

**THE LANDS AND DEEDS REGISTRY
(AMENDMENT) BILL, 2021**

MEMORANDUM

The objects of this Bill is to amend the Lands and Deeds Registry Act so as to provide for—

- (a) the electronic and digital signatures in land registration;
- (b) the issuance and maintenance of a Provisional Certificate or Certificate of Title in electronic form; and
- (c) matters connected with, or incidental to, the foregoing

L. KALALUKA,
Attorney-General

N.A.B. 37, 2021
19th April, 2021

A BILL

ENTITLED

An Act to amend the Lands and Deeds Registry Act.

ENACTED by the Parliament of Zambia.

Enactment

1. This Act may be cited as the Lands and Deeds Registry (Amendment) Act, 2021, and shall be read as one with the Lands and Deeds Registry Act, in this Act referred to as the principal Act.

Short title

Cap. 185

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

10 “document” means a written, printed or electronic material that provides information, evidence or material content and includes—

(a) a graph or drawing; and

15 (b) information recorded or stored by electronic means or on a technological device and capable of being reproduced.

“digital signature” has the meaning assigned to the words in the Electronic Communications and Transactions Act, 2021; and

Act No.4 of 2021

20 “electronic signature” has the meaning assigned to the words in the Electronic Communications and Transactions Act, 2021.

Act No. 4 of 2021

3. The principal Act is amended by the insertion of the following new section immediately after section 4:

Insertion of section 4A

4 No. of 2021] *Lands and Deeds Registry (Amendment)*

Document
to be filed or
delivered
in electronic
form

4A. (1) A document required to be lodged with or delivered to the Registrar may be lodged or delivered by means of a device or facility that records or stores information electronically as prescribed.

(2) A signature for the purposes of this Act includes an electronic and digital signature. 5

Repeal and
replacement
of section 30

4. The principal Act is amended by the repeal of section 30 and the substitution therefor of the following:

who may
obtain
Provisional
Certificate
or Certificate
of Title

(1) A Provisional Certificate or a Certificate of Title may be issued only to a holder of land in fee simple or as absolute owner or to the original lessee or subsequent transferee of a State Lease. 10

(2) A Provisional Certificate or Certificate of Title may be issued and maintained in electronic form, as prescribed.
