REPUBLIC OF ZAMBIA

REPORT

OF THE

COMMITTEE ON DELEGATED LEGISLATION

FOR THE

THIRD SESSION OF THE TWELFTH NATIONAL ASSEMBLY

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REPORT OF THE COMMITTEE ON DELEGATED LEGISLATION FOR THE THIRD SESSION OF THE TWELFTH NATIONAL ASSEMBLY

1 MEMBERSHIP OF THE COMMITTEE

The Committee consisted of Mr A B Malama, MP (Chairperson); Ms C Kasanda, MP (Vice Chairperson); Mr O S Mutaba, MP; Mr A Mandumbwa, MP; Mr M Mubika, MP; Mr B Kambita, MP; Mr S Miti, MP; Mr J Siwale, MP; and Mr T S Ngulube, MP.

The membership of the Committee changed when Mr T S Ngulube, MP was appointed Deputy Chief Whip and was subsequently replaced by Mr R C Mutale, MP.

The Honourable Mr Speaker
National Assembly
Parliament Buildings
LUSAKA

Sir

The Committee has the honour to present its Report for the Third Session of the Twelfth National Assembly.

2 FUNCTIONS OF THE COMMITTEE

The Committee was guided in all its deliberations by Standing Order No. 154 which sets out its functions as follows:

"The Committee shall scrutinise and report to the House, through Mr Speaker, whether the powers to make orders, regulations, rules, sub-rules and by-laws delegated by Parliament are being properly exercised by any person or authority within such delegation. As the machinery of delegated legislation is dealt with under the heading "Statutory Instruments", these instruments must:

(a) be in accordance with the Constitution or statute under which they are made;
(b) not trespass unduly on personal rights and liberties;
(c) not make the rights and liberties of citizens depend upon administrative decisions; and
(d) be concerned only with administrative detail and not amount to substantive legislation which is a matter for parliamentary enactment.

3 MEETINGS OF THE COMMITTEE

The Committee held fifteen meetings during the period under review and considered a total of seventy Statutory Instruments. The Committee also undertook a local tour to check on the ramifications of the implementation of selected instruments. The tour was conducted in Kabwe, Samfya, Mansa, Kasama, Mbala and Nakonde Districts.

4 ARRANGEMENT OF THE REPORT

The Committee's Report is in two parts. The first part highlights the Statutory Instruments which were considered by the Committee and its findings from the local tour in the period

under review. The second part consists of the review of the Action-Taken Report on the Report of the Committee for the Second Session of the Twelfth National Assembly.

5 PROCEDURE ADOPTED BY THE COMMITTEE

The Committee received and considered written explanatory memoranda on the Statutory Instruments submitted by various Government ministries and agencies.

PART I

CONSIDERATION OF STATUTORY INSTRUMENTS

6.0 MINISTRY OF HIGHER EDUCATION

6.1 Statutory Instrument No. 1 of 2018 - The Teaching Profession (Code of Ethics) Regulations, 2018

The Order was made in exercise of the powers contained in section 45 of the *Higher Education Act, No. 5 of 2013.* The Regulations were issued to make provision for, *inter – alia*; professionalism of teachers, research and development, examination management, institutional management and resource utilisation. The Regulations also provide for teachers' relations with respect to their professional conduct *inter –se* as well as with learners, the Government and other professional associations.

Committee's Observations and Recommendations

The Committee notes the issuance of the Statutory Instrument, as it was done in accordance with the enabling legislation.

6.2 Statutory Instrument No. 2 of 2018 - The Education (Military Training Establishment of Zambia Management) (Dissolution) Regulations, 2018

The Statutory Instrument was issued pursuant to the powers contained in section 52 of the *Higher Education Act, No. 4 of 2013*. The Instrument contains regulations to govern the management of the dissolution process of the Military Training Establishment of Zambia (MILTEZ) which was being converted into a Defence University.

Committee's Observations and Recommendations

The Committee notes the issuance of the Statutory Instrument, as it was done in accordance with the enabling legislation.

6.3 Statutory Instrument No. 3 of 2018- The Zambia Defence University (Declaration), 2018

This Statutory Instrument was issued in accordance with section 14 of the *Higher Education Act No. 4 of 2013.* The Order established the Zambia Defence University.

Committee's Observations and Recommendations

The Committee notes the issuance of the Statutory Instrument, as having been done in

accordance with the law.

6.4 *Statutory Instrument No. 4 of 2018 - The Zambia Qualifications (Accreditation, Validation and Evaluation of Qualifications) Regulations, 2018*

The Statutory Instrument was issued in accordance with section 24 of the *Zambia Qualifications Authority Act No. 13 of 2011*, in order to provide for regulations pertaining to applications to accredit qualifications by the Zambia Qualification Authority. The Regulations also provided for the application process and forms, certificate of accreditation of qualification, grounds for refusal to grant accreditation, revocation of accreditation, appeals process, register of qualifications and the fees structure for application for accreditation.

Committee's Observations and Recommendations

The Committee notes the issuance of the Statutory Instrument, as it was done in accordance with the enabling legislation.

6.5 Statutory Instrument No. 39 of 2018 - The Levy Mwanawasa Medical University (Declaration) Order, 2018

The Statutory Instrument was issued pursuant to section 14 of the *Higher Education Act, No. 4 of 2013,* to establish the Levy Mwanawasa Medical University.

Committee's Observations and Recommendations

The Committee notes the issuance of the Statutory Instrument, as it was done in accordance with the enabling legislation.

6.6 Statutory Instrument No. 40 of 2018 - The Education (Levy Mwanawasa General Hospital Board and National Health Training Institute Management) (Dissolution) Regulations, 2018

The Instrument was issued in exercise of the powers contained in section 52 of *the Higher Education Act, No. 4 of 2013*. The Statutory Instrument was issued to provide for the regulations to govern the dissolution process of the Levy Mwanawasa General Hospital Board and National Health Training Institute Management, following the establishment of the Levy Mwanawasa Medical University.

Committee's Observations and Recommendations

The Committee notes the issuance of the Statutory Instrument, as it was done in accordance with the enabling legislation.

7.0 MINISTRY OF INFORMATION AND BROADCASTING SERVICES

7.1 Statutory Instrument No. 5 of 2018 – The Independent Broadcasting Authority (Television Levy) Regulations, 2018

The Statutory Instrument was issued pursuant to section 47 of the *Independent Broadcasting Authority Act, No. 17 of 2002*. The Regulations in the Instrument were issued to enable the Independent Broadcasting Authority (IBA) to administer and collect television levy and any other fee payable in respect of a public broadcasting service. The Statutory Instrument also provided for the monetary rate of the levy, the manner in which the levy was to be collected, managed and utilised; and offences and penalties that may arise from failure by entities licensed under the IBA to meet obligations regarding television levy.

Committee's Observations and Recommendations

Your Committee notes the issuance of the Statutory Instrument as it was done in accordance with the enabling legislation.

8.0 MINISTRY OF TOURISM AND ARTS

8.1 Statutory Instrument No. 14 of 2018 - The Tourism and Hospitality (Accommodation Establishment Standards) Regulations, 2018

The Statutory Instrument was issued in exercise of the powers provided for under section 44 of the *Tourism and Hospitality Act, No. 13 of 2015.* The purpose of the Statutory Instrument was to repeal and replace Statutory Instrument No. 21 of 1983 - the Hotels (Minimum Standards and Classification) Regulations and to facilitate the classification and grading of accommodation establishments.

The main objective, therefore, was to establish and improve standards in the accommodation establishments by ensuring that all accommodation establishments were registered, met the minimum requirements and were subsequently graded. This would promote efficient service delivery, enhance the quality of tourism products and services, enforce standards in the accommodation sub sector and serve as an effective marketing tool for promoting Zambia's tourism product.

Committee's Observations and Recommendations

The Committee notes the issuance of the Statutory Instrument as it was done in accordance with the enabling legislation

8.2 Statutory Instrument No. 50 of 2018 - The Tourism and Hospitality (Service Charge) (Revocation) Order, 2018

The Statutory Instrument was issued pursuant to section 54 of the *Tourism and Hospitality Act, No. 13 of 2015.* The purpose of the Statutory Instrument was to revoke Statutory Instrument No. 21 of 2017 - The Tourism and Hospitality (Service Charge) Regulations, 2017, which was gazetted on 3rd March 2017. Its main objective was to regulate the provision

of service charge in accommodation establishments and restaurants in order to ensure equity in the distribution of benefits at an establishment level.

Committee's Observations and Recommendations

The Committee notes the issuance of the Statutory Instrument as it was duly issued in accordance with the law.

9.0 ELECTORAL COMMISSION OF ZAMBIA (ECZ)

9.1 Statutory Instrument No. 21 of 2018 – The Electoral Process (The Local Government By-Elections) (Election Dates and Times of Poll) Order, 2018

This Statutory Instrument was issued in accordance with section 125 of the *Electoral Process Act, No. 35 of 2016*. The objective of the Statutory Instrument was to stipulate the election dates and times of polls in respect of the districts and wards contained in the schedule of the Statutory Instrument.

Committee's Observations and Recommendations

The Committee notes the issuance of the Statutory Instrument as having been done in accordance with the enabling legislation.

9.2 Statutory Instrument No. 32 of 2018 - The National Assembly By-Election (Chilanga Constituency By-Elections No. 71) (Election Dates and Times of Poll) Order, 2018

The Statutory Instrument was issued in accordance with section 125 of the *Electoral Process Act, No. 35 of 2016* so as to provide for the election date and time of poll in respect of the Chilanga Constituency By-Election.

Committee's Observations and Recommendations

The Committee notes the issuance of the Statutory Instrument as having been done in accordance with the enabling legislation.

