



REPUBLIC OF ZAMBIA

REPORT

OF THE

COMMITTEE ON HEALTH, COMMUNITY DEVELOPMENT AND SOCIAL

SERVICES

ON THE

FOOD AND NUTRITION (AMENDMENT) BILL, N. A. B. NO. 38 OF 2026

FOR THE

FIFTH SESSION OF THE THIRTEENTH NATIONAL ASSEMBLY

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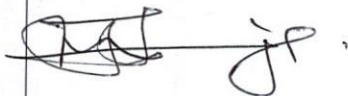
FOREWORD

Honourable Madam Speaker, the Committee on Health, Community Development and Social Services has the honour to present its Report on the Food and Nutrition (Amendment) Bill, N. A. B. No. 38 of 2026, for the Fifth Session of the Thirteenth National Assembly.

The Committee is mandated to consider Bills referred to it by the House pursuant to Standing Orders 112(3) and 207(j) of the National Assembly Standing Orders, 2024.

In order to acquaint itself with the ramifications of the Bill, the Committee sought both written and oral submissions from selected stakeholders. The Report highlights the background, objectives and provisions of the Bill, stakeholder submissions, and the Committee's observations and recommendations.

The Committee is indebted to all stakeholders who made submissions and expresses gratitude to you, Madam Speaker, for the opportunity to scrutinise the Bill. Appreciation is also extended to the Office of the Clerk for the support rendered.



Mr Joseph S Munsanje, MP
CHAIRPERSON

April, 2026
LUSAKA

1.0. COMPOSITION OF THE COMMITTEE

The Committee consisted of Mr Joseph S Munsanje, MP (Chairperson); Mrs Marjorie Nakaponda, MP (Vice Chairperson); Dr Christopher K Kalila, MP; Mr Paul Chala, MP; Mr Monty Chinkuli, MP; Mr Heartson Mabeta, MP; Mr Leevan Chibombwe, MP; Mr Masautso Tembo, MP; Mr Miles Sampa, MP and Mr Elias Mubanga, MP.

2.0. BACKGROUND

The Food and Nutrition Act, No. 3 of 2020, establishes the National Food and Nutrition Commission (NFNC) as a statutory body mandated to coordinate, monitor and evaluate national food and nutrition programmes, as well as to provide policy guidance on matters relating to food security and nutrition in Zambia.

The Government, through the Food and Nutrition (Amendment) Bill, N.A.B. No. 38 of 2026, proposes to amend the principal Act to revise, among other provisions, the composition of the Board of the Commission and related governance structures. This revision is part of the broader public sector reform programme guided by Cabinet Office Circular Minute No. CO.101/39/1 of 2025. The Circular directs all Ministries to streamline Boards and Committees of State-Owned Enterprises (SOEs) in order to strengthen governance, enhance representation and service delivery. It specifically requires that Boards and Committees include private sector representation, not exceed eleven members, ensure gender balance, and reflect national diversity.

The reforms aim at strengthening institutional governance by promoting accountability, transparency, operational efficiency, and long-term sustainability. This approach is aligned with internationally recognised best practices, including the Organisation for Economic Co-operation and Development Guidelines on Corporate Governance of State-Owned Enterprises (2015). Accordingly, the proposed amendments seek to align the composition and functioning of the NFNC Board with these established governance principles while enhancing its capacity to effectively discharge its mandate.

3.0. OBJECT OF THE BILL

The object of the Bill is to amend the Food and Nutrition Act No. 3 of 2026 so as to:

- i. reconstitute the Board of the NFNC;
- ii. enhance stakeholder participation in food and nutrition governance; and
- iii. improve coordination and oversight of national nutrition programmes.

4.0. PROVISIONS OF THE BILL

Clause 1 provides for the short title and commencement of the Act and stipulates that the Act shall come into operation upon the expiry or removal of the current Board, after which the Minister shall appoint a new Board in accordance with the amended provisions.

Clause 2 amends section 6 of the principal Act to revise the composition of the Board by providing for representation from Government, the private sector, academia and civil society, with the aim of enhancing inclusiveness and strengthening governance.

Clause 3 amends section 13 of the principal Act to reduce the quorum for Board meetings from seven (7) members to five (5) members in order to improve efficiency in decision-making.

Clause 4 amends section 8(4) of the principal Act by reducing the quorum from eight (8) members to seven (7) members.

5.0. SUBMISSIONS FROM STAKEHOLDERS

Stakeholders submitted several views on clauses of the Bill for the Committee's consideration. The views are outlined below:

Clause 2 – Composition of the Board, Amendment to Section 6

Stakeholders observed that Clause 2 proposes reducing the size of the Council from eleven (11) to seven (7) members, aimed at streamlining multi-sectoral representation through a leaner structure. The details of the reduction are provided below:

5.1. Inclusion of millers and food manufacturers

Stakeholders submitted that the proposed inclusion of representatives from the Millers Association of Zambia and food manufacturers as Board members created an inherent conflict of interest, as these entities are profit-driven and subject to regulation by the Commission. They cautioned that granting such actors decision-making authority risked regulatory capture, potentially skewing policies in favour of commercial interests rather than public health priorities. They further noted that this arrangement could compromise enforcement of key nutrition standards, including food fortification, salt and sugar regulation, and food labeling.

