

THE CITIZENSHIP OF ZAMBIA BILL, 2016

MEMORANDUM

The objects of this Bill are to—

- (a) provide for the composition, functions, tenure and procedures of the Citizenship Board of Zambia;
- (b) make procedural provisions for the acquisition, deprivation and renunciation of citizenship of Zambia;
- (c) repeal and replace the Citizenship of Zambia Act, 1975; and
- (d) provide for matters connected with, or incidental to, the foregoing.

A. MWANSA,
Solicitor-General

THE CITIZENSHIP OF ZAMBIA BILL, 2016

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A. MWANSA,
Solicitor-General

N.A.B 33, 2016

4th May, 2016

A BILL

ENTITLED

An Act to provide for the composition, functions, tenure and procedures of the Citizenship Board of Zambia; make procedural provisions for the acquisition, deprivation and renunciation of citizenship of Zambia; repeal and replace the Citizenship of Zambia Act, 1975; and 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 Citizenship of Zambia Act,
5 2016.

Short title

2. (1) In this Act, unless the context otherwise requires—

Interpretation

“associate” has the meaning assigned to it in the Anti-Corruption Act, 2012;

Act No. 3 of 2012

10 “Board” means the Citizenship Board of Zambia established under Article 41 of the Constitution;

Cap. 1

“Chairperson” means the person appointed as the Chairperson of the Board or a person appointed to act as Chairperson under section *three*;

15 “Chief Passports and Citizenship Officer” means the person appointed as such under section *ten*;

“citizen” has the meaning assigned to it in the Constitution;

Cap. 1

Deputy Chief Passports and Citizenship Officer” means the person appointed as such under section *ten*;

N.A.B 33, 2016

- “dual citizen” means a citizen who has acquired the citizenship of another country;
- “dual citizenship” means the acquisition of the citizenship of one other country in addition to Zambian citizenship;
- Cap. 1 “Emoluments Commission” means the Emoluments Commission established under Article 232 of the Constitution;
- “functions” includes powers and duties;
- “member” means a person appointed as a member of the Board under section *three*; 10
- Cap. 126 “national identity document” means a document used to verify aspects of a person’s personal identity;
- “national registration card” has the meaning assigned to it in the National Registration Act;
- Cap. 5 “oath of allegiance” means an oath taken in accordance with sections *four* and *five* of the Official Oaths Act; 15
- “ordinarily resident” means a person who has been a resident in Zambia and is a holder of a residence permit issued under the Immigration and Deportation Act, 2010;
- Act No. 18 of 2010 “relative” means— 20
- (a) a person’s son, daughter, brother, sister, nephew, niece, parent, uncle, aunt, grandparent or cousin; and
- (b) a person’s spouse of the spouse of any of the persons mentioned in paragraph (a); 25
- “Vice-Chairperson” means the person elected as Vice-Chairperson under section *three*.
- (2) For the purposes of this Act—
- (a) a person is of full age if that person has attained the age of eighteen years; and 30
- (b) a person shall be deemed to have attained full age—
- (i) on the commencement of the eighteenth anniversary of the person’s date of birth; or
- (ii) in the case of a person born on the 29th February in any year, on the 1st of March in the year 35 which is eighteen years after the person’s date of birth.

PART II

THE CITIZENSHIP BOARD OF ZAMBIA

3. (1) The Board shall consist of the following parttime members appointed by the President: Composition
of Board

- 5 (a) the Minister as Chairperson; and
 (b) four other members.

(2) The members shall elect the Vice-Chairperson from amongst themselves.

(3) A person shall not be appointed as a member if that
10 person—

- (a) is not a citizen;
(b) has dual citizenship;
(c) is below the age of twentyone years;
15 (d) has a mental or physical disability that would make that person incapable of performing the functions of a member;
(e) is convicted of an offence under this Act or any other written law and sentenced to a term of imprisonment for a period exceeding six months without the option of
20 a fine;
(f) is an undischarged bankrupt or is declared bankrupt under any written law; or
(g) is detained under the authority of any written law or that person's freedom of movement is restricted.

25 4. (1) Subject to the Constitution and this Act, the functions of the Board are to— Functions
of Board
Cap. 1

- (a) consider and determine applications for registration as a citizen;
(b) consider and determine applications for the declaration
30 and renunciation of citizenship;
(c) consider and determine matters relating to deprivation of citizenship acquired by registration;
(d) receive, maintain and update information on citizenship;
and
35 (e) do all such other things as are necessary or incidental to the performance of its functions under this Act.

