



**REPUBLIC OF ZAMBIA**

**REPORT**

**OF THE**

**COMMITTEE ON LEGISLATION AND INTERNATIONAL AGREEMENTS ON  
THE CONSIDERATION OF STATUTORY INSTRUMENTS FOR 2024 AND THE  
REVIEW OF THE IMPLEMENTATION OF THE AFRICAN CONTINENTAL  
FREE TRADE AREA AGREEMENT**

**FOR THE**

**FOURTH SESSION OF THE THIRTEENTH NATIONAL ASSEMBLY**

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## FOREWORD

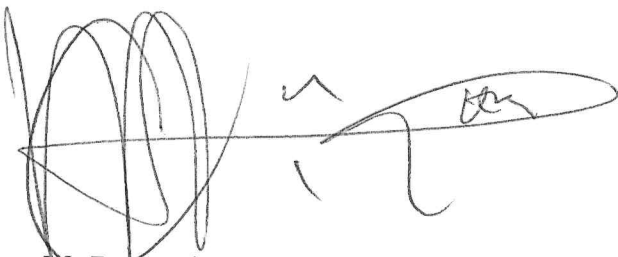
Honourable Madam Speaker, the Committee on Legislation and International Agreements has the honour to present its Report for the Fourth Session of the Thirteenth National Assembly. The functions of the Committee are set out in Standing Order 204 of the National Assembly of Zambia Standing Orders, 2024.

In line with its Programme of Work for the Fourth Session of the Thirteenth National Assembly, the Committee received Explanatory Memoranda from Permanent Secretaries and the Chief Administrator of the Judiciary under whose portfolios the Statutory Instruments were issued. The Committee held twenty-four meetings and considered a total of fifty-two Statutory Instruments for the year 2024 and a topical issue on the *Review of the Implementation of the African Continental Free Trade Area*.

Madam Speaker, the Committee also considered the Action-Taken Report on the Committee's Report for the Third Session of the Thirteenth National Assembly. Of the thirty-eight recommendations made by the Committee, twenty-eight were closed, indicating a progressive step towards the Executive acting on the Committee's recommendations. This is a clear demonstration of your Committee fulfilling its oversight function in national governance.

The Report is arranged in three Parts. Part I deals with consideration of Statutory Instruments for the year 2024, Part II considers the topical issue, while Part III deals with consideration of the Action-Taken Report on the Report of the Committee for the Third Session of the Thirteenth National Assembly.

The Committee is grateful to all stakeholders who tendered both oral and written submissions. The Committee further wishes to thank you, Madam Speaker, for affording it an opportunity to carry out its work. The Committee also appreciates the services rendered by the Office of the Clerk of the National Assembly during its deliberations.



Mr Remember C Mutale, MP  
**CHAIRPERSON**

June 2025  
**LUSAKA**

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## **ABBREVIATIONS**

ICAO- International Civil Aviation Organisation

NTB-Non-Tariff Barriers

TFA- Trade Facilitation Agreement

SARS- Standards and Recommended Practices particularly Annex 13.

WTO-World Trade Organisation

## **1.0 MEMBERSHIP OF THE COMMITTEE**

The Committee consisted of Mr Remember C. Mutale, MP (Chairperson); Mr Charles A. Mulenga, MP (Vice Chairperson); Mr Menyani Zulu, MP; Mr Francis R Kapyanga, MP; Mr Kenny Siachisumo, MP; Mr Siphon Hlazo, MP; Mr Phillimon Twasa, MP; Mr Gystave Chonde, MP; Reverend Given M Katuta, MP; and Mr Wesley Kolala, MP.

## **PART I**

### **2.0 CONSIDERATION OF STATUTORY INSTRUMENTS FOR 2024**

As part of its programme of work, the Committee considered Statutory Instruments issued by different government Ministries and quasi-Government institutions. The Committee also assessed the implementation of selected Statutory Instruments through interaction with stakeholders in some districts of Lusaka, Copperbelt, Central, and Southern Provinces, during its local tour.

#### **2.1 THE JUDICIARY**

##### ***Statutory Instrument No. 10-The Criminal Procedure Code (Economic and Financial Crimes Court) Rules, 2024***

The Statutory Instrument was issued pursuant to *section 358A of the Criminal Procedure Code (Amendment) Act No. 19 of 2023*, which empowered the Chief Justice, by statutory instrument, to make rules to provide for the procedure for the hearing and determination of any class of offence. In this regard, the rules were promulgated to provide the procedural framework that regulated the hearing and determination of matters before the Court. The provisions prescribed the time limits within which the Court resolved cases, defined the duties of adjudicators, and outlined pre-trial and trial procedures to ensure the expeditious and equitable resolution of economic and financial crime cases.

##### **Committee's Observations and Recommendations**

The Committee notes the issuance of the Statutory Instrument as having been done in accordance with the enabling legislation.

##### ***Statutory Instrument No. 11-The Economic and Financial Crimes (Division of Court) (Amendment) Order, 2024***

The Statutory Instrument was issued pursuant to section 3 of *the High Court (Amendment) Act, No. 21 of 2016* so as to provide definitions of the term's "corruption" and "economic and financial crime" to enhance clarity and ensure consistency in the interpretation of these terms in the Economic and Financial Crimes Division of the Court.

##### **Committee's Observations and Recommendations**

The Committee notes the issuance of the Statutory Instrument as having been done in accordance with the enabling legislation.

##### ***Statutory Instrument No. 12-The Subordinate Courts (Civil Jurisdiction) Rules, 2024***

The Statutory Instrument was issued pursuant to section 57 of *the Subordinate Courts Act, chapter 28 of the Laws of Zambia* so as to alter the jurisdiction of Subordinate Courts in personal suits and actions for the recovery of land. The rules increased the monetary limits

within which various classes of magistrates may adjudicate claims relating to property, debt or damages.

#### **Committee's Observations and Recommendations**

The Committee notes the issuance of the Statutory Instrument as having been done in accordance with the enabling legislation.

### **2.3 MINISTRY OF TRANSPORT AND LOGISTICS**

#### ***Statutory Instrument No. 19 – The Road Traffic (Public Service Vehicle) (Amendment) Regulations, 2024***

The Statutory Instrument was issued pursuant to section 233 of the *Road Traffic Act, No. 11 of 2002* so as to provide a legal framework for the regulation of online car-hailing services. The regulations would help enhance safety for both passengers and the drivers by providing among others, mandatory provision of information relating to the vehicle owner's and driver's residential address and contact details, copies of the vehicle owner's and driver's national registration cards, copy of the registration certificate for the vehicle and prohibition from registering a private hire taxi if the driver of the motor vehicle is convicted of an offence against any written law and sentences to a term of imprisonment of not less than twelve months without the option of a fine.

#### **Committee's Observations and Recommendations**

The Committee notes the issuance of the Statutory Instrument as having been done in accordance with the enabling legislation.

#### ***Statutory Instrument No. 50-The Civil Aviation (Civil Aircraft Accident and Serious Aircraft Incident Investigation) Regulations, 2024***

The Statutory Instrument was issued pursuant to section 48 of the Civil Aviation Act No. 5 of 2016, which provides for the establishment of an independent Aircraft Accident Investigation Board in compliance with Article 26 of the Chicago Convention. The SI was therefore, promulgated to expand on the general provisions of the Act to enable Zambia comply with the International Civil Aviation Organisation (ICAO) Standards and Recommended Practices (SARPS), particularly Annex 13.

#### **Committee's Observations and Recommendations**

The Committee notes the issuance of the Statutory Instrument as having been done in accordance with the enabling legislation.

### **2.4 MINISTRY OF INFORMATION AND MEDIA**

#### ***Statutory Instrument No. 35-The Access to Information Act (Commencement) Order, 2024***

The Statutory Instrument was issued pursuant to section 1 of the *Access to Information Act, No. 24 of 2023* so as to bring into operation the aforementioned Act.

#### **Committee's Observations and Recommendations**

The Committee notes the issuance of the Statutory Instrument as having been done in accordance with the enabling legislation.

## **2.5 ELECTORAL COMMISSION OF ZAMBIA**

### ***Statutory Instrument No. 2- Local Government By-Elections (Election Date and Time of Poll) Order, 2024***

The Statutory Instrument was issued pursuant to section 125 of the *Electoral Process Act, No. 35 of 2016*.

The objective of these regulations was to stipulate the election dates and times of polls in respect of the district and wards contained in the Schedule of the Statutory Instrument.

