



**REPUBLIC OF ZAMBIA**

**REPORT**

**OF THE**

**COMMITTEE ON GOVERNMENT ASSURANCES**

**ON THE**

**THE NATIONAL COUNCIL FOR CONSTRUCTION (AMENDMENT) BILL,**

**N.A.B, NO.21 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 *National Council for Construction (Amendment) Bill, N.A.B.No.21 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 Council for Construction (Amendment) Bill, N.A.B No.21 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 Brian Mundubile, MP; Mr Kaliye Mandandi, MP.

## **PART 1**

### **2.0 BACKGROUND**

The *National Council for Construction Act, No. 10 of 2020* was enacted to provide for the promotion, development and regulation of the construction industry so as promote economic growth and competitiveness and create sustainable employment; continue the existence of the National Council for Construction and provide for its functions; enhance contractor capacity development and technical compliance in the construction industry among others matters.

Government issued a Circular Minute **No. CO.101/39/1** dated 12<sup>th</sup> December, 2025 and directed to all Ministries to expedite the process of initiating the amendment of pieces of legislation on appointment of Board Members in public institutions, parastatals and Statutory bodies to ensure that Boards and Committees are reduced to eleven and include the private sector.

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

In light of the foregoing, the Bill seeks to revise the composition of the Board of the National Council for Construction provided for under the *National Council for Construction Act No. 10 of 2020* in line with Cabinet Office Circular Minute No. CO.101/39/1 and other matters to that effect.

## **SUMMARY OF THE BILL PROVISIONS**

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

The object of the Bill is to amend the *National Road Fund Act*, so as to—

- a) Revise the composition of the National Road Fund Agency; and
- b) Provide for matters connected with, or incidental to, the foregoing.

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### **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 National Council for Construction (Amendment) Act No. 10 Of 2020. It also provides the date of commencement of operation of the Act upon expiry of the term of office, among other matters.

#### **4.2 Clause 2– Amendment of Section 2 of the principal Act**

Clause 2 seeks to amend section 2 of the principal Act, by the deletion of definitions such as “architect” and insertion of new definitions such as “Zambia Institute of Quantity Surveyors”, among others.

#### **4.3 Clause 3 – Amendment of Section 7 of the principal Act**

Cause 3 seeks to amend section 7 of the principal Act by the deletion of sub section 1 and insertion of new terms such as “a representative of the civil society organisation involved in engineering”, among others.

#### **Clause 4- Amendment of First Schedule**

Clause 4 seeks to amend Paragraph 3(4) of the **First Schedule** to the principal Act by deletion of the word “six” and substitution of therefor of the word “five”.

## **PART II**

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

While supporting the Bill, stakeholders raised concerns set out here under.

#### **5.1 Clause 2 – Amendment of Section 2 of the principal Act**

Stakeholders submitted that the amendment in section 2 of the principal Act by deletion and insertion of new definition such as “Quantity Surveyors Registration Board” and “Zambia Institute of Quantity Surveyors,” among others, is meant to enhance the operational efficiency of the Board. However, to enhance the institutional and professional efficiency of the Board. there was need to include other stakeholders while maintaining the proposed number of Board composition.

Some stakeholders submitted that amendment of Clause 2 of the Bill seeks to update the definitional provisions in order to align the Bill with emerging trends in the developmental agenda, especially in the regulatory framework under which the Bill operated. In this regard, professional bodies under the Bill such as the Zambia Institute of Quantity Surveyors among others will operate effectively and professionally.

#### **5.3 Clause 3 – Amendment of Section 7 of the principal Act**

Stakeholders noted that Clause 3 of the Bill seeks to amend section 7 of the principal Act by placing changes in the Board of the council and specifying the members therefrom among other matters.

Stakeholders submitted that the Bill aligns with principles of good governance, transparency and accountability by expanding the scope of participation in public institutions by the inclusion of the private sector and the civil society organisations. However, similar to the *Public Road (Amendment) Bill, N.A.B, No.8 of 2026*, the absence of clear provisions on gender balance and equitable representation may create implementation ambiguity.

