

GOVERNMENT OF ZAMBIA

ACT

No. 13 of 2025

Date of Assent: 18th December, 2025

An Act to amend the Constitution of Zambia.

[18th December, 2025

ENACTED by the Parliament of Zambia.

Enactment

1. This Act may be cited as the Constitution of Zambia (Amendment) Act, 2025, and shall be read as one with the Constitution of Zambia, in this Act referred to as the Constitution.

Short title

Cap. 1

2. Article 47 of the Constitution is amended by the—

Amendment
of Article 47

(a) deletion of clause (2) and (3) and the substitution therefor of the following:

(2) Elections to the National Assembly shall be conducted under a mixed-member proportional representation electoral system, as follows:

(a) first-past-the-post electoral system for Members of Parliament contesting for constituency-based seats; and

(b) proportional representation electoral system for women, youths and persons with disabilities, as prescribed.; and

(3) Elections to councils shall be conducted under a mixed-member proportional representation electoral system, as follows:

- (a) first-past-the-post electoral system for mayor or council chairperson;
 - (b) first-past-the-post electoral system for candidates contesting for ward-based seats; and
 - (c) proportional representation electoral system for a specified number of women, youths and persons with disabilities, as prescribed.;
- (b) insertion of the following new clause immediately after clause (3):
- (4) The seats under the proportional representation electoral system, referred to in clause (2) (b) and (3) (c), shall be distributed, as prescribed, after a general election, by the Electoral Commission, to political parties, in proportion to the total number of valid votes received by a presidential candidate.; and
- (c) renumbering of clause (4) as clause (5).

Amendment
of Article 52

3. Article 52 of the Constitution is amended —

- (a) by the deletion of clause (1) and the substitution therefor of the following:
- (1) A person who intends to be a candidate for election as President, Member of Parliament for a constituency-based seat, mayor, council chairperson, or councilor for a ward-based seat shall file that person’s nomination paper to a returning officer, supported by an affidavit stating that the person is qualified for nomination for election as President, Member of Parliament for a constituency-based seat, mayor, council chairperson, or councilor for a ward-based seat, in the manner, on the day, and at the time and place set by the Electoral Commission, by regulations.;
- (b) in clause (4), by the insertion of the words “and determine” immediately after the word “hear”; and
- (c) by the deletion of clause (6) and the substitution therefor of the following:

(6) Where a candidate —

- (a) resigns after having been nominated in accordance with this Article, the candidate shall not be eligible to contest the election, and the election shall proceed to be held on the date prescribed for holding the election;
- (b) has been disqualified by a court, after close of nominations, the candidate shall not be eligible to contest the elections, and the election shall proceed to be held on the date prescribed for holding the election; or
- (c) sponsored by a political party dies before the date prescribed for the holding of an election, the Electoral Commission shall cancel the election, and call for the filing of a fresh nomination by the political party whose candidate died, and the election shall be held within thirty days of filing of the fresh nomination.

4. Article 58 of the Constitution is amended by the deletion of clause (2) and the substitution therefor of the following:

Amendment
of Article 58

(2) The number of constituencies shall be equal to the number of constituency-based seats in the National Assembly, as specified in Article 68 (a).

5. The Constitution is amended by the repeal of Article 68 and the substitution therefor of the following:

Repeal and
replacement
of Article 68

68. (1) Subject to Article 82 (5), the National Assembly shall consist of —

Composition
of National
Assembly

- (a) two hundred and twenty-six Members of Parliament holding constituency-based seats;
- (b) forty Members of Parliament holding seats under the proportional representation electoral system in accordance with Article 47 (2) (b) as follows:
 - (i) twenty women;

- (ii) fifteen youths; and
- (iii) five persons with disabilities;
- (c) not more than eleven nominated Members of Parliament;
- (d) the Vice-President;
- (e) the Speaker; and
- (f) the First and Second Deputy Speakers.

(2) Notwithstanding clause (1) (c), the number of nominated Members of Parliament shall not exceed five percent of the Members of Parliament holding constituency-based seats.

Repeal and replacement of Article 71

Nominations for National Assembly election

6. The Constitution is amended by the repeal of Article 71 and the substitution therefor of the following:

71. (1) A nomination for a candidate of a constituency-based seat is valid if the candidate—

- (a) has paid a prescribed election fee to the Electoral Commission; and
- (b) is supported by at least fifteen persons registered as voters in the constituency in which the candidate is contesting for election.

(2) A nomination for a seat under the proportional representation electoral system, referred to in Article 47 (2) (b) is valid if a prescribed election fee is paid to the Electoral Commission.

Amendment of Article 73

7. Article 73 (2) of the Constitution is amended by the insertion of the words “and determined” immediately after the word “heard”.