(2) The Board may, in furtherance of its functions—

- (a) collect information that it considers relevant for the performance of its functions;
- (b) undertake consultations with stakeholders or hold inquiries for the purposes of performing its functions under this Act; and
- (c) receive written or oral statements from any person or organisation for purposes of its functions under the Constitution and this Act.

Cap. 1

Tenure of
office and
vacancy

5. (1) A member of the Board shall hold office for a term of 10 three years and may be reappointed for a further term of three years.

(2) The office of a member becomes vacant if the member—

- (a) dies;
- (b) resigns;
- (c) is absent, without reasonable excuse, from three consecutive meetings of the Board of which the member has had notice without the approval of the Board;
- (d) is adjudged bankrupt;
- (e) is convicted of an offence under this Act or any other written law and sentenced to imprisonment for a period exceeding six months without the option of a fine;
- (f) is removed by the President; or
- (g) has a mental or physical disability that makes the member incapable of performing the duties of a member.

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(3) A member may resign by giving one month's notice, in writing, to the President.

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

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(5) Whenever the office of a member becomes vacant before the expiry of the term of office, the President may appoint another person to be a member in place of the member who vacates the office for the unexpired term of that office.

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Proceedings
of Board

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 its business at least once in every three months at such places and times as the Chairperson may determine.

(3) Three members shall form a quorum at a meeting of the Board, one member of which shall be the Chairperson or Vice-Chairperson.

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

(a) the Chairperson;

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

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

(5) 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.

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

(7) 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.

(8) The Board shall cause minutes to be kept of the proceedings of its meetings.

7. The Board may, subject to any conditions imposed and guidelines issued by it, delegate any of the Board's functions to the Chief Passports and Citizenship Officer.

Delegation of functions of Board

8. (1) The seal of the Board shall be such device as may be determined by the Board and shall be kept by the Chief Passports and Citizenship Officer.

Seal of Board

(2) The affixing of the seal shall be authenticated by the Chairperson or the Vice-Chairperson and the Chief Passports and Citizenship Officer or any other person authorised in that behalf by a resolution of the Board.

(3) A contract or instrument which, if entered into or executed by a person not being a body corporate, would not be required to be under seal may be entered into or executed without seal on behalf of the Board by the Chief Passports and Citizenship Officer or any other person generally or specifically authorised by the Board in 5 that behalf.

(4) A document purporting to be under the seal of the Board or issued on behalf of the Board shall be received in evidence and shall be deemed to be so executed or issued, as the case may be, without further proof, unless the contrary is proved. 10

Emoluments

9. A member of the Board shall be paid such emoluments as the Emoluments Commission may determine.

Chief
Passports
and
Citizenship
Officer,
Deputy
Chief
Passports
and
Citizenship
Officer and
other staff

10. (1) The Civil Service Commission shall appoint, as public officers, the Chief Passports and Citizenship Officer, the Deputy Chief Passports and Citizenship Officer, passports and citizenship 15 officers and such other staff as shall be necessary for the proper administration of this Act.

(2) The Chief Passports and Citizenship Officer shall be responsible for the administration of this Act.

(3) The Chief Passports and Citizenship Officer may, in writing, 20 delegate the exercise of any of the powers and functions conferred upon the Chief Passports and Citizenship Officer by this Act to the Deputy Chief Passports and Citizenship Officer or a passports and citizenship officer on such terms and conditions as the Chief Passports and Citizenship Officer may determine. 25

(4) The Chief Passports and Citizenship Officer may, in writing, revoke or vary the delegation of power made by the Chief Passports and Citizenship Officer under subsection (3).

Disclosure
of interest

11. (1) A person who is present at a meeting of the Committee or any sub-committee at which any matter is the subject of 30 consideration and in which matter that person or that person's relative or associate is directly or indirectly interested in a private capacity shall, as soon as is practicable after the commencement of the meeting, declare such interest and shall not, unless the Committee or the sub-committee otherwise directs, take part in any 35 consideration or discussion of, or vote on any question relating to that matter.

(2) A disclosure of interest made under subsection (1) shall be recorded in the minutes of the meeting at which it is made.

(3) A person who contravenes subsection (1) commits an offence and is liable, upon conviction, to a fine not exceeding two hundred thousand penalty units or to imprisonment for a term not exceeding two years, or to both.

12. (1) A person shall not, without the consent, in writing, given by or on behalf of the Board, publish or disclose to an unauthorised person, otherwise than in the course of duties of that person, the contents of a document, communication or information, which relates to or which has come to the knowledge of that person in the course of that person's duties under this Act.

