

**THE ACTS OF PARLIAMENT (AMENDMENT)
BILL, 2021**

MEMORANDUM

The object of this Bill is to amend the Acts of Parliament Act so as to provide for—

- (a) the publication of Acts in electronic form;
- (b) the verification of electronic copies of Acts;
- (c) the powers of the Commissioner of Law Revision in relation to publication of electronic Acts; and
- (d) matters connected with, or incidental to, the foregoing.

L. Kalaluka,
Attorney-General

A BILL

ENTITLED

An Act to amend the Acts of Parliament Act.

ENACTED by the Parliament of Zambia.

Enactment

5 **1.** (1) This Act may be cited as the Acts of Parliament (Amendment) Act, 2021, and shall be read as one with the Acts of Parliament Act, in this Act referred to as the principal Act.

Short title and commencement
Cap. 3

(2) This Act shall come into operation on the date appointed by the Minister by Statutory Instrument.

10 **2.** The principal Act is amended by the insertion of the following new section immediately after section 1:

Insertion of section 1A

10 1A. In this Act, unless the context otherwise requires —
“Commissioner” has the meaning assigned to the word in the Laws of Zambia (Revised Edition) Act, 1968; and

Interpretation

Act No. 9 of 1968

15 A Laws of Zambia has the meaning assigned to the words in the Laws of Zambia (Revised Edition) Act, 1968;

Act No. 9 of 1968

3. Section 9 of the principal Act is amended by the insertion of —

Amendment of section 9

(a) figure A(1) after figure A9; and

25 (b) the following new subsection immediately after subsection (1);

(2) An Act may be published in an electronic format.

4 No. of 2021] Acts of Parliament (Amendment)

Repeal and replacement of section 10	3. The principal Act is amended by the repeal of section 10 and the substitution therefor of the following:	
Establishment of database	10. (1) The Ministry responsible for justice shall for the purposes of section 9(2) establish and maintain an electronic database of the Laws of Zambia.	5
	(2) The database established under section (1) shall contain —	
Cap. 1	(a) the Constitution;	
	(b) consolidated copies of Acts that have been given chapter numbers under the Laws of Zambia (Revised Edition) Act, 1968;	10
Act No. 9 of 1968	(c) copies of Acts published under section 9(1); and	
	(d) the record of editorial amendments compiled by the Commissioner under section 14.	15
Insertion of sections 11, 12, 13, 14, 15 and 16	4. The principal Act is amended by the insertion of the following new sections immediately after section 10:	
Status of verified copies of database instruments last updated date	11. (1) A copy of an electronic Act that is published on or printed directly from a website hosting the database and that bears an official verification mark, is a verified copy of the Act.	20
	(2) A verified copy of an electronic Act, is presumed, unless the contrary is proved, to correctly state the electronic Act, as at the date specified in the copy.	25
Powers of Commissioner in relation to electronic Act No. 9 of 1968	12. (1) The Commissioner may exercise the Commissioners' functions under the Laws of Zambia (Revised Edition) Act, 1968, in relation to an electronic Act	
	(2) Without prejudice to the generality of subsection (1), the Commissioner may —	30
	(a) arrange the grouping and sequence of electronic Acts;	
	(b) correct a grammatical, clerical or typographical error;	35
	(c) change the way of referring to or expressing a number, year, date, time, amount of money, quantity or measurement;	

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- (d) alter the text of a provision to reflect an amendment to the provision deemed to have been made by another provision;
- (e) omit any enacting, expired or spent provision;
- (f) change the sequence of definitions, or of unnumbered items in a list; and
- (g) insert, after an item in a list appearing in the text of one official language, the equivalent of that item in a local language.
- 10 13. An editorial amendment made by the Commissioner under this Act shall not change the legal effect of an Act. Editorial amendments not to change legal effects of Acts
- 15 14. (1) The Commissioner for Law Revision shall compile a record containing— Commissioner to compile record of editorial amendments
- (a) descriptions of editorial amendments made;
- (b) the time and date on which each description of editorial amendments is entered in the record; and
- (c) other information that the Commissioner and the Attorney-General consider necessary to users of the record.
- 20 (2) A record compiled under subsection (1) shall be kept in a form that the Commissioner considers appropriate.
- 25 15. An editorial amendment does not have effect unless the information relating to that amendment is contained in the record compiled under section 14. Editorial amendments without effect if not contained in record
- 30 16. (1) Subject to the provisions of this section, the commencement of an Act shall be a date that is provided in or under the Act, or where no date is so provided, the date of its publication as notified in the *Gazette*. Commence-ment
- (2) Every Act shall be deemed to come into force immediately on the expiration of the day next preceding its commencement.
- 35 (3) A provision in an Act regulating the coming into force of the Act or any part thereof shall have effect despite that the Part of the Act containing the provision has not come into operation.

- (4) Where an Act is made with retrospective effect, the commencement of the Act shall be the date from which it is given or deemed to be given that effect.
- (5) Subsection (4) does not apply to an Act until there is a notification in the *Gazette* as to the date of its publication 5 and until that date is specified the Act shall be without effect.