9.3 Statutory Instrument No. 45 of 2018 – The Electoral Process Local Government By-Elections (Election Dates and Times of Poll) (No. 2) Order, 2018

The Statutory Instrument was issued in accordance with section 125 of the *Electoral Process Act, No. 35 of 2016*. The objective of the Regulations contained in the Statutory Instrument was to stipulate the election dates and times of polls in respect of the district and wards contained in the schedule to the Statutory Instrument.

Committee's Observations and Recommendations

The Committee notes the issuance of the Statutory Instrument as having been done in accordance with the enabling legislation.

9.4 *Statutory Instrument No. 46 of 2018 – The Electoral Process Local Government By-Elections (Election Dates and Times of Poll) (No. 3) Order, 2018*

The Statutory Instrument was issued in accordance with section 125 of the *Electoral Process Act, No. 35 of 2016*. The objective of the Regulations contained in the Statutory Instrument was to stipulate the election dates and times of polls in respect of the district and wards contained in the schedule to the Statutory Instrument.

Committee's Observations and Recommendations

The Committee notes the issuance of the Statutory Instrument as having been done in accordance with the enabling legislation.

9.5 Statutory Instrument No. 56 of 2018 – The Electoral Process (General) Regulations, 2018, National Assembly By-Election (Kasenengwa Constituency No. 41) (Election Date and Time of Poll) (No.2) Order, 2018

The Statutory Instrument was issued in accordance with section 125 of the *Electoral Process Act, No. 35 of 2016* so as to provide for the election date and time of poll in respect of the Kasenengwa Constituency By-Election.

Committee's Observations and Recommendations

The Committee notes the issuance of the Statutory Instrument as having been done in accordance with the enabling legislation.

9.6 Statutory Instrument No. 57 of 2018 – The Electoral Process Local Government By-Elections (Election Dates and Times of Poll) (No. 4) Order, 2018

The Statutory Instrument was issued in accordance with section 125 of the *Electoral Process Act, No. 35 of 2016*. The objective of the Regulations contained in the Statutory Instrument was to stipulate the election dates and times of polls in respect of the district and wards contained in the schedule of the Statutory Instrument.

Committee's Observations and Recommendations

The Committee notes the issuance of the Statutory Instrument as having been done in accordance with the enabling legislation.

9.7 Statutory Instrument No. 75 of 2018 – The Electoral Process (General) Regulations, 2018, National Assembly By-Election (Mangango Constituency No. 141) (Election Date and Time of Poll) (No.2) Order, 2018

The Statutory Instrument was issued in accordance with section 125 of the *Electoral Process Act, No. 35 of 2016* so as to provide for the election date and time of poll in respect of the Mangango Constituency By-Election.

Committee's Observations and Recommendations

The Committee notes the issuance of the Statutory Instrument as having been done in accordance with the enabling legislation.

9.8 *Statutory Instrument No. 81 of 2018 – The Electoral Process Local Government By-Elections (Election Dates and Times of Poll) (No. 6) Order, 2018*

The Statutory Instrument was issued in accordance with section 125 of the *Electoral Process Act, No. 35 of 2016*. The objective of the Statutory Instrument was to stipulate the election dates and times of polls in respect of the district and wards contained in the schedule of the Statutory Instrument.

Committee's Observations and Recommendations

The Committee notes the issuance of the Statutory Instrument as having been done in accordance with the enabling legislation.

10.0 MINISTRY OF LABOUR AND SOCIAL SECURITY

10.1 Statutory Instrument No.8 of 2018 – The Factories (Plant Inspection and Examination Fees) Regulations, 2018

The Statutory Instrument was issued pursuant to sections 74 and 105 of the *Factories Act, Chapter 441 of the Laws of Zambia*, so as to adjust the fees that were charged through a previous Statutory Instrument namely; the (Plant Inspection and Examination Fees) Regulations of 2000, which were last reviewed in the year 2000. These fees were very low and unrealistic. Therefore, the revised fees would ensure that charges to access public services provided by the Ministry of Labour and social security were at cost recovery levels taking into account the high costs of administering these services.

The adjustment in the fee structure was made in order to enable the Ministry extend its coverage to more industries. The revisions generally took into account issues related to inflation and the increase in the cost of goods and services. The enforcement of the Statutory Instrument would, therefore, facilitate the generation of financial resources to be channelled towards the implementation of important programmes and activities on employment and labour owing to the fact that the Ministry had been receiving low and erratic funding over the years.

Committee's Observations and Recommendations

The Committee notes the issuance of the Statutory Instrument as having been done in accordance with the enabling legislation.

10.2 *Statutory Instrument No. 9 of 2018 – The Factories (Lifting Machinery) (Inspection and Examination Fees) Regulations, 2018*

Over the past decade, Zambia witnessed an influx of new investors who had established companies with plants and factories as well as expanding existing ones in various industries across the country. This had resulted into a steady increase in the plant and factories base of the country and had introduced new occupational safety and health challenges that needed to be addressed through an effective legal frame work.

Statutory Instrument No. 9 of 2018 was, therefore, issued pursuant to sections 74 and 105 of the *Factories Act, Chapter 441 of the Laws of Zambia*, so as to strengthen enforcement and

ensure compliance with occupational safety and health standards.

Committee's Observations and Recommendations

The Committee notes the issuance of the Statutory Instrument as having been done in accordance with the enabling legislation.

10.3 Statutory Instrument No. 35 of 2018 – The Industrial and Labour Relations (Fees) Regulations, 2018

The Statutory Instrument was issued pursuant to the powers contained in Section 112 of the *Industrial and Labour Relations Act, Chapter 269 of the Laws of Zambia*. The objective of the Statutory Instrument was to introduce fees and revise existing fees related to the provision of services by the Ministry of Labour and Social Security, which included the registration of employment agencies; renewal of employment agency permits; registration of trade unions; registration of employers' organisations; registration of recognition agreements; conducting elections for trade unions and employers' organisations; resolution of labour and industrial relations disputes; and attestation of contracts of employment and conducting labour inspections.

Committee's Observations and Recommendations

The Committee notes the issuance of the Statutory Instrument as having been done in accordance with the enabling legislation.

10.4 Statutory Instrument No. 69 of 2018 – The Minimum Wages and Conditions of Employment (Domestic Workers) (Amendment) Order, 2018

The Statutory Instrument was issued pursuant to section 3 of the *Minimum Wages and Conditions of Employment Act, Chapter 276 of the Laws of Zambia.*

The Statutory Instrument was meant to review the rate of wages to be paid by hour, day, week or month regularly to domestic workers as provided in the order. The wages were last reviewed in 2012 and the review was, therefore, necessitated by the changing socio-economic fundamentals in the country, such as the increases in tariffs for electricity, water, fuel, transport, food and school requirements.

Committee's Observations and Recommendations

The Committee notes the issuance of the Statutory Instrument as having been done in accordance with the enabling legislation.

10.5 *Statutory Instrument No. 70 of 2018 – The Minimum Wages and Conditions of Employment (Shop Workers) (Amendment) Order, 2018*

The Statutory Instrument was issued pursuant to section 3 of the *Minimum Wages and Conditions of Employment Act, Chapter 276 of the Laws of Zambia*. The Statutory Instrument was meant to review the rate of wages to be paid by hour, day, week or month regularly to shop workers as provided in the order. The wages were last reviewed in 2012 and the review was, therefore, necessitated by the changing socio-economic fundamentals in the country,

such as the increases in tariffs for electricity, water, fuel, transport, food and school requirements.

Committee's Observations and Recommendations

The Committee notes the issuance of the Statutory Instrument as having been done in accordance with the enabling legislation.

10.6 *Statutory Instrument No. 71 of 2018 – The Minimum Wages and Conditions of Employment (General) (Amendment) Order, 2018*

The Statutory Instrument was issued pursuant to section 3 of the *Minimum Wages and Conditions of Employment Act, Chapter 276 of the Laws of Zambia*. The Statutory Instrument was meant to review the rate of wages to be paid by hour, day, week or month regularly to the category of workers stipulated in the order. The wages were last reviewed in 2012 and the review was, therefore, necessitated by the changing socio-economic fundamentals in the country, such as the increases in tariffs for electricity, water, fuel, transport, food and school requirements.

Committee's Observations and Recommendations

The Committee notes the issuance of the Statutory Instrument as having been done in accordance with the enabling legislation.

11.0 MINISTRY OF AGRICULTURE

11.1 Statutory Instrument No. 23 of 2018 – The Plant Variety and Seeds Regulations, 2018

The Statutory Instrument was issued pursuant to sections 35 and 84 of the *Plant Variety and Seeds Act, Chapter 236 of the Laws of Zambia*. The Statutory Instrument spelt out the regulations for seed production and the seed industry. The new regulations were part of an effort to harmonise the country's seed regulations with those of the Southern African Development Community (SADC) and the Common Market for Eastern and Southern Africa (COMESA) regulations. The harmonisation of the regulations would further open up the Zambian seed industry to the SADC and COMESA seed markets.

Committee's Observations and Recommendations

The Committee notes the issuance of the Statutory Instrument as having been done in accordance with the enabling legislation.

11.2 *Statutory Instrument No. 54 of 2018 – The Agricultural Institute of Zambia (General) Regulations, 2018.*

The Statutory Instrument was issued pursuant to sections 16, 18 and 53 of the *Agricultural Institute of Zambia Act, No. 2 of 2017*. The purpose of the Statutory Instrument was to provide for the different classes of agricultural professionals and fees for registration of these professionals in accordance with the Act. In addition, the Statutory Instrument prescribed the various forms for registration of agricultural professionals.

