



REPUBLIC OF ZAMBIA

REPORT

OF THE

**COMMITTEE ON LOCAL GOVERNANCE, HOUSING
AND CHIEFS' AFFAIRS**

FOR THE

THIRD SESSION OF THE TWELFTH NATIONAL ASSEMBLY

Printed by the National Assembly of Zambia

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REPORT OF THE COMMITTEE ON LOCAL GOVERNANCE, HOUSING AND CHIEFS' AFFAIRS FOR THE THIRD SESSION OF THE TWELFTH NATIONAL ASSEMBLY

MEMBERSHIP OF THE COMMITTEE

1. The Committee consisted of Mr N Samakayi, MP (Chairperson); Mrs S S Mulyata, MP (Vice Chairperson); Mr G Chiyalika, MP; Mr M M Kabanda, MP; Mr M Chikote, MP; Dr E I Chibanda, MP; Mr E Musonda, MP; Mr D Livune, MP; Mr C Chali, MP and Dr C Kambwili, MP.

The composition of the Committee reduced to nine Members following the declaration by the Honourable Mr Speaker on Wednesday, 27th February, 2019, of the Roan Constituency seat vacant. The seat was hitherto held by Dr C Kambwili, MP. Mr A Kasandwe, MP, was appointed to replace Dr C Kambwili.

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.

FUNCTIONS OF THE COMMITTEE

2. The functions of the Committee are as set out below.
- (i) Study, report and make appropriate recommendations to the Government through the House on the mandate, management and operations of the Government ministries, departments and agencies under its portfolio.
 - (ii) Carry out detailed scrutiny of certain activities being undertaken by Government ministries, departments and agencies under its portfolio and make appropriate recommendations to the House for ultimate consideration by the Government.
 - (iii) Make, if considered necessary, recommendations to the Government on the need to review certain policies and existing legislation.
 - (iv) Examine annual reports of Government ministries and departments under its portfolio in the context of autonomy and efficiency of Government ministries and departments and determine whether the affairs of the said bodies are being managed according to relevant Acts of Parliament, established regulations, rules and general orders.

- (v) Consider any Bills that may be referred to it by the House.
- (vi) Consider international agreements and treaties in accordance with Article 63 of the Constitution.
- (vii) Consider special audit reports referred to it by the Speaker or an Order of the House.
- (viii) Where appropriate, hold public hearings on a matter under its consideration.
- (ix) Consider any matter referred to it by the Speaker or an Order of the House.

MEETINGS OF THE COMMITTEE

3. The Committee held fourteen meetings to execute its Programme of Work during the year under review.

PROGRAMME OF WORK

4. At its second meeting for the Third Session of the Twelfth National Assembly held on 25th September, 2018, the Committee adopted the Programme of Work set out below.
- (i) Consideration of the Action-Taken Report on the Report of the Committee on Local Governance, Housing and Chiefs' Affairs for the Second Session of the Twelfth National Assembly.
 - (ii) The Management and Operations of Markets and Bus Stations in Zambia.
 - (iii) Tours.
 - (iv) Consideration and adoption of the Committee's Report for the Third Session of the Twelfth National Assembly.

PROCEDURE ADOPTED BY THE COMMITTEE

5. The Committee requested for detailed memoranda on the topic under consideration from relevant stakeholders and invited them to appear before it in order to give oral submissions and clarifications on issues arising from their submissions.

ARRANGEMENT OF THE REPORT

6. The Committee's Report is in two parts. Part I deals with the topical issue and findings from the local tours while Part II deals with the Action-Taken Report.

PART I: CONSIDERATION OF THE TOPICAL ISSUE

THE MANAGEMENT AND OPERATIONS OF MARKETS AND BUS STATIONS IN ZAMBIA

BACKGROUND

7. Markets and bus stations could have a direct positive impact on the socio-economic development of the country if well managed. Not only did they provide a source of livelihood for citizens, but they were also a source of revenue for local authorities. Stakeholders had expressed concerns on the poor management of markets and bus stations, mainly attributed to the weak legal framework at the time, that is, *the Markets Act, Chapter 290 of the Laws of Zambia*. The repeal of the Act and replacement thereof with the *Markets and Bus Stations Act, No. 7 of 2007* was expected to resolve a number of challenges affecting the operations of markets and bus stations.

More than twelve years after the enactment of the Markets and Bus Stations Act, however, stakeholders had observed that no meaningful improvement had been registered in the management of markets and bus stations, contrary to the expectations of the general public. Various factors were cited as contributing to this lack of progress, key among which, was heightened political activity in markets and bus stations. This challenge was succinctly summed up by the Minister of Local Government during delivery of a Ministerial Statement on the floor of the House on Wednesday, 22nd February, 2017, when he stated:

“Markets and bus stations have been used as political battle grounds where various political players flex their muscles in their quest to unduly establish dominance.”

The heightened political activity tended to shift the primary focus of activity in markets and bus stations and sideline the purpose for which these facilities were established.

In light of the foregoing, the Committee resolved to carry out a study on the management and operations of markets and bus stations in Zambia, with the view to understanding their operations and challenges in order to make appropriate recommendations to the Executive.

Objectives

The objectives of the study were to:

- (i) understand the adequacy of the legal and policy framework governing the management and operations of markets and bus stations;
- (ii) understand the allocation criteria and/or guidelines issued by local authorities to the general public for operating in markets and bus stations;
- (iii) appreciate the existing programmes (if any) on the construction, upgrading and renovation of markets and bus stations countrywide;
- (iv) find out the role of non state actors in the management and operations of markets and bus stations;

- (v) learn the challenges faced by managers of markets and bus stations in the country; and
- (vi) recommend the way forward on the effective management and operations of markets and bus stations by local authorities.

Stakeholders

In order to appreciate the subject under consideration, the Committee invited witnesses to provide both oral and written submissions as indicated at Appendix II of the Report.

7.1 SUMMARY OF SUBMISSIONS BY STAKEHOLDERS

This paragraph presents a synopsis of the submissions made to the Committee by various stakeholders with regard to the topic under consideration.

7.1.1 The adequacy of the legal and policy framework governing the management and operations of markets and bus stations

The Committee was informed that the *Markets and Bus Stations Act, No. 7 of 2007* was the principal legislation which provided the legal framework for the management and operation of markets and bus stations. It outlined guidelines on the establishment of the markets, fees and levies in the markets and bus stations, issuance of licenses and permits, management boards and also gave financial and general provisions. The other piece of legislation was the Local Government (Street Vending and Nuisances) (Amendment) Regulations, Statutory Instrument No. 12 of 2018, which prohibited street vending and the National Markets and Bus Stations Development Fund Regulations, 2017, Statutory Instrument No. 77 of 2017, which provided guidelines on the utilisation of the National Markets and Bus Stations Development Fund.

Further, the Committee heard that the provisions in the *Markets and Bus Stations Act* and the relevant Statutory Instruments provided the legal framework and were, therefore, adequate if fully implemented. However, there were certain sections of the Act which had not yet been implemented, thereby creating gaps. For example, Section 13 of the Act provided for the establishment of the Management Boards to run the operations of a market or a bus station. To date, no Board had been established in line with the Act. Another key provision which had not been implemented was the establishment of the National Markets and Bus Stations Fund as envisaged in Section 32 of the Act.

In addition, the Committee was also informed that while there was no specific policy on the management and operations of markets and bus stations, several aspects that related to markets and bus stations were covered in other national policies such as National Decentralisation Policy, the National Health Policy and the National Transport Policy. For instance, the National Health Policy outlined measures to promote hygiene, universal access to safe water, acceptable sanitation and food safety in order to reduce the incidence of environmentally-related diseases. The National Transport Policy, on the other hand, provided for how the transport sector should be institutionally restructured, managed and

coordinated at all levels to enable the country to be a regional transport hub. Other laws relevant to the management of markets and bus stations included the *Food and Drugs Act, Chapter 303; Weights and Measures Act, Chapter 403; and the Public Health Act Chapter 295 of the Laws of Zambia*. It was stated that whilst there existed other policies to support the markets and bus stations, the policy landscape was not adequate as most of the Acts had become obsolete and required urgent review to make them relevant to the current situation.

7.1.2 Allocation criteria and guidelines by local authorities to general public for operating in markets and bus stations

Stakeholders informed the Committee that there were no generic allocation guidelines for both markets and bus stations. Each local authority devised the allocation criteria for operating in its markets and bus stations depending on the needs of that particular locality. It was explained that when allocating traders to a new market or a rehabilitated one, most local authorities normally gave priority to the old traders or used the first-come first serve basis. It was, however, also stated that this method had caused tension, especially with the increasing demand for trading spaces by the public, resulting in cases where some individuals perpetually owned these spaces and in some instances even sub-letted the facilities.

7.1.3 Programmes for the Construction, Upgrading and Renovation of Markets and Bus Stations Countrywide

The Committee heard that the Government, through the Ministry of Local Government, was in the process of constructing several new markets and bus stations across the country. The table below shows a list of recently completed market and bus stations projects, on-going projects and projects about to commence. Further, some of the local authorities were also constructing and rehabilitating certain markets and bus stations under the Equalisation Fund and other resources.

