

**THE PARLIAMENTARY CODE OF CONDUCT BILL,
2026**

MEMORANDUM

The object of this Bill is to —

- (a) establish a code of conduct for Members of Parliament;
- (b) repeal and replace the Parliamentary and Ministerial Code of Conduct Act, 1994; and
- (c) provide for matters connected with, or incidental to, the foregoing.

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Attorney-General

**THE PARLIAMENTARY CODE OF CONDUCT BILL,
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A BILL

ENTITLED

An Act to establish a code of conduct for Members of Parliament; to repeal and replace the Parliamentary and Ministerial Code of Conduct Act, 1994 and to 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 Parliamentary Code of Conduct Act, 2026. Short title
2. In this Act, unless the context otherwise requires — Interpretation
- “associate” has the meaning assigned to the word in the Anti- Corruption Act; Cap.91
- “Consolidated Fund” means the Consolidated Fund established under the Constitution; Cap.1
- “Electoral Commission of Zambia” means the Electoral Commission of Zambia established under the Constitution; Cap. 1
- “Emoluments” has the meaning assigned to the word in the Constitution; Cap.1
- “Emoluments Commission” means the Emoluments Commission established under the Constitution; Cap.1
- “Government Chief Whip” means a Member appointed as Government Chief Whip in accordance with the Standing Orders;

Cap. 384	“law enforcement agency” has the meaning assigned to the words in the Financial Intelligence Centre Act;	
Cap.305	“legally disqualified” means the absence of legal capacity as provided in section 4 of the Mental Health Act;	
Cap.1	“Member” has the meaning assigned to the words “Member of Parliament” in the Constitution;	5
Cap.1	“Assembly Chamber” means a place where the National Assembly or parliamentary committee meets for its sittings;	
Cap.1	“parliamentary committee” has the meaning assigned to the words in the Constitution;	10
Cap. 87	“offensive weapon” has the meaning assigned to the words in the Penal Code Act;	
Cap.1	“public officer” has the meaning assigned to the words in the Constitution;	
Cap.91	“public property” has the meaning assigned to the words in the Anti Corruption Act;	15
Cap.91	“relative” has the meaning assigned to the word in the Anti-Corruption Act;	
Cap.1	“sitting” has the meaning assigned to the word in the Constitution;	20
Cap.1	“superior court” has the meaning assigned to the word in the Constitution;	
Cap.1	“Speaker” has the meaning assigned to the word in the Constitution;	
Cap.1	“standing orders” means the Standing Orders of the National Assembly made in accordance with Article 77 of the Constitution; and	25
	“tribunal” means an <i>ad hoc</i> tribunal constituted under section 11.	

PART II

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CODE OF CONDUCT FOR MEMBERS

Sitting of National Assembly to take precedence	3. (1) A sitting of the National Assembly shall take precedence over any other duties of a Member.	
	(2) A Member shall not, without the written permission of the Speaker or Government Chief Whip, be absent from eight consecutive sittings of the National Assembly or a parliamentary committee.	35

4. A Member shall not enter the Assembly Chamber with an offensive weapon.

Prohibition against entering Assembly Chamber with offensive weapon

5. (1) A Member shall not acquire a pecuniary advantage or assist a person in acquiring a pecuniary advantage.

Member not to acquire dishonestly or improperly any pecuniary advantage

5 (2) For the purposes of subsection (1), a Member acquires a pecuniary advantage or assists a person to acquire a pecuniary advantage, if that Member —

10 (a) improperly uses or benefits from information which is not available to the public that the Member obtains as a result of, or in the course of, the performance of the Members' functions;

(b) discloses official information to an unauthorised person;

(c) uses the Members' position to influence the appointment, promotion, discipline or removal of a public officer; or

15 (d) directly or indirectly converts public property for personal or other unauthorised use.

(3) Despite subsection (2), the following shall not be considered as a pecuniary advantage:

20 (a) receipt of a benefit of a nominal value, including customary hospitality and an official or token gift as prescribed;

(b) receipt of gifts from a relative; or

(c) transfer of property in accordance with an enforceable property right of the Member or under a contract of sale for which full value is given.

25 6. (1) A Member that is present at a sitting of the National Assembly or a parliamentary committee, at which any matter is the subject of consideration and in which matter that Member or the Member's relative or associate is directly or indirectly interested in a private capacity, shall, as soon as is practicable after the
30 commencement of the sitting, declare that interest and shall not, unless the National Assembly or the parliamentary committee otherwise directs, take part in any consideration or discussion of, or vote on, any question relating to that matter.

