

# THE NATIONAL CONSTITUTIONAL CONFERENCE

**BILL, 2010**

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## MEMORANDUM

The objects of this Bill are to amend the National Constitutional Conference Act so as to—

- (a) revise the period for the dissemination and adoption of the initial report and draft Constitution; and
- (b) provide for matters connected with, or incidental to, the foregoing.

A. J. SHONGA, JNR,  
*Solicitor General*

# A BILL

ENTITLED

An Act to amend the National Constitutional Conference Act, 2007.

ENACTED by the Parliament of Zambia.

Enactment

1. This Act may be cited as the National Constitutional Conference (Amendment) Act, 2010, and shall be read as one with the National Constitutional Conference Act, 2007, in this Act referred to as the principal Act.

Short title

Act No. 19  
of 2007

2. Section *twenty two* of the principal Act is amended by the deletion of subsection (5) and the substitution therefor of the following subsection:

Amendment  
of section 22

(5) Notwithstanding the other provisions of this Act, the Conference shall, within twenty one consecutive days of the conclusion of the consideration of the reports of the committees, prepare an initial report and on the basis of the initial report, prepare an initial draft bill to alter the Constitution or part thereof.

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3. Section *twenty three* of the principal Act is amended by the deletion of subsection (1) and the substitution therefor of the following subsection:

Amendment  
of section 23

(1) The Conference shall—

(a) publish the initial report and draft bill referred to in subsection (5) of section *twenty two* for the information of the public in the manner specified in section *twenty* for a period of thirty consecutive days, and within that period

(i) ensure that the initial report and the draft bill are made available to the public; and

(ii) facilitate public discussion and debate on the content of the draft bill, and in addition, invite and receive memoranda on the same; and

(b) after the public discussion and debate, and upon receipt of memoranda under sub paragraph (ii) of paragraph

4 [ No. of 2010 National Constitutional Conference  
(Amendment)

	(a), incorporate into the final report and draft bill, within thirty consecutive days of receiving such memoranda, any of the public's views which the members may consider appropriate.	
Repeal and replacement of section 24	4. The principal Act is amended by the repeal of section <i>twenty-four</i> and the substitution therefor of the following new section:	5
Adoption of report and draft bill	24. Subject to subsection (1) of section <i>twenty-three</i> , the Conference shall, within fourteen days after the period referred to in paragraph (b) of subsection (1) of section <i>twenty-three</i> , adopt the final report and draft bill to alter the Constitution or part thereof.	10
Amendment of section 25		
Amendment of section 32	5. Section <i>twenty-five</i> of the principal Act is amended in subsection (1) by the insertion of the words "within seven days of the adoption of the bill under section <i>twenty-four</i> after the words "the Chairperson shall ".	15
	6. Section <i>thirty-two</i> of the principal Act is amended—	
	(a) by the deletion of subsections (1) and (2) and the substitution therefor of the following new subsections:	
	(1) Notwithstanding the other provisions of this Act and subject to subsection (3) and (4), the Conference shall stand dissolved on 31 <sup>st</sup> August, 2010, and the term of office of the members shall thereupon expire.	20
	(2) Notwithstanding the dissolution of the Conference under this section, the Secretariat of the Conference shall remain in office for a period of three months to wind up the affairs of the Conference.; and	25
	(b) by the deletion of subsection (5).	
Insertion of new section 34	7. The principal Act is amended by the insertion immediately after section <i>thirty-three</i> of the following new section:	30
Repeal of Act	34. (1) Subject to subsection (2), this Act shall stand repealed on 31 <sup>st</sup> August, 2010.	
	(2) Notwithstanding subsection (1), where the Conference is dissolved under subsection (3) or (4) of section <i>thirty-two</i> , this Act shall stand repealed on the date of the dissolution of the Conference.	35