#### **Committee's Observations and Recommendations**

The Committee notes the issuance of the Statutory Instrument as having been done in accordance with the enabling legislation.

### ***Statutory Instrument No. 6- Local Government By-Elections (Election Date and Time of Poll) Order, 2024***

The Statutory Instrument was issued pursuant to section 125 of the *Electoral Process Act, No. 35 of 2016*.

The objective of these regulations was to stipulate the election dates and times of polls in respect of the district and wards contained in the Schedule of the Statutory Instrument.

#### **Committee's Observations and Recommendations**

The Committee notes the issuance of the Statutory Instrument as having been done in accordance with the enabling legislation.

### ***Statutory Instrument No. 15- Local Government By-Elections (Election Date and Time of Poll) Order, 2024***

The Statutory Instrument was issued pursuant to section 125 of the *Electoral Process Act, No. 35 of 2016*.

The objective of these regulations was to stipulate the election dates and times of polls in respect of the district and wards contained in the Schedule of the Statutory Instrument.

#### **Committee's Observations and Recommendations**

The Committee notes the issuance of the Statutory Instrument as having been done in accordance with the enabling legislation.

### ***Statutory Instrument No. 22- Local Government By-Elections (Election Date and Time of Poll) Order, 2024***

The Statutory Instrument was issued pursuant to section 125 of the *Electoral Process Act, No. 35 of 2016*.

The objective of these regulations was to stipulate the election dates and times of polls in respect of the district and wards contained in the Schedule of the Statutory Instrument.

#### **Committee's Observations and Recommendations**

The Committee notes the issuance of the Statutory Instrument as having been done in accordance with the enabling legislation.

***Statutory Instrument No. 29- Local Government By-Elections (Election Date and Time of Poll) Order, 2024***

The Statutory Instrument was issued pursuant to section 125 of the *Electoral Process Act, No. 35 of 2016*.

The objective of these regulations was to stipulate the election dates and times of polls in respect of the district and wards contained in the Schedule of the Statutory Instrument.

**Committee's Observations and Recommendations**

The Committee notes the issuance of the Statutory Instrument as having been done in accordance with the enabling legislation.

***Statutory Instrument No. 41- Local Government By-Elections (Election Date and Time of Poll) Order, 2024***

The Statutory Instrument was issued pursuant to section 125 of the *Electoral Process Act, No. 35 of 2016*.

The objective of these regulations was to stipulate the election dates and times of polls in respect of the district and wards contained in the Schedule of the Statutory Instrument.

**Committee's Observations and Recommendations**

The Committee notes the issuance of the Statutory Instrument as having been done in accordance with the enabling legislation.

***Statutory Instrument No. 45- Local Government By-Elections (Election Date and Time of Poll) Order, 2024***

The Statutory Instrument was issued pursuant to section 125 of the *Electoral Process Act, No. 35 of 2016*.

The objective of these regulations was to stipulate the election dates and times of polls in respect of the district and wards contained in the Schedule of the Statutory Instrument.

**Committee's Observations and Recommendations**

The Committee notes the issuance of the Statutory Instrument as having been done in accordance with the enabling legislation.

**2.6 MINISTRY OF COMMERCE, TRADE AND INDUSTRY**

***Statutory Instrument No. 4- The Investment, Trade and Business Development (Luano Industrial Park) (Declaration) Order, 2024***

The Statutory Instrument was issued pursuant to section 7 of the *Investment, Trade and Business Development Act, No. 18 of 2022* in order to facilitate for the declaration of the Luano Industrial Park in Ndola as a Special Economic Zone as well as to specify the infrastructure and facilities to be provided by the licence holder in the Industrial Park suitable for the operations of industries.

**Committee's Observations and Recommendations**

The Committee notes the issuance of the Statutory Instrument as having been done in accordance with the enabling legislation.

## **2.7 LAW ASSOCIATION OF ZAMBIA**

### ***Statutory Instrument No. 26- The Law Association of Zambia (Electoral) (Amendment) Rules, 2024***

The Statutory Instrument was issued pursuant to section 24 of *the Law Association of Zambia Act, Chapter 31 of the Laws of Zambia* so as to enable the Law Association of Zambia effectively conduct its Annual General Meetings and Extraordinary General Meetings virtually, thereby improving accessibility and participation for its members, regardless of geographical location. The amendments also sought to introduce electronic voting mechanisms, ensuring a more efficient, transparent, and inclusive election process. The amendments marked a significant step in LAZ's ongoing efforts to align with global best practices and strengthen its role in promoting the rule of law and legal excellence in Zambia.

#### **Committee's Observations and Recommendations**

The Committee notes the issuance of the Statutory Instrument as having been done in accordance with the enabling legislation.

### ***Statutory Instrument No. 27- The Law Association of Zambia (General) (Amendment) Rules, 2024***

The Statutory Instrument was issued pursuant to section 24 of *the Law Association of Zambia Act, Chapter 31 of the Laws of Zambia* provide for the time of holding of the Annual General Meeting. The amendment further sought to introduce electronic voting mechanisms, ensuring a more efficient, transparent, and inclusive election process. The amendments marked a significant step in LAZ's ongoing efforts to align with global best practices and strengthen its role in promoting the rule of law and legal excellence in Zambia.

#### **Committee's Observations and Recommendations**

The Committee notes the issuance of the Statutory Instrument as having been done in accordance with the enabling legislation.

## **2.8 MINISTRY OF FINANCE AND NATIONAL PLANNING**

### ***Statutory Instrument No. 13- The Customs and Excise (Manufacturer) (Mining Equipment and Spare Parts) (Critical Raw Materials) (Remission) Regulations, 2024***

The Statutory Instrument was issued pursuant to section 89 *the Customs and Excise Act, Chapter 322 of the Laws of Zambia* so as to provide for the suspension of duty on importation of raw materials used as components in the manufacturing of mining equipment and spare parts. This was intended to incentivise local manufacturing of mining equipment and spare parts in Zambia, thereby reducing importation of the final products.

#### **Committee's Observations and Recommendations**

The Committee notes the issuance of the Statutory Instrument as having been done in accordance with the enabling legislation.

***Statutory Instrument No. 14- The Customs and Excise (PDV Metals Remissions) (Limited) Regulations, 2024***

The Statutory Instrument was issued pursuant to section 89 of the *Customs and Excise Act, Chapter 322 of the Laws of Zambia* so as to provide import duty relief on importation of machinery and equipment for the establishment of a specialised plant in the production of steel.

This measure was further aimed at encouraging local uptake of non-ferrous metals to produce finished products as the investments provides for a complete value chain of steel production.

**Committee's Observations and Recommendations**

The Committee notes the issuance of the Statutory Instrument as having been done in accordance with the enabling legislation.

***Statutory Instrument No. 16-Public Private Partnership (Commencement) Order, 2024***

The Statutory Instrument was issued pursuant to section 1 of the *Public Private Partnership Act, No. 18 of 2023* to operationalise the *Public Private Partnership Act No. 18 of 2023*, whose main objective was to regulate the implementation of public private partnerships in Zambia.

**Committee's Observations and Recommendations**

The Committee notes the issuance of the Statutory Instrument as having been done in accordance with the enabling legislation.

***Statutory Instrument No. 18-Value Added Tax (Cross Border Electronic Services) Regulations, 2024***

The Statutory Instrument was issued pursuant to sections 8 and 51 of the *Value Added Tax Act, Chapter 331 of the Laws of Zambia* so as to establish a comprehensive, fair and efficient legal framework and regulations governing the taxation of electronic services. The regulations were promulgated to promote voluntary compliance by encouraging non-resident suppliers to comply with tax obligations related to their electronic services provided within Zambia's jurisdiction and enhance revenue collection by strengthening the government's ability to collect tax revenue from the growing digital economy

**Committee's Observations and Recommendations**

The Committee notes the issuance of the Statutory Instrument as having been done in accordance with the enabling legislation.

***Statutory Instrument No. 23-The Income Tax (Afcons Infrastructure Limited) (Approval and Exemption), 2024***

The Statutory Instrument was issued pursuant to section 15 of the *Income Tax Act, Chapter 321 of the Laws of Zambia* so as to provide for the suspension of income tax earned including interest, fees and commission by Afcons Infrastructure Limited for the design and construction of the Lusaka Decongestion Project on the Engineering, Procurement and Construction (EPC).