Table1: List of the Markets and Bus Stations Projects in Zambia

No.	Project Name	District	Status
	Projects complete 2017/2018		
1.	Construction of a Market in Mpika	Mpika	Complete
2.	Construction of a market shed at Tambalale market	Kapiri Mposhi	Complete
3.	Construction of a bus station at Old UBZ Bus station	Kabwe	Complete
4.	Construction of an ablution block at Roan Mpatamatu and Main Market in Luanshya	Luanshya	Complete
5.	Construction of an ablution block at the Council Market in Mambwe district	Mambwe	Complete
6.	Construction of a vegetable shelter at Nakadoli Market in Kitwe	Kitwe	Complete
7.	Construction of a modern market in Itezhi tezhi	Itezhi tezhi	Complete
8.	Construction of Old Soweto Market at BH	Lusaka	Complete

On-going Projects 2018			
1.	Construction of Simone Mwewa Lane Market	Lusaka	On-going
2.	Construction of a modern market and bus station at Kamuchanga in Mufulira	Mufulira	On-going
3.	Rehabilitation and construction of Buteko Market in Mufulira	Mufulira	On-going
4.	Construction and rehabilitation of Old Mushili Market in Ndola	Ndola	On-going
5.	Contract for the construction of a shelter at Mitec Market in Solwezi District	Solwezi	On-going
6.	Construction of an ultra-modern market in Livingstone	Livingstone	On-going
7.	Construction of an ultra-modern international bus terminus in Livingstone	Livingstone	On-going
8.	Construction of a modern market and bus station at Sinazeze in Sinazongwe District	Sinazongwe	On-going
9.	Construction of a modern bus station and ablution block in Kabwe	Kabwe	On-going
10.	Construction of a bus station in Mpika	Mpika	On-going
11.	Construction of a bus station in Chinsali District	Chinsali	On-going
12.	Construction of a market in Kawambwa District	Kawambwa	On-going
13.	Construction of a shelter and ablution block at UB Market in Mansa	Mansa	On-going
Projects yet to commence 2018/2019			
1.	Construction of Zambian citizen oriented markets and bus stations projects		Yet to start 2018/2019
2.	Construction of a modern bus station in Chinsali	Chinsali	
3.	Construction of a modern market in Lunte	Lunte	
4.	Construction of a modern market and bus station in Nakonde	Nakonde	
5.	Construction of a modern transit bus station in Kapiri Mposhi	Kapiri Mposhi	
6.	Construction of a modern market in Kabwe	Kabwe	
7.	Construction of a market in Mandevu	Lusaka	
8.	Construction of a market Matero	Lusaka	
9.	Construction of a modern market in Chongwe	Chongwe	
10.	Construction of Kasumbalesa market and bus station in Chililabombwe	Kasumbalesa/ Chililabombwe	
11.	Construction of Chiwempala market in Chingola	Chingola	
12.	Construction of a modern market and Bus station in Chipata	Chipata	
13.	Construction of a modern market and bus station in Mansa	Mansa	

14.	Construction of a modern market and bus station in Solwezi	Solwezi	
15.	Construction of a modern market and bus station in Mongu	Mongu	
16.	Upgrade of Malela market in Mufulira	Mufulira	
17.	Construction of a market in Lundazi	Lundazi	

Further, stakeholders informed the Committee that the financial avenues being used by local authorities on the construction, upgrading and renovation of markets and bus stations included those set out below.

- (i) **Constituency Development Fund:** Using the Constituency Development Fund allocated by the Government, individual councils, with the approval of both the Council and the Ministry of Local Government, proceeded to undertake either construction of a new market or bus station, including renovation or upgrading, as approved.
- (ii) **Capital Project Component from the Local Government Equalisation Fund (LGEF):** A number of councils had been using this component to fund various projects, including the construction of markets and bus stations. However, since funding was not on a monthly basis, projects tended to stall when funds for a given month were depleted.

The Committee was also informed that the delay in operationalising the National Markets and Bus Stations Fund in line with section 32 of the *Markets and Bus Stations Act*, had immensely affected the ability of local authorities to renovate and upgrade existing markets and bus stations. Local authorities were, therefore, expected to use other sources of income at their disposal to address this challenge.

7.1.4 The role of non-state actors in the management and operations of markets and bus stations

The Committee was informed that the *Markets and Bus Stations Act* in section 5 gave full authority to the local authorities to operate and manage the markets and bus stations. Thus, the Act deliberately did not provide too many players in the operations of the markets and bus stations in order to foster orderly conduct of business. However, in section 3, the Act also provided that the local authority may enter into Public Private Partnership with prior approval of the Minister. It was stated that management and operations of markets and bus stations involved the engagement of non-state actors as follows:

- (i) Zambia National Marketeers Credit Association (ZANAMACA) – The Association provided loans to people doing business in markets in order to improve on their business capital.
- (ii) Organised Vendors and Traders Multipurpose Society Limited (OVTMSL) – This society provided information on the number of street vendors operating in each zone.

- (iii) Bus and Taxis Drivers Association of Zambia (BTDAZ) – The Association represented the interests of bus drivers by ensuring that they abided by laid down laws and regulations by providing guidance on areas of operation and also operated as a labour union for drivers.
- (iv) Bus Operators Association – The Bus Operators Association was made up of individuals who owned big and small buses, who represented the interests of bus owners and negotiated on their behalf on various issues of interest.
- (v) Consumer Rights Association – This Association represented the interests of general consumers; their role was to ensure that bus services met value for money by consumers.
- (vi) Commuters Association of Zambia - This was a consumer interest group which represented the interests of commuters and spoke on behalf of them on various issues.

The Committee was further informed that some of the general functions of the non-state actors were to:

- (i) be a bigger voice for members to engage local authorities on governance matters;
- (ii) be a means for group collateral, insurance, and credit finance;
- (iii) serve on the Management Boards to represent the interests and concerns of marketeers or bus service operators; and
- (iv) act as a point of contact for other regulators such as Zambia Environmental Management Agency, Zambia Revenue Authority and Road Transport and Safety Agency.

The Committee also heard that, in an ideal situation, the role of non-state actors was to operate their businesses and to ensure that their businesses complied with the prescribed licences and fees payable to the local authority as contained in the *Markets and Bus Stations Act*. However, it had been observed that some of the non-state actors such as peddlers, hawkers, bus operators and the political cadres had no regard for the law. The situation was exacerbated by the parallel management of markets and bus stations by political party cadres who collected levies from marketeers and bus operators over and above those paid to local authorities.

Additionally, it was submitted that the fact that local authorities had less control and power over markets and bus stations in comparison to political party cadres was a serious source of confusion. The lawlessness exhibited by political party cadres was not only a discomfort to the travelling and shopping public, but also created a revenue gap for local authorities, resulting in failure to maintain the highest hygiene standards in markets and bus stations.

7.1.5 Challenges facing the operation of markets and bus stations in the country

The Committee was informed that while each local authority had its own specific challenges, there were some common challenges facing the operations and management of markets and bus stations countrywide as outlined below.

- (i) **Inadequate market trading spaces and operating spaces for buses and taxis.** Limited spaces for trading had led to increased street vending, especially in major towns and cities. Limited operating spaces for buses and taxis resulted in illegal bus stations, congestion and traffic jams.
- (ii) **Lack of harmonisation of the *Markets and Bus Stations Act* with the decentralisation policy.** The anticipated decentralisation by devolution, as dictated by the Republican Constitution, should be harmonised with the Act in order to ensure they were synchronised.
- (iii) **Unfavourable and dilapidated infrastructure, poor sanitation, erratic water supply, and blocked drainages.** This was prevalent in most markets and bus stations and was worsened by vandalism of market and bus station infrastructure by the communities.
- (iv) **Failure to implement and enforce rules and regulations.** Local authorities countrywide failed to enforce rules and regulations regarding the management of markets and bus stations, resulting in anarchy on most of these facilities.
- (v) **Lack of harmonisation of bus fares and loading fees.** It was observed that the lack of standardisation of bus fares and loading fees by local authorities had contributed to the confusion in most markets and bus stations resulting in the establishment of illegal trading places and loading stations.
- (vi) **Illegal and undesignated trading places for markets and bus stations.** The illegal establishment of undesignated trading places in markets and bus stations has immensely contributed to the challenges for markets and the congestion in bus stations.
- (vii) **Lack of Automated Collection of Levies.** The collection of levies from operators in markets and bus stations in cash had proved problematic in accounting for the revenue.
- (viii) **Outdated or Non-Existent Regulations.** Most markets were operating with outdated or fragmented market regulations while there were no regulations for bus stations.
- (ix) **Lack of guidelines on formation of representative groups or committees.** There were no guidelines to regulate the formation and operation of representatives groups or committees in markets and bus stations.
- (x) **Proliferation of Associations.** There was an emerging trend of formation of associations in markets and bus stations that have created confusion.
- (xi) **Collection of levies by Associations.** The collection of levies by illegitimate associations has resulted in loss of revenue by local authorities in some cases.
- (xii) **Lack of prescribed opening and closing hours for markets and bus stations.** The lack of guidelines prescribing the operating hours for traders and bus operators in markets and bus stations had contributed to the disorder in some instances.

- (xiii) **Lack of implementation of the National Market and Bus Station Development Fund.** While the Statutory Instrument providing the establishment of the National Market and Bus Station Development Fund, regrettably, the fund was not operational.
- (xiv) **Lack of Management Boards.** The delay in the appointment of Boards by the Minister of Local Government to oversee the operations and management of markets and bus stations especially in city municipals and town councils with big trading capacities and high influx of public transport (buses) would continue posing challenges in the effective operation and management of these facilities.
- (xv) **Lack of enforcement by law enforcement agencies.** The weak enforcement of the law by Police and Anti Corruption Commission had not been to the satisfaction of most players especially when incidents were reported to them.
- (xvi) **Outdated or nonexistent by-laws in many local authorities.** The lack of standardised and up to date regulations on markets and bus stations by local authorities had worsened the poor management of markets and bus stations.
- (xvii) **Red tape in implementing sanctions to offenders.** All the old laws (such as the *Public Health Act*, the *Food and Drugs Act* and the *Weights and Measures Act*) did not provide for summary imposition of fines for offenders.
- (xviii) **The merging of markets and bus stations in one piece of legislation.** It was noted that the merging of markets and bus stations into one Act had proved problematic to implement especially that bus station were often overshadowed. Further, the placement of the portfolio function of bus stations under the Ministry of Local Government had not helped matters.
- (xix) **The omission of co-operative markets in the *Markets and Bus Station Act*.** This omission had created a serious challenge in their operations since at law the co-operative markets were effectively illegal.
- (xx) **Weak enforcement of immigration laws.** It was noted that the increase in the number of foreign nationals operating in markets and bus stations showed that the immigration laws were not being enforced.

7.2 LOCAL TOUR REPORT

In order to augment the understanding of the Members with regard to the management and operations of markets and bus stations in the country following interactions with various stakeholders, the Committee undertook a local tour to selected markets and bus stations in Lusaka, Copperbelt and Central Provinces. The Committee also held two public hearings at the Inter-city Bus Terminus in Lusaka and Chisokone Market in Kitwe District. The Committee visited the following markets and bus stations:

1. Lusaka Province

- (i) Lusaka City Market;
- (ii) New Soweto Market;
- (iii) Luburma Market;
- (iv) Buseko Market;
- (v) Chilenje Market;
- (vi) COMESA Market;

- (vii) Millennium Bus Station;
- (viii) Chirundu Market; and
- (ix) Inter-city Bus Terminus.

2. Copperbelt Province

- (i) Chisokone Market (Kitwe District); and
- (ii) Kitwe Main Bus Station.

