

**THE TOURISM AND HOSPITALITY (AMENDMENT)  
BILL, 2026**

**MEMORANDUM**

The object of this Bill is to amend the Tourism and Hospitality Act, so as to—

- (a) revise the composition of the Board of the Zambia Tourism Agency;
- (b) revise the composition of the Hotel Managers' Registration Council; 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 Tourism and Hospitality Act.**

ENACTED by the Parliament of Zambia

Enactment

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

Short title and commencement  
Cap. 155

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 and Council holding office prior to the enactment of this Act, after which the Minister shall appoint the members of the Board and Council 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

“associate” has the meaning assigned to the word in the Anti-Corruption Act;

Cap. 91

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

Cap. 1

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

Cap. 305

Cap. 204	“Zambia Environmental Management Agency” means the Zambia Environmental Management Agency established under the Environmental Management Act;	
Cap. 390	“Zambia Institute of Chartered Accountants” means the Zambia Institute of Chartered Accountants established under the Accountants Act; and	5
Act No. 2 of 2022	“Zambia Institute of Marketing” means the Zambia Institute of Marketing established under the Zambia Institute of Marketing Act, 2022.	
Repeal and replacement of section 14	3. The principal Act is amended by the repeal of section 14 and the substitution therefor of the following:	10
Board of Agency	14. (1) There is constituted the Board of the Agency which consists of the following part time members appointed by the Minister:	
	(a) a representative of the ministry responsible for tourism;	15
	(b) a representative of the Attorney-General;	
	(c) a representative of the Tourism Council of Zambia;	
	(d) a representative of the Zambia Institute of Marketing;	20
	(e) a representative of the Hotel and Catering Association of Zambia;	
	(f) a representative of a civil society organisation engaged in matters relating to this Act; and	25
	(g) a person, from the private sector, with relevant knowledge and experience in matters relating to this Act.	
	(2) The ministry, institutions and organisations referred to in subsection (1) shall nominate their representatives for appointment by the Minister.	30
	(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.	35

(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;

5 (c) is legally disqualified from performing the functions of a member; or

10 (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.

(6) A member shall hold office for a term of three years and may be re-appointed for a further and final term of three years from the date of appointment.

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

(a) dies;

(b) is adjudged bankrupt under any written law;

20 (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;

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

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

30 (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;

35 (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.

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

(9) The Minister shall, where the office of a member becomes vacant before the expiry of the term of office, appoint another person to replace the member who vacates office but that person shall only hold office for the remainder of the term.

(10) The provisions of the First Schedule apply to the Board.

Repeal and  
replacement  
of section 18

4. The principal Act is amended by the repeal of section 18 of the principal Act and the substitution thereof of the following:

Director,  
Secretary  
and other  
staff

18. (1) The Board shall appoint a Director for the Agency who shall be—

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

(b) responsible for the day-to-day administration of the Agency under the direction of the Board.

(2) The Director shall attend meetings of the Board but shall have no vote.

(3) The Board shall appoint—

(a) a Secretary who shall perform corporate secretarial duties for the Board and other functions that the Board may determine, under the direction of the Board and the Director; and

(b) other staff of the Agency that the Board considers necessary for the performance of the Agency's functions.

(4) The Emoluments Commission shall, on the recommendation of the Board, determine the emoluments of the Director, Secretary and other staff of the Agency.

(5) The Board shall determine the terms and conditions of service, other than emoluments, of the Director, Secretary and other staff of the Agency.

Amendment  
of section 55

5. Section 55 the principal Act is amended—

(a) by the deletion of subsections (1) and (2) and the substitution thereof of the following:

(1) There is constituted the Hotel Managers' Registration Council which consists of the following part-time members appointed by the Minister:

- 5 (a) a representative of the Ministry responsible for tourism;
- (b) a representative of the Attorney-General;
- (c) a representative of the Zambia Institute of Marketing;
- 10 (e) a representative of the Tourism Council of Zambia;
- (f) a representative of the Hotel and Catering Association of Zambia;
- (g) a representative of a civil society organisation engaged in matters relating to this Act; and
- 15 (h) one person, from the private sector, with knowledge and experience in matters relevant to this Act.

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

(b) in subsection (5), by the deletion of paragraph (e) and (f) and the substitution therefor of the following:

- 25 (e) is legally disqualified from performing the functions of a member; or
- (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 the option of a fine.;
- 30 and

(c) by the deletion of subsection (7) and the substitution therefor of the following:

35 (7) The Emoluments Commission shall, on the recommendation of the Minister, determine the allowances of a member of the Council.

6. The First Schedule to the principal Act is amended by the deletion of—

Amendment  
of First  
Schedule

(a) the heading and the substitution therefor of the following:

FIRST SCHEDULE

(Section 10(2) and 14(10))

(b) paragraph 2 and the substitution therefor of the following:

Allowances

2. A member of the Board or committee of the Board shall be paid allowances that the Emoluments Commission may, on the recommendation of the Minister, determine. 5

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