The objective of the of the Statutory Instrument was to extend the Contract Agreement signed on 29<sup>th</sup>May, 2016 and whose effluxion date was 31<sup>st</sup> December, 2021 between the Government of the Republic of Zambia through the Ministry of Local Government and Rural

Development with Afcons Infrastructure Limited where Clause 1.1.4.9 of the contract granted a corporate income tax exemption on the contractor for the project.

Therefore, the Statutory Instrument was promulgated to suspend income tax for Afcons Infrastructure Limited's profit income in the remaining period scheduled to finalise the maintenance and defect works of the project for the period 1st January, 2022 to 31st December, 2024.

#### **Committee's Observations and Recommendations**

The Committee notes the issuance of the Statutory Instrument as having been done in accordance with the enabling legislation.

#### ***Statutory Instrument No. 24- The Customs and Excise (Suspension) (Wheat) Regulations, 2024***

The Statutory Instrument was issued pursuant to section 89 of the *Customs and Excise Act, Chapter 322 of the Laws of Zambia* to provide price stability for wheat purchases in the domestic food prices and further protect consumers from inflation.

The Statutory Instrument was further aimed at reducing input costs for food processing industries that rely on wheat as a key raw material, in order to boost these industries' competitiveness.

#### **Committee's Observations and Recommendations**

The Committee notes the issuance of the Statutory Instrument as having been done in accordance with the enabling legislation.

#### ***Statutory Instrument No. 25-The Fees and Fines (Fee and Penalty Unit Value) (Amendment) Regulations, 2024***

The Statutory Instrument was issued pursuant to section 9 of the *Fees and Fines Act, Chapter 45 of the Laws of Zambia* so as to provide for an upward adjustment for the unit values of both the fee unit and penalty unit from thirty ngwee to forty ngwee.

#### **Committee's Observations and Recommendations**

The Committee notes the issuance of the Statutory Instrument as having been done in accordance with the enabling legislation.

#### ***Statutory Instrument No. 30-The Customs and Excise (Maize Corn) (Suspension) Regulations, 2024***

The Statutory Instrument was issued pursuant to section 89 of the *Customs and Excise Act, Chapter 322 of the Laws of Zambia* so as to provide for the suspension of duty on the importation of maize corn when imported by a holder of an import permit issued by the Ministry of Agriculture.

The measure was undertaken to ensure food security by addressing potential food shortages by facilitating the importation of maize corn, a staple food in the Republic.

The Statutory Instrument was, therefore promulgated to help maintain or reduce the domestic price of maize corn, benefiting consumers and producers.

### **Committee's Observations and Recommendations**

The Committee notes the issuance of the Statutory Instrument as having been done in accordance with the enabling legislation.

#### ***Statutory Instrument No. 32-The Customs and Excise (Suspension) (Construction Materials) (Public-Private) (Amendment) Regulations, 2024***

The Statutory Instrument was issued pursuant to section 89 of the *Customs and Excise Act, Chapter 322 of the Laws of Zambia* so as to provide import duty relief on the importation of construction materials for projects under the Public Private Partnership (PPP) in order to make the investments viable and encourage private sector participation in the infrastructure development.

### **Committee's Observations and Recommendations**

The Committee notes the issuance of the Statutory Instrument as having been done in accordance with the enabling legislation.

#### ***Statutory Instrument No. 36-The Income Tax (Konoike Construction Company Limited) (Approval and Exemption) Order, 2024***

The Statutory Instrument was issued pursuant to section 15 of the *Income Tax Act, Chapter 323 of the Laws of Zambia* so as to provide for the exemption on income earned including interest, fees and commission by Konoike Construction Company Limited for the upgrading of health centres to district hospitals in the Copperbelt Province.

This culminated from the contract agreement between the Government of the Republic of Zambia through the Ministry of Health and Konoike Construction Company Limited signed on 14<sup>th</sup> July, 2023.

### **Committee's Observations and Recommendations**

The Committee notes the issuance of the Statutory Instrument as having been done in accordance with the enabling legislation.

#### ***Statutory Instrument No. 37- The Public Debt Management (General) Regulations, 2024***

The Statutory Instrument was issued pursuant to section 49 of the *Public Debt Management Act, No. 15 of 2022* for the better execution of the provisions of the Act.

The objective of the SI was to provide guidance on how the various provisions of the Public Debt Management Act, No. 15 of 2022 were to be operationalised. The regulations covered the functions of the Debt Management Office, external borrowing by public bodies, as well as the establishment and management of a sinking fund.

### **Committee's Observations and Recommendations**

The Committee notes the issuance of the Statutory Instrument as having been done in accordance with the enabling legislation.

#### ***Statutory Instrument No. 48-The Customs and Excise (Suspension) (Wire Rod Coils) Regulations, 2024***

The Statutory Instrument was issued pursuant to section 89 of the *Customs and Excise Act, Chapter 322 of the Laws of Zambia* so as to suspend the surtax payable on the goods set out in the Schedule to the Statutory Instrument that include bars and rods, hot-rolled, in

irregularly wound coils, of iron or steel of circular cross-section measuring less than 14mm in diameter.

**Committee’s Observations and Recommendations**

The Committee notes the issuance of the Statutory Instrument as having been done in accordance with the enabling legislation.

***Statutory Instrument No. 49-The Customs and Excise (Suspension) (Refined Sugar) Regulations, 2024***

The Statutory Instrument was issued pursuant to section 89 of the *Customs and Excise Act, Chapter 322 of the Laws of Zambia* so as to provide price stability for sugar purchases in the domestic sugar prices and further protect consumers from inflation.

The Statutory Instrument was aimed at reducing input costs for food processing industries that rely on sugar as a key raw material, in order to boost these industries' competitiveness.

**Committee’s Observations and Recommendations**

The Committee notes the issuance of the Statutory Instrument as having been done in accordance with the enabling legislation.

**2.9 MINISTRY OF INFRASTRUCTURE, HOUSING AND URBAN DEVELOPMENT**

***Statutory Instrument No. 46- The Tolls (Amendment) Regulations, 2024***

The Statutory Instrument was issued pursuant to sections 10 and 25 of *the Tolls Act, No. 14 of 2011* so as to amend the principal regulations by the revocation of the First Schedule and the substitution therefor of the First Schedule set out in the Appendix of the SI.

**Committee’s Observations and Recommendations**

The Committee notes the issuance of the Statutory Instrument as having been done in accordance with the enabling legislation.

**2.10 MINISTRY OF LOCAL GOVERNMENT AND RURAL DEVELOPMENT**

***Statutory Instrument No. 20-The Urban and Regional Planning (Designated Local Planning Authority) (No.2) Regulations, 2024***

The Statutory Instrument was issued pursuant to section 13 of the *Urban and Regional Planning Act, No. 3 of 2015*, which authorised the Minister responsible for Local Government and Rural Development to designate a Local Authority as a Local Planning Authority.

The Statutory Instrument was issued for the appointment of Chadiza Town Council and Siavonga Town Council as Local Planning Authority’s.

**Committee’s Observations and Recommendations**

The Committee notes the issuance of the Statutory Instrument as having been done in accordance with the enabling legislation.

***Statutory Instrument No. 42-The Urban and Regional Planning (Designated Local Planning Authority) (No.2) Regulations, 2024***

The Statutory Instrument was issued pursuant to section 13 of the *Urban and Regional Planning Act, No. 3 of 2015*, which authorised the Minister responsible for Local Government and Rural Development to designate a Local Authority as a Local Planning Authority.

The Statutory Instrument was issued for the appointment of Nkeyema Town Council as a Local Planning Authority.

**Committee's Observations and Recommendations**

The Committee notes the issuance of the Statutory Instrument as having been done in accordance with the enabling legislation.

**2.11 MINISTRY OF LABOUR AND SOCIAL SECURITY**

***Statutory Instrument No. 9- The National Pension Scheme (Pensionable Earnings) (Amendment) Regulations, 2024***

The Statutory Instrument was issued pursuant to section 19 of *the National Pension Scheme Act, No. 40 of 1996*, which provided that the pensionable earnings shall be adjusted annually by an index based on the national average earnings as may be prescribed by the Minister by Statutory Instrument. In this regard, the SI was issued to revise the applicable national average monthly earnings, social security ceiling, minimum average monthly contributions and maximum contributions for the period 1<sup>st</sup> January to 31<sup>st</sup> December, 2024.

**Committee's Observations and Recommendations**

The Committee notes the issuance of the Statutory Instrument as having been done in accordance with the enabling legislation.