3. Central Province

- (i) Kasanda Market (Kabwe District);
- (ii) the newly constructed Kabwe Inter-city Bus Terminus and Intra-city Bus Station (Kabwe District);
- (iii) Tazara Market (Kapiri Mposhi District); and
- (iv) Kapiri Mposhi Main Bus Station (Kapiri Mposhi District).

Chirundu Main Market

The Committee was informed that Chirundu Main Market was initially a self-built market by local traders until in 2006, when Siavonga District Council submitted a project proposal to the Ministry of Local Government for Chirundu Modern Market and Car Park. The bill of quantities for both the market and the car park collectively amounted to K238,215.60.

The Committee further learnt that the full Council, during its 3rd ordinary meeting on 7th April, 2006, approved the proposal and resolved that part of the CDF funds should be allocated towards the construction of a modern market and the bus station. Construction works started in 2012 and were completed within the same year while the market shelter became operational in 2013.

The market shelter accommodated about 140 marketeers. The Committee also learnt that the Council had further created an extension of Chirundu Main Market in order to accommodate more traders and lessen street vending. The Council collected a K1 from each traders. The Council planned to construct a new and bigger market facility at the current location of the bus station and relocate the bus station to a new location along the Lusaka-Chirundu Road. On the major challenges affecting the market, the Committee learnt that the non-existence of a bus station in the border town had affected revenue collection by the Council as most travellers preferred to hike buses and private transport along the Chirundu-Lusaka road. This had also resulted in the mushrooming of undesignated bus stations in the district.

Lusaka City Market and Bus Station

The Committee was informed that the Lusaka City Market was constructed in 1994 and officially opened in August 1997. The market was initially managed and controlled by the Board appointed by the Ministry of Local Government and Housing under the name Lusaka City Market Managers. The board chairperson was the Permanent Secretary for the Ministry of Local Government. Other board members were selected from among the drivers and traders. The market was currently under the management of Lusaka City Council and was being managed by the Market Master and a Market Advisory Committee. The facility was a semi-autonomous body with its own payroll and procurement system. Further, the market

and bus station did not receive grants from the Government, but sustained its operations from the revenue collected from within market. The amenities in the market included shops, banks, restaurants, booths, ablution blocks, garbage bays and containers. The market had an average of 4,000 traders per day.

The major challenge facing the market was congestion due to the number of traders in the facility. In addition, the number of traders in undesignated places around the facility had further compounded the challenge. The Committee also learnt that some passenger vehicle drivers were being charged other fees in addition to the fees paid to the Council by some other operators in the facility.

Luburma Market

The Committee was informed that Luburma Market was established in 1932 as a cooperative market. In 1950, the management and control of the market was handed over to Lusaka City Council. In 2000, Lusaka City Council entered into a sixty-five year lease agreement with China Heinan Zambia Limited, which commenced in 2001. Despite the market being under the Lusaka City Council, management of the market was divided in two parts: China Heinan Zambia Limited was managing 135 shops which they built around the market, while Lusaka City Council managed the 419 small shops and two ablution blocks built by China Heinan Zambia Limited and handed over to the Council. The facility had an average of 1,500 traders per day. The major challenges affecting the facility were inadequate trading space as well the presence of political party groupings. Further, the sixty-five year lease agreement posed a serious challenge on the state of the market after the lease period. The Council had since engaged China Heinan for possible revision of the lease period.

Chilenje Market

The Committee learnt that Chilenje Market was established in 1967 as a cooperative market. In 1992, the management and control of the market was handed over to Lusaka City Council. The rehabilitation and modernisation of Chilenje Market started in 1998 by the European Union (EU) under the Poverty Eradication Programme. However, the development of the facility started in 2007. The first phase consisted of the construction of 218 shops, the second phase 128 shops and last phase involved the construction of seventy-six shops which were completed in 2016. The facility belonged to the Lusaka City Council. The facility had an average of 1,000 traders per day and was the best performing market under the Lusaka City Council. The Committee also learnt that the market had no political party groups operating in the facility, which had contributed to its performance in terms of revenue collection. The major challenge affecting the facility was the dumping site, which was also being used by the residents around the market.

Buseko Market

The Committee was informed that Buseko Market was established in 1985 as a cooperative market in Kamwala area. In 1988, the market was shifted to its current location where it was known as Bongololo Market. In 1992, Lusaka City Council took over the management and control of the market and named it Buseko Market. It was the largest market for small scale and commercial timber traders. With regard to its ownership, the Committee learnt that the facility belonged to Lusaka City Council under the Department of Housing and Social

Services. The control and management of Buseko market was done through the Markets and Bus Stations Unit. It was established that no major renovations or expansion had been undertaken at the facility due to the plans by the local authority to have a Public Private Partnership. The facility had an average of 1,500 traders per day. The major challenge affecting the facility was the limited number of ablution blocks, resulting in traders using unorthodox methods of disposal of human waste.

COMESA Market

The Committee was informed that COMESA Market was established in 1999 by the Cross Boarder Traders Association as a free market aimed at helping members of the SADC region. In 2012, the name was changed to SADC-COMESA TRADERS TRUST and the COMESA Secretary General was the Patron. The facility belonged to members comprising of representatives from both SADC and COMESA Member countries. The control and management of COMESA market was done through a Market Board and elections were held every five years. The facility had an average of 850 traders per day and was currently undergoing renovations following a fire that gutted the facility.

Millennium Bus Station

Millennium Bus Station was established on 21st March, 2000 after a serious cleaning of the alley around the station which was mainly used as a dumpsite and toilet. The facility was owned by Mr Ismail Yusuf Khankhara and managed privately by a team under Capital Buses Operations. The station had an average number of 280 buses per day, which covered twelve routes, namely; Chilenje, Woodlands, Kabulonga, Chawama, Kaunda Square, Chelstone, Kabanana, Hospital, Chipata-Mandevu, Zanimuone 16 Miles, Matero, Chunga-Chingwere and Zingalume. The facility was well managed and orderly compared to the other facilities under the local authority. The major challenge facing the facility was the political interference and misunderstandings on the provisions of the *Markets and Bus Stations Act, No 7 of 2007*, on the management of bus stations. The impending takeover of the station by the local authority had the potential to stop the operations of the station if not managed properly. Another challenge facing the station was the illegal transformation of Freedom Way, in the central business district, into a bus station. This had negatively affected revenue collection by the local authority but also affected the operator as most commuters opted to use the undesignated bus stations.

New Soweto Market

The Committee was informed that the New Soweto Market started operating in August 2009 and officially opened on 8th December, 2010. The rehabilitation and modernisation of New Soweto market was funded by European Union under the Urban Markets Development Programme. Being a government built market, the facility belonged to Lusaka City Council under the Department of Housing and Social Services, and the control and management of the New Soweto Market was done through the Markets and Bus Stations Unit. The facility had an average of 2,000 traders per day. The major challenge facing the facility was the abandonment of the facility by the traders for undesignated places around the market. This had contributed to the poor revenue collection by the local authority as well as congestion in the streets.

Visit to Intercity Bus Terminus and Public Hearing

The Committee was informed that the Lusaka Inter-City Bus Terminus was established and officially opened on 23rd October, 1980 by the first Republican President, Dr Kenneth David Kaunda. It was the largest intercity bus station in Zambia providing public transport to all the provinces and across the country's borders. With regard to ownership, the Committee heard that the facility was owned by the Government of Zambia, but managed and controlled by Lusaka City Council. The bus station remained a semi-autonomous with its own payroll and procurement system. Further, the bus station sustained its operations from the revenue collected from within station. The facility had an average of 100 buses per day and covered routes for all the ten provinces and international routes namely:

- (i) South Africa;
- (ii) Namibia;
- (iii) Botswana;
- (iv) Zimbabwe;
- (v) Malawi; and
- (vi) Tanzania.

The facility had a total of twenty-seven ticketing offices under the main building and thirty-two at the new building.

The Public Hearing at the facility was attended by bus owners, drivers, call boys, representatives from Zambia Police, Road Traffic and Safety Agency (RTSA), the Permanent Secretary of the Ministry of Transport and Communications, the Lusaka City Council Town Clerk, Lusaka City Council employees and some members of the general public. The Chairperson of the Committee informed the meeting that several concerns were brought before the Committee during its long meetings, which necessitated the Public Hearing. These were the following:

- (i) lack of a Board to manage the facility;
- (ii) non-uniform fees charged to bus operators;
- (iii) sale of liquor in the bus station;
- (iv) lack of consultations between the operators and the Council;
- (v) piracy and illegal bus stations around the facility; and
- (vi) presence of call boys and political party cadres in the bus station which affected the smooth running of the facility.

The Chairperson informed the meeting that the objective of the public hearing was to enable all the stakeholders to validate this information in order for the Committee to make appropriate recommendations to the Executive for action. In the deliberations that ensued, most stakeholders informed the Committee that the issue of call-boys in the facility was not a problem as they were sales persons for bus operators and were engaged by the operators themselves. It was also emphasised that the growing number of call-boys at the station was mainly attributed to the high unemployment rate in the country. It was recommended that alternative livelihoods should be considered for the youths in the station. With regard to the political party cadres collecting fees from bus operators, stakeholders refused to comment as

they indicated that the matter was not at their level but urged the Committee to engage the key stakeholders involved in this practice.

Another matter highlighted related to the issue of having a systematic mode of loading as opposed to the current one which was random. It was emphasised that the random system of loading had significantly contributed to the confusion at the station. There were few interventions by the stakeholders, especially on the reported extortion of fees by the political party cadres, which was a major complaint by the operators.

Kasanda Market (Kabwe)

The Committee was informed that Kasanda Market was established on 5th March, 1999 after the vendors were removed from trading in undesignated places into markets. It was meant for traders who could not be accommodated at the Green Market because of its limited capacity to accommodate everyone.

The Market was the biggest and busiest not only in Kabwe but the entire Central Province. Before it was turned into a market, the place was a bare ground popularly known as *chinyenyenyeye*. The market currently had approximately 2,000 stands with 6,000 traders conducting their businesses within the market. Some challenges at the facility included the following:

- (i) there was no Market Advisory Committee at the facility;
- (ii) the shelters were in a bad state;
- (iii) the facility had a poor drainage system making it impassable during the rainy season;
- (iv) the stands in the market were inadequate; and
- (v) the market had poor security.