Committee's Observations and Recommendations

The Committee notes the issuance of the Statutory Instrument as having been done in accordance with the enabling legislation.

11.3 Statutory Instrument No. 67 of 2018 – The Tobacco Levy (Regulations), 2018

The Ministry of Agriculture was mandated by the *Tobacco Levy Act, Chapter 238 of the Laws of Zambia*, to provide for the imposition and control of a levy on tobacco grown in the Republic of Zambia and to provide for incidental matters. In this regard, this Statutory Instrument was issued pursuant to sections 4 and 16 of the Act and was meant to adjust the levy payable on all auctionable tobacco from fifteen fee units per kilogram to 2 per cent on the total weight in kilograms of leviable tobacco sold by the grower. The Statutory Instrument also revoked the Tobacco Levy Regulations of 1968.

Committee's Observations and Recommendations

The Committee notes the issuance of the Statutory Instrument as having been done in accordance with the enabling legislation.

12.0 MINISTRY OF TRANSPORT AND COMMUNICATION

12.1 Statutory Instrument No. 7 of 2018 - The Railways (Transportation of Heavy Goods) Regulations, 2018

The Statutory Instrument was issued pursuant to Section 103 of the *Railways Act, Chapter 453 of the Laws of Zambia*, so as to provide for freight quota to railways. It compelled transporters of heavy cargo to move 30 per cent of bulk cargo from road to railway. Implementation of the quota system was aimed at the preservation of road infrastructure, guaranteed volumes of cargo for the railway companies and increased revenue and efficiency in railway operations.

Committee's Observations and Recommendations

The Committee notes the Statutory Instrument and resolves to assess its implementation.

12.2 Statutory Instrument No. 13 of 2018 - The Civil Aviation (Designated Provincial and Strategic Airports) Regulations, 2018

The Government of the Republic of Zambia sought to promote a sustainable, efficient, safe and integrated transport system aimed at transforming Zambia into a regional air transport and logistics hub. To transform the country into an aviation hub, the Government had embarked on the construction and upgrading/modernisation of aviation infrastructure in order to increase their handling capacity of passengers and cargo, install modern equipment and technology to enhance security and safety of the facilities and optimise on revenue collection. This process included modernising and upgrading of provincial and strategic aerodromes countrywide.

In this regard, Statutory Instrument No. 13 of 2018 was issued in accordance with section 16 of the *Civil Aviation Act No. 5 of 2016*. The aim of the Statutory Instrument was to ensure that the ten aerodromes listed therein were clearly categorised and properly managed and to

ensure that standards were developed for the aerodromes that were designated as provincial and strategic aerodromes.

Committee's Observations and Recommendations

The Committee notes the Statutory Instrument and resolves to assess its implementation.

12.3 Statutory Instrument No. 41 of 2018 - The Information and Communications Technology (Tariffs) Regulations, 2018

The Statutory Instrument was issued pursuant to sections 51 and 91 of the *Information and Communications Technologies Act, No. 15 of 2009*. These Regulations were meant to enhance efficiency, transparency and predictability in the Information, Communication and Technology sector with regard to the regulation of tariffs for electronic communication services. The Regulations allowed the Zambia Information Communication Technology Authority to scrutinise, approve or reject tariffs, which protected the consumer against undesirable exorbitant tariffs. This in turn created a healthy check and balance in the consumer-service provider relationship.

Committee's Observations and Recommendations

The Committee notes the issuance of the Statutory Instrument as having been done in accordance with the enabling legislation.

13.0 MINISTRY OF FISHERIES AND LIVESTOCK

13.1 Statutory Instrument No. 22 of 2018 - The Animal Health (Veterinary Services Fees) Regulations, 2018

This Statutory Instrument was issued pursuant to section 80 of the *Animal Health Act, No. 27 of 2010*. It was promulgated so as to address some of the concerns raised by the farming community, farmers' organisations, livestock products processing industry and a number of other stakeholders that were not adequately consulted on the development of the fees contained in the previous Statutory Instrument No. 105 of 2016 – The Animal Health (Veterinary Services Fees) Regulations, 2016.

The fees in the Statutory Instrument were arrived at after broad consultations with various stakeholders who included small-scale and traditional livestock farmers, commercial farmers and their representative bodies, abattoirs, game/wildlife producer associations, livestock traders associations and veterinary professionals from the Veterinary Association of Zambia.

The revised fees had particularly taken into consideration the small scale and traditional livestock farmers' plight and introduced reduced fee categories to cater for their requirements. In addition, this category of farmers would be exempted from veterinary clinical services fees for services provided by Government veterinary assistants and livestock officers, who were the first line staff that attended to them.

Committee's Observations and Recommendations

The Committee notes the issuance of the Statutory Instrument as it was done in conformity with the requirements of the law.

13.2 *Statutory Instrument No. 78 of 2018 – The Control of Goods (Import and Export) (Agriculture) (Prohibition of Exportation of Hides and Skins) (Revocation) Order, 2018*

This Statutory Instrument was issued pursuant to section 3 of the *Control of Goods Act, Chapter 421 of the Laws of Zambia,* so as to revoke Statutory Instrument No 125 of 2003, which prohibited the exportation of raw hides and skins.

Committee's Observations and Recommendations

The Committee notes the issuance of the Statutory Instrument as it was done in conformity with the requirements of the law.

14.0 MINISTRY OF WATER DEVELOPMENT, SANITATION AND ENVIRONMENTAL PROTECTION

14.1 Statutory Instrument No. 18 of 2018 – The Water Resources Management (Charges and Fees) Regulations, 2018

The Regulations contained in the Statutory Instrument were issued in exercise of the powers contained in sections 7, 150, 151, 152 and 153 of the *Water Resources Management Act, No. 21 of 2011*. The Instrument levied charges and fees for the various costs involved with facilitating access and use of the water resource. This was aimed at conserving and providing for long-term economic sustainability for use of the resource for present and future generations.

Committee's Observations and Recommendations

The Committee notes the issuance of the Statutory Instrument as it was done in conformity with the requirements of the law.

14.2 *Statutory Instrument No. 19 of 2018 – The Water Resources Management (Licensing of Drillers and other Constructors) Regulations, 2018*

The Statutory Instrument was issued in exercise of the powers contained in sections 88 and 89 of the *Water Resources Management Act, No. 21 of 2011.* The Regulations required that any person who intended to engage in the trade or business of drilling a borehole should apply for a licence. The Regulations also provided for the registration of drillers, constructors and engineers. In addition, they provided for offences and penalties in the case of contravention of the Statutory Instrument.

Committee's Observations and Recommendations

The Committee notes the issuance of the Statutory Instrument as having been done in accordance with the enabling legislation.

14.3 Statutory Instrument No. 20 of 2018 – The Water Resources Management (Groundwater and Boreholes) Regulation, 2018

This Statutory Instrument was issued in accordance with section 179 of the *Water Resources Management Act, No. 21 of 2011*. The objectives of the Instrument were to contribute to groundwater protection through the development of sustainable practices that did not degrade groundwater and to promote measures to improve the safety and integrity of boreholes.

The Regulations also prescribed the distance to a new location from a potential pollution source and from another borehole in order to avoid depletion and contamination of groundwater and that the driller should ensure that a successful borehole had full casing from top to bottom; was gravel packed; bottom plugged; and had a sanitary seal. This was to ensure that the borehole was stable and lasted for a long time and that good quality raw groundwater could be abstracted.

Committee's Observations and Recommendations

The Committee notes the issuance of the Statutory Instrument as having been done in accordance with the enabling legislation.

14.4 *Statutory Instrument No. 65 of 2018 – The Environmental Management (Extended Producer Responsibility) Regulations, 2018*

The Statutory Instrument was issued pursuant to sections 43 and 134 of the *Environmental Management Act, No. 12 of 2011*, primarily to elaborate the principle of Extended Producer Responsibility, as provided for in section 58 of the Act. The Regulations in the instrument, therefore, provide for the management of waste (plastic and its resultant waste) to the post-consumer stage of a product or class of products.

The Statutory Instrument also provided for the regulation of non-returnable glass and plastic bottles, cartons, beverage cans, waste oils, pesticides or chemical containers, used tyres, electrical and electronic equipment and their resultant waste.

Further, the Regulations required a person or persons whose activities generated waste with potential to pollute the environment to employ measures essential to minimise waste through treatment, reclamation, re-use, recovery or recycling.

Committee's Observations and Recommendations

The Committee notes the issuance of the Statutory Instrument as having been done in accordance with the enabling legislation.

15.0 MINISTRY OF COMMERCE, TRADE AND INDUSTRY

15.1 Statutory Instrument No. 53 of 2018 – The Zambia Development Agency (Forms and Fees) Regulations, 2018

The Statutory Instrument was passed pursuant to section 82 of the *Zambia Development Agency Act, No. 11 of 2006* to provide for the forms to be used and fees to be paid for applications made pursuant to sections 68 and 74 of the Act. The Statutory Instrument aimed

to provide for standard forms and fees for use by clients of the ZDA when making various applications under the provisions of the Act.

Committee's Observations and Recommendations

The Committee notes the issuance of the Statutory Instrument as having been done in accordance with the enabling legislation.

16.0 THE JUDICIARY

16.1 Statutory Instrument No. 72 of 2018 – The High Court (Amendment) Rules, 2018

The Statutory Instrument was issued pursuant to sections 44 and 45 of the *High Court Act, Chapter 27 of the Laws of Zambia*, so as to amend the High Court Rules, to provide for a comprehensive procedure for referring matters to mediation. The Rules made it mandatory for a Judge to refer a matter to mediation at the scheduling conference stage and before setting it down for trial. The Rules also provided for the exceptions when matters may not be referred to mediation.