**2.12 MINISTRY OF FISHERIES AND LIVESTOCK**

***Statutory Instrument No. 17- The Fisheries (Fishing Licence Fees) (Amendment) Regulations, 2024***

The Order was issued pursuant to section 67 of *the Fisheries Act, 2011 Act No. 22 of 2011 Act, No. 3 of 2023* so as adjust upwards the licensing fees on Lake Kariba Fishery by amending the Second Schedule of the principal Regulations by the deletion of item 4(a), which provided for 11, 111 units and the substitution therefor with 13,333 units per annum per fishing rig.

**Committee's Observations and Recommendations**

The Committee notes the issuance of the Statutory Instrument as having been done in accordance with the enabling legislation.

## **2.13 MINISTRY OF HEALTH**

### ***Statutory Instrument No. 5-The Public Health (Infected Areas) (Cholera) (Amendment) Regulations, 2024***

The Statutory Instrument was issued pursuant to *section 28 and 30 of the Public Health Act, Chapter 295 of the Laws of Zambia* so as to strengthen the legal framework to support efforts to stop and prevent the outbreak of cholera in the country.

#### **Committee's Observations and Recommendations**

The Committee notes the issuance of the Statutory Instrument as having been done in accordance with the enabling legislation.

## **PART II**

### **3.0 CONSIDERATION OF THE TOPICAL ISSUE**

#### **3.1 A REVIEW OF THE IMPLEMENTATION OF THE AFRICAN CONTINENTAL FREE TRADE AREA AGREEMENT**

##### **3.1.1 Background**

The African Continental Free Trade Area (AfCFTA) was a flagship project of the African Union (AU) Agenda 2063, which sought to create an integrated market for trade in goods and services as well as the free movement of persons and capital. The AfCFTA came into effect on 1<sup>st</sup> January, 2021 and presently, 54 out of the 55 AU Member States had signed the Agreement, with Eritrea being the sole country that had not. Zambia ratified the Agreement on 5<sup>th</sup> February 2021. This strategic move underscored Zambia's aspirations to enhance regional integration and address barriers to the cross-border movement of goods, services, capital, and labour. Additionally, it aimed to foster technology transfer and create an enabling environment for economic transformation.

The general objectives of the AfCFTA were to:

- a) create a single market for goods, services, facilitated by movement of persons in order to deepen the economic integration of the African continent and in accordance with the Pan African Vision of "An integrated, prosperous and peaceful Africa" enshrined in Agenda 2063;
- b) create a liberalised market for goods and services through successive rounds of negotiations;
- c) contribute to the movement of capital and natural persons and facilitate investments building on the initiatives and developments in the State Parties and Regional Economic Communities;
- d) lay the foundation for the establishment of a Continental Customs Union at a later stage;
- e) promote and attain sustainable and inclusive socio-economic development, gender equality and structural transformation of the State Parties;
- f) enhance the competitiveness of the economies of State Parties within the continent and the global market;

- g) promote industrial development through diversification and regional value chain development, agricultural development and food security; and
- h) resolve the challenges of multiple and overlapping memberships and expedite the regional and continental integration processes.

For Zambia, the AfCFTA offered the opportunity to enhance market access, attract investment, and support economic growth by opening up a larger continental market. However, it also presented challenges, such as increased competition for local businesses and the need for improved infrastructure. Therefore, effective implementation of the AfCFTA was essential to maximise these benefits and address any obstacles.

In view of the foregoing the Committee undertook a study to review the implementation of the AfCFTA, identify any challenges faced and assess the agreement's impact on Zambian businesses and consumers and make recommendations.

### **3.1.2 OBJECTIVES**

The objectives of the study were to:

- i. appreciate the legal framework of the AfCFTA;
- ii. evaluate the effectiveness of Zambia's integration and operationalisation of AfCFTA provisions into national laws and policies;
- iii. identify and analyse challenges or obstacles faced by Zambia in implementing the AfCFTA;
- iv. appreciate the impact of the AfCFTA on Zambian businesses and consumers, including changes in trade volumes, investment flows, job creation, and overall economic growth; and make recommendations.

## **3.2 SUMMARY OF SUBMISSIONS BY STAKEHOLDERS**

### **3.2.1 The Legal Framework Governing the AfCFTA**

The Committee was informed that *Article 23* of the AfCFTA agreement provided that it would come into force 30 days after at least 22 AU member states had ratified it, a milestone which was reached on May 21, 2019, with 24 ratifications.

The Committee was informed that the AfCFTA Agreement comprised eight key Protocols as set out hereunder that provided guidelines.

#### ***a) AfCFTA Protocol on the Trade in Goods***

The Committee was informed that the protocol on trade in goods included annexes on rules of origin, non-tariff barriers, tariff concessions, trade remedies and sanitary and phytosanitary measures. The objective of the protocol was, in line with Article 3 of the AfCFTA, to establish a liberalised market for the trade in goods through measures such as the progressive elimination of non-tariff barriers.

Annexure one (1) of the protocol on trade in goods was the Schedule of Tariff Concessions outlining the terms, conditions, and qualifications under which goods might be imported under the AfCFTA. The harmonised classification of goods allowed for transparency, objectivity and efficiency in the trade of goods.

On the other hand, *Annexure two (2)* of the protocol was the Rules of Origin (RoO) that determined a product's eligibility for preferential treatment under the AfCFTA. The RoO's

set out the criteria by which products could be classified as ‘made in Africa’ making them eligible for preferential treatment under the AfCFTA.

The elimination of non-tariff barriers allowed for the free flow of goods making investment more attractive and allowing for resources to be utilised more efficiently. Further, the reduction of barriers to trade encourages the increase of exports consequently increasing foreign trade and globalisation.

#### **b) *AfCFTA Protocol on the Trade in Services***

This protocol required member states to commit to establishing a framework of rules and principles for trading in services to boost intra-African trade. The Committee was informed that this was in tandem with Zambia’s schedule of commitments in five priority sectors namely finance, tourism, transport, and business and communication sectors.

The Committee was further informed that similar to the protocol on goods, the protocol on services sought to create a transparent, open and integrated single services market. This market would in turn foster economic growth and development across member states. The services protocol sought to enable services providers within the AfCFTA to participate in global value chains by leveraging on their potential and building on existing regulatory progress.

The implementation of commitments to services liberalisation and regulatory reforms by member states were crucial to achieving the aims of the African integration agenda.

The reduction of restrictions, provision of preferential treatment and increased market size and access would make the buying and selling of services under the AfCFTA easier and cheaper. This did not only encourage investment and development of services but also increased the transparency and predictability of service provision benefitting both the buyer and seller consequently creating jobs for service providers in Africa.

#### **c) *AfCFTA Protocol on Competition Policy***

The Committee was informed that the protocol on competition policy sought to create a fair, equitable and competitive business environment in Africa by addressing restrictive business practices. The protocol aimed to create a single African competition regime to govern how businesses conducted themselves in the market.

In this regard, the protocol would increase competition in African markets in turn improving market efficiency and enabling inclusive growth in African economies. It was anticipated that competition would also lead to improved consumer welfare reducing commodity prices and improving the quality of goods and services. Consequently, due to the continental nature of the guidelines of the protocol domestic markets of member states would be broadened and transformed attracting investments.

#### **d) *AfCFTA Digital Trade Protocol***

The Committee was informed that the protocol promoted intra-African digital trade and enhanced collaboration regarding digital matters. It defined the desired digital environment for intra-African trade. The digital trade protocol aimed to establish harmonised principles and guidelines for digital trade in Africa, naturally influencing Africa’s global digital trade.

Further, the Committee was informed that key provisions such as market access, facilitating digital trade, treatment of digital products and data governance were included in the protocol. At the same time, capacity building, technical assistance and collaboration formed part of the protocol to aid smooth implementation and forward and backward transfers of knowledge.

The Committee was informed that if well enforced, the protocol was sufficient to create a secure, transparent and dependable African digital trade ecosystem encouraging the trade of and investment into digital products and services.

*e) AfCFTA Protocol on Women and Youth in Trade*

The Committee was informed that the protocol aimed to increase the involvement of women and youth in trade within the AfCFTA. The protocol focused on the elimination of non-tariff barriers that affect women and youth in trade within the trade area. The protocol further sought to create an inclusive environment for the participation of both groups ensuring that women and youth benefitted from trade opportunities within the community.