The Committee also learnt that the Market was scheduled for upgrading through the reconstruction of a modern market. This however, had not been well received by the traders who opted to be compensated, especially that their counterparts in Kitwe's Nakadoli Market, Lusaka City Market and Zimbabwe Markets in Livingstone, lost their trading spaces after the upgrading of the markets.

Inter-City Bus Terminus (Kabwe)

The Committee was informed that the Ministry of Local Government on 1st September, 2017, awarded a contract to Stalwart Investment Limited for the construction of the Lukanga Transit Station at the contract price of K 21,997,766.74. The original commencement date for the construction was 15th September, 2017 but the project only commenced on 1st January, 2018. As at January, 2019, the substructure of the station was complete. Additionally, the steel structure was done while the fitting of electrical, roofing and walling was partially done. The project had since stalled due to poor funding.

Intra-City Bus Station (Kabwe)

The Committee was informed that the bus station was commissioned on 14th December, 2017 and was currently operational. On average, about seventy to eighty buses operated from the station on a daily basis. The revenue sources for the Bus Station included the following:

- (i) Bus Loading Fees;
- (ii) Toilet Charges; and
- (iii) Levies from light trucks and vans parked outside the station.

The Committee interacted with some of the bus drivers in the station who complained of being forced to contribute towards financing some political party programmes in addition to the fees they paid to the Council. They stated that this action was unjustified and they had formally complained to the Council for possible action.

Tazara Market (Kapiri Mposhi District)

The Committee was informed that Tazara Market was one of the active community markets situated in the central business district of the town. The market had been existent for over eighteen years. The facility had a total of fifty-three traders. The major challenges affecting the market were the lack of running water and shelter for other traders. The state of the toilet at the facility was deplorable and inadequate.

Kapiri Mposhi Main Bus Station

The Committee was informed that following the construction of the main bus station which was funded by the National Road Fund Agency (NRFA), the local authority engaged a local businessman who was the property owner of plot number 1172 to allow the Council to temporarily move the traders from the main bus station in order for them to continue operations. The agreement between the local authority and the businessman would be determined at the time it would take to complete the works.

The Committee learnt that the completion of the main bus station was 90% complete and would be commissioned before the end of 2019. In addition, it was learnt that the local authority intended to construct some shelters for customer services and other public users before the official opening of the main bus station.

Kitwe Main Bus Station

The Committee was informed that Kitwe Main Bus Station (KMB), was located in the Kitwe Second Class area. The station only had one shelter for passengers and accommodated about twenty to thirty passengers per day. Historically, the station started far back in 1958 and was run by the Central Africa Road Services which later changed to the United Bus Company (UBZ) in 1980. After the change from one party system to multi-party democracy, the Company was liquidated and Mulungushi Travellers ran by Chani Fisheries Company took over the Station in 1994. In 1996 United Taxis Association (UTA) was formed and took over the station.

The Committee learnt that in 1998, passengers Transport Association (PTA) was formed and ran parallel to UTTA. Soon after the late president His Excellency Levy Patrick Mwanawasa

was elected in 2001, he banned all associations that were running in bus stations within Zambia and handed over the stations back to the local authorities countrywide. At present, the management of bus stations was under the local authority, but was assisted by other stakeholders such as Private Bus Owners Association and Bus and Taxi Drivers Association. The two Associations were mostly involved on the issues of adjustment of bus fares and maintenance of discipline in the stations. It was also stated that Kitwe Main Bus Station was currently one of the reliable sources of income for Kitwe City Council. It was also reported that one of the bus operators, L G Travellers, being in partnership with the local authority had committed themselves to renovating the shelter at KMB as part of their corporate social responsibility. Works had since commenced.

The Committee learnt that the major challenges facing the facility included the following as outlined below:

- (i) the station shelter was in a deplorable state and limited to accommodate the passengers. However, the shelter was being renovated by LG travellers.
- (ii) the station was not fenced and this compromised security.
- (iii) there was no office for police officers to operate from, which further compromised security at night.

Visit to Chisokone Market and Public Hearing

The Committee was informed that Chisokone Market, located near Matuka Avenue, was one of the largest and oldest markets in the City of Kitwe. The facility had more than 6,000 traders and the number kept growing. The market traders were first represented by a committee called ZANAMA; this committee was the one that handled most of the complaints by traders and issues that needed the Council's attention as representatives. This market committee, however, grew and disbanded to form many different Associations, each representing the interests of the marketeers largely based on the section or commodity dealt in, for example, furniture and curios, among others.

Chisokone market had been the main market of Kitwe for more than fifty years. It was considered the lifeblood of Kitwe, given the different kinds of people brought together to trade in the market. The market was managed by Kitwe City Council, who, from time to time, engaged stakeholders to ensure citizen participation and foster adherence to laws and policy, among other things. With regard to the challenges, it was learnt that one of the major challenges faced by the market was the lack of adequate shelters for traders. This was the reason why the local authority had focused on construction of additional shelters. In addition, the local authority was currently engaging Mopani Copper Mines over rehabilitation of Market shelters at Chisokone Market as part of their corporate social responsibility.

Following the tour of Chisokone Market, the Committee held a public hearing at the facility. The public hearing was attended by various leaders of marketeers' associations, associations for those representing public service buses, management of the Kitwe City Council, marketeers, representatives from the Zambia Police Service, representatives of the Road Transport and Safety Agency and other members of the public.

In the discussions that ensued, various concerns were raised by the public on the operations and management of Chisokone Market as set out below.

- (i) The *Markets and Bus Stations Act, No. 7 of 2007*, was biased towards empowering the local authorities as opposed the main players, who were the marketeers themselves. It was recommended that the Act should be revised in order to balance the powers of local authorities and the marketeers themselves.
- (ii) The road infrastructure around the markets as well as the drainage system were in a deplorable state which affected their businesses, especially in the rain season. This was despite the marketeers complying with the levies being charged by the local authority. There was, therefore, need for the local authority to prioritise the renovations of the infrastructure.
- (iii) The construction of shopping malls around the city had affected the business by traders as most members of the public opted to buy their products from the shopping malls, including locally produced goods.
- (iv) The mode of collecting levies should be modernised and synchronised as was obtaining in other neighbouring countries such as Tanzania where traders only paid a levy once when moving their products to the markets. It was stated that marketeers should also apply in Zambia.
- (v) Levies collected by the local authority should not be used for other general operations of the local authority.
- (vi) The establishment of Boards would be an expensive venture as the Board members would be entitled to allowances and other privileges. It was recommended that a less bureaucratic and cheaper method should be used to run markets and bus stations.
- (vii) The multiplicity of associations in markets and bus stations had created confusion. In addition, the associations were not transparent in the manner they conducted their business. Further, the lack of periodic elections had further compromised the effectiveness of Associations.
- (viii) The Presidential Empowerment Programme currently being undertaken had not been equitably administered at the market, thereby disadvantaging some traders.
- (ix) Allocation of trading space was not transparent as there were no guidelines on the procedure to follow.
- (x) Market levies should be standardised across the country in order to avoid abuse by some local authorities.

7.3 COMMITTEE'S OBSERVATIONS AND RECOMMENDATIONS

After analysing the written memoranda and oral submissions from various stakeholders and taking into account the findings from the local tour, the Committee makes the observations and recommendations set out hereunder.

- (i) The Committee finds it unacceptable that despite Parliament enacting the *Markets and Bus Stations Act, No. 7 of 2007*, and the subsequent issuance of the *Markets and Bus Stations Act (Commencement) Order, Statutory Instrument No. 83 of 2007* to operationalise the Act, the Act has not been fully implemented.

The Committee strongly recommends that as a matter of extreme urgency, the *Markets and Bus Stations Act, No. 7 of 2007* should be fully implemented without any further delay.

- (ii) The Committee observes that following the revision of the Republican Constitution which has provided for decentralisation by devolution, there is need to revise the *Markets and Bus Stations Act* since it is not in harmony with the revised Decentralisation Policy.

The Committee, therefore, recommends that the Government should take steps to revise the *Markets and Bus Stations Act* in order to synchronise it with the revised Decentralisation Policy.

- (iii) The Committee notes that despite Section 13 of the *Markets and Bus Stations Act* prescribing the establishment of Boards to manage markets and bus stations, the Boards have regrettably, not been established.

In this vein, the Committee strongly recommends that the Government should establish the Boards in line with section 13 of the Act without any further delay.

- (iv) The Committee notes with concern the failure by the Government to establish the Markets and Bus Stations Boards in line with section 13 of the *Markets and Bus Stations Act*. This lapse has contributed to the proliferation of associations purporting to represent marketeers and bus operators, thereby contributing to the poor management of markets and bus stations.

In light of this, the Committee strongly recommends that the Government should, as a matter of extreme urgency, strengthen the organisation and institutional framework for markets and bus stations through issuance of guidelines to regulate the formation of representative groupings or committees at markets and bus stations.

- (v) The Committee notes that while the management of markets and bus stations is complemented by other pieces of legislation such as the *Public Health Act*, the *Food and Drugs Act* and the *Weights and Measures Act*, these pieces of legislation have not been reviewed for a long period of time. This has affected the operations of markets and bus stations, especially with regard to the imposition of fines.

The Committee, therefore, recommends that all legislation that complements the *Markets and Bus Stations Act, No. 7 of 2007* should be revised in order to strengthen the penalties for offenders in markets and bus stations.

- (vi) The Committee expresses concern over the delay by the Executive to fully operationalise the National Markets and Bus Station Fund in line with section 32 of the *Markets and Bus Stations Act, No. 7 of 2007*. It is the expectation of the

Committee that the operationalisation of the Fund will help mobilise resources for the construction, rehabilitation and maintenance of markets and bus stations.

The Committee, therefore, recommends that the Executive should, as a matter of urgency, operationalise the National Markets and Bus Stations Fund.

- (vii) The Committee is displeased that there is currently no specific policy on the management of markets and bus stations.

The Committee urges the Executive to initiate the formulation and implementation of a policy on markets and bus stations forthwith.

- (viii) The Committee is extremely perturbed that the Seventh National Development Plan has no section on markets and bus stations. This shows the lack of attention paid to this important sector and which is the source of livelihood of millions of Zambians.

The Committee, therefore, recommends that a section on markets and bus stations be included in the Eighth National Development Plan.

- (ix) The Committee is concerned over the absence of a well defined criterion for allocating spaces in markets and bus stations by local authorities. This could explain the many challenges facing markets and bus stations as well as the apparent corruption existing in the allocation of spaces in markets and bus stations.