Committee's Observations and Recommendations

The Committee notes the issuance of the Statutory Instrument as it was done in accordance with the law.

16.2 *Statutory Instrument No. 73 of 2018 – The Subordinate Court (Amendment) Rules, 2018*

The Statutory Instrument was issued pursuant to section 57 of the *Subordinate Court Act, Chapter 28 of the Laws of Zambia*, so as to amend the Subordinate Court Rules of Procedure, to provide for a comprehensive procedure for referring matters to mediation. The Rules made it mandatory for the court to refer a matter to mediation before the hearing, but after the defendant had filed a defence. The Rules also provided for the exceptions as to circumstances when matters may not be referred to mediation.

Committee's Observations and Recommendations

The Committee notes the issuance of the Statutory Instrument as it was done in accordance with the law.

17.0 MINISTRY OF FINANCE

17.1 Statutory Instrument No. 6 of 2018 – The Income Tax (Double Taxation Relief) (Taxes on Income) (The Kingdom of Morocco) Order, 2018

The Statutory Instrument was issued pursuant to section 74 of the *Income Tax Act, Chapter 323 of the Laws of Zambia,* so as to ratify the avoidance of Double Taxation Agreement between the Government of the Republic of Zambia and the Kingdom of Morocco.

Committee's Observations and Recommendations

The Committee notes the issuance of the Statutory Instrument as it was done in accordance with the law.

17.2 *Statutory Instrument No. 24 of 2018 – The Income Tax (Transfer Pricing) (Amendment) Regulations, 2018*

The Statutory Instrument was issued pursuant to sections 97C and 97D of the *Income Tax Act, Chapter 323 of the Laws of Zambia*. The objective of the Statutory Instrument was to enhance the existing transfer pricing regulations, issued in 1999/2000, by providing detailed guidance on the application of the arm's length principal and Zambia's transfer pricing requirements.

Committee's Observations and Recommendations

The Committee notes the issuance of the Statutory Instrument as it was done in accordance with the law.

17.3 Statutory Instrument No. 36 of 2018 – The Customs and Excise (Excise Duty) (Cut Rug) (Suspension) Regulations, 2018

The Statutory Instrument was issued pursuant to section 89 of the *Customs and Excise Act*, *Chapter 322 of the Laws of Zambia*, so as to suspend excise duty on the importation of cut rug by local manufacturers of cigarettes. Cut rug was a form of raw to semi – processed tobacco that was used in the manufacture of cigarettes.

Committee's Observations and Recommendations

The Committee notes the issuance of the Statutory Instrument as it was done in accordance with the law.

17.4 Statutory Instrument No. 37 of 2018 – The Loans and Guarantees (Authorisation) (Exemption) Notice, 2018

The Statutory Instrument was issued pursuant to section 14 of the *Loans and Guarantees (Authorisation) Act, Chapter 366 of the Laws of Zambia*. The Act provided for the payment in Zambian currency of 2 percent of the amount involved in the loan or in the contractual obligation to which the guarantee related. The Act also provided for exemption from this requirement through a Statutory Instrument.

The purpose of this Statutory Instrument, therefore, was to exempt US$ 1,530,576,039.16 term loan facility agreement for Kafue Gorge Lower Power Development Corporation Limited.

Committee's Observations and Recommendations

The Committee notes the issuance of the Statutory Instrument as it was done in accordance with the law.

17.5 Statutory Instrument No. 38 of 2018 – The Banking and Financial Services Act (Commencement) Order, 2018

The Statutory Instrument was issued pursuant to section 1 of the *Banking and Financial Services Act, No. 7 of 2017*, so as to bring the said Act into force.

Committee's Observations and Recommendations

The Committee notes the issuance of the Statutory Instrument as it was done in accordance with the law.

17.6 Statutory Instrument No. 42 of 2018 – The Public Financial Management Act (Commencement) Order

The Statutory Instrument was issued pursuant to section 1 of the *Public Finance Management Act, No 1 of 2018*, so as to bring the said Act into force.

Committee's Observations and Recommendations

The Committee notes the issuance of the Statutory Instrument as it was done in accordance with the law.

17.7 Statutory Instrument No 48 of 2018 - The Income Tax (Tax Agent) (Terms and Conditions) Regulations, 2018

The Statutory Instrument was issued pursuant to section 7 of the *Income Tax Act, Chapter 323 of the Laws of Zambia.* The Statutory Instrument was meant to provide for the appointment of tax agents to collect base tax, presumptive tax, turnover tax or tax on rental income. This was part of the measures to enhance revenue collection from the informal sector.

Committee's Observations and Recommendations

The Committee notes the issuance of the Statutory Instrument as it was done in accordance with the law.

17.8 *Statutory Instrument No. 52 of 2018 – The Value Added Tax (General) (Amendment) Regulations, 2018*

The Statutory Instrument was issued pursuant to sections 18 and 51 of the *Value Added Tax Act, Chapter 331 of the Laws of Zambia.* The objective of the Statutory Instrument was to extend the period within which an intending trader may claim input tax credit or deduction as follows:

(i) Electricity generation, farming, mining and tourism – four years;
(ii) Mining exploration – ten years; and
(iii) Others – two years.

Committee's Observations and Recommendations

The Committee notes the issuance of the Statutory Instrument as it was done in accordance with the law.

17.9 *Statutory Instrument No. 61 of 2018 – The Customs and Excise (Suspension) (Fuel) Regulations, 2018*

The Statutory Instrument was issued pursuant to section 89 of the *Customs and Excise Act*, *Chapter 322 of the Laws of Zambia*, so as to suspend customs and excise duty on petrol and diesel imported by the Ministry of Energy. The instrument was revoked on 31st December, 2018.

Committee's Observations and Recommendations

The Committee notes the issuance of the Statutory Instrument as it was done in accordance with the law.

17.10 *Statutory Instrument No. 62 of 2018 – The Presidential Emoluments (Amendment) Regulations, 2018*

The Statutory Instrument was issued pursuant to section 2 of the *Presidential Emoluments Act, Chapter 261 of the Laws of Zambia*. The Statutory Instrument was meant to revise the annual salary and special annual allowance for the President as stipulated in the Statutory Instrument.

Committee's Observations and Recommendations

The Committee notes the issuance of the Statutory Instrument as it was done in accordance with the law.

The Statutory Instrument was issued pursuant to section 2 of the *Ministerial and Parliamentary Offices (Emoluments) Act, Chapter 262 of the Laws of Zambia*. The Statutory Instrument was meant to revise the emoluments for ministerial and parliamentary offices, specifically salaries and allowances payable to holders of specified offices as stipulated in the Statutory Instrument.

Committee's Observations and Recommendations

The Committee notes the issuance of the Statutory Instrument as it was done in accordance with the law.

17.12 *Statutory Instrument No. 64 of 2018 – The Constitutional Offices (Emoluments) (Amendment) Regulations, 2018*

The Statutory Instrument was issued pursuant to section 2 of the *Constitutional Offices (Emoluments) Act, Chapter 263 of the Laws of Zambia*. The Statutory Instrument was meant to revise the emoluments for constitutional office holders, which specifically included salaries payable to holders of specified constitutional offices as stipulated in the Statutory Instrument.

Committee's Observations and Recommendations

The Committee notes the issuance of the Statutory Instrument as it was done in accordance with the law.

17.13 *Statutory Instrument No. 66 of 2018 – The Customs and Excise (General) (Amendment) Regulations, 2018*

The Statutory Instrument was issued pursuant to section 198 of the *Customs and Excise Act*, *Chapter 322 of the Laws of Zambia.* It was issued so as to:

(i) limit to one the number of modified motor vehicles imported by a person with disability who was registered with the Zambia Agency for Persons with Disabilities;
(ii) allow the Commissioner General to safeguard revenues, by determining that risky goods transiting through Zambia were transported through containerised transport or by vehicle delivery service; and
(iii) list business enterprises approved in 2017 for tax incentives in accordance with *the Zambia Development Agency Act, No. 11 of 2006* as read together with *Customs and Excise Act*, *Chapter 322 of the Laws of Zambia.*

Committee's Observations and Recommendations

The Committee notes the issuance of the Statutory Instrument as it was done in accordance with the law. The Committee however, observes that there could be a number of persons with disabilities who may not necessarily be registered with the Zambia Agency for Persons with Disabilities, but may wish to benefit from the exemption from duty on importation of a modified vehicle.

The Committee, therefore, recommends that the Statutory Instrument should be amended so that it is inclusive of all persons with disabilities, irrespective of whether or not they are registered with the Zambia Agency for Persons with Disabilities.

17.14 *Statutory Instrument No. 74 of 2018 – The Customs and Excise (General) (Amendment) (No. 2) Regulations, 2018*

The Statutory Instrument was issued pursuant to section 89 of the *Customs and Excise Act*, *Chapter 322 of the Laws of Zambia.* The objective of the Statutory Instrument was to implement the bilateral trade agreements between Zambia and Angola and Zambia and the Democratic Republic of Congo (DRC). The Statutory Instrument had suspended duty on imports from Angola and DRC into Zambia and exports to DRC and Angola so as to facilitate trade with the two countries.

Committee's Observations and Recommendations

The Committee notes the issuance of the Statutory Instrument as it was done in accordance with the law.

17.15 Statutory Instrument No. 79 of 2018 – The Loans and Guarantees (Authorisation) (Exemption) Notice, 2018

The Statutory Instrument was issued pursuant to section 14 of the *Loans and Guarantees (Authorisation) Act, Chapter 366 of the Laws of Zambia.* The Act provides for the payment in Zambian currency of 2 per cent of the amount involved in the loan or in the contractual obligation to which the guarantee related. The Act also provided for exemption from this requirement through a Statutory Instrument. The purpose of this Statutory Instrument, therefore, was to exempt US$ 262, 877, 633.11 term loan facility agreement for ZESCO Limited.

