



REPUBLIC OF ZAMBIA

REPORT

OF THE

COMMITTEE ON EDUCATION, SCIENCE AND TECHNOLOGY

ON THE

TEACHING PROFESSION (AMENDMENT) BILL, N.A.B. NO. 4 OF 2023

FOR THE

SECOND SESSION OF THE THIRTEENTH NATIONAL ASSEMBLY

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FOREWORD

Honourable Madam Speaker, the Committee on Education, Science and Technology has the honour to present its Report on the Teaching Profession (Amendment) Bill, N.A.B No. 4 of 2023, for the Second Session of the Thirteenth National Assembly referred to it by the House on Wednesday, 1st March, 2023. The functions of the Committee are set out in Standing Orders No. 197 (c) and 198 (j) of the National Assembly of Zambia Standing Orders, 2021.

In order to fully appreciate the ramifications of the Bill, the Committee requested written submissions from various stakeholders. The stakeholders were further requested to appear before the Committee to orally brief it on the contents of their written memoranda and to clarify issues that may arise from the presentations. The Committee held ten meetings to consider the Teaching Profession (Amendment) Bill, N.A.B No. 4 of 2023. The list of witnesses who appeared before the Committee is at Appendix II of this Report.

The Committee wishes to pay tribute to all stakeholders who appeared before it and tendered both oral and written submissions. It further wishes to thank you, Madam Speaker, for according it an opportunity to consider the Teaching Profession (Amendment) Bill, N.A.B No. 4 of 2023. The Committee also appreciates the services rendered by the Office of the Clerk of the National Assembly during its deliberations.



Mr Twaambo E Mutinta, MP
CHAIRPERSON

March, 2023
LUSAKA

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REPORT OF THE COMMITTEE ON EDUCATION, SCIENCE AND TECHNOLOGY ON THE TEACHING PROFESSION (AMENDMENT) BILL, N.A.B. NO. 4 OF 2023 FOR THE SECOND SESSION OF THE THIRTEENTH NATIONAL ASSEMBLY

1.0 MEMBERSHIP OF THE COMMITTEE

The Committee consisted of Mr Twaambo Elvis Mutinta, MP, (Chairperson); Ms Sibongile Mwamba, MP, (Vice Chairperson); Dr Alex Katakwe, MP; Mr Davies Chisopa, MP; Mr Golden Mwila, MP; Mr Elias Daka, MP; Mr Heartson Mabeta, MP; Mr Tyson Simuzingili, MP; Mr Ackleo Ives Aaron Banda, MP; and Mrs Chrizoster Phiri Halwiindi, MP.

2.0 BACKGROUND TO THE BILL

The Teaching Profession (Amendment) Bill, N.A.B. No. 4 of 2023 sought to revise the functions of the Teaching Council of Zambia so as to align the provisions of the *Teaching Profession Act No. 5 of 2013* to the *Higher Education Act, No. 4 of 2013* in respect to the provisions providing for training of teachers, registration of colleges and accreditation of learning programmes and qualifications.

Despite the enactment of the Act to regulate the teaching profession, its implementation has posed some challenges to the profession. In order to address some of those challenges, the Government has introduced the Teaching Profession (Amendment) Bill, N.A.B. No. 4 of 2023.

3.0 OBJECTS TO THE TEACHING PROFESSION (AMENDMENT) BILL, N.A.B. NO. 4 OF 2023

The object of this Bill was to:

- (a) revise the functions of the Teaching Council of Zambia; and
- (b) provide for matters connected with, or incidental to, the foregoing.

4.0 SALIENT PROVISIONS OF THE BILL

The provisions of the Teaching Profession (Amendment) Bill, N.A.B. No. 4 of 2023, were as set out hereunder.

Clause 1 - Short title

This clause provided for the short title of the Bill.

Clause 2 - Amendment of section 2

This clause amended section 2 of the principal Act by inserting new definitions such as “Higher Education Authority” and “Zambia Qualification Authority”.

Clause 3- Amendment of section 6

This clause sought to amend section 6 (1) of the principal Act by the deletion of paragraph (c) and (d) and the substitution of paragraph (d) thereof. Section 6 (1) (c) and (d) of the Act gave the Teaching Council of Zambia the function of accrediting colleges of education and developing, maintaining and improving appropriate standards of qualification in the teaching profession.

Clause 4- Amendment of section 11

This clause sought to amend section 11 of the principal Act by the deletion of paragraph (b) and the substitution therefor of a new paragraph so as to align the provisions of the Act with the *Zambia Qualifications Authority Act No. 13 of 2011*.

Clause 5- Amendment of section 28

This clause sought to amend section 28 of the principal Act by the deletion of subsection (1) so as to align the provisions relating to foreign qualifications in the Act with the *Zambia Qualification Authority Act, No. 13 of 2011*.

Clause 6 - Repeal of sections 31, 32, 33, 34 and 35

This clause sought to repeal sections 31, 32, 33, 34 and 35 of the principal Act. The Higher Education Authority had the mandate of accrediting learning programmes in higher education institutions. Therefore, the amendment sought to align the provisions of the Act relating to approval of training programmes with the *Higher Education Act, No. 4 of 2013*.