In this regard, Article 11 of the protocol also encouraged the availability of affordable and easily accessible financial instruments for women and youth in trade enabling female and youth led business to gain access to much needed finance further facilitating their growth. The availability of affordable finance would consequently make venturing into trade more feasible and attractive for many women and youth increasing investment and trade volumes accordingly.

Therefore, in order to achieve the desired objectives, the Committee was informed that member states had to adhere to and enforce the various guidelines and protocols of the agreement. The protocols of the agreement had been put in place to describe and outline the main areas for action, detailing specific obligations for member states to promote trade, industrialisation and consequently economic growth on the continent. In this vein, the protocols formed the backbone of the AfCFTA in addressing key areas necessary for a cohesive, competitive, and inclusive African market.

**f) The Dispute Settlement Mechanism**

This protocol established a formal mechanism for resolving trade disputes that might arise during the implementation of the AfCFTA Agreement, between member states.

**g) The Guided Trading Initiative**

The Committee was informed that a few countries had started trading through the Guided Trade Initiative launched in Accra, Ghana in 2022 on 7 October. The GTI sought to allow commercially meaningful trading, and test the operational, institutional, and legal and trade policy environment under the AfCFTA. The GTI was an interim solution to kick-start meaningful trade among interested State Parties that had met the minimum requirements for commencing trade under the AfCFTA.

The products earmarked to trade under this initiative included ceramic tiles, batteries, tea, coffee, processed meat products, corn starch, sugar, pasta, glucose syrup, dried fruits, and sisal fiber, among others, in line with the AfCFTA focus on value chain development.

The eight countries participating in the GTI were Cameroon, Egypt, Ghana, Kenya, Mauritius, Rwanda, Tanzania and Tunisia and represent five regions of Africa.

### **3.3 The Effectiveness of Zambia's Integration and Operationalisation of AfCFTA Provisions into National Laws and Policies**

With regards to evaluating Zambia's effectiveness in integrating and operationalising AfCFTA provisions into national laws and policies, the Committee was informed that the implementation of the AfCFTA in Zambia was guided by various policy frameworks as set out hereunder.

#### **a) The National Strategy and Implementation Plan**

Stakeholders submitted that Zambia had launched the National Strategy for Implementation of the Agreement Establishing the AfCFTA in May, 2021, which served as a guide for the country's engagement with countries that were members of the AfCFTA but did not currently have any preferential trade relations with Zambia. The plan outlined Zambia's approach to leveraging the opportunities presented by the AfCFTA, focusing on diversifying export markets, increasing earnings from exports, and improving the competitiveness of the services sector.

The Committee was further informed that the Strategy was complementary to existing policies and strategies that included the underlisted.

#### **b) 8<sup>th</sup> National Development Plan**

In providing Zambia's strategic direction in terms of the development priorities and implementation strategies for the period 2022 to 2026, the 8<sup>th</sup> National development plan explicitly recognised the protocols that drove regional economic integration, which included the AfCFTA.

#### **c) National Export Strategy (2018-2022)**

The Committee was informed that the main focus of the policy was to boost export capacity and competitiveness to leverage AfCFTA markets.

#### **d) National Trade Policy (2018-2028)**

The policy aimed to enhance Zambia's trade environment and facilitate seamless integration into regional and global markets.

#### **e) National Strategy on Elimination of Non-Tariff Barriers Impacting Zambia's Trade (2021 – 2023)**

The Committee was informed that Non-Trade Barriers (NTBs) related to laws, regulations, any measures, administrative and technical requirements other than tariffs imposed by a member state whose effect was to impede trade. The Committee was informed that under Article 6 of the SADC Trade Protocol, Article 45 of the COMESA Treaty, Article 10 of the Tripartite Agreement and Article 12 of the AfCFTA Agreement, Zambia and other Member States to these bodies had an obligation to adopt and implement policies that eliminated existing NTBs as well as avoid imposition of new ones. In line with these obligations, Zambia, with the support of EU through COMESA had developed the National Strategy to guide the elimination of NTBs.

**f) National Investment Promotion Strategy (2018 - 2022)**

The strategy aimed to attract investments to enhance productive capacity for intra-African trade.

**g) Micro, Small and Medium Enterprise Development Policy (2023)**

This policy supported the development of MSMEs to take advantage of the AfCFTA.

**h) National Industrial Policy (2024-2027)**

The Committee was informed that the policy focused on industrial development and aimed to enhance Zambia's industrial base in line with the AfCFTA objectives.

The Committee was informed that in order to increase its export capacity, Zambia intended to identify and support Micro, Small and Medium Enterprises (MSMEs) and cooperatives from priority sectors such as primary agriculture, textiles, and animal products as stipulated in the NEST. The support to these MSMEs would be through skills development and training interventions with the aim of making them export-ready.

In terms of market penetration, Zambia had embedded in the AfCFTA Strategy a goal of identifying and exploiting export markets within Africa. To meet this goal, Zambia intended to undertake market research on countries to which Zambia did not currently export. The aim of these market researches would be to understand their trade regulations and product standards, consumer preferences, nature and type of competition, and export channels and routes.

**i) The Competition and Consumer Protection Act, No. 24 of 2010**

The Committee was informed that the AfCFTA's Protocol on Competition and Zambia's *Competition and Consumer Protection Act No. 24 of 2010* as amended by Act No. 21 of 2023 (CCPA) shared similar objectives and provisions. Both frameworks aimed to promote competition, protect consumers, and prevent anticompetitive practices. The alignment of objectives ensured a seamless integration of Zambia into the AfCFTA's competition regime. The Committee was informed that key provisions in the AfCFTA's Protocol on Competition were mirrored in Zambia's CCPA. These included prohibitions on anticompetitive agreements, regulation of mergers and acquisitions, control of abusive dominant positions, and enforcement mechanisms such as investigations and penalties. These similarities facilitate Zambia's compliance with AfCFTA's competition rules.

The Committee was, therefore informed that implementing the AfCFTA would bring goods with origin from within the continent under the jurisdiction of the Zambian Courts and that Zambia's existing competition law provided a solid foundation for implementing the AfCFTA's competition protocol.

Therefore, as Zambia integrated into the AfCFTA, harmonising national and regional competition frameworks was crucial for effective implementation and enforcement.

**j) The Standards Act, No. 4 of 2017**

The Committee was informed that the *Standards Act No. 4 of 2017*, which established the Zambia Bureau of Standards and redefined its powers and functions, had similar provisions with Annex 6 of the AfCFTA protocol on trade in goods related to technical barriers to trade. Further, both had provisions for standards, technical regulations, conformity assessment

procedures, accreditation and metrology in order to make Zambian products recognised across the continental market.

In this regard, the Committee was informed that it would be easier to compel local producers to adhere to and trade under the AfCFTA provisions as the national law already conformed to the continent-wide standards.

Lastly, the Committee was informed that the Zambia Bureau of Standards had so far adopted 181 African Organisation for Standardisation harmonised standards (ARSO) and 76 SADC standards. Therefore, there was already a basis upon which producers could undertake their trade.

**k) Statutory Instrument No. 92-The Customs and Excise (General) (Amendment), Regulations, 2024**

The Committee was informed that Zambia was committed to facilitating trade through compliance with the Protocol on Trade annexures and relevant articles.

In this regard, *Statutory Instrument No. 92-The Customs and Excise (General) (Amendment), Regulations, 2024* was issued on 30<sup>th</sup> December, 2024, which domesticated the Provisional Schedule of Tariff Concession (PSTC) of the AfCFTA. The regulations outlined both sensitive and non-sensitive sectors that would be up for liberalisation as set out hereunder.

**i. Category A**

This covered non-sensitive products of about 90 per cent tariff lines with a 10-year phase down period.

The Committee was informed that as an LDC, Zambia would reduce tariffs on 90 per cent of products over a period of 10 years. This would allow Zambian exports to enter neighbouring markets at a lower cost and with increased price competitiveness.

**ii. Category B**

This covered sensitive products of about 7 per cent tariff lines with a 13-year phase down period. Current tariffs would be maintained for the next 5 years and counting would begin in year 6.

The Committee was informed that developing African countries would do this over 10 years while, for the LDCs like Zambia, these tariffs would be phased out over 13 years, reaching zero by 2033. This extended timeline gave Zambia more flexibility to manage the liberalisation of sensitive sectors, allowing for gradual adjustment and competitiveness building.