Committee's Observations and Recommendations

The Committee notes the issuance of the Statutory Instrument as it was done in accordance with the law.

18.0 MINISTRY OF LOCAL GOVERNMENT

18.1 *Statutory Instrument No 10 of 2018 – The Local Government (Street Vending and Nuisances) (Amendment) Regulations, 2018*

The Statutory Instrument was issued pursuant to section 84 of the *Local Government Act, Chapter 281 of the Laws of Zambia* so as to amend the first schedule of the principal Regulations, namely The Local Government (Street Vending and Nuisances) Regulations, 1992.

Committee's Observations and Recommendations

The Committee notes the issuance of the Statutory Instrument as it was done in accordance with the law.

18.2 *Statutory Instrument No. 12 of 2018 - The Local Government (Street Vending and Nuisances) (Amendment) (No.2) Regulations, 2018*

The Statutory Instrument was issued pursuant to section 84 of the *Local Government Act, Chapter 281 of the Laws of Zambia* so as to amend the first schedule of the Local Government (Street Vending and Nuisances) Regulations, 1992.

Committee's Observations and Recommendations

The Committee notes the issuance of the Statutory Instrument as it was done in accordance with the law.

18.3 *Statutory Instrument No. 26 of 2018 – The Provincial and District Boundaries (Division) (Amendment) Order, 2018*

The Statutory Instrument was issued pursuant to section 2 of the *Provincial and District Boundaries Act, Chapter 286 of the Laws of Zambia*. The objective of the Statutory Instrument was to facilitate the boundary changes to the provincial and district boundaries of Lundazi, Chipata and Petauke in Eastern Province and Samfya in Luapula Province to reflect

the newly created districts of Chasefu, Lumezi, Chipangali, Kasenengwa, Lusangazi and Chifunabuli, respectively.

Committee's Observations and Recommendations

The Committee notes the issuance of the Statutory Instrument as it was done in accordance with the law.

18.4 *Statutory Instrument No. 28 of 2018 – The Provincial and District Boundaries (Division) (Amendment) Order, 2018*

The Statutory Instrument was issued pursuant to section 2 of the *Provincial and District Boundaries Act, Chapter 286 of the Laws of Zambia* so as to delete, under Lusaka Province, the Shibuyunji District and insert it under Central Province.

Committee's Observations and Recommendations

The Committee notes the issuance of the Statutory Instrument as it was done in accordance with the law.

18.5 *Statutory Instrument No. 30 of 2018 – The Local Government (Establishment of Councils) Order, 2018*

The Statutory Instrument was issued pursuant to section 3 of the *Local Government Act, Chapter 281 of the Laws of Zambia*. The objective of the Statutory Instrument was to establish councils for the newly created districts of Chasefu, Lumezi, Chipangali, Kasenengwa, Lusangazi, in Eastern Province and Chifunabuli in Luapula Province.

Committee's Observations and Recommendations

The Committee notes the issuance of the Statutory Instrument as it was done in accordance with the law.

18.6 *Statutory Instrument No. 31 of 2018 – The Local Government (Establishment of Management Boards) Order, 2018*

The Statutory Instrument was issued pursuant to section 3 of the *Local Government Act, Chapter 281 of the Laws of Zambia*. The objective of the Statutory instrument was to establish Management Boards for Lusaka District, namely Chawama, Kabwata, Kanyama, Lusaka Central, Mandevu, Matero and Munali under the Lusaka City Council.

Committee's Observations and Recommendations

The Committee notes the issuance of the Statutory Instrument as it was done in accordance with the law.

18.7 *Statutory Instrument No. 43 of 2018 – The Urban and Regional Planning (Designated Local Planning Authorities) Regulations, 2018*

The Statutory Instrument was issued in accordance with section 13 of the *Urban and Regional Planning Act, No. 3 of 2015* with the objective of designating Chongwe Municipal

Council, Senanga, Sesheke and Sinazongwe Town Councils, as Local Planning Authorities for their respective areas.

Committee's Observations and Recommendations

The Committee notes the issuance of the Statutory Instrument as it was done in accordance with the law.

18.8 *Statutory Instrument No. 44 of 2018 - The Urban and Regional Planning (Designated Local Planning Authorities) (No. 2) Regulations, 2018*

The Statutory Instrument was issued in accordance with section 13 of the *Urban and Regional Planning Act, No. 3 of 2015* with the objective of designating Kawambwa Town Council as a Local Planning Authority for its area.

Committee's Observations and Recommendations

The Committee notes the issuance of the Statutory Instrument as it was done in accordance with the law.

18.9 *Statutory Instrument No. 49 of 2018 – The Local Government (Fire Inspectors and Fire Officers) Order, 2018*

This Statutory Instrument was issued in accordance with section 107 of the *Local Government Act, Chapter 281 of the Laws of Zambia*. The Statutory Instrument was an order for the appointment of persons named in the schedule to the instrument as Fire Inspectors and Fire Officers, for the districts specified in the schedule.

Committee's Observations and Recommendations

The Committee notes the issuance of the Statutory Instrument as it was done in accordance with the law.

18.10 *Statutory Instrument No. 51 of 2018 – The Provincial and District Boundaries (Division) (Amendment) Order, 2018*

The Statutory Instrument was issued pursuant to section 2 of the *Provincial and District Boundaries Act, Chapter 286 of the Laws of Zambia*. The objective of the Statutory Instrument was to facilitate the boundary changes to the provincial and district boundaries of Luwingu in Northern Province to reflect the newly created district of Lupososhi.

Committee's Observations and Recommendations

The Committee notes the issuance of the Statutory Instrument as it was done in accordance with the law.

18.11 *Statutory Instrument No. 68 of 2018 – The Local Government (Establishment of Council) (No. 2) Order, 2018*

The Statutory Instrument was issued pursuant to section 3 of the *Local Government Act, Chapter 281 of the Laws of Zambia*. The objective of the Statutory Instrument is to establish the council for the newly created district of Lupososhi in Northern Province.

Committee's Observations and Recommendations

The Committee notes the issuance of the Statutory Instrument as it was done in accordance with the law.

18.12 *Statutory Instrument No. 77 of 2018 - The Urban and Regional Planning (Planning Appeals Tribunal) Regulations, 2018*

The Statutory Instrument was issued in accordance with sections 62 and 74 of the *Urban and Regional Planning Act, No. 3 of 2015* with the objective of establishing Planning Appeals Tribunals for the provinces set out in the second column of the schedule to the Statutory Instrument.

Committee's Observations and Recommendations

The Committee notes the issuance of the Statutory Instrument as it was done in accordance with the law.

19.0 MINISTRY OF LANDS AND NATURAL RESOURCES

19.1 *Statutory Instrument No 11 of 2018 – The Forests (Community Forest Management) Regulation*

The Statutory Instrument was issued pursuant to section 105 of the *Forests Act, No. 4 of 2015* so as to provide for regulations meant to promote sustainable management of forest ecosystems and increase the areas of forests under protection. The Regulations were meant to encourage communities to use community forests in a responsible manner and actively participate in their management.

Committee's Observations and Recommendations

The Committee notes the issuance of the Statutory Instrument as it was done in accordance with the law.

19.2 *Statutory Instrument No. 16 of 2018 – The National Forest No. F5: Misaka (Alteration of Boundaries) Order, 2018*

The Statutory Instrument was issued in accordance with section 10 of the *Forests Act, No. 4 of 2015*. The objective of the Statutory Instrument was to alter the existing boundary description of National Forest No. F5 by deleting it and substituting it with the boundary description specified in the Statutory Instrument. The alteration was meant to facilitate the construction of roads and other infrastructure in Ndola District.

Committee's Observations and Recommendations

The Committee notes the issuance of the Statutory Instrument as it was done in accordance with the law.

19.3 Statutory Instrument No. 17 of 2018 – The Local Forest No. F42: Mufulira (Alteration of Boundaries) Order, 2018

The Statutory Instrument was issued in accordance with section 17 of the *Forests Act, No. 4 of 2015*. The objective of the Statutory Instrument was to alter the existing boundary description of Local Forest No. F42 by deleting it and substituting it with the boundary description specified in the Statutory Instrument. The alteration was meant to facilitate the establishment of a solar plant by the Industrial Development Corporation (IDC), in Mufulira District.

Committee's Observations and Recommendations

The Committee notes the issuance of the Statutory Instrument as it was done in accordance with the law.

19.4 *Statutory Instrument No. 58 of 2018 – The National Forest No. F45: Kipushi (Alteration of Boundaries) Order, 2018*

The Statutory Instrument was issued in accordance with section 10 of the *Forests Act, No. 4 of 2015*. The objective of the Statutory Instrument was to alter the existing boundary description of National Forest No. F45 by deleting it and substituting it with the boundary description specified in the Statutory Instrument. The alteration was meant to facilitate the construction of infrastructure and the expansion of the newly created Mushindamo District in North Western Province.

Committee's Observations and Recommendations

The Committee notes the issuance of the Statutory Instrument as it was done in accordance with the law.

19.5 *Statutory Instrument No. 59 of 2018 – The Local Forest No. F27: Lusaka East (Alteration of Boundaries) Order, 2018*

The Statutory Instrument was issued in accordance with section 17 of the *Forests Act, No. 4 of 2015*. The objective of the Statutory Instrument was to alter the existing boundary description of Local Forest No. F27 by deleting it and substituting it with the boundary description specified in the Statutory Instrument. The alteration was meant to facilitate the construction of office space and staff housing to allow Lusaka District meet its growing development needs.

