigration  
Form 5 (FULL NAME).....  
.....born at.....on .....

accompanied by:

1. Wife.....born at.....on.....
2. Child.....born at.....on.....
3. Child.....born at.....on.....
4. Child.....born at.....on.....
5. Child.....born at.....on.....
6. Child.....born at.....on.....

is/are permitted to enter and re-enter and to remain within Zambia during the validity of this Permit, which is from.....to..... inclusive.

*Extensions of validity:*

1. From .....to.....inclusive.

Date ..... *Immigration Officer*

2. From .....to.....inclusive.

Date ..... *Immigration Officer*

3. From .....to.....inclusive.

Date ..... *Immigration Officer*



Issued by:.....  
*Immigration Officer*

NOTES

- A. This permit does not entitle the holder to seek or obtain paid employment in Zambia.
- B. This permit should be produced to an immigration officer on departure from Zambia.
- C. Application for any variation or extension of validity of this Permit may be made on Immigration Form 12. Both the application and the Permit will be submitted together to an immigration officer.

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REPUBLIC (CREST) OF ZAMBIA

THE IMMIGRATION AND DEPORTATION ACT

(Section 16)

The Chief Immigration Officer,  
P.O. Box 391,  
Livingstone,  
Zambia.

APPLICATION FOR STUDY PERMIT

I, (Full Name, Block Capitals).....  
born at .....on.....and permanently  
resident at .....  
hereby apply for a Study Permit.

The answers to the following questions are given in support of this application:

1.....At what institution have you been accepted as a pupil?  
.....

(Name of educational or training institution)

2. Will you be living in the institution?.....

3. If the answer to 2 is "No", where will you live?.....  
.....

4. What course of study will you be engaged in?.....  
.....

5. What is the normal period of tuition for your studies?.....

6. How will your tuition, accommodation and board expenses be met? .....  
.....

Date .....

Signature of Applicant

Certificate to be completed by the Principal/Head of the Educational or Training Institution.

I, (full name) .....

Principal/Head of .....

(Educational or Training Institution) hereby certify that-

(a) (full name of pupil).....  
has been admitted to the above-named Institution of which I am the Principal/Head;

(b) I have adequate accommodation for this pupil; and

(c) the issue of a Study Permit to the above-named applicant will not deprive a suitable citizen of Zambia of a  
place or accommodation at the Institution of which I am the Principal/Head.

Date.....

Signed.....

Principal/Head of .....

(Full name and address of the Educational  
or Training Institution)

The Laws of Zambia

This Certificate must be signed by the Principal/Head of an educational or training institution.

NOTES

- A. A student will not be allowed to commence his course of studies unless he holds a valid permit.
- B. No Study Permit will be issued to a prohibited immigrant.
- C. Upon entry a student will be required to produce a certificate signed by a radiologist stating that the holder has been radiologically examined and is free from active pulmonary tuberculosis. The radiological examination must have taken place within the six months immediately preceding the date of entry.

(No. 257 of 1968)

REPUBLIC (CREST) OF ZAMBIA

THE IMMIGRATION AND DEPORTATION ACT

(Section 16)

STUDY PERMIT

Application having been made on Immigration Form 7 .....

..... born at ..... on .....

is permitted to study at .....educational institution and for that purpose to enter and re-enter into and to remain within Zambia.

Date.....

.....  
*Chief Immigration Officer*

NOTES

- A. This permit is valid only while the holder is under instruction at the educational institution named above and, if the holder has not acquired another permit authorising his presence in Zambia when this permit expires, he should leave Zambia forthwith or he will be a prohibited immigrant.
- B. This permit does not entitle the holder to seek or obtain paid employment in Zambia.
- C. This permit should be surrendered to an immigration officer on the holder's departure from Zambia after leaving the educational institution named above.

REPUBLIC (CREST) OF ZAMBIA

THE IMMIGRATION AND DEPORTATION ACT

(Section 17)

TEMPORARY PERMIT

Subject to the conditions hereunder set out the holder .....
.....born at.....
on.....is permitted until the.....day of
.....19.....

