

**THE LANDS TRIBUNAL (AMENDMENT) BILL, 2024**

**MEMORANDUM**

The object of this Bill is to amend the Lands Tribunal Act, 2010, so as to provide for—

- (a) the establishment of a principal registry and regional registry;
- (b) the appointment of an Assistant Registrar; and
- (c) matters connected with, or incidental to, the foregoing.

M. D. KABESHA,  
*Attorney-General*

# A BILL

ENTITLED

## **An Act to amend the Lands Tribunal Act, 2010.**

ENACTED by the Parliament of Zambia.

Enactment

1. This Act may be cited as the Lands Tribunal (Amendment) Act, 2024, and shall be read as one with the Lands Tribunal Act, 2010, in this Act referred to as the principal Act.

Short title  
Act No. 39  
of 2010

5 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

“Assistant Registrar” means the person appointed as Assistant Registrar under section 7;

10 “district registries” means the registries designated by the Chairperson under section 3A; and

“principal registry” means the main registry of the Tribunal at which originating process and other proceedings may be filed.

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

Insertion of  
section 3A

3A. (1) There is established the principal registry of the Tribunal at Lusaka.

Establishment  
of principal  
registry and  
registries

20 (2) The Chairperson may, by *Gazette* notice, designate district registries in a place that the Chairperson may determine.

**N.A.B. 6, 2024**

	(3) A complaint made under this Act shall be filed at the principal registry or a district registry.	
Amendment of section 5	<b>4.</b> Section 5(1) of the principal Act is amended by the deletion of paragraph (i) and the substitution therefor of the following:	
	(i) not more than three persons from the public and private sector, two of whom shall be legal practitioners.	5
Insertion of section 6A	<b>5.</b> The principal Act is amended by the insertion of the following new section immediately after section 6:	
Allowances	<b>6A.</b> A member of the Tribunal shall be paid allowances that the Emoluments Commission may, on the recommendation of the Minister, determine.	10
Amendment of section 7	<b>6.</b> Section 7 of the principal Act is amended—	
	(a) by the deletion of the marginal note and the substitution therefor of the following: Registrar, Assistant Registrar and other staff;	15
	(b) by the insertion of the following new subsection immediately after subsection (2):	
	(2A) The Judicial Service Commission shall appoint an Assistant Registrar who shall exercise functions and duties that are delegated by the Registrar.;	20
	(c) by the deletion of subsection (3) and the substitution therefor of the following:	25
	(3) A person aggrieved with a decision of the Registrar or Assistant Registrar may appeal to the Chairperson, and in the absence of—	
	(a) the Chairperson, the Deputy Chairperson; and	
	(b) both the Chairperson and Deputy Chairperson, the representative of the Law Association of Zambia.;	30
	(d) in subsection (4), by the insertion of the words “or Assistant Registrar” immediately after the word “Registrar”;	
	(e) by the deletion of subsection (5) and the substitution therefor of the following:	35

(5) The Tribunal may appoint other staff that the Tribunal considers necessary for the performance of the functions of the Tribunal.;

5 (f) by the insertion of the following new subsections immediately after subsection (5):

(6) The Emoluments Commission shall, on the recommendation of the Minister, determine the emoluments of the Registrar, Assistant Registrar and other staff of the Tribunal.

10 (7) The Tribunal shall determine the terms and conditions of service, other than emoluments of the Registrar, Assistant Registrar and other staff of the Tribunal.;

(g) by the renumbering of subsection (6) as subsection (8).

7. The principal Act is amended by the repeal of section 9.

Repeal of section 9

15 8. Section 10 of the principal Act is amended by the—

Amendment of section 10

(a) deletion of subsections (2) and (3), and the substitution therefor of the following:

(2) There shall preside at a sitting of the Tribunal—

20 (a) the Chairperson;

(b) in the absence of the Chairperson, the Deputy Chairperson; or

25 (c) in the absence of both the Chairperson and the Deputy Chairperson, the representative of the Law Association of Zambia.

30 (3) The Tribunal shall, when hearing a matter, be duly constituted if the Tribunal consists of three members, which number shall include either the Chairperson, Deputy Chairperson or the representative of the Law Association of Zambia.;

(b) insertion of the following new subsection immediately after subsection (3):

35 (4) Despite subsection (3), an application for an injunction shall be heard by the Chairperson, Deputy Chairperson or the representative of the Law Association of Zambia sitting alone.;

and

(c) renumbering of subsections (4), (5), (6), (7), (8), (9), (10), (11), (12), (13) and (14) as subsections (5), (6), (7), (8), (9), (10), (11), (12), (13), (14) and (15), respectively.

Repeal and  
replacement  
of section  
16

**9.** The principal Act is amended by the repeal of section 16 5  
and the substitution therefor of the following:

**16.** A person aggrieved with a decision of the Tribunal may, within thirty days of the receipt of the decision, appeal to the Court of Appeal.