Prohibition of publication or disclosure of information to unauthorised persons

(2) A person who contravenes subsection (1) commits an offence and is liable, upon conviction, to a fine not exceeding two hundred thousand penalty units or to imprisonment for a term not exceeding two years, or to both.

(3) A person who, having any information which to the knowledge of that person has been published or disclosed in contravention of subsection (1), unlawfully publishes or communicates the information to another person, commits an offence and is liable, upon conviction, to a fine not exceeding two hundred thousand penalty units or to imprisonment for a term not exceeding two years, or to both.

13. A member of the Board shall, on appointment, take an oath in accordance with the Official Oaths Act.

Oath on appointment
Cap. 5

14. An action or other proceeding shall not lie or be instituted against a member of the Board or a member of staff for or in respect of an act or thing done or omitted to be done in good faith in the exercise or performance of any of the functions conferred under this Act.

Immunity

PART III

CITIZENSHIP BY BIRTH

15. (1) A person born in Zambia shall be registered at birth in accordance with the Births and Deaths Registration Act.

Registration of births and national registration

35 (2) A person who is a citizen by birth shall obtain a National Registration Card upon evidence of registerable age in accordance with the National Registration Act.

Cap. 126

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Citizenship
by
presumption
for
foundlings

16. (1) A person who finds a child who is or appears to be less than eight years of age, and whose nationality and parents are not known shall present the child to the Government department responsible for matters relating to children and where there is no such department, present the child to the nearest Government 5 department or agency.

(2) Where a child is received by a Government department or agency that is not responsible for matters relating to children, the department or agency shall immediately report and present the child to the Government department responsible for matters relating 10 to children.

(3) The Government department or agency responsible for matters relating to children shall undertake the necessary investigations including, subject to the rights of the child under any written law, the use of media to determine the origin of the child. 15

(4) If the Government department or agency responsible for matters relating to children fails to determine the origin and identity of the child, it shall present the child found to the Children's Court and take out proceedings for the determination of the age, nationality, residence and the parentage of the child. 20

(5) The Children's Court shall, after determining the adequacy of the efforts undertaken by the Government department or agency responsible for matters relating to children, issue an order directing that the child be presumed to be a citizen by birth or any other order as the Court considers just. 25

(6) Where the Children's Court makes an order for a child be presumed to be a citizen by birth, it may direct the Chief Passports and Citizenship officer to register the child in the register of children presumed citizens by birth.

(7) A person who brings into Zambia, conspires, assists or 30 facilitates the abandoning of a child with the intention of conferring citizenship on the child commits an offence and is liable, upon conviction, to a fine not exceeding one million penalty units or to imprisonment for a term not exceeding ten years, or to both.

PART IV

CITIZENSHIP BY REGISTRATION

17. A person who qualifies to be registered as a citizen by registration in accordance with Article 37 of the Constitution may apply to the Board under this Part. Citizenship by registration Cap. 1

18. A person who has been married to a citizen of Zambia for a period of at least five years may apply, in the prescribed manner, to be registered as a citizen if— Citizenship by marriage

(a) the marriage was solemnised under a system of law recognised in Zambia, whether solemnised in Zambia or outside Zambia;

(b) the applicant has not been declared a prohibited immigrant under the Immigration and Deportation Act, 2010, or any other written law; Act No. 18 of 2010

(c) the applicant has not been convicted of an offence and sentenced to imprisonment; and

(d) the marriage was not entered into for the purpose of acquiring a status or privilege in relation to immigration or citizenship.

19. A child who is not a citizen, but is adopted by a citizen, is entitled, on application in the prescribed manner by the adoptive parent or legal guardian, to be registered as a citizen upon— Citizenship of adopted child

(a) the production of proof of the Zambian citizenship of the adoptive parent;

(b) the production of a valid adoption certificate issued in a reciprocating State or other jurisdiction whose orders and decrees are recognised in Zambia; and

(c) proof of lawful residence of the child in Zambia.

PART V

APPLICATION FOR CITIZENSHIP

20. (1) A person shall apply to the Board for registration as a citizen in the prescribed manner and form upon payment of the prescribed fee. Application for registration as citizen

(2) The Board shall, within such period as may be prescribed, grant or reject the application.

(3) The Board may, where additional information is required to process an application for registration as citizen, request the applicant to submit the information within such period as the Board may determine.