Committee's Observations and Recommendations

The Committee notes the issuance of the Statutory Instrument as it was done in accordance with the law.

FINDINGS FROM THE LOCAL TOUR OF THE COMMITTEE ON DELEGATED LEGISLATION FOR THE THIRD SESSION OF THE TWELFTH NATIONAL ASSEMBLY

20.0 Statutory Instrument No. 7 of 2018 – The Railways (Transportation of Heavy Goods) Regulations, 2018

20.1 Visit to Zambia Railways Limited Headquarters

In order to appreciate how the Statutory Instrument was being implemented, the Committee visited Zambia Railways Limited in Kabwe, which was one of the main stakeholders in the railway sector.

During the visit, the Committee learnt that the Statutory Instrument was issued mainly to sanction the shift of the movement of 30 per cent of heavy and bulk cargo from road to rail. The commodities covered under the Statutory Instrument included copper, cobalt, coal, sulphur, sugar, cement and fuels.
In pursuance of the implementation of the Statutory Instrument, Zambia Railways Limited had put in place some measures, which included the following:

(i) signing of Service Level Agreements with major clients like mining and cement companies;
(ii) development of compliance monitoring and law enforcement mechanisms;
(iii) acquisition of six locomotives as a stop gap measure before acquiring its own rolling stock;
(iv) implementation of the locomotive remanufacturing project and pursuing plans to acquire 200 wagons;
(v) implementation of a plan of prioritised critical track works in order to improve and support traffic; and
(vi) recruitment of twenty-four additional train drivers and assistants and sixteen shunters who had undergone training.

As a consequence of some of the measures put in place, Zambia Railways Limited had experienced an increase in the quantities of commodities it moved and in revenue earned. By the end of 2018, the company achieved growth of about 18 per cent of all the commodities in tonnage, with coal, sulphur and sugar surpassing the 30 per cent threshold set by the Statutory Instrument.

Notwithstanding the foregoing, the company continued to experience financial and operational challenges. Notably, the company was spending huge amounts of money to hire locomotives from South Africa as it did not have the requisite finances to purchase its own. The company was also in need of huge capital investments to expand the railway network, especially to mining areas like Mufulira and Chingola smelters.

In addition, operations were greatly hampered by an old railway network or track, which tremendously reduced the speed of the engines to a maximum of 50 kilometres per hour, thereby making the service inefficient and unattractive for business.

Committee's Observations and Recommendations

The Committee observes that although Zambia Railways has taken some significant steps towards the implementation of the Statutory Instrument, it is faced with huge financial and operational difficulties as highlighted above. The Committee therefore, recommends that the Government to urgently inject capital into the company so that it can purchase new locomotives and improve and expand the railway system. Once this is done, railway transport will become efficient, competitive and attractive for commerce, which in the long term will help reduce road carnage and prolong the life span of roads in the country.

21.0 Statutory Instrument No. 44 of 2017 - The Local Government (Fire Services) Order, 2017

In order to appreciate the implementation of the Statutory Instrument, the Committee visited the Councils as set out hereunder.

21.1 Visit to Samfya Town Council

The Committee learnt that although Samfya Town Council was designated a Fire Authority, the council was not well acquainted with the provisions of Statutory Instrument No. 44 of 2017. The Committee was informed that the council had no fire equipment, such as a fire tender, nor did it have protective clothing or other equipment for its fire fighters. In addition, the Committee discovered that out of an establishment of ten fire officers, there were only four officers employed by the council, of whom one was on study leave. The Committee also discovered that the Council did not have any office space for the officers to operate from.

The Committee also learnt that the council had submitted a request to the Ministry of Local Government to be provided with a fire tender, but the equipment had not been supplied. As a consequence, the district depended on Mansa Municipal Council which was more than 60 kilometres away to attend to serious cases of fire or marine accidents. In addition, the Committee learnt that the National Fire Service Training School did not offer training in marine rescue as this was not part of the curriculum of the College.

Committee's Observations and Recommendations

The Committee is concerned that despite the issuance of Statutory Instrument No. 44 of 2017, by virtue of which Samfya Town Council was declared a Fire Authority, virtually nothing has been done by the Ministry of Local Government to assist the council to actualise its fire authority status. The Committee notes that in cases of fire and marine accidents, Samfya would have to depend on assistance from Mansa, which is located many kilometres away. The Committee, therefore, strongly recommends that the Government should urgently assist the council to acquire a fire tender and to fill the vacant positions in its structure so that it can commence operations as a fully-fledged Fire Authority.

The Committee also recommends that through the Equalisation Fund, Samfya Town Council should make an effort to purchase some fire equipment such as uniforms and protective clothing for its officers. The council should also prioritise the construction of a fully equipped fire station to house the fire brigade and the fire engine once procured. Taking into consideration the fact that there are several water bodies in Zambia, notably Lake Bangweulu, the Committee strongly recommends that the National Fire Service Training School should, as a matter of urgency,

introduce a course in marine training so as to cater for needs of councils such as Samfya, among others.

21.2 Visit to Mansa Municipal Council

The Committee was informed that Mansa was the main Fire Authority in Luapula Province which catered for most of the surrounding districts albeit distant. In terms of staffing levels, for fire officers, the council had twenty-three officers out of an establishment of forty. The Committee also learnt that none of the officers were trained in marine rescue, thus the council was ill-equipped to provide marine rescue services. With regard to fire equipment, the council had three fire tenders although one of them was a non-runner. The council was also fully stocked with protective clothing, uniforms and other attendant fire equipment.

During a conducted tour of the fire station, the Committee discovered that the fire station was housed in a make shift garage as there was no shelter where the fire engines could be parked, As a result, the fire engines were exposed to the elements. The Committee also discovered that the fire officers' dormitory was too small and was not properly ventilated.

Committee's Observations and Recommendations

The Committee observes that there are a lot of vacancies in the establishment of Mansa Municipal Council Fire Services Department despite the council responsible for provision of fire services to other districts that do not have these facilities. The Committee urges the Ministry of Local Government, through the Local Government Service Commission, to deploy fire officers to Mansa in order to fill the existing vacancies in the Fire Services Department. In the same vein, the Committee calls for the recruitment of officers with expertise in the provision of marine rescue services so as to seal the existing gap in service provision.

The Committee also observes that despite the council having the necessary fire equipment; it does not have a proper fire station to house the fire brigade. The Committee also notes that the living conditions in the officers' dormitories are deplorable and not conducive for the officers who are supposed to provide a very critical service. In this regard, the Committee urges the Ministry of Local Government to prioritise the construction of a proper fire station at the council as well as improve the office and dormitory infrastructure for the fire officers.

21.3 Visit to Kasama District Council

During its visit to Kasama District Council, the Committee undertook a tour of the fire facilities of the Council. The Committee found that the Council had two fire tenders which were both runners and its officers had sufficient stocks of protective clothing and uniforms. The Committee learnt that the Council had a total of forty-one fire officers with only one trained marine officer who was privately trained. The Committee however, discovered that the purported fire station where the fire brigade was housed was actually a run-down garage. The office of the Fire Services Manager was in a dilapidated state and could be at risk of collapsing. The dormitories for the officers were in a deplorable state and had no proper demarcation between the female and male sections. The Committee also noted with concern that the fire station had no toll free number on which residents could call in case of emergency.

The Committee was informed of the fact that Kasama town had four fire hydrants located in strategic places within the town, although only two were functional. The Committee also learnt that the Council had designated some land where it intended to build a modern fire station,

equipped with state of the art equipment. In the meantime, the Council was engaged in negotiations with a private property owner to rent a house so as to accommodate its female officers.

Committee's Observations and Recommendations

In light of the above findings, the Committee recommends that Kasama Municipal Council should allocate part of its Equalisation Fund towards the construction of a fire station at the designated site so that the fire brigade can be housed in a modern building befitting of a provincial fire authority. The Committee also recommends that the Council should, as a matter of urgency, install more fire hydrants in Kasama town so as to ensure that the Council is ready to efficiently attend to fire accidents.

With regard to the lack of an emergency toll free number, the Committee urges the Council to urgently acquire such a number. The Committee also urges the Council to consider sponsoring some of its officers to undertake training in marine rescue services.

22.0 Statutory Instrument No. 70 of 2018- The Minimum Wages and Conditions of Employment (Shop Workers) (Amendment) Order, 2018

In order to appreciate the implementation of this Statutory Instrument, the Committee visited two Shoprite Stores based in Mansa and Kasama respectively.

The Committee discovered that although the respective Store Managers were aware that the minimum wages for shop workers had been revised, they were not familiar with the specific provisions and categories of wages provided in the Statutory Instrument. The Committee learnt that both stores had two categories of workers, namely; permanent and non-permanent (flexi-hours). Those on flexi-hours worked for five hours per day and their remuneration was calculated on an hourly basis.

The Committee was presented with data containing pay statements of both categories of workers at different levels in the structure of the stores. After sampling the data, the Committee was pleased to note that the two Shoprite stores were in conformity with the requirements of the Statutory Instrument and were in fact remunerating their workers well above the minimum wage.

Committee's Observations and Recommendations

While noting that the Shoprite stores visited were complying with the law, the Committee is concerned that there has been no sensitisation of both shop owners and workers about the contents of the Statutory Instrument. In this regard, the Committee recommends that the Executive should adequately fund the Department of Labour under the Ministry of Labour and Social Security so that it can undertake robust labour inspections as well as sensitisation of both employers and employees on the contents of the Statutory Instrument.