\*(a) to enter, re-enter and remain within; or

\*(b) to travel in direct transit through:

Zambia for the purpose of .....
.....

This permit is issued subject to the following conditions\*:

- 1. The holder shall report to .....
at.....at intervals of .....
and shall keep that person/authority advised of his postal and residential address.
2. The holder, if in transit, shall travel by the following route and mode of conveyance
.....
3. The holder shall, except for the purpose of initially proceeding to and finally departing from that area or with the
permission of an immigration officer, remain within the area.....
4. The holder shall not engage in the following activities: .....
5. The holder shall leave Zambia before the date when this permit expires-that is the .....day
of....., 19.....

Date.....

.....
Immigration Officer

\*Delete any provisions not applicable.

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EXTENSIONS

From.....to.....inclusive. Fee Units paid 30. G.R. No. ....

.....  
*Immigration Officer*

From.....to.....inclusive. Fee Units paid 30. G.R. No. ....

.....  
*Immigration Officer*

NOTES

- A. Any failure to comply with the above conditions will render the holder liable to be deported without notice.
- B. This permit does not entitle the holder to seek or engage in paid employment in Zambia.
- C. Application for a variation of any provision in this permit may be made on Immigration Form 12 to the Chief Immigration Officer.
- D. This permit should be surrendered to an immigration officer on the holder's departure from Zambia unless the immigration officer otherwise directs.

*(As amended by Act No. 13 of 1994)*

REPUBLIC (CREST) OF ZAMBIA

THE IMMIGRATION AND DEPORTATION ACT

(Section 18)

APPLICATION FOR EMPLOYMENT PERMIT

(To be submitted in original only)

NOTE: A fee unit of -- is payable for issue of an Employment Permit and remittance of this amount should accompany this form when it is submitted to the Chief Immigration Officer.

The Chief Immigration Officer  
P.O. Box 1984  
Lusaka  
Zambia

I/We hereby apply for an Employment Permit to allow the person whose personal particulars are given in Part I to obtain work as .....

.....

in Zambia during the period.....

Date .....

.....  
*Signature of employee/employer/self-employer*  
(Delete what is not applicable)

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PART I

Personal particulars:

- 1. (a) Mr/Mrs/Miss.....
- (b) Surname.....
- (c) Christian or other names.....
- 2. Permanent home address.....
- 3. Present postal address.....
- 4. (a) Place and country of birth.....
- (b) Date of birth.....
- (c) Present nationality.....
- 5. Passport details:
  - (a) Passport number.....
  - (b) Place of issue.....
  - (c) Date of issue.....
  - (d) Date of expiry.....
- (NOTE: Employment Permit will not be valid beyond the date of expiry of passport)
- 6. Full name of wife/husband.....
- 7. Particulars of children under 21 years old:

	<i>Full name</i>	<i>Sex</i>	<i>Date of Birth</i>	<i>Place of Birth</i>
(i)	.....	.....	.....	.....
(ii)	.....	.....	.....	.....
(iii)	.....	.....	.....	.....
(iv)	.....	.....	.....	.....

(If more space is required, give details separately)

- 8. Qualifications (give full details and attach certified true copies of certificates)
  - (a) Educational.....
  - (b) Professional or technical.....
  - (c) Previous relevant experience.....

	<i>Name of Employer</i>	<i>Nature of Employment</i>	<i>Period so Employed</i>
(i)	.....	.....	.....
(ii)	.....	.....	.....
(iii)	.....	.....	.....
(iv)	.....	.....	.....

(If more space is required, give details separately)

PART II

The Laws of Zambia

(To be completed by the employer)

I/We (name of employer).....

of (postal address).....

being engaged in (state profession or business).....

wish to employ the person whose particulars are given in Part I.

1. Place of employment (give full details).....

2. Job description.....

3. Period of employment offered.....

4. Annual salary offered.....

5. What steps have you taken to employ Zambian citizens to fill this vacancy (give full details).....

(a) His/her name.....

