

**THE FLYING DOCTOR SERVICE (AMENDMENT)
BILL, 2026**

MEMORANDUM

The object of this Bill is to amend the Flying Doctor Service Act so as to —

- (a) revise the composition of the Flying Doctor Service Board;
and
- (b) provide for matters connected with, or incidental to, the foregoing.

M. D. KABESHA,
Attorney-General

A BILL

ENTITLED

An Act to amend the Flying Doctor Service Act.

ENACTED by the Parliament of Zambia.

Enactment

1. (1) This Act may be cited as the Flying Doctor Service (Amendment) Act, 2026, and shall be read as one with the Flying Doctor Service Act, in this Act referred to as the principal Act.

Short title and commencement

Cap. 298

5 (2) This Act shall come into operation on the expiry of the term of office, or removal by the Minister, of the members of the Board holding office prior to the enactment of this Act, after which the Minister shall appoint the members of the Board in accordance with this Act.

10 2. Section 2 of the principal Act is amended by the insertion of the following new definitions in the appropriate places in alphabetical order:

Amendment of section 2

“Emoluments Commission” means the Emoluments Commission established under the Constitution; and

Cap. 1

15 “legally disqualified” means the absence of legal capacity as provided in section 4 of the Mental Health Act;

Cap. 305

Repeal and
replacement
of section 5

3. The principal Act is amended by the repeal of section 5 and substitution therefor of the following:

Composition
of Board

5. (1) The Board shall consist of the following part-time members appointed by the Minister:

- (a) two representatives of the ministry responsible for health; 5
- (b) a representative of the Attorney-General;
- (c) a representative of the Zambia Air Force;
- (d) three representatives from the private sector with relevant knowledge and experience in medical or aviation services; 10
- (e) a representative from the private sector with relevant knowledge and experience in business; and 15
- (f) a representative from the private sector with relevant knowledge and experience in matters relating to this Act.

(2) The ministry and institutions referred to under subsection (1) shall nominate their representatives for appointment by the Minister. 20

(3) The Minister shall appoint the Chairperson from among the members of the Board.

(4) The members of the Board shall elect the Vice-Chairperson from among themselves. 25

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

- (a) is not a citizen;
- (b) is an undischarged bankrupt;
- (c) is legally disqualified from performing the functions of a member; 30
- (d) has been convicted of an offence under this Act or any other written law and sentenced to imprisonment for a term exceeding six months without an option of a fine; or 35
- (e) is an employee of the service.

4. The principal Act is amended by the repeal of section 5A and the substitution therefor of the following:

Repeal and replacement of section 5A

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5A. (1) A member of the Board shall, subject to the other provisions of this Act, hold office for a term of three years and may be re-appointed for a further and final term of three years.

Tenure and vacancy of office of member of Board

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(2) A member shall, on the expiration of the term for which the member is appointed, continue to hold office until another member is appointed, but in no case shall the further period exceed four months.

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(3) The office of a member of the Board becomes vacant if that member —

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(a) dies;

(b) is adjudged bankrupt under any written law;

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(c) is absent, without reasonable excuse, from three consecutive meetings of the Board, of which the member has had notice, without the prior approval of the Board;

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(d) resigns by giving one month's notice, in writing, to the Minister;

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

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

(g) ceases to be an employee or a member of the ministry, institution or organisation that the member is representing; or

(h) is removed by the Minister.

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(4) Where there is a vacancy in the membership of the Board before the expiry of the term of office, the Minister shall appoint another person to replace the member who vacates office but that person shall only hold office for the remainder of the term.

Repeal and
replacement
of section 6

Proceedings
of Board

5. The principal Act is amended by the repeal of section 6 and the substitution therefor of the following:

6. (1) Subject to the other provisions of this Act, the Board may regulate its own procedure.

(2) The Board shall meet for the transaction of business at least once in every three months at such places and times as the Board may determine.

(3) The Chairperson shall, on giving notice of not less than fourteen days, call for a meeting of the Board, or were one third or more of the members so request, in writing, except that if the urgency of a particular matter does not permit the giving of a notice, a special meeting may be called on giving a shorter notice.

(4) Seven members of the Board shall constitute a quorum at a meeting of the Board.

(5) There shall preside at a meeting of the Board —

(a) the Chairperson;

(b) in the absence of the Chairperson, the Vice-Chairperson; or

(c) in the absence of both the Chairperson and the Vice-Chairperson, such other member as the members present may elect for the purpose of that meeting.

(6) A decision of the Board on any question shall be by a majority of the members present and voting at the meeting and in the event of an equality of votes, the person presiding at the meeting shall have a casting vote, in addition to that person's deliberative vote.

(7) The Board may invite any person, whose presence is in its opinion desirable, to attend and to participate in the deliberations of a meeting of the Board, but that person shall have no vote.

(8) The validity of any proceedings, acts or decisions of the Board shall not be affected by any vacancy in the membership of the Board or by any defect in the appointment of any member or by reason that any person not entitled to do so, took part in the proceedings.

(9) The Board shall cause minutes to be kept of the proceedings of the meetings of the Board and of any committee constituted by the Board.

6. Section 7 (1) of the principal Act is amended by the — Amendment of section 7

5 (a) deletion of paragraph (e); and

(b) renumbering of paragraphs (f), (g) and (h) as paragraphs (e), (f) and (g), respectively.

7. The principal Act is amended by the insertion of the following new section immediately after section 7A: Insertion of section 7B

10 7B. (1) The Board shall appoint a Director of the Service who shall be — Director and other staff of Service

(a) the chief executive officer of the Board; and

15 (b) responsible for the day-to-day administration of the Board.

(2) The Director of the Service shall perform functions as may be assigned to the Director of the Service by the Board and this Act.

20 (3) The Board shall appoint other staff of the Service that the Board considers necessary for the performance of the functions of the Service.

(4) The Board shall determine the terms and conditions of service, other than emoluments, of the Director and other staff of the Service.

25 (5) The Emoluments Commission shall, on the recommendation of the Board, determine the emoluments of the Director and other staff of the Service.

