

**THE NATIONAL ASSEMBLY (POWERS, PRIVILEGES
AND IMMUNITIES) BILL, 2026**

MEMORANDUM

The object of this Bill is to —

- (a) provide for the powers, privileges and immunities of the Members and officers of the National Assembly;
- (b) provide for the attendance and privileges and immunities of witnesses before a parliamentary committee;
- (c) provide for disciplinary action against Members for breach of privilege and contempt of the National Assembly;
- (d) repeal and replace the National Assembly (Powers and Privileges) Act, 1956; and
- (e) provide for matters connected with, or incidental to, the foregoing.

M. D. KABESHA,
Attorney-General

**THE NATIONAL ASSEMBLY (POWERS, PRIVILEGES
AND IMMUNITIES)
BILL, 2026**

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SCHEDULE

A BILL

ENTITLED

An Act to provide for the powers, privileges and immunities of the Members and officers of the National Assembly; provide for the attendance and privileges and immunities of witnesses before a parliamentary committee; provide for disciplinary action against Members for breach of privilege and contempt of the National Assembly; to repeal and replace the National Assembly (Powers and Privileges) Act, 1956; and provide for matters connected with, or incidental to, the foregoing.

ENACTED by the Parliament of Zambia.

Enactment

PART I

PRELIMINARY PROVISIONS

1. This Act may be cited as the National Assembly (Powers, Privileges and Immunities) Act, 2026. Short title
2. In this Act, unless the context otherwise requires — Interpretation
- “adult” has the meaning assigned to the word in the Constitution; Cap. 1
- “Assembly” means the National Assembly;
- “Clerk” means the Clerk of the Assembly appointed in accordance with the Constitution; Cap. 1
- “Committee” means the Committee on Privileges and Absences constituted under section 3;

N. A. B. 45, 2026

Cap. 1	“Defence Force” means the Defence Force established under the Constitution;	
Cap. 1	“First Deputy Speaker” has the meaning assigned to the words in the Constitution;	
	“meeting” means the period between the date the Assembly first sits after being summoned by the Speaker and the date on which the Assembly is adjourned <i>sine die</i> ;	5
Cap. 1	“Member” has the meaning assigned to the words “Member of Parliament” in the Constitution;	
Cap. 1	“national security services” means the national security services established under the Constitution;	10
	“officer” means a member of staff of the Assembly and includes a person operating within the precincts of the Assembly Chamber under an order made by the Speaker;	
Cap. 1	“Parliament” has the meaning assigned to the word in the Constitution;	15
Cap. 1	“parliamentary committee” has the meaning assigned to the words in the Constitution;	
	“precincts of the Assembly Chamber” means the chamber in which the Assembly or a parliamentary committee sits in session for the transaction of business, together with the offices, rooms, lobbies, galleries, courtyards, gardens and other places provided for the use or accommodation of Members, officers or members of the public and any other place as may, from time to time, be designated by the Speaker;	20 25
Cap. 1	“Second Deputy Speaker” has the meaning assigned to the words in the Constitution;	
Cap. 1	“sitting” has the meaning assigned to the word in the Constitution and the word “sit” shall be construed accordingly;	30
Cap. 1	“Speaker” has the meaning assigned to the word in the Constitution;	
Cap. 1	“Standing Orders” means the Standing Orders of the Assembly made in accordance with Article 77 of the Constitution;	35
	“votes and proceedings” means the official record of proceedings for each sitting of the Assembly; and	

“witness” means a person who is invited or ordered to appear before a parliamentary committee in accordance with sections 10 and 11.

PART II

5 PRIVILEGES AND IMMUNITIES OF ASSEMBLY

3. (1) There is constituted the Committee on Privileges and Absences which shall be responsible for assisting the Speaker to inquire into, determine and make recommendations in respect of matters relating to privileges and immunities of the Assembly.