(b) Date training began.....

(c) Date training will end.....

(a) If you do not have a Zambian citizen under training for this post, fill in the following:

(i) Minimum entry qualification required for this post .....

(ii) Steps taken to engage a trainee.....

6. If this application is approved, will the proposed employee be instrumental in training Zambian citizens? If so, give full details.....

.....

I hereby certify that the foregoing particulars are correct in every detail.

Date.....

.....  
*Signature of Employer*

PART III

(To be completed by self-employed)

I/We (name of self-employed).....

of (postal address).....

being engaged in (state profession or business).....

wish to be self-employed.

1. Place of employment (give full details).....

.....

2. Job description.....

3. Particulars of capital available.....

..... (attach bank statement)

4. Attach a certified true copy of certificate of registration of business (if applicable).

I hereby certify that the foregoing particulars are correct in every detail.

Date.....

.....  
*Signature of Applicant*

(As amended by S.I. No. 35 of 1973 and Act No. 13 of 1994)

REPUBLIC (CREST) OF ZAMBIA

THE IMMIGRATION AND DEPORTATION ACT

(Section 18)

EMPLOYMENT PERMIT

File Reference.....

Serial No.....

Subject to the conditions hereunder set out, ..... born at ..... on ..... is hereby permitted to engage in employment under an employer resident in Zambia.

He is accompanied by his wife and children under 18 years old:

Full names of wife.....

Names of children.....

This permit is issued subject to the conditions that the holder may not engage in employment:

- 1. except of the following nature.....
2. except under the following employer.....

This permit shall, unless sooner revoked, be valid for the period of.....

Fee unit paid 30. G.R. No. .... of 19 .....

DATE STAMP

Chief Immigration Officer

NOTES

- A. This permit allows the holder and his wife and minor children to enter and re-enter into and to remain within Zambia until it expires, but it will automatically cease to be valid if the holder becomes a prohibited immigrant.
B. Any application for a variation of the conditions or period of validity of this permit must be made to the Chief Immigration Officer on Form 12.

(As amended by No. 79 of 1967 and Act No. 13 of 1994)

REPUBLIC (CREST) OF ZAMBIA

THE IMMIGRATION AND DEPORTATION ACT

(Section 20)

APPLICATION FOR VARIATION OF CONDITIONS OR PERIOD OF VALIDITY OF PERMIT

I, (Full name, BLOCK CAPITALS).....  
being the holder of an Entry/Visiting/Employment/Temporary Permit\*.....  
No..... issued at ..... on .....  
and valid until ..... hereby apply for the said permit to be  
varied by.....

Reasons for requested variation .....

I tender 30 fee units, as fee.

.....  
(Signature)

Date .....

Address .....

\* Delete those permits to which this application does not relate.

FOR OFFICIAL USE ONLY

General Receipt No. .... issued on ..... 19.....  
at ..... Amount fee units.....

(As amended by Act No. 13 of 1994)

REPUBLIC (CREST) OF ZAMBIA

THE IMMIGRATION AND DEPORTATION ACT

(Section 21)

NOTICE OF REVOCATION OF PERMIT

To.....

TAKE NOTE that the ..... Permit, No.....  
issued to you at ..... on .....  
is hereby revoked on the following ground(s):

.....  
.....  
.....

THIS REVOCATION shall take effect on ..... when  
the said permit shall cease to be valid.

Date.....  
.....  
*Chief Immigration Officer*

Served upon the said .....  
in person at ..... on ..... 19.....  
at ..... hours.

.....  
*Immigration Officer*

.....  
*Signature of Recipient*

NOTE

Your attention is drawn to the following provisions of the Immigration and Deportation Act:

21. (1) The Chief Immigration Officer may by notice in writing revoke any permit issued under this Act if he is satisfied that the holder-

(a) has contravened any provision of this Act or regulations made thereunder or has failed to comply with any requirement made under this Act or such regulations;

(b) obtained such permit by means of any representation which was false in any material particular or by means of the concealment of any material information;

(c) has failed to observe any condition specified in such permit; or

(d) has become or is likely to become a charge on the Republic in consequence of his failure to support himself and such of his dependants as may be in Zambia.