Other stakeholders submitted that despite the Bill prescribing updated definitions, it does not provide detailed qualification criteria for Board Members newly introduced under the Bill. On this premise, stakeholders were of the view that such an omission may result in implementation and interpretation gaps.

In light of the foregoing, the Committee was informed that the proposed reforms will improve regulatory oversight, enhance inclusive participation and strengthen infrastructure development. Under this view, stakeholders submitted that the amendment of the principal Act was to promote competition, sustainability in the construction sector and of economic growth.

Some stakeholders submitted that operational efficiency was enhanced under the Bill through the facilitation of easier convening of meetings as a result of the amendment under clause 4 of the Bill, as an amendment to paragraph 3(4) of the First Schedule by the deletion of the word “six” and substitution therefor of the word “Five”.

### **PART III**

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

The Committee notes that all the witnesses who appeared before the Committee were in support of the Bill. The Committee also supports the Bill, and in supporting the Bill, it makes the following observations and recommendations set out hereunder.

##### **(i) Board Composition of the Council**

The Committee notes that the proposed amendment under section 7 of the principal Act introduces representation from key government ministries and the civil society organisations including other non-State Actors. The Committee observes with satisfaction that the Board of the Council is fundamental to its ability to effectively regulate the industry, promote professionalism and sustainable development of infrastructure.

In this regard, the Committee supports the amendment under clause 3 of the Bill and urges the Government to ensure that the Council is aligned with professional and current institutional framework to enhance transparency and accountability.

##### **(ii) Establishment of clear appointment criteria**

The Committee observes with concern that while the Bill provides for definition of terms

under its provisions, it does not prescribe detailed qualification criteria for the newly introduced Board Members of the Council. The Committee is of the view that this may lead to gaps during implementation and statutory interpretations of provisions in the statute.

In this regard, the Committee recommends that the Bill should be amended to insert a clause that governs the criteria for appointment of representation from the private sector and civil society organisations. To this effect, such a requirement may include professional competence, relevant experience, integrity and experience gained in the construction industry by the participant.

**(iii) Promotion of Gender Representation**

The Committee notes that the Bill complies with constitutional principles of good governance, transparency and accountability by enlarging participation in public institutions. The Committee observes with great concern, however, that the bill does not contain a provision regulating equitable representation and gender balance, resulting in ambiguity during implementation and statutory interpretation of the statute

In this regard, the Committee recommends that gender balance in the Board composition of the Council should be adhered to in line with the existing legal and policy frameworks. Further, the Committee recommends that, emphasis must be placed on the appointing authority to give due consideration to gender and national representation in compliance with the Cabinet Circular, policy and Constitutional obligations.

**(iv) Quorum Implication and Clarifications**

The Committee observes with concern that the amendment of the First Schedule under the Bill reduces quorum from six to five members for purposes of holding meetings. However, in matters of decision-making, concerns are raised regarding the representational adequacy. The Committee recommends that due to the reduction in quorum, some safeguards should be put in place to ensure that decisions are made with adequate stakeholders to enhance ownership, professionalism and integrity.

## 7.0 CONCLUSION

The Committee observes that the amendment of the *National Council for Construction Act No. 10 of 2020*, aligns with the *Constitution* of Zambia and the Eighth National Development Plan (8NDP) which enhances transparency and accountability in public institutions and infrastructure development as a hub for economic growth.

Further, the proposed law provides an opportunity to modernise the governance of the construction sector by expanding the scope of stakeholder participation on the Board of the Council.

The Committee is hopeful that the proposed legislative amendments, coupled with administrative and other measures will maximise the impact of the proposed reforms and enhance the Council's ability to regulate effectively the Zambian construction industry.

We have the honour to be, Madam Speaker, the Committee on Government Assurances mandated to consider the National Council for Construction (Amendment) Bill, N.A.B. No. 21 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 Finance and National Planning

Ministry of Infrastructure Housing and Urban Development

Ministry of Transport and Logistics

National Road Fund Agency

Zambia Law Development Commission

Engineering Institution of Zambia

Road Transport and Safety Agency

Road Development Agency