23.0 Statutory Instrument No 13 of 2018-The Civil Aviation (Designated Provincial and Strategic Airports) Regulations, 2018

The Committee visited Mansa, Kasama and Mbala airports in order to assess the implementation of the Statutory Instrument which had designated some airports as provincial and strategic airports for purposes of improving their infrastructure and operations, in order to make Zambia

an air transport hub. In this regard, the Committee was acquainted with the fact that in accordance with section 23 of the *Civil Aviation Act, No. 5 of 2016*, all persons who were in the service of the Government at designated airports, were deemed to have voluntarily been transferred to the Zambia Airports Corporation Limited, which was a statutory corporation under the jurisdiction of the Ministry of Transport and Communication. This in effect placed all the airports listed in the Statutory Instrument, under the charge of the Zambia Airports Corporation Limited.

23.1 Kasama Airport

At Kasama airport, the Committee noted that in pursuance of the provisions of the Statutory Instrument, the measures outlined below had been undertaken.

(i) A security screening machine had been installed and commissioned.

(ii) The tower roof had been refurbished.

(iii) Interior and exterior painting of the control tower block had been done.

(iv) Signage around airport perimeter had been improved and light grading of runway shoulders had been done.

(v) Painting of edge markings and replacement of control panel had been done.

(vi) Passenger seats and the Presidential lounge suite had been refurbished.

(vii) The Aeronautical Telecommunication Network project had been implemented and commissioned.

The Committee was informed that due to the fact that the 2.5 kilometre runway was gravel and had been in that state since the airport was established, local airline operators were reluctant to explore the Kasama route. The Committee discovered however, that the construction company which had been contracted to upgrade the runway had ceased works due to non-payment of outstanding financial obligations on the part of the Government.

Committee's Observations and Recommendations

The Committee observes that the development of Kasama airport is critical in accessing the northern tourism circuit and therefore, it should be given priority in terms of upgrading its infrastructure. The Committee is greatly concerned that construction of the runway has halted due to non-payment on the part of the Government. The Committee urges the Government to ensure that funds are released towards the construction of the runway so that the aspiration of making Zambia an air transport hub can be realised.

23.2 Mansa Airport

At Mansa airport, the Committee noted that the terminal building was in good condition and was well functioning with a thrice-weekly flight operated by Mahogany Air. The Committee also discovered that the Aeronautical Telecommunication Network Project had been implemented and commissioned and the 5000 litre water tank, the damaged submersible pump and control panel had all been replaced. With the increased air traffic into Mansa, the Zambia Airports

Corporation had embarked on expansion plans. To this end, site plans had already been done and were awaiting funding from the Government for cadastral survey and eventual issuance of title deeds.

Committee's Observations and Recommendations

The Committee observes that there is tourism, agriculture and industrial development potential in Luapula Province, which will require an efficiently run air transport system. The Committee notes that Mansa Airport is on course to becoming such an airport to support the anticipated economic boom.

In view of the above observation, the Committee recommends that the expansion plans of the airport should be urgently funded by the Government in anticipation of the increased economic activities that have already began taking place in Luapula Province.

23.3 Mbala Airport

At Mbala Airport, the Committee learnt that previously, the entire airport was under the control of Zambia Air Force, operating as Samorah Machel Air Base. After the demilitarisation of the air base, part of it was designated as a commercial airport. To this end, the airport was remodelled under Phase I of the project, which saw the remodelling of a hanger into a terminal building. Other works done under Phase I included the installation of passenger seats, presidential lounge suite and a generator for the terminal building.

The Committee was informed that Phase II of the project would include the construction of a car park, installation of ceiling and floor tiles in the terminal building, among others. Funding for Phase II had not yet been secured.
The Committee learnt that there were no scheduled commercial flights servicing the Mbala route apart from chartered private planes that landed at the airport from time to time.

Committee's Observations and Recommendations

The Committee observes that despite Mbala being in a state where commercial flights could land and passengers attended to, little engagement with the general public and local or private airlines had been done. The Committee recommends that more engagement, sensitisation and marketing should be done to avoid the risk of the facility becoming a white elephant.

The Committee also observes that infrastructure development works under Phase II of the project have not commenced due to lack of finances. The Committee urges the Government, through the Ministry of Transport and Communication, to prioritise the funding of Phase II of the project.

With regard to the voluntary transfer of all persons who were in the service of the Government at designated airports as provided in section 23 of the *Civil Aviation Act, No. 5 of 2016,* the Committee observes that the affected workers in all the three airports visited, are still in the dark regarding the implications of the voluntary transfer on their employment status and conditions of service, especially that while under Government service, they were under a pension scheme different from the one to which the corporation subscribes to.

Concerned with the state of employment of such workers, the Committee recommends that the Government should urgently address this challenge as it could have some repercussions on the smooth implementation of the Statutory Instrument.

24.0 Statutory Instrument No. 1 of 2017 – The Citizens Economic Empowerment (Reservations Scheme) Regulations, 2017

In order to assess the efficacy of this Statutory Instrument, the Committee held stakeholders' meetings in Samfya, Mbala and Nakonde districts. The Committee found that in all the three districts, neither the Ministry of Commerce, Trade and Industry nor the Citizenship Economic Empowerment Commission (CEEC) had taken the trouble to sensitise citizens engaged in the business of selling live birds on the ramifications of the Statutory Instrument.

The Committee discovered that despite citizens not being aware of the instrument, they did not face any competition from non-citizens. The Committee gathered from those engaged in selling live birds in markets that their biggest challenge in the business was not the threat of being pushed out of business by non-Zambians. Their main challenges included the high cost of feed and vaccines, the lack of easy access to day old chick and the lack of access to empowerment funds required for expansion of their businesses.

Committee's Observations and Recommendations

The Committee observes that this Statutory Instrument was well intended as it seeks to reserve the sell of live birds at markets to Zambian citizens. The Committee is however, dismayed that the implementation of the Statutory Instrument is being hindered by the slow pace at which the Working Committees for the Reservation Scheme are being rolled out to the districts. The Committee, therefore, recommends that the CEEC should expedite the establishment of Working Committees so that as many citizens as possible can be enlightened on and benefit from the provisions of the Statutory Instrument.

PART II

CONSIDERATION OF THE ACTION-TAKEN REPORT ON THE REPORT OF THE COMMITTEE ON DELEGATED LEGISLATION FOR THE SECOND SESSION OF THE TWELFTH NATIONAL ASSEMBLY

25.0 Statutory Instrument No. 1 of 2017 – The Citizens Economic Empowerment (Reservations Scheme) Regulations, 2017

The Statutory Instrument was issued pursuant to section 21(1) and (2) of the *Citizens Economic Empowerment Act, No. 9 of 2006*, to provide for the implementation of the reservation schemes in three sectors by reserving these sectors for citizens, citizen-influenced companies, empowered and citizen-owned companies. These sectors were block-making and quarrying; poultry and domestic haulage.

The specific measures in the Statutory Instrument were as follows:

(i) That the sale of live birds in a market or any other place designated under a written law be reserved for targeted citizens, citizen-influenced companies, citizen-empowered companies and citizen-owned companies; and

(ii) That domestic haulage for all public procurement works be reserved for targeted citizen and citizen-influenced, citizen empowered and citizen-owned companies and that non-targeted citizens and companies may continue to operate for private haulage transactions only.

The Committee had noted the issuance of the Statutory Instrument and had requested for a progress report on what had been done to restrict foreigners from engaging in the reserved activities, and which citizens by province had been empowered by the Citizens Economic Empowerment Commission (CEEC) in the reserved categories.

RESPONSE BY THE EXECUTIVE

The Executive reported that to commence implementation of this law, the Ministry developed a roadmap and also established two working committees to recommend modalities, rules and regulations for implementation of the Statutory Instrument, these being the Reservation Scheme on the Sale of Live Birds and the Reservation Scheme on Domestic Haulage.

(i) Sale of Live Birds

The Executive reported that in order to restrict non-targeted citizens and companies from engaging in the sale of live-birds at markets, whether directly or indirectly, the Working Committee for the Reservation Scheme on Live Birds developed guidelines outlining institutional roles and responsibilities in implementing the Reservation Scheme.

The Executive also reported that in order to strengthen monitoring and enforcement of the restriction, the Working Committee for the Reservation Scheme on Live Birds created a Task Force to monitor compliance. This Task Force included organisations such as the Poultry Association of Zambia (PAZ), the Anti-Corruption Commission (ACC), respective local authorities, the Zambia Police, the Competition and Consumer Protection Commission, the Association of Vendors and Marketeers, the Provincial Planning Unit and the Citizens Economic Empowerment Commission.

In addition, city and municipal councils were charged with the responsibility of undertaking inspections in markets and prosecuting offenders as they had a much larger capacity to undertake this task and the operations of markets was within their mandate.

Committee's Observations and Recommendations

The Committee observes that the implementation of the guidelines developed by the Working Committee for the Reservation Scheme on Live Birds was still work in progress. The Committee recommends that the Executive should avail it an update on how the implementation process is progressing. The Committee also resolves that before closing the matter, it will interact with stakeholders in the poultry sub sector in selected districts to sample how the Reservation Scheme on the Sale of Live Birds is being enforced.

(ii) Haulage Sector

The Executive reported that to restrict non-targeted citizens and companies from taking part in domestic haulage for all public procurement works whether directly or indirectly, the Working Committee on Domestic Haulage developed guidelines outlining institutional roles and responsibilities in implementing the Reservation Scheme.

It was further reported that the Task Force created to monitor compliance during the implementation of the Reservation Scheme on Live Birds would also monitor compliance during the implementation of the Reservation Scheme on Domestic Haulage. However, with regard to the Reservation Scheme on Domestic Haulage, the Zambia Public Procurement Authority (ZPPA) would be tasked with the responsibility to track tenders which were awarded to citizen bidders. In addition, ZPPA would be required to provide quarterly reports showing how many tenders were awarded to targeted citizens, citizen owned, influenced and empowered companies. In addition, procurement audits in line with the processes and procedures of the ZPPA Act would need to be undertaken as a preventive measure and to discourage would-be offenders.