In light of the above, the Committee urges the Executive to ensure that all local authorities have well defined guidelines for allocation of spaces in markets and bus stations.

- (x) The Committee notes that the inadequate market trading spaces and operating spaces in bus stations has contributed to the poor management of markets and bus stations by local authorities countywide. In addition, unfavourable and dilapidated infrastructure, poor sanitation, erratic water supply, among other issues have contributed to the poor state of markets and bus stations.

In this vein, the Committee recommends that the Executive should formulate a markets and bus stations infrastructure development plan focusing on upgrading, renovation and construction of ultra modern facilities for markets and bus stations countrywide.

- (xi) The Committee is generally concerned over the poor state of infrastructure in markets and bus stations countrywide. Of particular interest is the Lusaka Inter-City Bus Terminus which is a central bus station not only for intercity travellers but also travellers from other neighbouring countries.

Given the limited space at the facility in light of the growth of the travelling population, the Committee urges the Executive, through the local authority, to take

immediate measures to establish a new inter-capital city terminus to facilitate a better travelling experience by both local and international travellers.

- (xii) The Committee expresses concern on the limited role played by the private sector in the management of markets and bus stations. While noting that private institutions should not be directly involved in the provision of public services, the Committee is of the view that there is need to encourage Public Private Partnerships (PPP) in the establishment of the markets and bus stations in line with section 4 (3) of *the Markets and Bus Stations Act*.

In this vein, the Committee recommends that local authorities should enforce section 4 (3) of the Act by entering into PPPs in the management of markets and bus stations in order to foster infrastructure development.

Further, the concessional period for the PPP projects on markets and bus stations should be revised from the current fourteen years to a much longer period in order to encourage more investors interested in the partnerships.

- (xiii) The Committee is concerned over the lack of modern and standardised plans for markets and bus stations by local authorities. This has resulted in numerous designs of markets and bus stations across the country.

The Committee, therefore, urges the Executive to formulate and prescribe standardised designs for the different categories of bus stations and markets for city, municipal and district councils.

- (xiv) The Committee notes with concern the failure by local authorities to initiate and enforce guidelines and regulations regarding the management of markets and bus stations.

The Committee, therefore, urges the Executive to ensure that the necessary guidelines and regulations are generated and enforced with the view to addressing the many challenges faced in the operations of markets and bus stations.

- (xv) The Committee expresses concern over the lack of measures to insure goods and services by the traders and operators in markets and bus stations. This poses a threat, especially that a number of markets have experienced fires in the past. Related to this is the absence of social security arrangements covering traders and vendors in markets and bus stations which, in some instances, has resulted in rising destitution following loss of goods through fires and other disasters.

The Committee, therefore, urges the Executive to make insurance mandatory for all traders and operators in markets and bus stations in order to curb destitution in the event of loss of their property. Further, sensitisation programmes on social security should be carried out for all traders and vendors in order to provide safety nets in the event of loss or damage to property.

- (xvi) The Committee is concerned by the persistent interference by political party cadres who forcibly assume control of markets and bus stations with impunity. This has contributed immensely to the confusion that has characterised the operations of markets and bus stations. This practice stifles trade, business and tourism in some cases.

The Committee urges the Executive to, as a matter of extreme urgency, take measures to de-politicise the management of markets and bus stations by removing all political party cadres and other political entities from markets and bus stations countrywide without any delay.

- (xvii) The Committee expresses concern that despite 20 percent of the Local Government Equalisation Fund (LGEF) being allocated for capital projects, which includes markets and bus stations, the absence of a stand-alone account for this allocation has resulted in the misapplication of the funds by most local authorities.

The Committee strongly recommends that the Executive should direct all local authorities to open separate bank accounts for the 20 percent capital project component of the LGEF and allow it to accumulate over a period of time for purposes of undertaking approved projects such as construction or rehabilitation of markets and bus stations.

- (xviii) The Committee notes that local authorities keep losing revenue from markets and bus stations due to the existing cash mode of collecting levies. It has also been established by the Committee that levies and other fees are not remitted to the local authorities in full, thereby exacerbating the already existing financial challenges facing most local authorities.

While noting that some local authorities have piloted the automation of levy collection, the Committee urges the Executive to ensure that the collection of all fees from markets and bus stations is automated and rolled out to all local authorities in order to maximise revenue collection for local authorities.

- (xix) The Committee is dismayed that a number of bus stations have been transformed into trading places, negating the primary purpose they were established for. This has resulted in limited space for commuters and travellers since there are no waiting bays as traders have taken up the spaces.

In this regard, the Committee urges the Executive, as a matter of extreme urgency, to remove all the illegal vendors from all bus stations in order to facilitate the comfort and convenience of the travelling public.

- (xx) The Committee notes that the emerging trend of establishing undesignated trading places and bus stations in most cities across the country is contrary to section 6 of the *Markets and Bus Stations Act, No. 7 of 2007*.

In order to restore order, the Committee recommends that the Executive should ensure that the provisions of *the Markets and Bus Stations Act*, regarding designated trading places and bus stations are enforced without fail.

- (xxi) The Committee notes that the operation of markets and bus stations without prescribed opening and closing hours not only poses a security risk, but also contributes to the disorder prevalent in most markets and bus stations.

The Committee, therefore, recommends that the Executive should ensure that operating hours for markets and bus stations are clearly prescribed and enforced in order to restore orderly operations.

- (xxii) The Committee notes the role played by non state actors such as associations in the operations of markets and bus stations, but is of the view that their operations in markets and bus stations have significantly contributed to the poor management of markets and bus stations.

The Committee recommends that the Executive should ban all associations from operating in markets and bus stations and allow the smooth running of markets and bus stations by the Boards.

- (xxiii) The Committee is concerned over the weak enforcement of immigration laws on access to spaces in markets and bus stations by foreign nationals offering goods and services that are locally produced. This has, in some instances, crowded out Zambian nationals from accessing trading space in markets and bus stations.

The Committee notes that if not well managed, this has potential to create tension in the management of markets and bus stations. The Committee urges the Executive to revise *the Immigration and Deportation Act, No. 19 of 2016*, in order to stiffen the requirements for granting of work permits for foreign nationals to operate in markets and bus stations.

- (xxiv) The Committee notes that the establishment of co-operative markets under the repealed *Markets Act of 1937* should have been factored in the *Markets and Bus Stations Act, No. 7 of 2007*, to avoid any possible conflict especially that they have not been recognised by the Act. Further, the Committee is generally satisfied with the order that exists in co-operative markets as well as their management, which the local authorities can take a leaf from.

The Committee, therefore, recommends that the Executive should ensure that the matter of co-operative markets is legally recognised in the Act in order to avoid any possible conflict with local authorities on their management especially that the *Markets and Bus Stations Act* places all markets and bus stations on local authorities.

- (xxv) The Committee observes that markets in border towns are strategic if well managed as they facilitate trade with other countries. This entails that deliberate programmes should be put in place by local authorities in border towns to upgrade and renovate markets and bus stations.

The Committee, therefore, recommends that the Government should ensure that markets and bus stations in border towns are prioritised for possible upgrade and renovation in order to facilitate trade in those areas.

- (xxvi) The Committee expresses concern with the emerging trend by marketeers in cities abandoning designated trading spaces in most markets to undesignated spaces resulting in congestion in the streets as well as reduced revenue by local authorities.

In light of this, the Committee strongly recommends that the Government should ensure that local authorities take drastic measures to ensure that all vendors in undesignated trading spaces are removed without any delay.

- (xxvii) The Committee observes that the practice by some associations and political groupings of collecting money from bus operators with impunity is a serious criminal offence.

The Committee, therefore, urges the Government to ensure that the criminal activity of abusing marketeers and bus drivers to contribute money against their will is stopped forthwith. Marketers and bus operators should only pay levies to local authorities.

- (xxviii) The Committee is generally satisfied with the orderliness and the general operations of Chilenje Market. It is the considered view of the Committee that the fact that Chilenje Market remains a model can be attributed to the decision by stakeholders in the market of removing political groupings and political activities in the market.

The Committee recommends that the Government should replicate the management style of Chilenje Market in the rest of the markets and bus stations countrywide in order to actualise the primary focus of markets and bus stations, that of being trading places.

- (xxix) The Committee expresses concern that while the construction of modern markets and bus stations by the Government is a welcome move, this action should be preceded by consultations with all stakeholders in order to avoid unnecessary misunderstandings, especially on the designs of markets.

The Committee recommends that the Government should ensure that consultations are done before the construction of modern markets. Further, affected traders with permanent structures in markets should be compensated before the construction of modern markets in place of existing ones.

- (xxx) The Committee is extremely disturbed to note the high levels of intimidation of operators in the Inter-City Bus Terminus who feared to freely express themselves during the Public Hearing in the facility. This situation points to the sweeping powers wielded by various groupings, including political party cadres, operating at the facility who even have the audacity to extort money from these operators without any legal sanction.

The Committee strongly recommends that the Government should, as a matter of extreme urgency, take necessary measures to curb the abuse of operators in the station by removing all political party groupings from the Inter-City Bus Terminus in order to safeguard a conducive business environment.

- (xxxix) The Committee notes that while the establishment of private bus stations may be recipe for confusion in the transport sector if not well regulated, the Committee contends that the management of Millennium Bus Station is well organised and has ensured discipline among various stakeholders in the station.

The Committee recommends that gazetted private stations that are being well managed should be allowed to operate under the supervision of the local authority. In addition, the Government should replicate the management style of Millennium Bus Station in other public bus stations in order to ensure order in public bus stations.

PART II

8.0 CONSIDERATION OF THE ACTION-TAKEN REPORT ON THE REPORT OF THE COMMITTEE ON LOCAL GOVERNANCE, HOUSING AND CHIEFS' AFFAIRS FOR THE SECOND SESSION OF THE TWELFTH NATIONAL ASSEMBLY

The Implementation of the National Decentralisation Policy in Zambia

Harmony between the National Decentralisation Policy and other pieces of legislation

- (i) The Committee had recommended that the Government should urgently harmonise all identified pieces of legislation with the National Decentralisation Policy in order to expedite the decentralisation implementation process.