Constitution of Committee on Privileges and Absences

10 (2) The composition, functions and powers, tenure of office and procedure of the Committee shall be as specified in the Standing Orders.

4. (1) A Member shall have freedom of speech and debate in the Assembly.

Freedom of speech and debate

15 (2) The freedom of speech and debate referred to under subsection (1) shall not be ousted or questioned in a court or tribunal.

5. A person shall not institute civil or criminal proceedings against a Member in respect of words —

Immunity from legal proceedings

20 (a) spoken by the Member before the Assembly or a parliamentary committee; or

(b) written in a document by the Member to the Assembly or a parliamentary committee.

35 6. (1) A Member shall have freedom from arrest, during a sitting, for an offence whose penalty does not exceed imprisonment for a term of six months with an option of a fine.

Freedom from arrest

(2) Despite subsection (1), a Member may be arrested for an offence whose penalty exceeds the penalty or imprisonment specified under that subsection, with leave of the Speaker, within the precincts of the Assembly Chamber during a sitting.

40 (3) An arresting officer shall, where a Member is arrested outside the precincts of the Assembly Chamber, inform the Speaker of the arrest of the Member within forty eight hours of the arrest.

Attendance
of Member
or officer as
witness or
defendant

7. (1) A Member or an officer shall not be compelled, while the Assembly is conducting its business, to attend as a witness in any civil or criminal proceedings or as a defendant in any civil proceedings before a court, tribunal, commission or other similar proceedings, except with the leave of the Speaker, in writing. 5

(2) For purposes of subsection (1), the Speaker, or in the absence of the Speaker, the First Deputy Speaker, Second Deputy Speaker or a person designated by the Speaker shall issue a certificate in Form I set out in the Schedule to —

(a) exempt a Member or an officer from attending the civil or criminal proceedings; and 10

(b) state that a Member or an officer is, or may be, attending to the business of the Assembly on the date and time shown in the certificate.

Public access
to precincts
of Assembly
Chamber

(3) A certificate issued under subsection (2) shall be sufficient proof that a Member or an officer is attending to the business of the Assembly. 15

8. (1) The National Assembly shall facilitate public access to the precincts of the Assembly Chamber.

(2) A member of the public shall not enter, or remain within, the precincts of the Assembly Chamber without leave of the Speaker. 20

(3) The Speaker or an officer authorised by the Speaker may at any time order a member of the public to leave the precincts of the Assembly Chamber.

(4) The Speaker may issue an order, as the Speaker may consider necessary, to regulate the admission of a member of the public to, and the conduct of the member of the public within, the precincts of the Assembly Chamber. 25

Service or
execution of
court
process on
Member or
officer

9. Court process issued by a court shall not be served or executed, without leave of the Speaker, in writing, on a Member or an officer — 30

(a) within the precincts of the Assembly Chamber while the Assembly is sitting; or

(b) while the Member or officer is in attendance at a parliamentary committee. 35

PART III

EVIDENCE BEFORE PARLIAMENTARY COMMITTEE

5 **10.** Subject to the provisions of sections 15, 16 and 18, a parliamentary committee may invite a person to appear before that parliamentary committee as a witness to —

Invitation to
appear
before
parliamentary
committee

(a) give evidence;

(b) produce a document in the possession, or under the control,
of that person; or

10 (c) submit information or report on a matter under the
consideration of that parliamentary committee.

15 **11.** (1) A parliamentary committee shall, where a person referred to under section 10 refuses to appear before that parliamentary committee, order the person to appear before that parliamentary committee as a witness by a summons in Form II set out in the Schedule.

Order and
summons to
appear
before
parliamentary
committee

(2) A summons issued in accordance with subsection (1) shall —

(a) specify the —

(i) name of the witness;

20 (ii) time and place at which the witness is required
to attend before a parliamentary committee; and

(iii) documents required to be produced by the
witness, where applicable; and

(b) be personally served on a witness.