**iii. Category C**

This covered about 3 per cent of highly sensitive products which accounted for about 10 per cent intra-Africa trade.

This tiered approach was strategically designed to facilitate a smooth transition towards the full implementation of the AfCFTA while simultaneously protecting and nurturing Zambia's local industries. The strategy aimed to balance the benefits of open trade with the necessities of economic protectionism, ensuring that domestic markets could adjust and thrive in the new trade environment.

The Committee was further informed that notwithstanding the domestication of the AfCFTA through the Statutory Instrument, Zambia was yet to commence trading under the AfCFTA provisions as logistics to support issuance of certificates of Origins were yet to be put in place. The logistics that needed to be in place included the printing of the Certificates of Origin, obtaining details of the Members States who had ratified and were ready to operate and the circulation of signatories to the AfCFTA Secretariat. It was anticipated that the Zambia Revenue Authority would finalise the logistical aspects by end of the first quarter of the year 2025.

The Committee was informed that the promulgation of the Statutory Instrument marked a significant step towards implementation of AfCFTA provisions in Zambia, which would enable the effective alignment of national laws with AfCFTA requirements, enhancing Zambia's capacity to integrate fully into the AfCFTA framework.

**l) The Border Management and Trade Facilitation Act, No. 12 of 2018**

The Border Management and Trade Facilitation Act, No. 12 of 2018 Act provided for co-ordinated border management and control for the efficient movement and clearance of goods. These key elements are also entrenched in the AfCFTA Protocol on Trade and Trade Facilitation.

**m) The Patents Act, No. 40 of 2016**

The Committee was informed that this law addressed the protection of patents and other Intellectual Property Rights (IPR) as envisioned in the AfCFTA Protocol on IPR.

**n) The Investment, Trade and Business Development Act, No. 18 of 2022**

The Committee was informed that the law covered important aspects of the AfCFTA such as those under the protocol on investments and components of the AfCFTA on special economic zones.

The Zambian Government had continued building economic zones in order to build trade capacity in the country.

**o) The National Technical Regulation Act, No. 5 of 2017**

The Committee was informed that this piece of law demonstrated how Zambian laws delved into specific technical elements that had a bearing on trade and market access. The AfCFTA had provisions and a sub-committee which specifically looked at technical barriers to trade in relation to standards, testing and certification procedures, among others. The scope of these elements was captured in Zambia's *National Technical Regulation Act, No. 5 of 2017*.

**p) Cyber Security and Cyber Crimes Act, No. 2 of 2022 and the Data Protection Act, No. 4 of 2021**

These two pieces of legislation provided for strengthened promotion and facilitation of E-Commerce and data protection for customers which was aligned to or took care of concerns that might arise from the AfCFTA protocol on eCommerce.

### **3.4 Challenges in the implementation of the AfCFTA**

The Committee was informed that the AfCFTA was expected to significantly impact Zambian businesses and consumers, promoting economic growth through increased trade, investment, job creation, and enhanced market access. However, the underlisted were identified as challenges that were impeding the implementation of the AfCFTA.

#### **i) Pending Tariff Schedules and Domestication**

As highlighted above, Zambia had not yet started trading under the AfCFTA due to unfinished tariff schedules, which required finalisation and integration into domestic law. The Committee was informed that the text to the Annexes to the AfCFTA draw from the Trade Facilitation Agreement (TFA) of the World Trade Organisation. The TFA was an international agreement aimed at simplifying, modernising, and streamlining customs procedures to facilitate trade across borders.

The Committee was informed that Zambia had implemented provisions of the TFA that related to trade facilitation, in particular Articles 1 to 12. However, there were some Articles in which the Zambia Revenue Authority required technical support for the full implementation. These included Article 4, 7.6 and 11.10. The full implementation of TFA agreement by the various stakeholders would increase Zambia's preparedness in the implementation of the AfCFTA.

#### **ii) Infrastructure and Logistics Constraints**

The Committee was informed that the inadequate infrastructure along Zambia's primary trade corridors posed a challenge in the effective participation of the country under the AfCFTA. The limited transport and logistics infrastructure restricted the efficient movement of goods, increasing costs and transit times. Therefore, improved transport networks were essential to facilitate the smooth and cost-effective flow of goods across borders.

#### **iii) Private Sector Awareness and Preparedness**

The Committee was further informed that many businesses in Zambia did not fully understand the potential benefits and requirements of trading under the AfCFTA. The limited awareness and preparedness among private sector actors, especially SMEs, would hinder their ability to take advantage of the agreement.

#### **iv) Value addition**

The Committee was informed that value addition remained a challenge as most of the products produced within the country were exported as raw materials due to low industrialisation levels. Further, the informal trade and undocumented cross-border transactions posed a challenge in formalising intra-Africa trade.

### **3.5 COMMITTEE OBSERVATIONS AND RECOMMENDATIONS**

Having carefully reviewed the submissions from the various stakeholders and taking into consideration its findings from the local tour, the Committee makes the observations and recommendations set out below.

i) **Investment in Infrastructure Development**

The Committee bemoans the inadequate infrastructure in terms of road, rail and border facilities that posed a challenge for Zambia to effectively participate in the AfCFTA.

In this regard, the Committee urges the Government to enhance infrastructure in the transportation, energy and communication sectors to facilitate smooth trade and reduce operational costs on businesses. As a result, improved infrastructure will boost efficiency, reduce transportation costs and attract investment.

ii) **Full implementation of the provisions of the World Trade Organisation Trade Facilitation Agreement (TFA)**

While the Committee observes that strides have been made to formulate laws and regulations to facilitate for trade in goods and services under SADC and COMESA, the Committee urges the Government to provide technical support to the Zambia Revenue Authority in order to fully implement provisions of the WTO, Trade Facilitation Agreement (TFA), in particular Article 4, 7.6 and Article 11.10 of the TFA. The implementation of the TFA can significantly complement and enhance the successful realisation of the AfCFTA by addressing critical issues related to trade facilitation, such as infrastructure, customs procedures, and trade policy harmonisation.

iii) **Guided Trade Initiative**

The Committee observes that Zambia is yet to finalise all requirements to be able to participate under the Guided Trade Initiative.

The Committee urges the Government to accelerate efforts towards Zambia becoming a state party to the GTI and commencing trade thereon.

iv) **Enhance Access to Finance**

The Committee observes that one major challenge MSMEs face, which is affecting their effective participation in intra-continental trade, is the lack of access to affordable finance.

The Committee recommends that Government, in collaboration with financial sector players, should develop financial instruments and support mechanisms to improve access to finance to enable SMEs to expand their operations and participate in regional trade.

v) **Strengthen capacity building initiatives**

While the Committee observes that various policies have been formulated including the National Export Strategy whose aim is to increase Zambia's export capacity for Micro, Small and Medium Enterprises (MSMEs) and cooperatives from priority sectors such as primary agriculture, textiles, and animal products, the Committee bemoans the lack of technical support to the MSMEs.

In this regard, the Committee recommends that skills development and training interventions are expedited to ensure effective participation of MSMEs in the AfCFTA.

vi) **Diversifying Export Products and Value Addition**

The Committee observes that Zambia has continued trade based on its traditional export copper and export of raw materials.

The Committee recommends that in order to reduce dependence on copper exports and set itself apart from established markets, Zambia must develop unique, value-added products. This can be achieved through diversification strategies focusing on key sectors such as Agriculture, Tourism and Manufacturing. By diversifying the economy and developing unique value-added products, Zambia can unlock sustainable growth, reduce economic vulnerability, reduced copper dependence, increased export earnings, create jobs and establish itself as a competitive player in the AfCFTA market.

**vii) Broaden the Domestic Tax Base**

The Committee observes with concern the potential for revenue loss expected from the gradual removal of trade tariffs under the AfCFTA. To ensure fiscal stability and continued investment in national priorities, there is need to put in place strategic measures to expand Zambia's domestic tax base.

**viii) Leverage Economic Zones and Industrial Facilities to better position Zambia to meet regional demand and enhance its industrial output**

The Committee observes that Government has established Multi-Facility Zones and continued with plans to build more industrial yards, yet utilisation of the existing facilities by the Zambian MSMEs remained poor.

The Committee recommends that there is need to maximise the use of the processing plants, Multi-Facility Economic Zones (MFEZ), and industrial yards to drive growth in the manufacturing sector. These facilities are essential for creating strong backward and forward linkages across various sectors, supporting a robust value chain that can improve Zambia's production capacity and competitiveness under AfCFTA.