Rejection of
application

21. (1) The Board shall reject an application for registration as a citizen if the applicant—

- (a) submits false information or makes a false statement in respect of the application;
- (b) conceals a material fact relevant for purposes of 5 registration as a citizen;
- (c) commits an act of fraud for purposes of acquisition of citizenship;
- (d) alters or falsifies any document required for registration of citizenship; 10
- (e) has been convicted of an offence and sentenced to imprisonment for that offence;
- (f) is an adjudged bankrupt; or
- (g) has been declared a prohibited immigrant under the Immigration and Deportation Act, 2010, or any other 15 written law.

Act No. 18
of 2010

(2) The Board may reject an application if the approval of the application would be contrary to public interest.

(3) The Board shall, where it rejects an application for registration as a citizen, inform the applicant accordingly. 20

Computation
of period of
residence for
purposes of
registration
Cap. 1

22. The period to be taken into account in computing a period for a person who qualifies for citizenship by registration in accordance with the Constitution and this Act is the period during which a person is ordinarily resident in Zambia.

Registration
as citizen

23. The Board shall, within twenty-one days of the approval 25 of an application for registration as a citizen, made under section *twenty*, register the applicant as a citizen if the applicant meets the requirements of the Constitution and this Act.

Cap. 1

Oath of
allegiance

24. The Board shall cause a person who is registered as a citizen to take an oath of allegiance or make an affirmation in the 30 prescribed manner and form.

PART VI

DUAL CITIZENSHIP

Dual
Citizenship

25. (1) A citizen may apply for dual citizenship in the prescribed manner and form. 35

Cap. 1

(2) Subject to Article 39 of the Constitution and this Act, a citizen who acquires the citizenship of another country is entitled to retain the citizenship of Zambia.

(3) A dual citizen shall, subject to the limitations contained in the Constitution, be entitled to a passport and other travel documents and to such other rights that citizens are entitled to. Cap. 1

26. A person who ceased to be a citizen before the commencement of the Constitution, as a result of acquiring the citizenship of another country, may make an application to the Board for the restoration of the citizenship of Zambia, in the prescribed form. Restoration of ceased citizenship Cap. 1

PART VII

10 DEPRIVATION AND RENUNCIATION OF CITIZENSHIP

27. A person loses citizenship by registration if that person is deprived of the citizenship under section *twenty-nine*. Loss of citizenship

28. (1) The Board shall, where a person obtained the citizenship by means of fraud, false representation or concealment of a material fact, at least twenty-one days before an order is made, issue to that person, a notice of intention to deprive the person of the citizenship. Notice of intention to deprive person of citizenship

(2) A notice issued under subsection (1) shall be in the prescribed form and shall specify the grounds for the proposed deprivation of citizenship. 20

(3) A person who has been issued with a notice in accordance with subsection (2) shall, within fourteen days of receipt of the notice, make representation, in writing, to the Board stating why the person should not be deprived of citizenship.

25 (5) A notice issued under subsection (1) shall include the right of the person to whom it has been issued to have the case referred for inquiry to a commissioner appointed under section *thirty-one*.

(6) A person notified under subsection (1) may apply for an inquiry within such time and in such manner as may be prescribed.

30 29. (1) The Board may, after considering the presentations made by a person notified under section *twenty-eight*, deprive that person of citizenship and shall cause the deprivation to be entered into the register for deprivation of citizenship. Deprivation of citizenship

(2) The Board shall, within fourteen days of deprivation of a person's citizenship, notify the person of the decision. 35

30. A person who is aggrieved by a decision of the Board may, within thirty days of receiving the decision, appeal to the High Court. Appeal

Appointment
of
commissioner

31. (1) The Board shall, where a person exercises the right to have the case referred to a commissioner in accordance with section *twenty-eight*, appoint a commissioner who shall make an inquiry in accordance with the terms of the inquiry and report the result of the inquiry to the Board.

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(2) The powers, rights and privileges of a commissioner appointed in terms of subsection (1) shall be the same as those conferred on a commissioner by the Inquiries Act, and the provisions of that Act shall, with necessary modifications, apply to an inquiry under this section.

10

(3) A person qualifies for appointment as commissioner if that person qualifies to be appointed as a Judge of the High Court.

Renunciation
of
citizenship

32. (1) A citizen by birth may renounce their citizenship in accordance with this section.

(2) A citizen may, where the citizen—

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(a) does not wish to hold dual citizenship; or

(b) wishes to assume sole citizenship of another country;

make a declaration, in the prescribed manner, to renounce the citizenship of Zambia or the citizenship of another country, as the case may be.