25 (3) Where personal service of a summons referred to under
subsection (1) cannot be effected, service of the summons may be
effected —

30 (a) by an officer or a police officer leaving a copy of the
summons with an adult at the last known place of
residence or place of employment or business of a
witness; or

(b) through notice in the *Gazette* or a newspaper of general
circulation in the Republic;

35 (4) Where service is effected in accordance with subsection
(3), a return by an officer or a police officer shall be *prima facie*
proof of service.

Payment of expenses and fees to witness	12. A witness may be paid expenses and fees that may be paid to a person appearing as a witness before a court if that witness resides outside the district where the witness is invited or ordered to appear before a parliamentary committee.	
Failure to appear before parliamentary committee	13. A witness who, without reasonable cause, fails to appear before a parliamentary committee at the time and place in an invitation referred to under section 10 or a summons referred to under section 11, commits an offence and is liable, on conviction, to a fine not exceeding fifty thousand penalty units or to imprisonment for a term not exceeding six months or, to both.	5 10
Oral examination of witness and oath	14. (1) A parliamentary committee may for purposes of verifying or ascertaining a fact, matter or thing relating to a subject of inquiry before that parliamentary committee, orally examine a witness. (2) A parliamentary committee may, for purposes of subsection (1), cause a witness referred to under that subsection to be examined on oath or affirmation. (3) An oath referred to under subsection (2) may be administered to a witness — (a) by the chairperson of a parliamentary committee; or (b) in the absence of the chairperson, a member of a parliamentary committee presiding over that parliamentary committee or a clerk to that parliamentary committee.	15 20
Question or document of private nature before parliamentary committee	15. (1) A chairperson of a parliamentary committee shall, where a witness refuses to answer a question or produce a document on the ground that the question or document is of a private nature and does not affect a subject of inquiry before that parliamentary committee, report the refusal to the Speaker. (2) The Speaker may, on receipt of a report under subsection (1) — (a) excuse a witness from answering a question or producing a document if the Speaker is of the opinion that the refusal to answer that question or produce that document is justified; or (b) order a witness to answer a question or produce a document if the Speaker is of the opinion that the refusal to answer that question or produce that document is not justified.	25 30 35

(3) A witness commits an offence if that witness refuses to answer a question or produce a document where that witness is ordered by the Speaker to answer the question or produce the document under subsection (2).

5 **16.** (1) A witness shall be entitled to the same rights and privileges as a person appearing as a witness before a court.

Rights and privileges of witness before parliamentary committee

(2) An action or other proceedings shall not lie or be instituted against a witness, in respect of, an act or a thing done or omitted to be done in good faith.

10 (3) A witness shall not, except with the consent of the President —

(a) produce a document relating to the Defence Force or national security services before a parliamentary committee;

15 (b) give evidence relating to the Defence Force or national security services before a parliamentary committee; or

(c) give secondary evidence of the contents of a matter relating to the Defence Force or national security services before a parliamentary committee;

20 (4) A parliamentary committee shall not receive evidence or a document referred under subsection (3) where the President has not consented to the production of the document or giving of the evidence before that parliamentary committee.

25 **17.** A Member or an officer shall not, without leave of the Speaker, give evidence in any proceedings outside the Assembly in respect of —

Evidence of proceedings of Assembly or parliamentary committee not to be given without leave

(a) contents of minutes of evidence given before the Assembly or a parliamentary committee;

(b) contents of a document or report submitted before the Assembly or a parliamentary committee; or

30 (c) proceedings held, or an examination conducted, before the Assembly or a parliamentary committee.

35 **18.** The Speaker or a chairperson of a parliamentary committee shall, where a question arises on a matter in the Assembly or parliamentary committee that is not provided for under this Act or the Standing Orders, determine the question in accordance with the Constitution, any other relevant written law or a usage, precedent, custom, procedure, tradition or practice of Parliament or a Parliament of a relevant jurisdiction.

