

THE SUPREME COURT (AMENDMENT) BILL, 2010

MEMORANDUM

The objects of this Bill is to amend the Supreme Court Act so as to—

- (a) the revise the application of the Supreme Court Practice Rules of England; and
- (b) provide for matters connect with, or incidental to, the foregoing.

A. J. SHONGA,
Attorney-General

N.A.B. 9, 2011
15th February, 2011

A BILL

ENTITLED

An Act to amend the Supreme Court Act.

Enactment

ENACTED by the Parliament of Zambia.

Short title

1. This Act may be cited as the Supreme Court (Amendment) Act, 2011, and shall be read as one with the Supreme Court Act, in this Act referred to as the principal Act.

5 Cap.25

Repeal and replacement of section 8 Practice and procedure

2. (1) The principal Act is amended by the deletion of section *eight* and the substitution therefor of the following new section:

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8. (1) The Subject to substitution (2), the jurisdiction vested in the in Court shall, as regards practice and procedure, be exercised in the manner provided by this Act and rules of Court.

(2) Notwithstanding subsection (1), where this Act or rules of court do not make provision for any particular point of practice and procedure, the practice and procedure of the Court shall be—

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(a) in relation to criminal matters, as nearly as may be in accordance with the law and practice observed in the Court of Criminal Appeal in England; and

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(b) subject to subsection (3), in relation to civil matters, as nearly as may be in accordance with the Supreme Court Practice, 1999 (White Book) of England and the law and practice in the Court of Appeal in England in force up to 31st December, 1999.

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(3) The Civil Court Practice, 1999 (Green Book) of England and any civil court practice rules issued in England after 31st December, 1999, shall not apply to Zambia.

N.A.B. 9, 2011