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(3) The Board shall, subject to subsection (4), register a declaration of renunciation of citizenship and issue a certificate in the prescribed form.

(4) The Board may decline to register a declaration of renunciation of citizenship of Zambia where—

25

(a) the declaration is made during war in which Zambia may be engaged; or

(b) the person making the declaration fails to satisfy the Board that, after renouncing the citizenship of Zambia, that person will become a citizen of another country.

30

(5) Subject to subsection (6), a person making a declaration of renunciation of citizenship of Zambia shall cease to be a citizen upon registration of the declaration.

(6) Where a person renounces the citizenship of Zambia but does not thereafter become a citizen of another country within six months from the date of registration of the declaration of renunciation, that person shall be deemed to have retained the citizenship of Zambia.

35

PART VIII

FINANCIAL PROVISIONS

33. (1) The funds of the Board shall consist of such monies as may— Funds of Board

- 5 (a) be appropriated to the Board by Parliament; or
(b) otherwise vest in or accrue to the Board.

- (2) There shall be paid from the funds of the Board—
(a) the emoluments of the members and staff of the Board;
10 (b) such travelling and other allowances for the members when engaged on the business of the Board, at such rates as the Emoluments Commission may determine; and
(c) any other expenses incurred by the Board in the performance of its functions under this Act.

34. The financial year of the Board shall be a period of twelve Financial year
15 months ending on 31st December in each year.

35. (1) The Board shall cause to be kept proper books of accounts and other records relating to its accounts. Accounts and audit

(2) The accounts of the Board shall be audited annually by the Auditor-General or an auditor appointed by the Auditor-General.

20 (3) The Auditor-General's fees shall be paid by the Board.

36. (1) As soon as practicable, but not later than ninety days after the end of the financial year, the Board shall submit to the President a report concerning its activities during the financial year. Annual report

(2) The report referred to in subsection (1) shall include
25 information on the financial affairs of the Board and there shall be appended to the report—

- (a) an audited statement of financial position;
(b) an audited statement of comprehensive income; and
(c) such other information as the President may require.

30 (3) The Minister shall, not later than seven days after the first sitting of the National Assembly next after the receipt of the report referred to in subsection (1), lay it before the National Assembly.

PART IX

GENERAL PROVISIONS

35 37. The Chief Passports and Citizenship Officer shall keep and maintain, in the prescribed form— Register

- (a) a register of citizens by registration;
(b) a register of foundlings;

- (c) a register of citizens by adoption;
- (d) a register of persons who have renounced or been deprived of citizenship; and
- (e) a register of persons who hold dual citizenship.

Correction
of errors in
register

38. Where the Board has reason to believe that an error 5 appears in any register compiled and maintained under section *thirty-seven*, the Board shall, after giving notice to the person concerned and after considering any representations from the person, direct the Chief Passports and Citizenship Officer to effect such alterations in the register as may appear to the Board to be 10 necessary to correct the error.

Producing
false or
misleading
documents

39. (1) A person shall not, in connection with an application for citizenship, knowingly produce a document which is false or misleading in a material particular.

(2) A person who contravenes subsection (1) commits an 15 offence, and is liable, upon conviction, to a fine not exceeding three hundred thousand penalty units or to imprisonment for a term not exceeding three years, or to both.

Failure or
refusal to
return
national
identity
document

40. (1) A person shall not, without lawful excuse, refuse or fail to return a national identity document to the Board where a 20 person ceases to be a citizen in accordance with this Act.

(2) A person who contravenes subsection (1) commits an offence and is liable, upon conviction, to a fine not exceeding fifty thousand penalty units or to imprisonment for a term not exceeding six months, or to both. 25

Unlawful
possession
of national
identity
document

41. (1) A person shall not possess a national identity document in another person's name.

(2) A person who contravenes subsection (1) commits an offence and is liable, upon conviction, to a fine not exceeding five hundred thousand penalty units or to imprisonment for a term not 30 exceeding five years, or to both.

General
offences

42. (1) A person shall not—

- (a) knowingly make or cause to be made, a representation or statement which the person knows to be false in a material particular for the purpose of obtaining 35 citizenship registration under this Act;
- (b) forge, alter, deface, destroy or mutilate a citizenship application or cause another person to forge, alter, deface or mutilate a citizenship application;

- (c) permit another person to use, for an unlawful purpose, a national identity document which belongs to that person or which is under that person's control;
- 5 (d) have in that person's possession a citizenship application which is forged, altered, defaced, mutilated or whose particulars are incorrect;
- (e) sell blank citizenship application forms;
- (f) unlawfully procure citizenship registration or assist a foreigner unlawfully acquire citizenship registration under
10 this Act;
- (g) knowingly mislead the Board by giving any false information or statement or making a false allegation;
- (h) obstruct, assault, insult, hinder, delay or impersonate a member of staff of the Board in the lawful exercise of
15 the powers conferred on a member under this Act;
- (i) refuse or fail, without reasonable cause, to give the Board on request, a document or information required for purposes of this Act; or
- (j) unlawfully influence a decision of the Board or coerce the
20 Board to make a decision in favour of any person.