Questions relating to matter not provided under Act or Standing Orders
Cap. 1

PART IV

BREACH OF PRIVILEGE AND CONTEMPT OF ASSEMBLY

Breach of
privilege or
contempt by
Member

19. A Member commits a breach of privilege or contempt of the Assembly if that Member —

- (a) disobeys an order made by the Speaker; 5
- (b) disrespects the —
 - (i) Speaker in speech or any other manner;
 - (ii) proceedings of the Assembly or a parliamentary committee; or
 - (iii) a person presiding over the proceedings referred to under subparagraph (ii); 10
- (c) obstructs, disturbs or causes an obstruction or disturbance —
 - (i) within the precincts of the Assembly Chamber during a sitting of the Assembly; or 15
 - (ii) during a sitting of a parliamentary committee;
- (d) refuses to give evidence before the Assembly or a parliamentary committee;
- (e) as a witness, misconducts oneself; or
- (f) threatens, assaults or insults an officer or a member of the public within the precincts of the Assembly Chamber. 20

Examination
of matter
relating to
breach of
privilege or
contempt of
Assembly

20. 1) The Speaker may refer a matter relating to an alleged breach of privilege or contempt of the Assembly to the Committee for consideration.

(2) Despite subsection (1), the Speaker shall, where the alleged breach of privilege or contempt of the Assembly is committed by a Member of the Committee, appoint a select committee to consider the matter. 25

(3) The Committee or a select committee shall, on receipt of a matter relating to an alleged breach of privilege or contempt of the Assembly under subsection (1) or (2), determine the matter and make recommendations to the Speaker in accordance with the procedures of the Committee referred to under section 3. 30

21. (1) The Speaker may, where a Member is found to have committed a breach of privilege or contempt of the Assembly, impose any of the following penalties:

Disciplinary
powers of
Assembly

- 5 (a) a formal warning;
(b) an admonition; or
(c) a reprimand.
- (2) The Speaker shall, where the Speaker —
- 10 (a) decides to admonish a Member in accordance with subsection (1)(b) —
- (i) direct the Member to stand in the Member's seat;
- (ii) order the Member to apologise to the Assembly; and
- (iii) admonish the Member;
- 15 (b) decides to reprimand a Member in accordance with subsection (1)(c) —
- (i) order the Member to apologise to the Assembly; and
- 20 (ii) reprimand the Member at the bar of the Assembly.

(3) The Speaker shall, where a Member refuses to apologise to the Assembly under subsection (2), suspend the Member from the Assembly for a period not exceeding fourteen days.

25 (4) The Speaker shall, where a Member is found to have committed a breach of privilege or contempt of the Assembly of a serious nature and the penalties referred to under subsection (1) are not sufficient for that breach or contempt, by a resolution of the Assembly, suspend that Member from the Assembly for a period not exceeding —

- 30 (a) thirty days for a first offender;
(b) sixty days for a second offender; or
(c) ninety days for a third and subsequent offender.

(5) A Member who is suspended from the Assembly in accordance with subsection (4) shall not, during the period of
35 suspension and for the purposes of this Act —

- (a) enter the precincts of the Assembly Chamber;
- (b) participate in an activity of the Assembly or a parliamentary committee; and
- 40 (c) be paid a salary or an allowance that the Member is entitled to.