Executive's Response

The Committee was informed in the Action Taken Report that the Government had noted the observation by the Committee. It was explained that the lack of harmony between the National Decentralisation Policy and other pieces of legislation was as a result of the lacunas identified in the Constitution of Zambia especially as they related to the schedule containing functions earmarked for devolution, which were at variance with the National Decentralisation Policy. Once the Constitution was

amended, the various pieces of legislation would be amended. Further, it was noted that the *Service Commissions' Act, No. 10 of 2016* was already aligned to the National Decentralisation Policy as its intention was to delegate human resources management functions from the service commissions to responsible officers and human resources management committees in ministries provinces and spending agencies.

Committee's Observations and Recommendations

The Committee notes the response and awaits a progress report on the anticipated revision of the Republican Constitution and the subsequent revision of the pieces of legislation, which are at variance with the National Decentralisation Policy. In addition, the placement of human resource should be retained with local authorities in line with the National Decentralisation Policy.

Lack of implementation of devolved functions envisaged under the Republican Constitution

- (ii) The Committee urged the Government to expedite the review of the Republican Constitution so that the National Decentralisation Policy could be the only basis for devolution of functions to the local authorities.

Executive's Response

The Committee was informed in the Action Taken Report that the Government, through the Ministry of Justice had finalised the draft Constitution Amendment Bill 2018. Further, the Bill had already been presented to Cabinet for final approval. However, the Bill was deferred to a later date in order to pave way for national dialogue and facilitate further consultations. The Executive further stated that the Constitution, as the supreme law, took precedence over any other legal instrument or policy in Zambia and that the primary legal basis for decentralisation was, therefore, the Constitution. Where there was conflict with other documents then the Constitution prevailed.

Committee's Observations and Recommendations

The Committee notes the response and awaits a progress report on the revision of relevant provisions in the Republican Constitution.

Capacity development programmes on decentralisation

- (iii) The Committee had recommended that the Government should urgently come up with capacity development programmes to support stakeholders such as ordinary community members, council staff, councillors, traditional leaders, Members of Parliament and the sub-district structures.

Executive's Response

The Committee was informed in the Action Taken Report that sensitisation and capacity development programmes on decentralisation had been scheduled to take place during the course of the year for Ministers, Members of Parliament and other stakeholders. Relevant officers had since been written to regarding the securing of dates for holding the programmes. It was also noted that capacity building programmes on management systems had commenced for local authorities. To date, Cabinet Office had held capacity building programmes on performance management for principal and chief officers. Ministry of Local Government, with the support of the German Government, had held capacity building programmes for audit staff in local authorities.

Committee's Observations and Recommendations

The Committee notes the response and awaits a progress report on the matter, but urges the Executive to ensure that capacity building programmes are conducted on a regular basis.

Measures to track progress of devolved functions

- (iv) The Committee recommended that the Government should institute measures to regularly track the progress made by every ministry and commission whose functions are earmarked to be devolved, so that necessary punitive measures could be meted out against those that deliberately frustrate the implementation process by failing to meet set deadlines.

Executive's Response

The Committee was informed in the Action Taken Report that the Decentralisation Policy had an inbuilt monitoring system. At the top was the Decentralisation Policy Implementation Committee (DPIC) which met every quarter to monitor progress at national level. There were also four Technical Working Group (TWGs), namely Institutional Development and Capacity Development TWG, Legal Reforms TWG, Planning and Budgeting TWG and Sector Development TWG. There were also ten Provincial TWGs which kept track of the Decentralisation Process in their respective provinces which cascaded down to the district. DPIC met once per quarter or as and when need arose. The TWGs met at least once a month or as and when need arose. The Deputy Secretary to the Cabinet (Administration) met each Permanent Secretary whose Ministry shall be devolving functions at least once every month.

Committee's Observations and Recommendations

The Committee notes the response but is of the view that the reported in-built monitoring system on decentralisation was not working as described. The Committee, therefore, urges the Executive to provide an appropriate response on the punitive

actions meted out on those deliberately frustrating the implementation of the process. The Committee awaits a progress report on the matter.

Transfer of Human Resources to local authorities

- (v) The Committee recommended that the Government urgently formalises the transfer of human resources to the local authorities so as to expedite the decentralisation implementation process.

Executive's Response

The Committee was informed in the Action Taken Report that the Local Government Service Commission was receiving a report in respect of staff being transferred from the devolved sectors. In this regard, the bulk of the work was being done by the respective devolving sectors in terms of preparation of clean staff registers for onward submission through the relevant Service Commissions to the Local Government Service Commission who shall in turn issue transfer letters to the local authorities.

Phase One of transfers was effected by 14th July, 2018 for Chibombo Town Council followed by Zimba, Samfya, Solwezi and Lusaka. The Deputy Secretary to the Cabinet (Administration) had been providing leadership in this regard to ensure that the process of staff transfer from the devolved sectors to the local authorities was not delayed any longer.

The Government was compiling staff registers in order to facilitate staff transfers to the Local Government Service Commission. This exercise was expected to be completed before the end of 2018.

Committee's Observations and Recommendations

The Committee notes the response and awaits a progress report on the completion of the transfer of human resources to local authorities.

Development of Local Government Service Regulations

- (vi) The Committee strongly recommended that the Local Government Service Commission should develop the Local Government Service Regulations without further delay.

Executive's Response

The Executive reported to the Committee in the Action Taken Report that following the enactment of the *Service Commissions Act, No. 10 of 2016*, Cabinet Office, through the Management Development Division, had concluded drafting the Service Commission Regulations which shall be applicable to all the Service Commissions, the Local Government Service Commission inclusive. The said regulations had since

been submitted to the Ministry of Justice for finalisation. In this regard, the Local Government Service Commission did not need to develop different regulations.

The draft Local Government Service Regulations had been finalised and submitted to Cabinet for approval.

Committee's Observations and Recommendations

The Committee notes the response and awaits a progress report on the operationalisation of the Service Commission Regulations.

Operationalisation of the Intergovernmental Fiscal Architecture (IFA)

- (vii) The Committee recommended that Cabinet Office and the Ministry of Finance expedite the operationalisation of the Intergovernmental Fiscal Architecture (IFA) to strengthen the fiscal position of local authorities to enable them discharge their service provision mandate effectively at the local level.

Executive's Response

The Committee was informed in the Action Taken Report that the Government had noted the recommendations and reported as follows:

- (a) The process of de-concentrating funds for devolved functions from the centre to the local authorities had already commenced. In the 2018 budget, the funds for some devolved functions had been de-concentrated to the provincial administration though the process was yet to be taken down to the districts. This delay had been occasioned by some technicalities such as:
- lack of human resources capacity both quantitatively (inadequate staffing levels) and qualitatively (lack of the requisite skills); and
 - some lacunas in the interpretation of some of the constitutional provisions regarding certain devolved functions.

The challenges pertaining to human resources capacity were being addressed by the relevant organs while those relating to the Constitutional provisions were being addressed through the on-going constitutional review process. There was need to expedite the amendment of the *Public Finance Act, No. 1 of 2018* so as to allow for the appointment of the Chief Executive Officers for the local authorities as Controlling Officers.

Committee's Observations and Recommendations

The Committee notes the response and awaits a progress report on the operationalisation of Intergovernmental Fiscal Architecture.

Procurement of GIS equipment for spatial planning in local authorities

- (viii) The Committee had recommended that the Ministry of Local Government should invest in procurement of tools such as survey and GIS equipment which were necessary for spatial planning in all local authorities, especially those with a poor financial base to enable them undertake their new physical planning functions better than had been the case in the past.

Executive's Response

The Committee was informed in the Action Taken Report that the Ministry of Local Government in co-operation with GIZ had been conducting training in GIS in councils and provincial planning offices around the country. Further, all councils had been advised to buy survey and GIS equipment. In summary, the Ministry had done the following:

- (a) The Ministry established the GIS laboratory at the head office aimed at coordinating the development of the GIS in the provincial and district planning offices in order to enhance planning and development control through the use of GIS.
- (b) The Ministry, through the Department of Physical Planning and in partnership with GIZ, had been undertaking training in GIS, particularly for the development of the GIS Based Land Property Register aimed at improving decision making (due to the availability of spatial data), enhancing development control and also increasing council revenues (through targeted revenue collection). This training was now being rolled out to other provinces outside of the GIZ priority areas.
- (c) The Department of Physical Planning was piloting the development of an online spatial data base to link with all local authorities. This would enable access and sharing of spatial data with local planning authorities (LPAs) as well as all other town councils not designated as LPAs.
- (d) The Ministry was currently piloting the use of open-source data collection techniques to facilitate spatial data collection and manipulation in a cost effective and efficient manner. It was also purchasing GIS equipment that included computers, cellular phones and work stations that were meant to facilitate spatial data collection and manipulation.

Committee's Observations and Recommendations

The Committee notes the response and awaits a progress report on the procurement of GIS equipment for all local authorities.

Tabling of the Planning and Budgeting Bill

- (ix) The Committee urged the Government to expeditiously finalise the Planning and Budgeting Bill and present it to the National Assembly for enactment without further delay.

Executive's Response

The Committee was informed in the Action Taken Report that the Government, through the Ministry of Justice, was drafting the Budget and Planning Bill which would be subjected to stakeholder consultations before being finalised for publication and presentation to the National Assembly.

Committee's Observations and Recommendations

The Committee notes the response and reiterates its earlier recommendation for the Executive to ensure that the Bill is tabled without any further delay. The Committee awaits a progress report on the matter.

Harmonisation of Salaries

- (x) The Committee urged the Government to expeditiously begin the salary scale harmonisation process for the devolved departments with those that existed in the local government service.

Executive's Response

The Committee was informed in the Action Taken Report that the Job Evaluation and Regrading Exercise (JERG) was undertaken for all jobs in local authorities to harmonise them with salary scales for the devolved departments. However, salary scale conversions were yet to be implemented due to financial implications and the Government was still considering the modalities of addressing the issue.

Committee's Observations and Recommendations

The Committee notes the response and awaits a progress report on the harmonisation of salaries scales.

9.0 CONSIDERATION OF THE ACTION-TAKEN REPORT ON THE REPORT OF THE COMMITTEE ON LOCAL GOVERNANCE, HOUSING AND CHIEFS' AFFAIRS FOR THE FIRST SESSION OF THE TWELFTH NATIONAL ASSEMBLY

The Housing Situation in Zambia

Review of Existing Legislation

- (i) The Committee requested for an update on the expeditious finalisation and review of the *National Housing Authority Act* and the development of regulations to improve the operationalisation of the *Urban and Regional Planning Act, No. 3 of 2015*.