(2) A person shall not, having come into possession of a national identity document belonging to another person—

- (a) represent the national identity document belonging to a person other than the person to whom it belongs; or
- 25 (b) fail to hand over that national identity document as soon as practicable to the person to whom it belongs, the Board or to a police officer.

(3) A person shall not use another person's national identity document in connection with that person's identification.

30 (4) A person who contravenes this section commits an offence and is liable, upon conviction, to a fine not exceeding five hundred thousand penalty units or to imprisonment for a term not exceeding five years, or to both.

(5) The liability of a person in relation to an offence shall not
35 be affected by the renunciation or deprivation of the citizenship of such person after the commission of the offence.

Privileged
report

43. A report, statement or other communication or record of a meeting, inquiry or proceeding of the Board relating to the exercise of its functions or a report, statement or other communication or record made by a member for the purposes of the Board in the course of duty, and any application form, report or other communication dispatched to the Board in connection with the performance of its functions, and in the possession of the Board, is privileged and shall not be produced compelled in any legal proceeding unless the Chairperson so directs, in writing, or a court so orders. 10

Evidence

Cap. 1

44. (1) A document purporting to be a notice, certificate, order or declaration, or an entry in a register, given, granted or made under Part IV of the Constitution or under this Act shall be received in evidence, and shall, unless the contrary is proved, be deemed to have been given, granted or made by or on behalf of, the person by whom or on whose behalf it purports to have been given, granted or made. 15

(2) *Prima facie* evidence of a document referred to in subsection (1) may be given by production of a document purporting to be a certified true copy of the original by such person and in such manner as may be prescribed. 20

(3) An entry in a register made under section *nine* shall be received as evidence of the matters stated in the register.

Regulations

45. (1) The Minister may, by statutory instrument, prescribe anything which by this Act is required to be prescribed or is necessary for the carrying out of the provisions of this Act. 25

(2) Without prejudice to the generality of subsection (1), the Minister may make regulations for—

(a) the publication, by *Gazette* notice, of the names and addresses of— 30

(i) persons to be registered as citizens;

(ii) citizens who have ceased to be citizens by a formal act of renunciation of the citizenship of Zambia;
or

(iii) citizens who have ceased to be citizens following deprivation of the citizenship of Zambia by the Board; 35

(b) prescribing anything which under this Act may be prescribed;

- (c) the registration required under Part IV of the Constitution or under this Act;
- (d) the registration, administration and taking of the oath of allegiance under this Act;
- 5 (e) the giving of notice required or authorised to be given to a person under this Act;
- (f) enabling the births and deaths of citizens born or dying in any country in which the Government has for the time being no diplomatic or consular representatives to be registered by persons serving in the diplomatic consular or other foreign service of any country which, by arrangement with the Government, has undertaken to represent the Government's interests in that country, or by a person authorised in that behalf by the Board;
- 10 (g) defining the circumstances in which and the conditions subject to which copies of documents issued under this Act may be obtained;
- 15 (i) the imposition and application of fees in respect of—
 - (i) applications;
 - 20 (ii) acquisition and registration of citizenship;
 - (iii) the making of a declaration or taking of the oath of allegiance; and
 - (iv) supplying a certified copy of a notice, document, order, declaration, an entry or oath.

25 (3) The Board may prescribe different procedures to be followed by different classes of persons.

46. The Citizenship of Zambia Act, 1975 is repealed.

Repeal of
Cap. 124
Act No. 26
of 1975

47. (1) The person serving as Chief Passport Officer shall, on the commencement of this Act, continue to hold office as Chief
30 Passports and Citizenship Officer as if appointed under this Act.

Savings and
transitional
provisions

(2) A national identity document which was valid and issued by the Chief Passport Officer before the commencement of this Act shall have effect as if issued under this Act.

(3) In this section, "Chief Passport Officer" means the person
35 appointed Chief Passport Officer under the repealed Citizenship of Zambia Act.

Cap. 124