

REPUBLIC OF ZAMBIA

THE FLYING DOCTOR SERVICE ACT

CHAPTER 298 OF THE LAWS OF ZAMBIA

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CHAPTER 298

37 of 1967

18 of 1972

FLYING DOCTOR SERVICE

25 of 1975

An Act to provide for the establishment, management and development of the Flying Doctor Service and matters incidental to or connected therewith.

[7th September, 1967]

1. This Act may be cited as the Flying Doctor Service Act.

Short title

2. In this Act, unless the context otherwise requires-

Interpretation

"Board" means the Flying Doctor Service Board established by section *four*;

"the Service" means the Flying Doctor Service established by section *three*.

3. There shall be a service known as the Flying Doctor Service, the objects of which shall be to combat disease among and to promote the health and material well-being of the inhabitants of the rural areas of Zambia.

Objects of the Service

4. For the purpose of carrying out the objects of the Service, there shall be a board known as the Flying Doctor Service Board which shall be a body corporate having perpetual succession and a common seal and capable of suing and being sued and, subject to this Act, of performing all such acts as bodies corporate may perform.

Establishment of Board

5. (1) The Board shall consist of not more than nine members appointed by the Minister, one of whom shall be appointed by the Minister to be chairman.

Membership of Board

(2) A member of the Board appointed under subsection (1) shall, subject to the provisions of this section, hold office for such period as may be specified by the Minister at the time of his appointment or, if no period is so specified, for a period of three years from the date of his appointment.

(3) The Minister may at any time revoke an appointment made under subsection (1) and any member of the Board so appointed may at any time resign by notice in writing to the Minister.

(4) A member of the Board shall be eligible for reappointment.

5A. (1) The Minister may appoint a person to be the Director of the Service on such terms and conditions as the Minister may specify in the letter of his appointment. Director of the Service

(2) The Director of the Service shall perform such functions and discharge such duties as may be assigned to him by the regulations or, subject to the regulations, by an order of the Minister or a resolution of the Board.

(No. 18 of 1972)

6. (1) The quorum at any meeting of the Board shall be half the total number of members of the Board or, where there is an uneven number of members, shall be the next whole number above half. Proceedings of Board

(2) All decisions of the Board, unless made under powers delegated by the Board, shall be by resolution at a meeting of the Board at which a quorum is present.

(3) Subject to the provisions of this section and of Part V of the Interpretation and General Provisions Act, the Board may regulate its own procedure. Cap. 2

7. (1) For the purpose of carrying out the objects of the Service and subject to the provisions of this Act, the Board shall have power- Powers of Board

- (a) to acquire, hold, manage, apply and dispose of real and personal property;
- (b) to maintain and operate aircraft and such ancillary services as may be necessary for the safe and efficient operation of aircraft in rural areas, including the provision and operation of radio equipment and airstrips;
- (c) to set up and operate clinics;
- (d) to conduct research;
- (e) to employ staff on such terms and conditions of service as it thinks fit and to take steps as may be necessary to implement those conditions of service;
- (f) to constitute committees, to include as members of such committees persons who are not members of the Board, and to regulate the proceedings of such committees;
- (g) to delegate to any committee or any member of the staff of the Board all or any of the powers of the Board other than the power to acquire, hold, or dispose of real property; and

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(h) to do all such other things as appear to it necessary, desirable or expedient.

(2) The Board may receive moneys from any source and may apply such moneys-

(a) to defray expenses incurred in carrying out its objects; and

(b) to reimburse such members of the Board as are not public servants in respect of reasonable expenses incurred by them in attending meetings of the Board:

Provided that the Board shall not borrow any money save with the previous consent of the Minister responsible for finance given in writing.

(As amended by No. 18 of 1972)

7A. In the exercise of its powers and performance of its functions under this Act, the Board shall comply with the directions which the Minister may from time to time give either generally or with respect to any particular matter or case.

Directions of the Minister

(No. 18 of 1972)

8. (1) The financial year of the Board shall be the period of twelve months ending on the 31st December in each year.

Accounts and audit

(2) The Board shall cause proper accounts to be kept of its income and expenditure for each financial year.

(3) The Board shall cause its accounts to be audited annually by auditors who shall be approved by the Minister and shall have access to all books and other records relating to the Board's accounts.

(4) Not later than six months after the end of each financial year the Board shall submit to the Minister its audited accounts for that financial year together with the auditors' report thereon and the Minister shall, not later than seven days after the first sitting of the National Assembly next after the receipt thereof, lay those accounts and the auditors' report before the National Assembly.

9. Repealed by *Act No. 25 of 1975*.

Regulations

9A. The Minister may, by statutory instrument, make regulations for the better carrying into effect of the provisions of this Act.

(No. 18 of 1972)

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10. For the purpose of establishing the Service, the Board may enter into any transaction to acquire any rights, real or personal property, or other assets from any person and by such transaction may assume legal responsibility for liabilities and obligations incurred by that person in connection with such rights, real and personal property or other assets or the use thereof. Transitional