

*Supplement to the Republic of Zambia Government
Gazette dated the 16th April, 2010*

[No. 1 of 2010 1

GOVERNMENT OF ZAMBIA

ACT

Date of Assent: 12th April, 2010

**An Act to amend the Zambia Development Agency
Act, 2006**

[16th April, 2010

ENACTED by the Parliament of Zambia.

Enactment

1. This Act may be cited as the Zambia Development Agency (Amendment) Act, 2010, and shall be read as one with the Zambia Development Agency Act, 2006, in this Act referred to as principal Act.

Short title
Act No. 11
of 2006

2. The principal Act is amended by the insertion immediately after section *eleven* of the following new section:

Insertion of
new section
11A

11A. Where any judgment order is obtained against the Agency, no execution, attachment or process of any nature, shall be issued against the Agency or against any property of the Agency, but the Agency shall cause to be paid out of its revenues such amount as may, by the judgment order, be awarded against the Agency to the person entitled to such amount.

Immunity
from
execution of
judgments
against
Agency
assets

3. The principal Act is amended by the repeal of Part X and the substitution therefor of the following new Part:

Repeal and
replacement
of Part X

PART X

LICENCES, PERMITS AND CERTIFICATES OF REGISTRATION

6A. (1) A person who wishes to—

Application
for licence,
permit or
certificate of
registration

- (a) develop any premises as a multi-facility economic zone;
- (b) operate a business enterprise in a multi-facility economic zone;
- (c) invest in any business enterprise; or
- (d) register a micro or small business enterprise;

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shall apply to the Board for a licence, permit or certificate of registration, as the case may be, in the prescribed manner and form, upon payment of the prescribed fee.

(2) The Board shall, within thirty days of receipt of an application under subsection (1), approve or reject the application.

(3) Where the Board rejects an application under subsection (2), it shall within seven days of its decision, inform the applicant accordingly and give the reasons therefor.

69. The Board shall, in considering an application for a licence, permit or certificate of registration under section *sixty-eight*, have regard to—

Consideration of application for licence, permit or certificate of registration

- (a) the need to promote economic development and growth in Zambia;
- (b) the extent to which the proposed investment will lead to the creation of employment opportunities and the development of human resources;
- (c) the degree to which the project is export oriented;
- (d) the impact the proposed investment is likely to have on the environment and, where necessary, the measures proposed to deal with an adverse environmental consequence in accordance with the Environmental Protection and Pollution Control Act;
- (e) the possibility of the transfer of technology; and
- (f) any other considerations that the Board considers appropriate.

Cap. 204

70. (1) The Board shall, where it approves an application under section *sixty-eight*, issue on such terms and conditions as it may determine—

Issue of licence, permit or certificate of registration

- (a) a licence to develop premises as a multi-facility economic zone;
- (b) a permit to operate a business enterprise in a multi-facility economic zone; or
- (c) a certificate of registration as an investor or a micro or small business enterprise.