Stakeholders recommended that industry actors should not have voting rights but instead be engaged in non-voting advisory roles or through technical committees to safeguard regulatory independence. They also argued that inclusion of industry representatives was inconsistent with international public health standards, citing World Health Assembly Resolution WHA65.6 (2012), the WHO Framework of Engagement with Non-State Actors (FENSA) – WHA69.10 (2016), and SADC Guidelines on managing conflicts of interest in nutrition policy.

However, some stakeholders acknowledged that limited private sector participation could enhance compliance and stakeholder buy-in, provided representation was broad-based and not confined to specific industries.

5.2. Exclusion of agriculture players and nutrition association

Stakeholders submitted that excluding the Nutrition Association of Zambia would weaken the Board's technical capacity, as the Association provides critical expertise in clinical and public health nutrition. They also supported inclusion of the Ministry of Agriculture and farmer organisations, such as the Zambia National Farmers Union, citing their role in food security and nutrition-sensitive agriculture.

5.3. Inclusion of the Attorney General

Stakeholders submitted that the proposed representation of the Office of the Attorney General risks overstressing its capacity and could compromise its effectiveness. They further submitted that such representation was not necessary, as most State-Owned Enterprises already have in-house legal counsel, thereby creating duplication of roles and potentially undermining established appeals procedures in cases of conflict of interest.

However, other stakeholders contended that the Office of the Attorney General plays a critical role in providing authoritative legal guidance, particularly given its constitutional mandate and privileged position in matters of public law, and should, therefore be retained in the Board composition.

6.0. COMMITTEE'S OBSERVATIONS AND RECOMMENDATIONS

Stakeholders submitted several views on clauses of the Bill for the Committee's consideration. The views are outlined below:

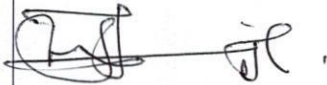
Clause 2: Composition of the Council

- 6.1. The Committee observes that the inclusion of the millers and food manufacturers on the Board would create conflicts of interest and risk regulatory capture, undermining public health and nutrition standards. Therefore, it recommends the removal of these industry actors and replaces them with the Nutrition Association of Zambia and the Zambia National Farmers Union at clause 2(d) and (e) respectively.
- 6.2. The Committee notes that the inclusion of the Attorney-General risks overstressing the Office and creates duplication of functions with the in-house legal counsel. The Committee, therefore, recommends that the Attorney-General be excluded from the Board, with legal functions undertaken. Further, in its place, the Committee recommends reinstating the Ministry of Agriculture.
- 6.3. The Committee notes that current nomination and appointment processes may result in the designation of junior officers, which could affect the quality and timeliness of decision-making. The Committee, therefore, recommends that institutions nominate senior officials to the Board to ensure effective participation, expedite decision-making, and enhance strategic oversight.
- 6.4. The Committee is concerned that the omission of provisions on gender representation weakens equity, inclusiveness and balanced participation in the governance of the Board. The Committee therefore strongly recommends that the principal Act be amended to provide for mandatory gender balance in

- 6.5. appointments, supported by conditional appointment powers that allow the Minister to defer appointments and require fresh nominations where gender thresholds are not met. The Committee further recommends the development of clear and enforceable appointment criteria to institutionalise inclusivity and prevent gender disparities.

7.0. CONCLUSION

The Bill is progressive in seeking to enhance governance and stakeholder participation, it raises critical concerns relating to conflict of interest, technical capacity, and institutional independence. The Committee, therefore, urges the Government to revise the Bill in line with the above recommendations to ensure that the governance of the National Food and Nutrition Commission remains credible, evidence-based, and firmly rooted in the public interest.



Mr Joseph S Munsanje, MP
CHAIRPERSON

April, 2026
LUSAKA

APPENDIX I - NATIONAL ASSEMBLY OFFICIALS

Mr Charles Haambote, Director (Social Committees)

Mrs Chitalu K Mumba, Deputy Director (Social Committees)

Mr Darius Kunda, Senior Committee Clerk (SC1)

Mr Kelezo Lushako, Committee Clerk

Ms Catherine Chibuye, Administrative Assistant II

Mr Daniel Lupiya, Senior Committee Assistant

Mr Muyembi S Kantumoya, Committee Assistant

Ms Taona Chabinga, Committee Assistant

APPENDIX II–LIST OF WITNESSES

Civil Society for Poverty Reduction
Institute of Directors Zambia
Ministry of Health
Ministry of Justice
National Food and Nutrition Commission
United Nations