Clause 7- Repeal and replacement of section 36

This clause sought to repeal and replace section 36 of the principal Act in order to align the provisions of the Act relating to approval of training programmes of teachers with the *Higher Education Act, No. 4 of 2013*.

Clause 8 - Repeal of section 37

This clause sought to repeal section 37 of the principal Act so as to align the Act with the provisions of the *Higher Education Act, No. 4 of 2013*.

Clause 9- Repeal of Part V

This clause sought to repeal Part V of the principal Act in order to revise the function of the Teaching Council of Zambia to accredit colleges of education which was the mandate of the Higher Education Authority.

Clause 10 - Amendment of section 59

This clause sought to amend section 59 (2) (f) and (g) of the principal Act in order to align the mandate of the Zambia Qualification Authority as provided for in the *Zambia Qualification Authority Act, No. 13 of 2011* with the provisions of the Act. The Zambia Qualification Authority had the mandate of accrediting qualifications in the Republic, therefore, the amendment intended to recognise this mandate.

5.0 CONCERNS RAISED BY STAKEHOLDERS

All stakeholders who appeared before the Committee supported the Bill except for one who supported the Bill with the following concerns:

- i. the Headteachers Association of Zambia observed that the conduct and discipline of teachers seemed to be a preserve of the responsible officers, Human Resources Management Committees, union representatives and the Teaching Service Commission at each level of the disciplinary proceedings; making it difficult therefore for the Teaching Council of Zambia to explicitly play a role in disciplining ailing teachers. In this vain, the Association recommended that this particular function should be maintained by the Teaching Service Commission since they finally decided which penalty should finally be mated against an offender. It was also proposed that the Teaching Council would fit well as a committee under the Teaching Service Commission.
- ii. The Headteachers Association of Zambia submitted that **functions (e), (f), and (j)** under the *Teaching Profession Act, 2013* were closely related to the functions of the Directorate of Standards. Therefore, this role would be better left to standards since there was an established structure of the directorate of standards from Ministry of Education Headquarters down to the school. The Association further submitted that it was their view that **functions (g), (k) and (i)** under the Act could better be left to the unions and the directorate of human resources to avoid duplicity of roles or unnecessary overlap
- iii. The Headteachers Association of Zambia were of the view that **function (i)** under the *Teaching Profession Act, 2013* should be one of the roles for which the Directorate of Teacher Education and Specialised Services was created other than spearheading in-service training through continuing professional development Programmes. The Directorate had a well-established structure from Ministry of Education Headquarters to the school level. Thus, relegating these roles to the Teaching Council of Zambia whose structure was centralised may not strengthen professional development and teacher competences as desired.

In this vain, the Headteachers Association of Zambia supported the Bill with the above suggestions.

6.0 COMMITTEE'S OBSERVATIONS AND RECOMMENDATIONS

Having considered the submissions from stakeholders, the Committee observes that all the stakeholders who appeared before it were in support of the Bill except for one . The Committee further observes that revising the functions of the Teaching Council of Zambia would harmonise the provisions of the *Teaching Profession Act, 2013* with those of the *Higher Education Act No. 4 of 2013* on matters relating to registration of colleges of education and accreditation of teacher education programmes.

Furthermore, the Committee observes that the duplication of regulatory functions relating to higher education institutions with respect to accreditation and approval of qualifications and

learning programmes which are the functions of the Higher Education Authority and the Zambia Qualifications Authority, respectively, would be a thing of the past. In this regard, the Committee supports the Teaching Profession (Amendment) Bill, N.A.B. No. 4 of 2023 which seeks to revise the functions of the Teaching Council of Zambia.

7.0 CONCLUSION

The Committee is of the view that once enacted, the Bill would remove the duplication of regulatory functions relating to higher education institutions with respect to accreditation and approval of qualifications and learning programmes which are the functions of the Higher Education Authority and the Zambia Qualifications Authority, respectively. The Bill is, therefore, progressive.

We have the honour to be, Madam, the Committee on Education, Science and Technology mandated to consider the Teaching Profession (Amendment) Bill, N.A.B. No. 4 of 2023, for the Second Session of the Thirteenth National Assembly.



Mr Twaambo Elvis Mutinta, MP
CHAIRPERSON

March, 2023
LUSAKA

APPENDIX I – List of National Assembly Officials

Mr Francis Nabulyato, Principal Clerk of Committees (SC)
Mrs Chitalu Mumba, Deputy Principal Clerk of Committees (SC)
Mrs Angela M Banda, Senior Committee Clerk (SC)
Mr Alvin Himululi, Committee Clerk
Ms Carol Ndoti, Acting Committee Clerk
Mrs Ifoma H Mulewa, Research Officer
Ms Eneless Njobvu, Typist
Mr Daniel Lupiya, Committee Assistant
Mr Muyembi Kantumoya, Parliamentary Messenger
Mr Mukoba Ngulube, Intern

APPENDIX II – List of Witnesses

Basic Education Teachers Union of Zambia
Chalimbana University
Headteachers Association of Zambia
Higher Education Authority of Zambia
Ministry of Education
Ministry of Justice
National Action for Quality Education in Zambia
Teaching Service Commission
University of Zambia
Zambia National Union of Teachers
Zambia Qualifications Authority