PART V

GENERAL PROVISIONS

- Power of Assembly to inquire into offences 5
- 22.** The Assembly has the power and jurisdiction to inquire into whether an act, omission, a matter or thing amounts to a breach of privilege, contempt of Assembly or contravention of the Standing Orders or rules of parliamentary practice and procedure.
- Officers of Assembly to have powers of police officer 10
- 23.** (1) An officer, as the Speaker may determine, shall, for the purposes of this Act or any other relevant written law, have the powers of a police officer within the precincts of the Assembly Chamber.
- (2) Despite the generality of subsection (1), an officer referred to under that subsection may, within the precincts of the Assembly Chamber —
- (a) search a person who the officer has reasonable grounds to believe is about to commit, or has committed, an offence; 15
- (b) arrest a person who the officer has reasonable grounds to believe is about to commit, or has committed, an offence;
- (c) seize any property that has been used, or is being used, for the commission of an offence; 20
- (d) seize evidence that may be relevant to an offence committed; and
- (e) maintain order. 25
- Admissibility of copy of votes and proceedings, Standing Orders, etc. as evidence 30
- 24.** A copy of the votes and proceedings, Standing Orders or any other document of the Assembly printed, or purporting to be printed, by the Assembly or under the authority of the Assembly or duly authenticated by the Clerk, shall, in an inquiry relating to, or affecting, the powers, privileges and immunities of the Assembly or a Member, be admitted as *prima facie* evidence of the contents of the votes and proceedings, Standing Orders or document without further proof.
- Protection of person responsible for publication authorised by Assembly or parliamentary committee 35
- 25.** A person shall not be liable to civil or criminal proceedings in respect of a publication of a report, paper or minutes of the Assembly or parliamentary committee made by that person by order or under the authority of the Assembly or a parliamentary committee.

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26. The powers of the Assembly and Speaker under this Act shall be supplementary to the powers conferred on the Assembly and Speaker by the Constitution or Standing Orders.
27. An action or other proceedings shall not lie or be instituted against a Member or an officer for, or in respect of, an act or thing done or omitted to be done in good faith in the exercise or performance of any of the powers, functions or duties conferred under this Act.
28. A person commits an offence if that person, during the course of an examination before a parliamentary committee, intentionally gives false evidence in relation to a subject of inquiry before that parliamentary committee.
29. A person who produces a false, fabricated or falsified document to the Assembly or a parliamentary committee with intent to deceive the Assembly or parliamentary committee commits an offence and is liable to a penalty specified for that offence under the Penal Code.
30. (1) A person shall not —
- (a) threaten, induce or in any way influence a witness in respect of evidence to be given by that witness before a parliamentary committee;
- (b) threaten, punish, injure or attempt to threaten, punish or injure a witness for having given evidence before a parliamentary committee; or
- (c) threaten, punish, injure or attempt to threaten, punish or injure a witness for evidence which that witness has given before a parliamentary committee.
- (2) A person who contravenes subsection (1) commits an offence and is liable, on conviction, to a fine not exceeding one hundred thousand penalty units or to imprisonment for a term not exceeding one year or, to both.
31. A person commits an offence if that person —
- (a) disobeys an order made by the Speaker;
- Powers of Assembly and Speaker to be supplementary to Constitution or Standing Orders
Cap. 1
- Immunity of Members or officers
- False evidence
- False documents
- Cap. 87
- Interference with witnesses
- Offences against Member or officer

- (b) disrespects —
- (i) the Speaker in speech or any other manner;
 - (ii) the proceedings of the Assembly or a parliamentary committee; or
 - (iii) a person presiding over the proceedings referred to under subparagraph (ii); 5
- (c) threatens, assaults, obstructs or insults a Member or officer —
- (i) within the precincts of the Assembly Chamber; or
 - (ii) when that person is going to, or coming from, the precincts of the Assembly Chamber; 10
- (d) compels a Member, directly or indirectly, by threat, force or insult for purposes of coercing the Member to support, or not support, a Bill, resolution, matter, rule or thing submitted, or intended to be submitted, to the Assembly; 15
- (e) assaults, interferes with, resists or obstructs an officer in the performance of the officer's functions under this Act;
- (f) fails or refuses to comply with an instruction given to that person by an officer; 20
- (g) threatens or challenges a Member to a fight, on account of the Member's conduct in the Assembly or a parliamentary committee; or
- (h) deprives, or threatens to deprive, a Member of a benefit on account of the Member's conduct in the Assembly or a parliamentary committee. 25