**ix) Encourage innovation and technology adoption**

The Committee observes that while Zambia has enacted laws that promote trade in goods and services under the AfCFTA, the country was lagging behind in the area of innovation, science and technology.

The Committee, therefore urges the Government to put in place measures that promote innovation and the adoption of new technologies to enhance productivity, which will drive efficiency, reduce costs and open new market opportunities.

**x) Identify Strategic Sectors and Targeted Interventions**

The Committee observes that the National Industrial Policy (2024-2027) and the National Exports Strategy (2018-2022) embedded the AfCFTA strategic goal of identifying and exploiting export markets within Africa. To meet this goal, Zambia intended to undertake market research on countries to which Zambia did not currently export.

In this vein, the Committee urges the Government to expedite this process in order to formulate specific, targeted interventions to maximise the country's competitive advantage, drive economic growth, and ensure Zambia fully benefits from the agreement.

**xi) Increase Private Sector Awareness to maximise the AfCFTA benefits for  
Zambian businesses**

The Committee bemoans the lack of or limited awareness by MSMEs of trading under the AfCFTA and the benefits therein.

In this regard, the Committee recommends that Government should develop a national AfCFTA sensitisation programme so as to create awareness on the AfCFTA. Further, Government should conduct regular impact assessments and evaluations of AfCFTA sensitisation efforts.

### **3.6 TOURS**

In order to consolidate its findings from the long meeting, the Committee undertook local tours of Lusaka, Central, Copperbelt and Southern provinces, on the topic: *Review of the implementation of the African continental Free Trade Agreement (AfCFTA)* and on selected Statutory Instruments issued in 2024.

#### **3.6.1 LOCAL TOUR**

##### **3.6.1.1 MINISTRY OF ENERGY**

###### ***Statutory Instrument No. 38 - The Electricity (Net Metering) Regulations, 2024***

The Statutory Instrument was issued pursuant to section 52 of the *Electricity Act, No. 11 of 2019*, so as to promote small and medium scale investment in renewable energy systems. The measure was further undertaken to reduce pressure on the grid through a diversified energy mix.

###### **Committee's Observation and Recommendation**

The Committee notes the issuance of the Statutory Instrument as having been done in accordance with the enabling legislation. The Committee resolved to assess the implementation of the Statutory Instrument through interaction with stakeholders.

###### **Meeting with ZESCO Limited in Ndola**

The Committee held a meeting with the Management team and was informed as follows:

- i. ZESCO was running a Net Metering Programme, whose target was to galvanise a capacity of 120 Mega Watts, which was 10 percent peak demand for the year 2023.
- ii. Prosumers had a combined capacity of 952.6 KW and hence substantial capacity was yet to be exploited.
- iii. The company had developed a Prosumer Net Metering Management System for the management of Net Metering processes.
- iv. ZESCO had developed on-line application forms, which were managed through the on-line Net Metering Management System, to enable customers apply for Net Metering.
- v. Customers without access to the on-line application system could visit any ZESCO Customer Service Centre for assistance but the application would be mapped to the customer 's area of residence.
- vi. With regard to administrative, meter procurement and installation costs, the Committee was informed as set out below.

S/N	Net Meter Type	Administrative cost (ZMW)	Full Cost of Net Meter & Installation (ZMW)
1	Single Phase Prepaid	1,738	6,974
2	Three Phase Prepaid	1,738	10,952
3	Maximum Demand (three Phase) Post Paid	1,738	41,255

vii. ZESCO had sixty-nine onboarded prosumers as shown below and was recording increased interest through applications for Net Metering.

No.	Town	Number of Prosumers	Installed Capacity (KW)
1	Lusaka	45	477.8
2	Chilanga	2	17
3	Chongwe	6	48
4	Kabwe	2	11
5	Kitwe	3	22
6	Livingstone	6	44
7	Mazabuka	2	117
8	Kazungula	1	200
9	Ndola	2	15.8
	<b>Total</b>	<b>69</b>	<b>952.6</b>

viii. Prosumers were being paid electricity credits and as at 4<sup>th</sup> May, 2025, the billing summary was as follows:

<b>BILLING SUMMARY</b>			
Month	No. of Prosumers Billed	Consumption (kWh)	Amount (ZMW)
Oct-2024	1	98.31	156.31
Nov-2024	2	284.60	452.52

Dec-2024	3	570.13	906.50
Jan-2025	5	440.94	701.10
Feb-2025	12	20,315.88	33,927.51
Mar-2025	25	20,666.00	34,505.97
<b>TOTAL</b>		<b>42,375.85</b>	<b>70,649.92</b>

- ix. A high number of failed inspections, with a total of eighty-three recorded due to poor workmanship and limited technical knowledge, among installers. This continued to delay connections and undermined the overall efficiency of the programme.

### **Committee's Observations and Recommendations**

#### **a) Low Level Prosumer Participation**

The Committee bemoans the low levels of citizens that were participating as prosumers in the net metering initiative and the lack of proper incentives to prosumers. The Committee, therefore, urges the Government to enhance sensitisation to attract more prosumers to invest in renewable energy and provide the excess to the national grid through net metering.

#### **b) Payment of Electricity Credits as Incentive**

The Committee observes that the payment of electricity credits as the only incentive has resulted in lower participation by prosumers. In this vein, the Committee recommends that better incentives such as cash and not only units are provided to prosumers so as to attract more investment in the sector.

#### **c) Lack of Sensitisation**

The Committee notes that there is little or no sensitisation over the implementation of the Net Metering regulations and the technical requirements. In this regard, the Committee recommends that ZESCO undertakes continuous sensitisation of the public so as to ensure compliance with the technical requirements for the programme.

#### ***Statutory Instrument No. 40 - The Electricity (Open Access) Regulations, 2024***

The Statutory Instrument was issued pursuant to section 52 of the *Electricity Act, No. 11 of 2019*, so as to promote power trade and increase investment in the sector by providing open and non-discriminatory access to the existing power transmission and distribution networks such as ZESCO Limited, Copperbelt Energy Corporation, North Western Energy Corporation, among others.

#### **Committee's Observation and Recommendation**

The Committee notes the issuance of the Statutory Instrument as having been done in accordance with the enabling legislation. The Committee resolved to assess the implementation of the Statutory Instrument through interaction with stakeholders.

#### **Meeting with ZESCO Limited in Ndola**

The Committee held a meeting with the Management team and was informed as follows:

- i. The Zambian Energy Policy of 2019, the *Electricity Act, No.11 of 2019* and the *Energy Regulation Act, No.12 of 2019* made provisions for an Open Access Regime to make the electricity supply industry more responsive to the energy needs of the country.
- ii. A new market structure was designed and approved by Cabinet on 10<sup>th</sup> June 2024.
- iii. Statutory Instrument No. 40 - Electricity (Open Access) Regulations, was published via Gazette Notice on 19<sup>th</sup> July, 2024 and the Open Access was launched by the Minister of Energy on 14<sup>th</sup> February, 2025.
- iv. The objectives of the initiative were, among others, to allow for non-discriminatory access to electricity networks by participants in the electricity supply industry, give third parties access to the grid to allow for power trading and dismantle dominance of ZESCO as the default off-taker and owner of most of the infrastructure (Generation, Transmission, Distribution and Supply).
- v. As at May 2025, the Energy Regulation Board had notified ZESCO of its intention to vary the terms and conditions of ZESCO System Operator License, as part of the identified prerequisites.
- vi. It was revealed that there were delays in submission of criteria to ZESCO for ringfencing of the Public Service Trade; enactment of legal framework to facilitate creation of Market Operator and to provide for market operations; lack of clear roadmap for establishment of the Independent System Management Operator (ISMO) and lack of capacity building for its establishment.
- vii. The Open Access Initiative was yet to be actualised as identified prerequisites needed to be finalised.

## **Committee's Observation and Recommendations**

### **a) Legal Framework**

The Committee observes that the delay in the enactment of a legal framework to create a Market Operator and provide for market operations was delaying the implementation of the Open Access Initiative. The Committee, therefore, urges the Government to expedite the enactment of a legal framework to fully implement the initiative.

The Committee further recommends that the Government expedites the Open Access Initiative by providing funding to carry out activities related to open access realisation and establishment of the Independent System and Market Operator.