Member to disclose interest to National Assembly

(2) A disclosure of interest made under this section shall be recorded in the minutes of the sitting at which the disclosure is made.

Declaration
of
interest in
Government
contract

7. (1) A Member shall, where the Member has direct or indirect interest in a contract that the Government has entered into, or the Government intends to enter into, make a declaration of that interest, in writing, to the Chief Justice, stating the nature and extent of the interest in accordance with this section. 5

(2) For purposes of subsection (1), a Member shall be considered to have an interest in a contract that the Government has entered into or intends to enter into, if the Member has — 10

(a) derived or is likely to derive a benefit, whether direct or indirect, from the contract; or

(b) an interest in a body corporate or a firm that is a party to the contract. 15

(3) Despite subsection 2(b), a Member shall not be considered to have an interest in a body corporate if that Member —

(a) holds a debenture issued by that body corporate to the Member as security for a loan; or

(b) holds shares in the body corporate with a total market value that is less than the annual emoluments payable to that Member. 20

(4) A declaration made under subsection (1) shall be in writing and clearly state —

(a) that the Member has an interest in a body corporate or a firm that is a party to a contract that the Government has entered into or intends to enter into; 25

(b) the nature and extent of the interest;

(c) where the interest is in a body corporate or a firm, the percentage of shares in a company, or the partnership interest in the firm, held by the Member; and 30

(d) that the Member is to be considered as having an interest in any contract which may, after the date of the declaration, be made with the Government by the body corporate or a firm that the Member has declared as having an interest in accordance with this section. 35

(7) A Member contravenes this section if that Member—

(a) fails, without reasonable cause, to make a declaration required under this section; or

5 (b) knowingly or negligently makes a false or misleading declaration under this section.

8. (1) A Member shall declare, in writing, to the Chief Justice that Member’s assets, liabilities and income —

Declaration of assets, liabilities and income

(a) within sixty days of taking oath of office as a Member; and

10 (b) annually, within sixty days after each anniversary of taking oath as a Member under paragraph (a).

(2) A declaration made under subsection (1) shall state the —

(a) value of the assets, other than personal and household effects, of the Member at the date of declaration;

15 (b) liabilities of the Member at the date of declaration; and

(c) total income of the Member including income derived from a source other than the office of a Member, for the twelve months preceding the date of declaration.

20 (3) A declaration of assets, liabilities and income made in accordance with this section shall be considered as a statutory declaration.

(4) In this section, “date of declaration” means the date on which the Member took oath of office or the anniversary of the date that the Member took oath of office.

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PART III

ADMINISTRATION AND ENFORCEMENT

30 9. (1) The Chief Justice shall, on receipt of a declaration of interest and a declaration of assets, liabilities and income made in accordance with sections 7 and 8, cause the particulars of the declaration to be entered in a register.

Registration of declaration of interest and assets

(2) A register referred to in subsection (1), shall be kept and maintained by the Chief Justice and shall be open for inspection by members of the public during normal office hours on payment of a prescribed fee.

35 10. (1) A person who alleges that a Member has breached sections 5, 6, 7 and 8 of this Act shall lodge a complaint, in writing, with the Chief Justice stating the particulars of the alleged breach.

Complaint of breach against Member

(2) A complaint lodged in accordance with subsection (1) shall be signed by the complainant and include the following information:

(a) full name of the complainant; and

(b) residential address of the complainant.

(3) The Chief Justice shall, within seven days of receipt of a complaint referred to under subsection (1), notify the President and the Speaker of the complaint.

Ad hoc
tribunal

11. (1) The Chief Justice shall, in addition to notifying the President and the Speaker under section 10(3), constitute an *ad hoc* tribunal to investigate the complaint. 10

(2) An *ad hoc* tribunal constituted under subsection (1) shall consist of the following part-time members appointed by the Chief Justice:

(a) the Chairperson, who shall be a judge or a person who has previously held the office of a judge of a superior court; and 15

(b) two other persons, who are eligible to be appointed as a judge of a superior court.

(3) The members of a tribunal shall be appointed for a duration and on terms and conditions that maybe specified in their letters of appointment. 20

(4) Subject to subsection (1), the Chief Justice may, where a tribunal has been constituted, direct the tribunal to investigate further allegations under this section, against the Member concerned or another Member. 25

(5) A person shall not be appointed as a member of a tribunal if that person —

(a) is an undischarged bankrupt;

(b) is legally disqualified from performing the functions of a member of a tribunal; 30

(c) has been convicted of an offence under any written law and sentenced to imprisonment for a term exceeding six months without an option of a fine; or

(d) is serving as a Member.