Amendment of Article 81

8. Article 81 of the Constitution is amended by the deletion of clause (3) and the substitution therefor of the following:

(3) Parliament shall stand dissolved ninety days before the holding of the next general election but Members of Parliament shall be deemed to have served until a day before the next general election.

Amendment of Article 103

9. Article 103 (2) of the Constitution is amended by the insertion of the words “and determine” immediately after the word “hear”.

- 10.** Article 116 of the Constitution is amended by the insertion of the following new clause immediately after clause (3): Amendment of Article 116
- (4) Notwithstanding clause (3), the office of Minister shall become vacant ninety days before a general election.
- 11.** Article 117 of the Constitution is amended by the— Amendment of Article 117
- (a) insertion of the following new clause immediately after clause (2):
- (3) Notwithstanding clause (2), the office of Provincial Minister shall become vacant ninety days before a general election.; and
- (b) renumbering of clause (3) as clause (4).
- 12.** Article 149 (7) of the Constitution is amended by the insertion of the word “electoral” immediately before the word “boundaries”. Amendment of Article 149
- 13.** Article 153 of the Constitution is amended— Amendment of Article 153
- (a) by the deletion of clause (2) and the substitution therefor of the following:
- (2) A council shall consist of the following members:
- (a) persons elected in accordance with clause (1);
- (b) a Member of Parliament from each constituency within the district;
- (c) a mayor or council chairperson elected in accordance with Article 154; and
- (d) not more than three chiefs representing chiefs in the district, elected by the chiefs in the district;
- (b) in clause (3), by the deletion of words “clause (2) (b)” and the substitution therefor of the words “clause (2)(d)”;
- (c) in clause (4), by the deletion of the words “excluding councilors specified under clause (2) (b),” and the substitution therefor of the words “ in accordance with clause (1)”;
- (d) by the insertion of the following new clause immediately after clause (6):

(7) Notwithstanding clause (6), members of a council shall be deemed to have served until a day before the next general election.

Repeal and replacement of Article 154
Mayor, deputy mayor, council chairperson and deputy chairperson

14. The Constitution is amended by the repeal of Article 154 and the substitution therefor of the following:

154. (1) There shall be a mayor and deputy mayor or council chairperson and deputy council chairperson for every council, as prescribed.

(2) A person is eligible to be elected as a mayor or council chairperson, if that person—

(a) is a citizen;

(b) is at least twenty-one years old;

(c) is a registered voter;

(d) has obtained, as a minimum academic qualification, a grade twelve certificate or its equivalent; and

(e) declares that person's assets and liabilities, as prescribed.

(3) A mayor and council chairperson shall be elected directly, in accordance with Article 47 (4) during elections for councillors, as prescribed.

(4) A deputy mayor and a deputy council chairperson shall be elected by the councillors from amongst themselves.

Amendment of Article 159

15. Article 159 (4) of the Constitution is amended by the insertion of the words “and determined” immediately after the word “heard”.

Amendment of Article 176

16. Article 176 (3) of the Constitution is amended by the deletion of the word “ten” and the substitution therefor of the word “five” immediately before the word “years”.

Amendment of Article 178

17. Article 178 (1) of the Constitution is amended by the—

(a) deletion of paragraph (b); and

(b) renumbering of paragraphs (c) and (d) as paragraphs (b) and (c), respectively.

Amendment of Article 179

18. Article 179 (4) of the Constitution is amended by the—

(a) deletion of paragraph (b); and

(b) renumbering of paragraphs (c) and (d) as paragraphs (b) and (c), respectively.

19. Article 266 of the Constitution is amended by —

Amendment
of Article
266

(a) the deletion of the definitions of “adult”, “by-election”, “child”, “election”, “general election” and “term” and the substitution therefor of the following in the appropriate places in alphabetical order:

“adult” means a person who has attained the age of eighteen years;

“child” means a person who is below the age of eighteen years;

“election” means an election to the office of President, Member of Parliament, mayor, council chairperson or a councillor;

“general election” means elections to the office of President, Member of Parliament, mayor, council chairperson or a councillor, when held on the same day;

“term” means a period commencing when Parliament or a council first sits, after a general election, ending when Parliament is dissolved, except as is provided under Article 106; and

“youth” means a person who has attained the age of eighteen years, but is below the age of thirty-five years; and

(b) the insertion of the following new definitions in the appropriate places:

“constituency-based seat” means a seat in the National Assembly that is held by a Member of Parliament elected under the first-past-the-post electoral system; and

“ward-based seat” means a seat in a council that is held by a councilor elected under the first-past-the-post electoral system.