Unauthorised
publication

32. (1) A person shall not —

- (a) publish, or cause to be published —
- (i) except with leave of the Speaker, a report of proceedings of the Assembly or a parliamentary committee where the proceedings have not been held by the Assembly or parliamentary committee in public; 30
 - (ii) libel in respect of the Assembly or a parliamentary committee; 35
 - (iii) or print libel in respect of a Member's character or conduct as a Member;

- (iv) a report which misrepresents proceedings of the Assembly or a parliamentary committee; or
- (v) except with leave of the Speaker, a document prepared for submission to the Assembly or a parliamentary committee before that document is laid on the table of the Assembly or parliamentary committee;

(b) print, or cause to be printed, a copy of an Act, a report, paper or votes and proceedings of the Assembly purporting that the Act, report, paper or votes and proceedings has been printed by the Government Printer or with the authority of the Speaker; or

(c) give, in evidence, a copy of a document referred to under paragraph (b).

(2) Despite subsection (1), a person shall not be liable in any civil or criminal proceedings instituted in respect of the publication or printing of an extract from, or abstract of, a report, paper or votes and proceedings if a court is satisfied that the extract or abstract was published or printed by that person in good faith.

(3) A person who contravenes subsection (1) commits an offence.

33. A person who commits an offence under this Act, for which a penalty is not provided is liable, on conviction, to a fine not exceeding fifty thousand penalty units or to imprisonment for a term not exceeding six months, or to both.

General penalty

34. Despite the Criminal Procedure Code Act or any other relevant written law relating to limitation of time for trial, an offence under this Act shall be tried by a court within two years from the date the matter arose.

Trial of offence
Cap.88

35. (1) The National Assembly (Powers and Privileges) Act is repealed.

Repeal of
Cap. 12 and
savings and
transitional
provisions

(2) Despite subsection (1), a power or privilege which was enjoyed by a Member or an officer before the commencement of this Act shall continue to be enjoyed by that Member or officer under this Act as if conferred under this Act.

SCHEDULE
(Sections 7 and 11)

NATIONAL ASSEMBLY OF ZAMBIA
**CERTIFICATE OF EXEMPTION FROM ATTENDANCE AS WITNESS
OR DEFENDANT**

This is to certify that:

[INSERT NAME OF MEMBER OR OFFICER], is required to attend the proceedings of the National Assembly, which is in session from [START DATE] to [END DATE].

In accordance with parliamentary privilege and established practice, [INSERT NAME OF MEMBER OR OFFICER] is hereby exempted from appearing as [WITNESS/ DEFENDANT] before [INSERT NAME OF COURT, TRIBUNAL, COMMISSION OR OTHER PROCEEDINGS] on [DATE(S)], as their presence is required for the execution of their [PARLIAMENTARY/OFFICIAL DUTIES].

This certificate is issued under my hand and authority as Speaker of the National Assembly of Zambia.

Given under my hand at Lusaka, this [Day] of [Month, Year].

[Signature]

[SPEAKER'S FULL NAME]

Speaker of the National Assembly of Zambia.

NATIONAL ASSEMBLY OF ZAMBIA

SUMMONS TO A WITNESS

To: **(INSERT FULL NAMES OF WITNESS)**

of: **[ADDRESS]**

You are hereby commanded **in the name of the Speaker of the National Assembly** to attend in person before **[NAME OF PARLIAMENTARY COMMITTEE]** at **[VENUE]** on the **[DAY]** of **[MONTH, YEAR]**, at.....hours, and so on from day to day until the matter at hand is duly considered, to testify all that you know in respect of **[SUBJECT MATTER / INQUIRY NAME]** and/or submit information/ produce the following documents:

[LIST OF REQUIRED DOCUMENTS, IF ANY]

Please note that failure to comply with this summons is an offence and may result in penal sanctions.

Issued at **Parliament Buildings, Lusaka**, this **[Day]** of **[Month, Year]**.

[Signature]

Clerk of the National Assembly

