

GOVERNMENT OF ZAMBIA

ACT

No. 12 of 2023

Date of Assent: 22nd December, 2023

An Act to amend the Defence Act.

[26th December, 2023

ENACTED by the Parliament of Zambia.

Enactment

1. This Act may be cited as the Defence (Amendment) Act, 2023, and shall be read as one with the Defence Act, in this Act referred to as the principal Act.

Short title
Cap. 106

2. Section 29 (1) of the principal Act is amended by the deletion of the words “suffer death” and the substitution therefor of the words “life imprisonment”.

Amendment
of section 29

3. Section 30 (1) of the principal Act is amended by the deletion of the words “suffer death” and the substitution therefor of the words “life imprisonment”.

Amendment
of section 30

4. Section 36(1) of the principal Act is amended by the deletion of the words “suffer death” and the substitution therefor of the words “life imprisonment”.

Amendment
of section 36

5. Section 37(b)(i) of the principal Act is amended by the deletion of the words “suffer death” and the substitution therefor of the words “life imprisonment”.

Amendment
of section 37

6. The principal Act is amended by the repeal of section 71 and the substitution therefor of the following:

Repeal and
replacement
of section
71

71. A person subject to military law under this Act who attempts to commit an offence against any of the foregoing provisions of this Part is liable, on conviction by a court martial, to the like punishment as for that offence.

Attempt to
commit
military
offences

- Amendment of section 73 **7.** Section 73(3)(a) of the principal Act is amended by the deletion of the words “suffer death” and the substitution therefor of the words “life imprisonment”.
- Amendment of section 74 **8.** Section 74 (2) of the principal Act is amended by the—
(a) deletion of paragraph (a); and
(b) renumbering of paragraphs (b), (c), (d), (e), (f), (g) and (h) as paragraphs (a), (b), (c), (d), (e), (f) and (g), respectively.
- Amendment of section 75 **9.** Section 75(2) of the principal Act is amended by the—
(a) deletion of paragraph (a); and
(b) renumbering of paragraphs (b), (c), (d), (e), (f), (g), (h), (i), (j), (k) and (l) as paragraphs (a), (b), (c), (d), (e), (f), (g), (h), (i), (j) and (k), respectively.
- Amendment of section 88 **10.** Section 88(1) of the principal Act is amended by the deletion of the word “death” and the substitution therefor of the words “life imprisonment”.
- Amendment of section 95 **11.** Section 95 of the principal Act is amended by the deletion of the word “death”, wherever the word appears, and the substitution therefor of the words “life imprisonment”.
- Repeal of section 107 **12.** The principal Act is amended by the repeal of section 107.
- Amendment of section 116 **13.** Section 116 of the principal Act is amended by the deletion of the words “death or”.
- Amendment of section 117 **14.** Section 117 of the principal Act is amended by the deletion of the word “death” and the substitution therefor of the words “life imprisonment”.
- Amendment of section 134 **15.** Section 134 of the principal Act is amended by the—
(a) deletion of paragraph (a); and
(b) renumbering of paragraphs (b), (c) and (d) as paragraphs (a), (b) and (c), respectively.
- Amendment of section 136 **16.** Section 136 of the principal Act is amended by the deletion of the word “death” and the substitution therefor of the words “life imprisonment”.

17. Section 137(2) of the principal Act is amended by the deletion of the word “death” and the substitution therefor of the words “life imprisonment”. Amendment of section 137

18. The principal Act is amended by the repeal of section 145. Repeal of section 145
