

**THE NATIONAL HERITAGE CONSERVATION
COMMISSION (AMENDMENT)
BILL, 2026**

MEMORANDUM

The objects of this Bill is to amend the National Heritage Conservation Commission Act, so as to—

- (a) revise the composition of the National Heritage Conservation Commission; and
- (b) provide for matters connected with, or incidental to, the forgoing.

M. D. KABESHA,
Attorney-General

N. A. B. 22, 2026

19th March, 2026

A BILL

ENTITLED

An Act to amend the National Heritage Conservation Commission Act.

ENACTED by the Parliament of Zambia

Enactment

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

Short title and commencement

Cap. 173

(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 Commission holding office prior to the enactment of this Act, after which the Minister shall appoint the members of the Commission in accordance with this Act.

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;

Cap. 1

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

Cap. 305

N. A. B. 22, 2026

Cap. 442	“Zambia Institute of Architects” means the Zambia Institute of Architects established under the Zambia Institute of Architects Act; and “Zambia Institute of Chartered Accountants” means the Zambia Institute of Chartered Accountants established under the Accountants Act.	5
Cap. 390	3. The principal Act is amended by the repeal of section 5 and the substitution therefor of the following:	
Repeal and replacement of section 5	5. (1) The Commission consists of the following part-time members appointed by the Minister:	
Composition of Commission	<ul style="list-style-type: none"> (a) a representative each from the ministries responsible for <ul style="list-style-type: none"> (i) lands; (ii) local government; and (iii) tourism; (b) a representative of the Attorney-General; (c) one chief; (d) a representative of the Zambia Institute of Architects; (e) a representative of the Zambia Institute of Chartered Accountants; (f) a representative of the Tourism Council of Zambia; (g) a representative of a non-governmental organisation engaged in matters relevant to this Act; and (h) two persons from the private sector with knowledge and experience in matters relevant to this Act. 	<p>10</p> <p>15</p> <p>20</p> <p>25</p>
	(2) The ministries, 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 Commission.	
	(4) The members shall elect the Vice-Chairperson from among themselves.	35

(5) A person shall not be nominated for appointment as a member of the Commission if that person is—

- (a) is an undischarged bankrupt;
- 5 (b) is legally disqualified from performing the functions of a member; and
- (c) 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.

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

Repeal and replacement of section 6

6. (1) A member of the Commission shall, subject to other provisions of this Act, hold office for a term of three years from the date of appointment and may be reappointed for a further and final term of three years.

Tenure of office and vacancy

15 (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 an extension of the period exceed three months.

20 (3) The office of a member of the Commission becomes vacant if the member—

- (a) dies;
- (b) is adjudged bankrupt under any written law;
- (c) is absent, without reasonable excuse and without the prior approval of the Commission, from three consecutive meetings of the Commission, of which the member has had notice;
- 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) ceases to be an employee or a member of the ministry, institution or organisation that nominated that member; or
- (g) 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.
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(Amendment)

(4) The Minister shall, where the office of a member of the Commission becomes vacant before the expiry of the term of office, appoint another member in place of that member of the Commission but that member shall hold office as a member of the Commission only for the unexpired part of the term of the Commission. 5

Repeal and
replacement
of section 7

5. The principal Act is amended by the repeal of section 7 and the substitution therefor of the following:

Allowances

7. A member of the Commission shall be paid allowances that the Emoluments Commission may, on the recommendation of the Minister, determine. 10