SECOND SCHEDULE-CLASS D (PROHIBITED IMMIGRANTS)

Any person in Zambia with respect to whom a permit to remain in Zambia has been revoked or has expired.

The Laws of Zambia

REPUBLIC (CREST) OF ZAMBIA

THE IMMIGRATION AND DEPORTATION ACT

(Section 22 (5))

EXEMPTION

IN EXERCISE of the powers vested in the Minister of Home Affairs by section 22 (5) of the Immigration and Deportation Act, .....

.....

born at ..... on .....

is hereby exempted from Class/Classes ..... of the Second Schedule to the Immigration and Deportation Act.

Date .....

.....  
*Minister of Home Affairs*

REPUBLIC (CREST) OF ZAMBIA

THE IMMIGRATION AND DEPORTATION ACT

(Section 23)

NOTICE TO PROHIBITED IMMIGRANT TO LEAVE ZAMBIA

To..... born at .....  
on .....

WHEREAS you are a prohibited immigrant-

\*(a) under section 22 (1) of the Immigration and Deportation Act, because you belong to Class ..... of the Second Schedule to that Act;

\*(b) under section 22 (2) of the Immigration and Deportation Act, because the Minister has in writing declared your presence in Zambia to be inimical to the public interest;

NOW THEREFORE take note that you are required to leave Zambia within the period of

.....  
by the following route .....

Date .....  
.....  
*Immigration Officer*

Served upon the said ..... in person  
at ..... on ..... 19.....  
at ..... hours.

.....  
*Immigration Officer*

.....  
*Signature of Recipient*

\* Delete whichever alternative is not applicable.

NOTE

Your attention is drawn to the following provisions of the Immigration and Deportation Act:

23. (1) Any immigration officer may or, if so directed by the Minister in the case of a person to whom subsection (2) of section *twenty-two* relates, shall by notice served in person on any prohibited immigrant require him to leave Zambia.

24. (1) Any person required by notice under section *twenty-three* to leave Zambia who on receipt of such notice has lawfully remained in Zambia longer than seven days may, within forty-eight hours of receiving such notice, deliver to any immigration officer, police officer or prison officer written representations to the Minister against such requirement and such representations shall be placed before the Minister without delay.

24. (2) If, after considering such representations, the Minister does not think fit to exercise his powers in relation to the issue of permits or the exemption of persons from the classes set out in the Second Schedule, the person who made such representations shall be notified that his representations have been unsuccessful.

The Laws of Zambia

REPUBLIC (CREST) OF ZAMBIA

THE IMMIGRATION AND DEPORTATION ACT

(Section 26)

WARRANT OF DEPORTATION

To the Chief Immigration Officer, the Inspector-General of Police and all immigration officers, police officers and officers proper to the execution of this warrant:

WHEREAS.....

(hereinafter called "the deportee")-

\*(a) is a person in respect of whom I have received the particulars in accordance with the provisions of section 33 of the Penal Code and accordingly I am obliged to deport that person under the provisions of section 26 (1) of the Immigration and Deportation Act; or

\*(b) is in my opinion by his presence likely to be a danger to peace and good order in Zambia and accordingly is deported under section 26 (2) of the Immigration and Deportation Act;

NOW THEREFORE you are commanded to cause the deportee to be deported from the Republic of Zambia to.....

AND FOR DOING SO THIS SHALL BE YOUR WARRANT

Date.....

.....  
*Minister of Home Affairs*

\*Delete whichever is not applicable

(As amended by S.I. No. 35 of 1973)

REPUBLIC (CREST) OF ZAMBIA

THE IMMIGRATION AND DEPORTATION ACT

(Section 33)

APPLICATION FOR CERTIFICATE OF STATUS AS AN ESTABLISHED RESIDENT

NOTE.-A separate application must be submitted in respect of each person for whom a Certificate of Status is required.

