

**THE SUBORDINATE COURT (AMENDMENT)
BILL, 2023**

MEMORANDUM

The object of this Bill is to amend the Subordinate Courts Act so as to—

- (a) provide for the constitution of divisions of a Subordinate Court;
- (b) revise the provisions relating to the civil jurisdiction of the Subordinate Courts;
- (c) empower the Chief Justice to set the limits of the civil jurisdiction of magistrates by statutory instrument;
- (d) provide for the holding of sessions in the Subordinate Courts; and
- (e) provide for matters connected with, or incidental to, the foregoing.

M. D. KABESHA,
Attorney-General

N.A.B 30, 2023

15th November, 2023

A BILL

ENTITLED

An Act to amend the Subordinate Courts Act.

ENACTED by the Parliament of Zambia.

Enactment

1. This Act may be cited as the Subordinate Courts (Amendment) Act, 2023 and shall be read as one with the Subordinate Courts Act, in this Act referred to as the principal Act.

Short title

Cap. 28

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

Insertion of section 3A

3A. The Subordinate Court shall consist of the following divisions:

Divisions of Court

- 10 (a) General Division;
 (b) Economic and Financial Crimes Division;
 (c) Gender Based Violence Division;
 (d) Roads and Road Traffic Offences Division;
 (e) By-Law Breaches Division; and
15 (f) any other division as the Chief Justice may, by
 statutory instrument, prescribe.

Amendment of section 20

3. Section 20 (1) of the principal Act is amended by the deletion of—

(a) paragraph (a) and the substitution therefor of the following:

(a) in all personal suits, whether arising from contract, tort, or from both, where the value of the property, debt or damage claimed, whether as balance of accounts or otherwise does not exceed an amount as may be prescribed by rules of court;; and

(b) paragraph (c) and the substitution therefor of the following:

(c) to hear and determine any action for recovery of land where the value of the land in question and the rent payable in respect of that land does not exceed an amount as may be prescribed by rules of court.

Amendment of section 21

4. Section 21 of the principal Act is amended by the deletion of subsection (2) and the substitution therefor of the following:

(2) Despite subsection (1), in civil causes and matters a Subordinate Court of the second class shall have jurisdiction in personal suits, whether arising from contract, tort, or from both, where the value of the property, debt or damage claimed, whether as a balance of accounts or otherwise, does not exceed an amount as may be prescribed by rules of court.

Amendment of section 22

5. Section 22 of the principal Act is amended by the deletion of paragraph (a) and the substitution therefor of the following:

(a) in all personal suits, whether arising from contract or from tort or from both, where the value of property or debt or damage claimed, whether as balance of accounts or otherwise, does not exceed an amount as may be prescribed by rules of court.

Insertion of section 25A

6. The principal Act is amended by the insertion of the following new section immediately after section 25:

Time of sessions

25A. The Chief Justice may, by statutory order, appoint the time at which sessions shall be held in the Subordinate Courts.