Executive's Response

In the update to the Committee, the Executive reported in the Action Taken Report that the Urban and Regional Planning Regulations were under development. One set of regulations had been developed and was being considered by stakeholders, while the other set was undergoing final scrutiny by the Ministry of Justice before gazetting.

Committee's Observations and Recommendations

The Committee notes the response and awaits a progress report on the finalisation of the Urban and Regional Planning Regulations and the review of the *National Housing Authority Act*.

Finalisation of the New National Housing Policy

- (ii) The Committee requested for an update on the urgent finalisation and review of the National Housing Policy and submit a progress report.

Executive's Response

In the update to the Committee, the Executive reported in the Action Taken Report that the review of the National Housing Policy had been finalised and submitted to Cabinet Office in readiness for consideration and approval by Cabinet. An implementation plan to facilitate operationalisation of the policy was also developed. Once these were approved, implementation would officially commence.

Committee's Observations and Recommendations

The Committee notes the response and resolves to await a progress report on the tabling of the revised *National Housing Authority Act* and the operationalisation of the National Housing Policy.

Review of Policies on Housing Development

- (iii) The Committee requested for an update on the finalisation of the policy review on housing development.

Executive's Response

In its update to the Committee, the Executive reported in the Action Taken Report that the Government finalised the consultations with stakeholders and used the findings as input into the finalisation of the revised housing policy. Once adopted, the policy would provide a comprehensive guiding framework for housing development in Zambia.

Committee's Observations and Recommendations

The Committee notes the response and awaits a progress report on the adoption and implementation of the housing policy.

Housing Finance

- (iv) The Committee requested for an update on the need for the Government to meet the 15 percent budget allocation to housing.

Executive's Response

In its update to the Committee, the Executive reported in the Action Taken Report that the Government's commitment to allocate 15 percent of the national budget towards housing financing every fiscal year, depended largely on the budget process. It was reported that the Ministry of Finance took into account the commitments made under various protocols to which Zambia was party, such as the Dakar Declaration on Education and the Maputo Declaration on Agriculture, in addition to other binding obligations such as debt service. In this regard, it was the Government's intention to progressively work towards the attainment of the 15 percent allocation threshold towards housing financing as more fiscal space was created in the medium to long term.

Committee's Observations and Recommendations

The Committee notes the response and awaits a progress report on the attainment of the 15 percent national budget allocation for the housing financing.

Availability of Serviced Land for Housing Development

- (v) The Committee requested an update on the preparation of a Bill that sought to operationalise the Lands Commission and put in place measures to roll out awareness

programmes to councils on the utilisation of the Land Development Fund, by December, 2018.

Executive's Response

It was reported in the Action Taken Report that the Lands Commission Bill reached Cabinet Committee stage but was returned to the Ministry for further clarifications. Following this, a number of consultations were carried out particularly with Management Development Division (MDD) and a proposed organisation structure was developed. The matter had since stalled and awaited the amendment of the Republican Constitution.

It was also reported that awareness programmes on the utilisation of the Land Development Fund were being carried out in councils as an ongoing activity. In the first and second quarter of 2018, six councils had been visited and sensitised on the importance of the Land Development Fund and how it could provide economic development if well utilised. The councils that had been monitored and sensitised in the first and second quarter of 2018 were Mansa, Chipili, Lunga, Kawambwa, Mwansabombwe and Chembe Councils. Further, it was reported that the funds for road works, surveying, electrification and water reticulation were paid directly to the service provider and not to the local authorities. This move, therefore, had improved the way funds were being utilised and had helped the Government to reduce on mismanagement and misapplication of funds and audit queries.

Committee's Observations and Recommendations

The Committee notes the steps taken on the awareness campaigns to the councils, but awaits a progress report on the enactment of the Lands Commission Bill. Further, the Committee urges the Government to roll out the awareness campaign to other districts without any delay.

Upgrading of Informal Settlements

- (vi) The Committee requested for an update on the participation of the private sector in the upgrading of informal settlements.

Executive's Response

In its update to the Committee, the Executive reported in the Action Taken Report that investors, like other stakeholders, would be actively engaged during the preparation of Local Area Plans (LAPs) for informal settlement upgrading in order to identify and include in the plan areas requiring private investments. At implementation stage, investors would be provided with an opportunity to participate in actualising the proposed investments of the LAP.

Committee's Observations and Recommendations

The Committee notes the response and awaits an update on the participation of the private sector in the upgrading of informal settlements.

Risk Management Framework in Loan Procurement

- (vii) The Committee requested for an update on the formulation of the Risk Management Policy on loan contraction and guarantees by Government entities.

Executive's Response

In its update to the Committee, the Executive reported in the Action Taken Report that the Risk Management Framework was adopted for all Government Ministries. However, the implementation of the policy at ministry level was yet to be achieved.

Committee's Observations and Recommendations

The Committee notes the response but urges the Executive to ensure that the Risk Management Framework is implemented without any delay.

Consolidation of the Fragmented Housing Funding

- (viii) The Committee requested for an update on the progress made towards operationalisation of the administrative structure by the Ministry of Housing and Infrastructure Development.

Executive's Response

In its update to the Committee, the Executive reported in the Action Taken Report that the Government had approved the administrative structure of the Ministry of Housing and Infrastructure Development. However, out of the 1,600 approved positions only 212 positions were filled after the granting of Treasury Authority. This represented 13 percent staff strength against the required 100 percent to operate effectively. Treasury Authority was being judiciously and incrementally granted to avoid budgetary pressure as a result of an increased wage bill. The Government was committed to ensuring that the Ministry of Housing and Infrastructure Development was fully operational and present in all Provinces in order to effectively implement the portfolio mandate that led to its creation.

Committee's Observations and Recommendations

The Committee notes the response but urges the Executive to ensure that the Ministry of Housing and Infrastructure Development is fully operational in all provinces. The Committee awaits a progress report on the matter.

Contracting of Works Using Foreign Standards

- (ix) The Committee requested for an update on how and when the Government intended to implement the previous Committee's recommendation of desisting from contracting works using foreign standards.

Executive's Response

In its update to the Committee, the Executive reported in the Action Taken Report that currently the building standards and regulations that were in use were outdated and biased towards the conventional mode of construction and materials. In order to address this gap and provide for policy guidance on standards, the Ministry of Housing and Infrastructure Development had started the process of developing a Construction Policy.

Committee's Observations and Recommendations

The Committee notes the response and awaits an update on the formulation and implementation of the Construction Policy.

Local Contractor Participation

- (x) The Committee requested for a progress report on the specific measures, other than the 20 percent of infrastructure projects earmarked for local contractors, put in place by the Government to encourage local contractors to partner with foreign contractors so as to be able to participate in construction jobs.

Executive's Response

In its update to the Committee, the Executive reported in the Action Taken Report that in order to improve the participation of local contractors in infrastructure projects, the Ministry through the National Council for Construction was undertaking capacity building of local contractors to improve their performance and chances of securing partnerships with foreign contractors.

Committee's Observations and Recommendation

The Committee notes the response and awaits an update on the tangible outcome of the capacity building initiatives by the National Council for Construction.

10.0 CONSIDERATION OF THE ACTION-TAKEN REPORT ON THE REPORT OF THE COMMITTEE ON LOCAL GOVERNANCE, HOUSING AND CHIEFS' AFFAIRS FOR THE FIFTH SESSION OF THE ELEVENTH NATIONAL ASSEMBLY

The Management of the Constituency Development Fund (CDF)

Review of Management of CDF

- (i) The Committee requested for an update on the finalisation of the review of the management of the CDF and the consultations with NGOs by December, 2018.

Executive's Response

In its update to the Committee, the Executive reported in the Action Taken Report that the Ministry of Local Government had since held consultations with representatives of NGOs and would review the management of the CDF once the CDF legislation was enacted.

Committee's Observations and Recommendations

The Committee notes the response and awaits an update on the review of the management of CDF following the enactment of the CDF legislation.

Stakeholder Consultation

- (ii) The Committee requested the Government to finalise the preparation of the revised CDF Guidelines by December, 2018 and provide a progress report on the matter.

Executive's Response

In its update to the Committee, the Executive reported in the Action Taken Report that the Ministry of Local Government had noted the observation and recommendation. It was stated that the new Guidelines were dependent on Parliament passing the *Constituency Development Fund Act, No. 11 of 2018* which was submitted to Members of Parliament to make comments and observations for consideration at a meeting held on 5th March, 2018 in the Amphitheatre of the National Assembly.

Committee's Observations and Recommendations

The Committee notes the response and awaits an update on the review of the CDF Guidelines following the enactment of the *Constituency Development Fund Act, No. 11 of 2018* by the National Assembly of Zambia.

Stakeholder Participation in CDF Management

- (iii) The Committee requested an update on the need for the Government to put in place measures to compel councils across the country to come up with periodic community sensitisation strategies on the management and utilisation of the Constituency Development Funds (CDF) by December, 2018.

Executive's Response

In its update to the Committee, the Executive reported in the Action Taken Report that the Ministry awaited the finalisation of the legislation on CDF before coming up with measures on the strategies for community sensitisation.

Committee's Observations and Recommendations

The Committee notes the response and awaits an update on the implementation of the sensitisation programmes considering that the *Constituency Development Fund Act, No. 11 of 2018* was enacted by the National Assembly of Zambia.

Rules and Regulations of CDF Expenditure and Procurement

- (iv) The Committee recommended that the Government should consider integrating all the key stakeholders in both expenditure and procurement processes under the CDF, by December, 2018. The Committee awaited a progress report on the matter.

Executive's Response

In its update to the Committee, the Executive reported in the Action Taken Report that the integration of key stakeholders would be considered in the new guidelines after the enactment of the Constituency Development Fund Bill into law.

Committee's Observations and Recommendations

The Committee notes the response and awaits an update on the matter in light of the enactment of the *Constituency Development Fund Act, No. 11 of 2018* by the National Assembly of Zambia.

LOCAL TOUR OF THE FIRE TRAINING COLLEGE IN KABWE

Procurement to Construct a New Fire Training School

- (i) The Committee urged the Government to finalise the procurement process and begin the construction of the ultra-modern fire training college by December, 2018. The Committee awaited a progress report on the matter.