THE CHIEF IMMIGRATION OFFICER,  
P.O. Box 391,  
LIVINGSTONE.

In support of my application for a certificate of status as an established resident, I submit the following information:

- (1) SURNAME (Block capitals).....
- (2) FIRST NAMES (Block capitals).....
- (3) BORN AT..... ON.....
- (4) PRESENT ADDRESS.....
- (5) DATE OF ISSUE OF ENTRY PERMIT.....No. of Permit.....  
(See Note B)
- (6) DATE OF ENTRY TO ZAMBIA.....PLACE OF ENTRY.....
- (7) NATIONAL REGISTRATION NO.....
- (8) Details of any periods of absence from Zambia during the four years preceding this application:
  - (a) From.....to.....Reason.....
  - (b) From.....to.....Reason.....
  - (c) From.....to.....Reason.....
  - (d) From.....to.....Reason.....
  - (e) From.....to.....Reason.....
  - (f) From.....to.....Reason.....
- (9) I have not during the last four years spent any period in prison as the result of a court sentence. (See Note C)  
.....
- (10) I have not during the last four years been an inmate of a mental institution. (See Note C).....

.....  
*Signature of Applicant*

Date.....

NOTES

- A. This application must be accompanied by two recent full face passport type photographs, one of which must be endorsed "Certified a true likeness of (Full Name) " and must be signed by an Immigration Officer or other responsible public officer.
- B. If you are not the holder of an entry permit, you should delete item (5) and attach your residence permit or any other permit authorising your residence in this country.
- C. If the information at item (8) or (9) is inaccurate, the applicant may delete the inaccurate item and attach full details of the imprisonment or period spent in a mental institution.
- D. The fee for a certificate of status is 30 fee units payable with this application.

(As amended by Act No. 13 of 1994)

The Laws of Zambia

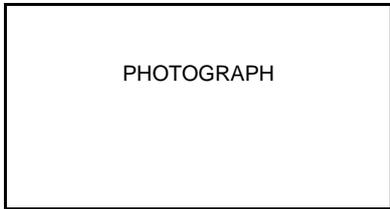
REPUBLIC (CREST) OF ZAMBIA

THE IMMIGRATION AND DEPORTATION ACT

(Section 33)

CERTIFICATE OF STATUS AS AN ESTABLISHED RESIDENT

This is to certify that.....  
National Registration No....., whose photograph appears  
hereon, is an ESTABLISHED RESIDENT as defined in section 2 of the Immigration and Deportation Act.



.....  
*Chief Immigration Officer*

REPUBLIC (CREST) OF ZAMBIA

THE IMMIGRATION AND DEPORTATION ACT

(Section 36)

WARRANT OF DETENTION OF SUSPECTED PROHIBITED IMMIGRANT

To the Officer in Charge of the prison/place of detention at.....

.....

WHEREAS there are reasonable grounds for suspecting that.....

.....

(hereinafter called "the suspected prohibited immigrant") is a prohibited immigrant.

NOW THEREFORE in accordance with the provisions of section 36 (1) as read with section 25 (1) of the Immigration and Deportation Act, you are hereby commanded to receive into your custody and to keep the suspected prohibited immigrant until the expiration of a period of fourteen days from this day or until sooner delivered in due course of law.

DATED at.....the.....day of.....

19.....

.....  
*Immigration Officer*

REPUBLIC (CREST) OF ZAMBIA

THE IMMIGRATION AND DEPORTATION ACT

(Section 36)

WARRANT OF DETENTION OF PROHIBITED IMMIGRANT

To.....

WHEREAS.....

(hereinafter called "the prohibited immigrant") is a person to whom subsection \*(3) (a)/(3) (b)/(4) of section 26 of the Act refers;

NOW THEREFORE in accordance with the provisions of section 36 (1) of the Act, you are hereby commanded to receive into your custody and to keep the said prohibited immigrant pending completion of arrangements for his deportation from Zambia at the first reasonable opportunity or until sooner delivered in due course of law.