Further, the Road Transport and Safety Agency (RTSA) and the Zambia Police would collaborate with the CEEC by mounting roadblocks or through check points to enforce this law by checking for the Preferential Procurement Certificate for Domestic Haulage and other requisite documents allowing them to transport. In addition, Government ministries would be tasked with the responsibility of operationalising Integrity Committees while the Anti-Corruption Commission would be charged with the responsibility of ensuring that Integrity Committees were operational to curb corruption.

The Patents and Companies Registration Agency (PACRA) would be required to ensure that companies were provided with information at the point of registration on the Reservation Scheme while the Ministry of Commerce, Trade and Industry would coordinate implementation of the Statutory Instrument.

The Executive also reported that the Working Committee for the Reservation Scheme on Domestic Haulage during its consultative meetings with key stakeholders observed that there were some challenges that would affect the implementation of the Reservation Scheme. To address these challenges, the Working Committee for the Reservation Scheme on Domestic Haulage would implement the following measures:

(i) the CEEC should introduce a Preferential Procurement Certificate on Domestic Haulage that must be made mandatory for all companies bidding for any public procurement works in Domestic Haulage;
(ii) all public procurement and supply units should ensure that contracts for domestic haulage were issued only to bidders with valid Preferential Procurement Certificates for Domestic Haulage;
(iii) PACRA computer print-outs should be a requirement as part of bidding documents;
(iv) at the point of registration, investors should be sensitised on the importance of adhering to the requirements pertaining to the nature of business they had registered and what areas of the economy were reserved for investment by Zambian citizens only;
(v) Companies bidding for domestic haulage contracts should provide proof of ownership of motor vehicle to abate fronting;
(vi) companies bidding for domestic haulage contracts should provide proof of capacity to execute the contract in order to avoid subcontracting foreign nationals;
(vii) training programmes should be provided for targeted Zambian transport service providers on improving the quality of their services to internationally acceptable standards in order to prevent customers from having preference to better quality foreign nationals transport services;
(viii) capacity building of wholly owned Zambian companies should be facilitated to ensure that they met the gap currently being occupied by foreign companies;

(ix) the Transporters Association of Zambia (or chamber of commerce) should sensitise their members on the new law so that there was vigilance;
(x) local companies should be encouraged to form partnerships in order to enhance their capacity to meet the required criteria for domestic haulage contracts;
(xi) guidelines should be developed to help targeted citizens to form cooperatives in domestic haulage;
(xii) all public institutions advertising the procurement of domestic haulage services should state in the advertisement and all tender documents that the tender was not open to non-targeted companies;
(xiii) all Government ministries and spending agencies should be notified on the new legislation to enhance compliance;
(xiv) the *Citizen Economic Empowerment Commission Act* should be amended to state that only targeted citizens and 100 per cent citizen-owned companies could benefit from this legislation; and
(xv) as a punitive measure, all non-complying companies should be made to forfeit their fleet to the state.

Committee's Observations and Recommendations

On the measures to be implemented by the Working Committee, the Committee observes that non-complying companies would have to forfeit their fleet of vehicles to the State as a punitive measure. The Committee is of the view that this punitive measure has the potential to violate citizens' property rights as it would be enforced in the absence of a due court process. The Committee, therefore, recommends that an alternative punishment should be imposed, such as payment of a fine.

The Committee also resolves to request for a progress report in view of the fact that there are still a number of measures that had to be implemented.

26.0 Statutory Instrument No. 73 of 2017: Food Reserve (Designated Commodities) Regulations, 2017

In exercise of the powers contained in sections 6 and 27 of the *Food Reserve Act, Chapter 225 of the Laws of Zambia*, this Statutory Instrument was issued to designate commodities as required by the *Food Reserve Act.* The designated crops under the Statutory Instrument were as follows:

i. White maize;
ii. Orange maize;
iii. Rice;
iv. Sorghum;
v. Sunflower;
vi. Groundnuts;
vii. Soya beans; and
viii. Beans

The Committee in the previous Session had noted that the issuance of the Statutory Instrument was in conformity with the law, and in the national interest. However, the Committee observed that cassava was not included amongst the designated crops.

It was reported in the Action-Taken Report that the Ministry of Agriculture would consider the addition of cassava to the list of designated commodities, although in the past the Food Reserve Agency (FRA) had procured cassava but faced challenges finding market for it.

Committee's Observations and Recommendations

The Committee resolves to await a progress report on the practicability of adding cassava to the designated list in view of past challenges faced by FRA.

CONSIDERATION OF THE ACTION-TAKEN REPORT ON THE REPORT OF THE COMMITTEE ON DELEGATED LEGISLATION FOR THE FIRST SESSION OF THE TWELFTH NATIONAL ASSEMBLY

27.0 Statutory Instrument No. 8 of 2016 – The Anti-Gender-Based Violence (Court) Rules, 2016

The Committee in the previous Session had conducted a tour of the facilities that were used in GBV cases to protect victims of gender-based violence. The facilities included a court room, video link and public address systems.

It was reported in the Action-Taken Report that the Judiciary had since engaged the Ministry of Justice, the Zambia Law Development Commission (ZLDC) and Ministry of Gender to facilitate the amendment of the law to allow the admission of evidence via video link to ensure the speedy disposal of gender based violence cases. In this regard, the process of reviewing the *Gender Based Violence Act, No. 8 of 2016* and the *Criminal Procedure Code, Chapter 88 of the Laws of Zambia*, was underway and was being spearheaded by the Zambia Law Development Commission (ZLDC), Ministry of Justice, and Ministry of Gender.

With regard to the installation of video link facility in all court rooms at Magistrates' Court Complex and progressively to all districts, it was reported that the Judiciary had not yet installed video facilities to facilitate the admission of evidence in GBV cases in any other court rooms at the Magistrates Court Complex due to non-availability of funds. The Judiciary had however, with the assistance of cooperating partners, commenced the installation of these facilities at Ndola, Choma, Mongu and Chipata Subordinate Courts. The court room at Ndola which was installed with the video facilities had since been handed over to the Judiciary.

Committee's Observations and Recommendations

The Committee resolves to request for an update with regard to the suggested amendments to the *Anti-Gender Based Violence Act, No. 8 of 2016* and the *Criminal Procedure Code, Chapter 88 of the Laws of Zambia* in order to provide for the time limits and time lines for the disposal of gender-based violence cases, as well as to allow for the admission of evidence via video link.

The Committee resolves to await a progress report on the matter.

28.0 Statutory Instrument No. 79 of 2016 (Seat-Belt and Child Car Seat)

The Committee had requested for a progress report on the strategies being implemented to enforce the Statutory Instrument.

It was reported that the Road Transport and Safety Agency had engaged the Zambia Bureau of Standards (ZABS) to prescribe and design specifications for seat belts. The Zambia Bureau of Standards had since prescribed the specifications and in this regard, the Government would update the Committee once a strategy was agreed on.

Committee's Observations and Recommendations

The Committee resolves to await a progress report on the matter.

29.0 Statutory Instrument No 39 of 2016 – The Provincial and District Boundaries (Division) (Amendment) Order (Kalumbila and Mushindamo Districts)

The Committee had requested for a progress report on the construction of the Solwezi to Kipushi Road via Mushindamo District.

It was reported that the contract for the upgrading of Solwezi to Kipushi Road to bituminous standard was signed on 25th March, 2016 at a sum of K546, 877,969.51 VAT inclusive, with a completion period of thirty months from the date of commencement. The project was scheduled to be executed using the contractor facilitated initiative (CFI) model of financing and commencement of works awaited the finalisation of the financing agreement. However, currently the Government had decided to reduce the rate of debt contraction until the fiscal situation improved. This was likely to impact on the funding to the project.

It was also reported that the planning and zoning of the site for construction of Government housing and office accommodation had since been completed. Currently, all the projects that were implemented in 2017 were still ongoing. However, construction of the District Infrastructure Development in Mushindamo would be considered once old projects had been completed.

Committee's Observations and Recommendations

The Committee resolves to await a progress report on the matter.

30.0 CONCLUSION

During the period under review, the Committee considered a total of 70 Statutory Instruments issued by various Government ministries and agencies. The Committee is satisfied that the Statutory Instruments were issued in accordance with the enabling legislation. The Committee is however, concerned that despite the issuance of Statutory Instruments meant to address various socio-economic issues affecting citizens, there is no corresponding effort to ensure that the Statutory Instruments are enforced. The Committee, therefore, calls upon all issuing Government ministries and agencies to ensure that once various regulations are promulgated, they should be enforced robustly so that the objectives and benefits for which they were issued accrue to the general public.

The Committee urges the Government to take appropriate action on the observations and recommendations contained in this Report.

Finally, the Committee wishes to pay tribute to the stakeholders who submitted written memoranda on the Statutory Instruments. The Committee also thanks the office of the

Speaker and the Clerk of the National Assembly for the invaluable guidance throughout the Session.

Mr A B Malama, MP
CHAIRPERSON

Date
Lusaka

APPENDIX I – NATIONAL ASSEMBLY OFFICIALS

Ms C Musonda, Principal Clerk of Committees
Mr F Nabulyato, Deputy Principal Clerk of Committees (SC)
Mr S Chiwota, Senior Committee Clerk (SC),
Mr G Zulu, Committee Clerk
Mrs C Muyunda, Typist
Mr D Lupiya, Committee Assistant