Executive's Response

In its update to the Committee, the Executive reported in the Action Taken Report that the Ministry of Local Government signed a contract on Engineering, Procurement and Construction (EPC) basis with Poly International Holdings Company Limited to construct a modern Fire Training School in Kabwe and eleven Provincial Fire Stations across the country. The financial negotiations were done in April, 2018 by the Ministry of Finance and other financial institutions. It was expected that the financial closure would be achieved before December 2018, in order for construction works to commence in 2019.

Committee's Observations and Recommendations

The Committee notes the response and awaits an update on the construction of a new fire training school in 2019.

11.0 CONSIDERATION OF THE ACTION-TAKEN REPORT ON THE REPORT OF THE COMMITTEE ON LOCAL GOVERNANCE, HOUSING AND CHIEFS' AFFAIRS FOR THE FOURTH SESSION OF THE ELEVENTH NATIONAL ASSEMBLY

The Management of the House of Chiefs

Review of the House of Chiefs Regulations

- (i) The Committee urged the Government to finalise the review of the House of Chiefs Regulations, Statutory Instrument No. 41 of 1998 by December, 2018 and submit a progress report on the matter.

Executive's Response

In its update to the Committee, the Executive reported in the Action Taken Report that the review of the House of Chiefs Regulations, Statutory Instrument No. 41 of 1998 commenced in 2016 but was put on hold as the Ministry of Chiefs and Traditional Affairs was waiting for the approval of the National Policy on Chieftaincy and Traditional Affairs by Cabinet. The Policy would guide the review of the House of Chiefs Regulations.

Committee's Observations and Recommendations

The Committee notes the response and awaits an update on the finalisation of the National Policy on Chieftaincy and Traditional Affairs and the consequential review of the House of Chiefs Regulations.

Capacity Strengthening of the House of Chiefs

- (ii) The Committee strongly urged the Government to complete the restructuring of the House of Chiefs by December, 2018. The Committee awaited a progress report on the matter.

Executive's Response

In its update to the Committee, the Executive reported in the Action Taken Report that the Ministry had written to the Secretary to the Treasury for Treasury authority to employ a Sergeant-At-Arms and Transcribers. The Ministry was awaiting a response from Ministry of Finance.

Committee's Observations and Recommendations

The Committee notes the response and awaits an update on completion of the restructuring of the House of Chiefs.

Construction of Modern Structure to Accommodate House of Chiefs'

- (iii) The Committee urged the Government to consider commencing the construction of a well-equipped modern building to accommodate the House of Chiefs by December, 2018.

Executive's Response

In its update to the Committee, the Executive reported in the Action Taken Report that the construction of a well-equipped modern structure to accommodate the House of Chiefs was still under consideration. In the same vein, it was reported that the National Assembly donated a recording system to the House of Chiefs in May 2018. It was expected that this system would improve the electronic storage of information for the House of Chiefs.

Committee's Observations and Recommendations

The Committee notes the response and awaits an update on the construction of a modern structure for the House of Chiefs.

CONCLUSION

12. Markets and bus stations are a source of livelihood for most Zambians and as such, the need for continued construction of modern infrastructure for markets and bus stations cannot be over emphasised. Given that the legal framework governing the operations of markets and bus stations is adequate in the management of markets and bus stations, the full implementation of the law and the promulgation of relevant guidelines and regulations to achieve the intended objectives of the law is paramount for the effective management of

markets and bus stations. There is also need for a more participatory, transparent and accountable mechanisms of management of markets and bus stations.

In most markets and bus stations, the activities of political party cadres have been a source of immense confusion in these facilities. This not only stifles trade and business, but also results in reduced revenue collection by local authorities. It is envisaged that the initiation and implementation of a comprehensive policy on markets and bus stations will restore order in markets and bus stations. Additionally, the inclusion of markets and bus stations in the national development plans will further foster order in markets and bus stations. It is also expected that legislation on markets and bus stations will be reviewed given the move towards decentralisation by devolution implementation in line with the provisions of the Republican Constitution.

The Committee is, therefore, hopeful that the observations and recommendations made on the implementation of the management and operations of markets and bus stations by local authorities will be acted upon expeditiously by the Executive in addressing the challenges associated with the management and operations of markets and bus stations in Zambia.

The committee is grateful to the office of the Speaker and the Clerk for the guidance rendered to it during the Session. The Committee is further indebted to all witnesses that submitted memoranda and appeared before it.

N Samakayi, MP
CHAIRPERSON

June, 2019
LUSAKA

APPENDIX I – OFFICIALS OF THE NATIONAL ASSEMBLY

Ms C Musonda, Principal Clerk of Committees
Mr F Nabulyato, Deputy Principal Clerk of Committees (SC)
Mr S Chiwota, Senior Committee Clerk (SC)
Mr S C Samuwika, Committee Clerk
Mrs B M J Mwandemena, Acting Personal Secretary I
Mrs R T Mwila, Stenographer
Ms L Choolwe, Intern
Ms N Simpamba, Intern
Mr D Lupiya, Committee Assistant
Mr M Kantumoya, Parliamentary Messenger

APPENDIX II – THE WITNESSES

Cabinet Office

Mr Bernard Kamphasa, Permanent Secretary
Mr Emmanuel Mali, Public Policy Specialist

Local Governance Association of Zambia

Mr Maurice Mbolela, Executive Secretary
Ms Mpatati Namumba, Information Officer

Zambia National Marketeers Credit Association (ZANAMACA)

Mr Mupila Kameya, President
Ms Manda Nedziwe, National Trustee

Zambia Association Motorist (ZAM)

Mr Felix Banda, Vice Chairman
Mr Last Makala, Member
Mr Kanyama Sakala, Member

Bus and Taxi Drivers Association of Zambia (BTDAZ)

Mr John Daka, Vice President
Mr Sydney Mbewe, General Secretary
Mr Idrissa Banda, National Trustee
Mr Kennedy Malasa, Treasure
Mr Clement Kafula, Chaplain

Zambia United Local Authorities Workers Union (ZULAWU)

Mr Kingsley Zulu, President
Mr Emmanuel Mwinga, General Secretary

Lusaka City Council

Mr Alex Mwansa, Town Clerk
Mr Beston Kajoba, Director of Finance
Ms Patricia Mulinye, Acting Director
Mr Pentasi Chirambo, Station Manager
Mr Mwenga Matafwali, Lusaka Manager

Chirundu Town Council

Mr John Mwanza, Council Secretary
Mr Pasmore Luapula, District Office

Solwezi Municipal Council

Mr Mbulo Seka, Town Clerk

Nakonde Town Council

Mr Musonda Chipampata, District Planning Officer
Mr Kaumba Himbala, Treasurer

Mansa Municipal Council

Ms Kaela Kawilila Sambo, Town Clerk
Mr Chisomo Jube Phiri, Markets Manager
Mr Ngoma Adamson, Town Planner
Mr Chomba Mwansa, Assistant Accountant

Kitwe City Council

Mr Bornwell Luanga, Town Clerk
Ms Choolwe M Lipenga, Director – Housing and Social Services

Cross Borders Transport Association (CBTA)

Mr Goodson Mbewe, Chairman General
Ms Christine P Sikombe, Vice Secretary
Mr Julius Mugode, Cross Boarder Transport Association Manager

Kapiri-Mposhi District Council

Mr Isaac Zimba, Council Secretary
Mr Tresphord K Sichamba, Council Treasurer
Mr Justine Phiri, Director of works
Ms Zelus Mulenga, Council Advocate
Mr Sabbson Phiri, District Planner

Bus and Taxi Owners Association of Zambia (BTOAZ)

Mr Peter Phiri, Chairperson
Ms Beatrice Chikota, Vice Chairperson
Mr Mathew Nkhoma, Treasurer
Mr Chona J Mwewa, Legal

Mr Joseph Kamwaya, Legal
Mr Ronald B Mwansa, Trustee

Common Grounds Networks

Mr David Mvula, Coordinator
Ms Rebecca Sakamba, Secretary
Mr Rabson Chiwenda, Vice Secretary
Mr Kuba K Kafwimbi, Operations Coordinator

Bus Association of Zambia (BAZ)

Mr Leonard Mwanza, Chief Executive Officer
Ms Mirriam Zimba, Public Relations Officer

The Commuter Magazine

Mr Liswaniso Mwanalushi, Team Leader
Ms Mercy Kabungo, Member

Ministry of Housing and Infrastructure Development

Mr Charles Mushota, Permanent Secretary
Mr Banji Chisumpa, Director – Finance
Mr William Katongo, Director – Human Resource Administration
Mr Danny Mfuno, Director – Planning and Information
Mr Mabuchi Chitembo, Director – Housing
Mr Banister Mantemba, Principal Internal Auditor
Mr Bernard Mumba, Chief Planner
Mr Trust Hamaleka, Senior Statistician

Ministry of Commerce, Trade and Industry

Ms Mando Pasi, Acting Permanent Secretary
Ms Georgina N Zulu, Director – Domestic Trade and Commerce
Mr John Mulenga, Director – Industries
Mr Shadreck Mungalaba, Director – Cooperatives
Ms Evelyn C M Soko, Acting Director – Planning and Information
Mr Mulenga Kasonde, Economist

Ministry of Transport and Communications and the Road Traffic and safety Agency (RTSA)

Ministry of Transport and Communications

Eng Misheck Lungu, Permanent Secretary
Mr Stephen Mbewe, Director – Planning

Mr Stacey Ngosa, Planner

Road Traffic and safety Agency (RTSA)

Mr Zindaba Soko, Chief Executive Officer

Mr Guaputu Banda, Deputy Director – Safety

Mr Rodgers Nkandu, Deputy Director – Transport

Mr Fredick Mwansa, Head – Public Relations

Mr Chubcky Kanchele, Head – Statistics

Mr Aaron Tembo, Legal Counsel

Ministry of Finance

Dr Emmanuel M Pamu, Permanent Secretary – Budget and Economic Affairs

Mr Richard Banda, Principal Economist

Mrs Kapema I Nyama, Acting Principal Economist

Mr Desmond Banda, Assistant Director – Intergovernmental Fiscal Architecture

Mr Dingiswayo Banda, Assistant Director – Economic Management Department

Ministry of Local Government

Hon Vincent Mwale, Minister

Mr Numeral Banda, Acting Permanent Secretary

Mr Patson Phiri, Assistant Director – Physical Planning

Mr Charles K Chisanga, Head – Procurement

Mr Fanizani Phiri, Assistant Director – Department of Housing, Infrastructure and Development