DATED at.....the.....day of.....

19.....

.....  
*Immigration Officer*

\* Delete whichever reference is not applicable.

REPUBLIC OF ZAMBIA

THE IMMIGRATION AND DEPORTATION ACT

(Section 13)

EXIT DECLARATION

PART I

(To be completed by all persons leaving Zambia: please print)

Surname..... Other names..... Sex.....  
 Date of birth..... Place of birth.....  
 Nationality.....  
 Occupation.....  
 Passport No..... Date of issue..... Place of issue.....  
 Date of expiry.....

Reason for being in Zambia (Tick one)	<input type="checkbox"/> A	Citizen	<input type="checkbox"/> B	Resident	<input type="checkbox"/> C	Employment
	<input type="checkbox"/> D	D Study	<input type="checkbox"/> E	E Visitor		

Expected length of stay away from Zambia	<input type="checkbox"/> Permanent	<input type="checkbox"/> Year/s	<input type="checkbox"/> Month/s	<input type="checkbox"/> Weeks	<input type="checkbox"/> Days
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Destination .....

Persons leaving Zambia permanently and holding any of the following documents: Certificate of Status as an Established Resident; Entry Employment Permit; Study Permit; Temporary or Visitors Permit; must surrender them to the examining Immigration Officer at the port of exit.

Signature of Declarant ..... Date.....	OFFICIAL DATE STAMP SIGNATURE	FOR OFFICIAL USE	
		Type of Permit surrendered.....	No. of Permit.....
		Immigration Officer's signature .....	

PART II

The Laws of Zambia

(For visitors only)

How many nights did you stay in Zambia?.....

Please enter the number of nights spent in each type of accommodation:

Hotels	Motels	Lodges	Relatives

Date and port of entry in Zambia.....

Address in Zambia .....

Country of permanent residence .....

Your estimated expenditure in Zambia .....

OFFICIAL DATE STAMP

FOR OFFICIAL USE

Nationality.....

No. in group .....

Permanent .....

Temporary .....

(As amended by S.I. No. 112 of 1978)

The Laws of Zambia  
SECOND SCHEDULE

(Regulation 3)

PRESCRIBED FEES

	Fee units
<i>Visiting Permit</i>	
Issuance	200
Renewal	400
Duplicate	100
<i>Study Permit</i>	
Issuance	150
Renewal	250
Duplicate	100
<i>Employment Permit</i>	
Issuance	2,000
Renewal	3,000
Duplicate	1,000
Variation by change of occupation	3,000
Variation by addition of names of wife and children	100
Variation by change of employer	3,000
<i>Self employment Permit</i>	
Issuance	500
Renewal	400
Variation by addition of new business	400
Duplicate	100
<i>Certificate of Status as an Established Resident</i>	
Issuance	200
Duplicate	100
<i>Entry Permit</i>	
Issuance	300
Duplicate	100
Variation by addition of a new business name	300
Variation by change of occupation	300
<i>Temporary Permits</i>	
Issuance	2,000
Renewal	3,000
Duplicate	100
<i>Visas</i>	
Single entry US \$20 (or kwacha equivalent)	
Double entry US \$30 (or kwacha equivalent)	
Transit US \$10 (or kwacha equivalent)	
Multiple entry US \$40 (or kwacha equivalent)	
Re-entry 25 fee units	

The Laws of Zambia

(B) PERMITS FOR RELIGIOUS, NON-GOVERNMENTAL ORGANISATIONS AND NON-PROFIT MAKING ORGANISATIONS

1.	<i>Employment Permit</i>	
	(i) Issuance	150
	(ii) Renewal	100
	(iii) Replacement	150
	(iv) Addition of names of wife or children	50
	(v) Change of occupation	100
	(vi) Change of employer	100
2.	<i>Temporary Permit</i>	Fee units
	(i) Issuance	100
	(ii) Renewal	50
	(iii) Replacement	100
3.	<i>Certificate of Status as Established Resident</i>	
	(i) Issuance	150
	(ii) Renewal	150
4.	<i>Entry Permit</i>	
	(i) Issuance	150
	(ii) Renewal	250
	(iii) Replacement	70
5.	<i>Visiting Permit</i>	
	(i) Issuance	100
	(ii) Renewal	200
	(iii) Replacement	70
6.	<i>Study Permit</i>	
	(i) Issuance	70
	(ii) Renewal	50
	(iii) Replacement	70