(6) The office of a member of a tribunal shall become vacant if the member of a tribunal —

(a) dies;

5 (b) is absent without reasonable excuse from three consecutive sittings of a tribunal of which the member of the tribunal had notice;

(c) is removed by the Chief Justice;

(d) is adjudged bankrupt;

10 (e) is legally disqualified from performing the functions of a member of a tribunal; or

(f) is convicted of an offence under this Act or any written law and sentenced to imprisonment for a term exceeding six months, without an option of a fine.

15 (7) The Chief Justice shall, where there is a vacancy in the membership of a tribunal before the expiry of the term of office, appoint another person to replace the member of the tribunal who vacates office, but that person shall only hold office for the remainder of the term.

20 **12.** (1) A tribunal shall, within thirty days of being constituted, hear and determine a complaint.

Powers of
tribunal

(2) A complaint shall be heard and determined in public, except that a tribunal may exclude any person from the proceedings of the tribunal if the tribunal considers it necessary for the preservation of public order.

25 (3) A tribunal shall afford a Member against whom a complaint is made the right to appear personally or be represented by a legal practitioner or an agent.

(4) A tribunal may, as the tribunal considers necessary for the proper conduct of the tribunal's hearing use experts or request
30 assistance from a law enforcement agency.

(5) The law enforcement agency referred to under subsection (4) shall provide information to the tribunal and may conduct further investigations on behalf of the tribunal.

35 (6) A tribunal shall, within fourteen days from the completion of a hearing, submit to the President and the Speaker a report on the tribunals findings and serve a copy on the Member against whom a complaint is made.

(7) The Speaker shall, where the report of a tribunal submitted under subsection (6) confirms that a Member has breached the provisions of this Act, within seven days of receipt of the report, inform the Electoral Commission of Zambia, in writing, that a vacancy has occurred. 5

(8) A tribunal shall, where the tribunal determines that an allegation is frivolous or vexatious, or that the particulars accompanying the complaint are insufficient to allow a proper investigation, state in the tribunal's report that the allegations are frivolous or vexatious or that the particulars accompanying the complaint are insufficient. 10

(9) A tribunal may recommend administrative action, criminal prosecution or other further action to be taken that the tribunal considers necessary.

Cap.41 (10) Sections 7, 11, 13, 14, 15 and 17 of the Inquiries Act shall apply to a tribunal constituted under this Act as if— 15

(a) the tribunal were a commission appointed under the Act;

(b) a reference to a commissioner were a reference to a member of a tribunal; and

(c) a reference to the President were a reference to the Chief Justice. 20

Cap. 30 (12) For purposes of this section, "legal practitioner" has the meaning assigned to the word "practitioner" in the Legal Practitioners Act.

Emoluments and expenses of tribunal 13. (1) The emoluments and expenses of a tribunal under this Act shall be a charge on the Consolidated Fund. 25

(2) The members of a tribunal shall be paid allowances as the Emoluments Commission may, on the recommendation of the Chief Justice, determine.

PART IV

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GENERAL PROVISIONS

Effect of contravening Act 14. A Member who contravenes a provision of this Act shall vacate that Members' seat in the National Assembly.

General Offence 15. A person who knowingly or negligently makes a false allegation under this Act 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. 35

16. (1) The President may, by statutory instrument, make Regulations for the better carrying out of the provisions of this Act. 40

(2) Despite subsection (1), Regulations made under subsection (1) may provide for — Regulations

(a) the nominal value of a benefit including customary hospitality and an official or token gift; and

5 (b) fees for the inspection of the register.

17. (1) The Parliamentary and Ministerial Code of Conduct Act is repealed. Repeal of Cap.16 and savings and transitional provisions

(2) Despite subsection (1), section 9 of the repealed Act shall continue in force until such a time as Parliament shall enact a law 10 to provide for the collective responsibility of Ministers.

(3) A declaration of interest made by a Member under the repealed Act shall be considered to have been made in accordance with this Act.

(4) A declaration by a Member of a Member's interest in a 15 contract that the Government has entered into, or that the Government intends to enter into, made under the repealed Act shall be considered to have been made in accordance with this Act.

(5) A declaration by a Member of a Member's assets, liabilities 20 and income made under the repealed Act, shall be considered to have been made in accordance with this Act.

(6) A person who immediately before the commencement of this Act held office as a member of a tribunal shall continue to hold office as a member of the tribunal for a period of three months 25 after which the Chief Justice shall appoint the members of a tribunal in accordance with this Act.

(7) A complaint lodged under the repealed Act shall be considered to have been lodged in accordance with this Act and shall be heard and determined in accordance with this Act.

