



**REPUBLIC OF ZAMBIA**

**REPORT**

**OF THE**

**COMMITTEE ON GOVERNMENT ASSURANCES**

**ON THE**

**PUBLIC ROADS (AMENDMENT) BILL, N.A.B, NO.8 OF 2026**

**FOR THE**

**FIFTH SESSION OF THE THIRTEENTH NATIONAL ASSEMBLY**

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## **FOREWORD**

Honourable Madam Speaker, the Committee on Government Assurances has the honour to present its Report on the Public Roads (Amendment) Bill, N.A.B.No.8 of 2026, for the Fifth Session of the Thirteenth National Assembly. For further reference, the functions of the Committee are set out under Standing Order 204. (3) of the National Assembly of Zambia Standing Orders, 2024.

In order to acquaint itself with the ramifications of the Bill, the Committee sought both written and oral submissions from different stakeholders, the list of which is at Appendix II. Part One provides a back ground and summary of the provisions of the Bill. Part Two presents the summary of submissions from stakeholders, while Part Three constitutes the Committee's observations and recommendations.

The Committee wishes to thank you, Madam Speaker, for affording it an opportunity to study the National Road Fund (Amendment) Bill, N.A.B No.8 of 2026. It further, wishes to pay tribute to all stakeholders who appeared before it and tendered both oral and written submissions.

The Committee also appreciates the services rendered by the Office of the Clerk of National Assembly during its deliberations.



Mr Emmanuel M Tembo, MP  
**VICE CHAIRPERSON**

April, 2026  
**LUSAKA**

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## **1.0 COMPOSITION OF THE COMMITTEE**

The Committee consisted of Ms Chushi C Kasanda, MP (Chairperson); Mr Emmanuel M Tembo MP (Vice Chairperson); Mr Christopher Chibuye, MP; Mr George K Kandafula, MP; Mr Mapani H Moono, MP; Mr Lloyd Lubozha, MP; Mr Emmanuel Banda, MP; Ms Jean N Chisenga, MP; Mr Kaliye Mandandi, MP; and Mr Brian Mundubile.

## **PART I**

### **2.0 BACKGROUND**

The *Public Roads Act, No. 12 of 2002 Chapter 472 of the Laws of Zambia* was passed to make provisions for establishing the Road Development Agency, define its functions; provide for the care, maintenance and construction of public roads in Zambia; and regulate maximum weights permissible for transmission on roads, among others.

In this respect, the Act under section 2 provides for the interpretation or definitions of terms. However, the Act does not define “Engineering Institution of Zambia”, “Legally disqualified”, and “Zambia Institute of Quantity Surveyors”, among other terms.

Currently, private sector participation in institutions of governance is inadequate leading to low engagement, governance variability, lack of effective and efficient service delivery and compromised sustainability of public bodies.

Notwithstanding this challenge, Government issued a Circular Minute dated 12<sup>th</sup> December, 2025 directed to all Ministries to expedite the process of initiating the amendment of which pieces of legislation on appointment of Board Members in public institutions, parastatal and Statutory bodies to ensure that Boards and Committees are reduced to eleven and include the private sector and civil society organisations.

In view of this view, the spirit and intent of Circular **No. C0.101/39/1** was to revise the composition of the Boards and Committees of the public institutions to enhance corporate governance through increased private sector participation, governance and streamline the composition of the Boards and Committees.

### **3.0 OBJECT OF THE BILL**

The object of the Bill is to amend the *Public Roads Act*, so as to –

- a) revise the composition of the Board of the Road Development Agency;
- b) and provide matters connected with or incidental to, the foregoing.

### **4.0 SALIENT PROVISIONS OF THE BILL**

The salient features of the Bill are set out below.

#### **4.1 Clause 1 – Short Title and commencement**

Clause 1 provides for the Short title and commencement. The Act may be cited as the *Public Roads (Amendment) Act, 2026*, and shall be read as one with the *Public Roads Act*, in this Act referred to as the principal Act. It has provided for the period when the Act will commence operation on the expiry of the term of office or upon removal by the Minister, among others.