(As amended by S.I. No. 33 of 1995 and Act No. 13 of 1994)

THIRD SCHEDULE

(Regulation 11)

IMMIGRATION CONTROLS

The Laws of Zambia

<i>Immigration Controls</i>	<i>Hours of Operation per diem</i>
1. AIRPORTS	
Chingola	as required
Chipata	as required
Kalabo	as required
Kasama	as required
Livingstone	24 hours
Lusaka	24 hours
Mansa	as required
Mbala	as required
Mfue	0600 to 1800 hours
Mongu	as required
Ndola	24hours
Nkana	as required
Sesheke	as required
Solwezi	as required
Zambezi	as required
2. PORT:	
Mpulungu	as required
3. RAILWAY STATIONS:	
Livingstone	as required
Ndola	as required
4. BORDER CONTROLS:	
Chanida	24 hours
Chavuma	24 hours
Chembe	24 hours
Chipungu	24 hours
Chirundu	0600 to 2000 hours
Feira	0600 to 1800 hours
Jimbe Bridge	0600 to 1800 hours
Kaputa	24 hours
Kariba	0600 to 2000 hours (April to September) 0600 to 1900 hours (October to March)
Kashiba	24 hours
Kasumbalesa	24 hours
Katima Mulilo	24 hours
Kazembe	24 hours
Kazungula	0600 to 1800 hours
Kipushi	24 hours
Livingstone	24 hours
Lukwesa	24 hours
Lundazi	24 hours
Mokambo	24 hours
Mulekatembo	0600 to 1800 hours
Muyombe	0600 to 1800 hours
Mwandi	24 hours
Mwami	24 hours
Mwase	24 hours
Mwense	0600 to 1800 hours
Nchelenge	24 hours
Nyala	24 hours
Sakania	24 hours
Sinazongwe	0600 to 1800 hours
Sinda Misale	0600 to 1800 hours
Sumbu	24 hours
Tshinsenda	24 hours
Tunduma	24 hours
Victoria Falls immigration control	0600 to 2000 hours
Zombe	24 hours

The Laws of Zambia

5. INTERNAL CONTROLS:

Chadiza  
Chingola  
Chipata  
Choma  
Kabompo  
Kabwe  
Isoka  
Itzhi-Thezhi  
Kasama  
Kapiri-Mposhi  
Kitwe  
Livingstone  
Luanshya  
Lusaka  
Mbala  
Mpika  
Mporokoso  
Mufulira  
Mubwa  
Mwiniuinga  
Ndola  
Luangwa  
Lusuntha  
Serenje  
Shangombo  
Sikongo



Those hours observed by  
the offices of the Provincial  
and District Government at  
these stations

24 hours

(As amended by S.I. No. 14 of 1974, 121 of 1974, 193 and 200 of 1975, 87 and 88 of 1977, 58 of 1978, 3 of 1983, 200 of 1987, 82 of 1992 and 62 of 1994)

SECTION 31-THE IMMIGRATION AND DEPORTATION (FEES) (WAIVER) REGULATIONS,

*Statutory Instrument  
60 of 1994*

*Regulations by the Minister*

1. These Regulations may be cited as the Immigration and Deportation (Fees) (Waiver) Regulations. Tile

2. The fees payable under regulation 3 of the Immigration and Deportation Regulations are hereby waived in respect of the class of persons specified in the Schedule. Waiver of fees

SCHEDULE

*(Regulation 2)*

Expatriate Staff employed in the Civil Service of the Republic of Zambia who have entered Zambia in pursuance of an Agreement between themselves and the Government of the Republic of Zambia.