#### **4.2 Clause 2– Amendment of Section 2**

Clause 2 seeks to amend section 2 of the principal Act, by the insertion of new definitions in alphabetical order: such as “Engineering Institution of Zambia” means the Engineering Institution of Zambia established under the *Engineering Institution of Zambia Act Chapter 432* of the Laws of Zambia; and “Legally disqualified” means the absence of legal capacity as provided for under section 4 of the *Mental Health Act Chapter 305 of the Laws of Zambia*, among others.

#### **4.3 Clause 3 – Amendment of Section 6 of the principal Act**

Clause 3 seeks to amend section 6 of the principal Act by deletion of subsections (1), (2) and (3) and the substitution therefor of new provisions under the Bill such as Board composition, among others.

### **PART TWO**

#### **5.0 SUMMARY OF STAKEHOLDERS’ SUBMISSIONS AND CONCERNS**

All the stakeholders who appeared before the Committee indicated that the Bill was progressive. However, while supporting the Bill, stakeholders raised the concerns set out hereunder.

##### **5.1 Clause 2 – Amendment of Section 2**

Stakeholders submitted that the amendment in section 2 by the insertion, in the appropriate place, of the definition of “Engineering Institution of Zambia”, among other definitions, was progressive as it had the potential to improve service delivery and ensure a wide perspective of decision-making emanating from both industrial participants and road users.

5.2 Other stakeholders submitted that private sector participation enhanced innovation and efficient management of infrastructure, leading to improved investment outcomes. Moreover, there was need for balance between the desire for public interests and prevention of undue influence. Despite the amendment promoting responsiveness and inclusivity, it does not provide for explicit provisions of equitable representation and this has the potential of limiting the extent of such benefits.

##### **5.3 Clause 3 – Amendment of Section 6**

Stakeholders noted that Clause 3 of the Bill sought to amend section 6 of the principal Act by the deletion of subsections (1), and (2) and (3), paragraph (ii) and the substitution therefor of the new Board Composition under the Bill among other matters.

In view of the above, stakeholders informed the Committee that the proposed amendment sought to add a representative of one person from the private sector with knowledge and experience in matters relevant to this Act, among others. On this premise, stakeholders supported all the proposed amendments under this provision.

The Committee learnt that in accordance with the proposed provision, Government had been leveraging on the private sector for Public-Private Partnership (PPPs) under the infrastructural development agenda for Zambia such as toll roads to enhance funding and expertise. The Committee further learnt that in instances where Government and private sectors shared risks and rewards and innovation, the results had been advanced infrastructure development through efficient technology and funding.

Some stakeholders informed the Committee that the proposed composition under Clause 3 of the Bill had the potential to enhance transparency, accountability and responsiveness in the management of public roads and infrastructure country wide. Under this view, other stake holders, however, submitted that the Bill does not expressly address gender balance or equitable (including national) representation which was an important consideration in the composition of public bodies.

## **PART THREE**

### **6.0 COMMITTEE'S OBSERVATIONS AND RECOMMENDATIONS**

The Committee notes that all the witnesses who appeared before it supported the Bill. The Committee also supports the Bill, and in supporting the Bill, it makes the following observations and recommendations set out here under:

#### **(i) Definitions of new terms under the Bill**

The Committee notes that the insertion of the definitions of Engineering Institution of Zambia, legally disqualified, Zambia Chartered Institute of Logistics and Transport, and the Zambia Institute of Quantity Surveyors aligns with Constitutional principles by broadening participation in public institution relating to good governance, transparency and accountability. In this regard, the Committee is of the view that inclusion of civil society and private sector actors supports participatory governance, increasingly recognised as a constitutional value espoused under *Article 173 of the Constitution of Zambia (Amendment) Act No. 2 of 2016*.

#### **(ii) Establishment of Clear Appointment Criteria**

The Committee notes that the Bill, once enacted, will not operate retrospectively. This, notwithstanding, the Committee observes that restructuring of the Board introduces an ideal inclusive governance model by incorporating non-State actors to strengthen oversight, accountability and ownership within the decision-making bodies. However, the Committee observes with concern that the Bill does not provide for an express statutory provision governing the appointment of representatives from the private sector and civil society organisations.

In this regard, the Committee recommends that the Bill be amended to provide express provision governing the criteria for appointment of the representatives from the private sector and civil society organisations. As such, the Committee is of the considered view that such criteria should emphasis on professional competence, demonstrable experience and integrity in the relevant mandate of the Board of the Road Development Agency. This would enhance transparency and accountability, safeguard the independence of such representatives, and promote merit-based appointments.

#### **(iii) Financial and Fiscal Implications from Expanded Board Compositions**

The Committee is aware that simply amending the law will not suffice in as far as the operations and efficiency of the Board and enhanced corporate governance is concerned. The Committee observes that once the Bill is enacted and operational, it may have modest financial implications resulting from the expanded Board composition and costs associated with allowances, meeting and administrative support viewed within the broader context of public expenditure.

In this regard, the Committee recommends that the Government should ensure that cost effectiveness in the functioning of the Board is significant to maintain fiscal sustainability. In the same vein, the Committee urges the Board representatives to serve with professionalism, integrity, accountability and with a sense of ownership and duty.

**(iv) Promotion of Gender Representation**

The Committee observes that to promote inclusive governance and stakeholder participation in road infrastructure management, consideration should be given to ensure gender balance in the Board composition, in line with legal and policy frame work .The Committee notes that gender representation is already provided for under the *Constitution of Zambia Act Chapter 1 of the Laws* and the *Gender Equity and Equality No. 22 of 2015*, therefore, it requires no restatement in each piece of statute under consideration .

In this regard, the Committee recommends that Government and other stakeholders such as civil society organisations should ensure that emphasis is placed on the appointing authorities to give due consideration to gender balance at the point of nomination. In view of the above, the Committee is of the view that this will comply with legal obligations while maintaining legislative efficiency and preventing unnecessary duplication.

**7.0 CONCLUSION**

The Committee observes that the amendment of the Public Roads Act Chapter 472 of the Laws of Zambia, aligns with the *Constitution of Zambia Act Chapter 1 of the Laws of Zambia* and the 2023 *National Gender Policy* which promotes a balanced and inclusive participation in public decisions and aligns the Act with the statute book to enhance coherent and consistent legislation.

Further, the proposed amendments provide an opportunity to strengthen the governance of the Board of the Road Development Agency through broader participation of stakeholder. This reflects a strong commitment by Government to include private sectors on the Board of the Agency. This will enhance expertise and innovation from the private sector and other technocrats and lead to efficiency in service delivery.

The Committee is hopeful that the proposed legislative amendments, coupled with administrative and other measures to reduce the composition of the Board of the Road Development Agency will make significant progress in enhancing corporate governance and promoting transparency and accountability towards management and service delivery of the Agency.

We have the honour to be, Madam Speaker, the Committee on Government Assurances mandated to consider the Public Roads (Amendment) Bill, N.A.B, No. 8 of 2026.



Mr Emmanuel M Tembo, MP  
VICE CHAIRPERSON

April, 2026  
LUSAKA

**APPENDIX I – LIST OF NATIONAL ASSEMBLY OFFICIALS**

Mr Charles Haambote, Director, Social Committees (SC)

Mrs Chitalu K Mumba, Deputy Director (SC)

Mr Darius Kunda, Senior Committee Clerk (SC1)

Mr Maxwell Mweene, Committee Clerk

Ms Catherine Chibuye, Administrative Assistant II

Mr Daniel Lupiya, Senior Committee Assistant

Mr Muyembi Kantumoya, Committee Assistant

Ms Taona Chabinga, Committee Assistant

## **APPENDIX II – LIST OF WITNESSES**

Ministry of Justice

Ministry of Infrastructure, Housing and Urban Development

Ministry of Transport and Logistics

Ministry of Finance and National Planning

Road Safety and Transport Agency

Road Development Agency

Engineering Institution of Zambia

Zambia Law Development Commission

National Roads Fund Agency