### **3.6.1.2 MINISTRY OF INFRASTRUCTURE, HOUSING AND URBAN DEVELOPMENT**

#### ***Statutory Instrument No. 47 - The Tolls (Katuba, Manyumbi and Kafulafuta Toll Plazas) Regulations, 2024***

The Statutory Instrument was issued pursuant to section 25 of the *Tolls Act, No. 14 of 2011*, in order to designate the Lusaka to Ndola Road as a toll road with the Kafulafuta, Katuba, and Manyumbi Toll Plazas designated as toll points from where a toll shall be collected. The objective of the Statutory Instrument was to grant Macro Oceans Investment (MOIC-LN) Consortium Limited, the Concessionaire, the mandate to operate and maintain the toll roads where the toll plazas were situated in accordance with the Act, Regulations and the Concession Agreement.

## Committee's Observations and Recommendations

The Committee notes the issuance of the Statutory Instrument as having been done in accordance with the enabling legislation.

### Meeting with the Ministry of Infrastructure, Housing and Urban Development at Manyumbi Toll Plaza

The Committee was informed as follows:

- i. Government signed a Concession Agreement on 28<sup>th</sup> February, 2023, with MOIC-LN Consortium Limited for a Public Private Partnership Project at a cost of USD 649,976,167.
- ii. The detailed scope of the project included the construction of 314 km of the Lusaka/Ndola carriageway; rehabilitation of the existing Lusaka/Ndola carriageway; construction of 30 km of bypasses at Kabwe and Kapiri Mposhi; rehabilitation of 45 km of the Masangano/Fisenge/Luanshya Road; construction of two new Toll Plazas at Zambia National Service in Kabwe (Prospect) and on the Masangano/Fisenge/Luanshya road; construction of a new weighbridge at Kafulafuta; rehabilitation of the existing weighbridge at Kapiri Mposhi; and construction of a new double lane Bridge across the Kafubu River in Ndola.
- iii. The project Concession Period was 25 years comprising: 3years for construction and 22 years for Operations and Maintenance.
- iv. The status of works was as indicated below.

No.	Road Section	Intended Completion Target
1)	<ul style="list-style-type: none"> <li>• <b>Ngwerere Round About to Chibombo</b></li> <li>• Katuba Toll Plaza</li> </ul>	30 <sup>th</sup> December, 2026
2)	<ul style="list-style-type: none"> <li>• <b>Chibombo to Manyumbi</b></li> <li>• Kabwe (ZNS Prospect) Toll Plaza</li> </ul>	30 <sup>th</sup> December, 2026
3)	<ul style="list-style-type: none"> <li>• <b>Manyumbi to Kapiri Mposhi to Walamba</b></li> <li>• Manyumbi Toll Plaza</li> </ul>	30 <sup>th</sup> December, 2026

- 4) • **Walamba to Ndola Central** 30<sup>th</sup> December, 2026  
**Hospital End Point**  
 • Kafulafuta Weighbridge

5)	• <b>Fisenge to Luanshya to Masangano</b> • <b>Tolling at Abram Zayoni Mokola Toll Plaza commenced on April 19, 2025.</b>	Completed
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As at May 2025, works on the main Lusaka/Ndola Dual Carriageway stood at at 23.56 percent and a total length of 44.08 km of asphalt surfacing had been laid against the total project length of 617.53km.

- v. The Concession Agreement provided for the Concessionaire to commence commercial operations at the three existing Toll Plazas from the commencement date, which fell 60 days after attainment of Financial Close. The handover of the project highway at project commencement meant that responsibility for maintenance of the existing carriageway was also handed over to the Concessionaire. The expected routine maintenance works included pothole patching, milling of sections with severe rutting, lane marking, vegetation control and other works on and off the carriageway.
- vi. As at May 2025, the breakdown of the Tolls collected at the three Toll Plazas between 19<sup>th</sup> August, 2024 and 31<sup>st</sup> March, 2025, were as follows:

DESCRIPTION	19 Aug – 31 Oct 2024	Nov 2024	Dec 2024	Jan 2025	Feb 2025	Mar 2025
Cash Revenue (ZMW Million)	134.733	59.415	60.044	55.852	51.688	57.206
Government Share @ 20% (ZMW Million)	26.947	11.883	12.009	11.170	10.337	11.441
Concessionaire's Share @ 80% (ZMW Million)	107.787	47.532	48.036	44.681	41.350	45.765

## **Committee's Observations and Recommendations**

### **i) Lack of Termination or Review Clause**

The Committee observes with concern that the Concession Agreement between the Government of the Republic of Zambia and MOIC-LN Consortium Limited has no termination clause to cater to a situation where the developer recuperated their investment before the agreed contract period of 25 years.

The Committee recommends that the present contract be renegotiated through an addendum to include a clause for termination or review, if the developer recuperates their investment before the agreed contract period.

The Committee further urges the Government to undertake due diligence before signing any future Concession Agreements under the Public Private Partnership in order to safeguard the interests of the Zambian people.

### **3.6.2 FOREIGN TOUR**

The Committee also undertook a benchmarking study visit to Rwanda to share experiences on the progress made in the implementation of the AfCFTA and its impact on trade and economic development.

The Committee held meetings with the underlisted stakeholders.

- i. Committee on Economy and Trade
- ii. Committee on Foreign Affairs, Cooperation and Security
- iii. Ministry of Trade and Industry
- iv. Rwanda Development Board
- v. Rwanda Private Sector Federation
- vi. The Kigali Special Economic Zone in Masoro- Gasabo District
- vii. The Kigali Genocide Memorial
- viii. Campaign Against Genocide Museum

#### **3.6.2.1 RWANDA'S EXPERIENCE OF THE AFRICAN CONTINENTAL FREE TRADE AREA AGREEMENT**

The Committee learnt that in order to adhere to the provisions of the AfCFTA and its protocols, the Parliament of Rwanda had enacted a number of legislations and regularly amended some of the existing laws to support the implementation of the AfCFTA, including:

- i. law N° 25/2018 enacted on 28th May, 2018, approving the ratification of the Protocol to the treaty establishing the African Economic Community, relating to free movement of persons, right of residence and right of establishment; and
- ii. the Presidential Order N° 091/01 issued on 27<sup>th</sup> May, 2018, ratifying the agreement establishing the African Continental Free Trade Area together with the Protocol on Trade in Goods, Protocol on Trade in Services, and Protocol on Rules and Procedures for Settlement of Disputes.

In addition, Rwanda, like Zambia, had enacted laws on trade liberalisation and tariff reduction as provided in the Protocol on Trade in Goods, requiring countries to reduce tariffs

on over 90 per cent of goods. Many nations had started eliminating tariffs, leading to increased market access.

Further, a platform where tariffs were shared allowing each business operator to access the information provided before importing or exporting goods from one country to another was already in place and could be accessed on <https://qaafcfta.z6.web.core.windows.net/mapsearch>.

In partnership with RwandAir, an AfCFTA preferential air freight (cargo) rate had been introduced. For shipments ranging from 100 kilogram to 900 kilograms, a rate of USD 1.4 per kilogram applied, while for cargo weighing 1 metric ton and above, an even more favourable rate of USD1 per kilogram was offered. These preferential rates were available exclusively to exports originating from Rwanda with verified AfCFTA certificates of origin and aimed to reduce export costs and promoted regional competitiveness of “Made in Rwanda” products.

With regard to the AfCFTA national implementation strategy, Rwanda, like Zambia, had concluded and published its AfCFTA National Implementation Strategy, which aligned with the African Union’s call for Member States to develop national strategies to guide the implementation of the AfCFTA and the budget to implement this strategy was availed.

The strategy focused on identifying priority products, services, and markets for Rwandan businesses to prioritise their engagement in the continental market. In this regard, Rwanda was heavily investing in skills development such as Information and Communication Technology (ICT), agriculture and tourism as well as the hospitality industry in order to harness its potential and global competitiveness.

The Committee learnt that Rwanda was among the pioneer countries in Africa to have undertaken trading under the Guided Initiative. In this regard, since 2022, Rwanda exported a diverse range of products, including tea, coffee, avocado oil, and honey to Ghana under the AfCFTA framework, marking a significant step in expanding market access for Rwandan goods. This had culminated in Rwandans exploring market access in different AfCFTA State parties. In the same vein, the two countries had held two exhibitions: one in Rwanda and another in Ghana, aimed at encouraging Africans to participate on this continental market. Further, the Ministry of Commerce and Industry and the Rwanda Development Board (RDB), which was the equivalent of the Zambia Development Agency, together with other Government agencies, worked closely to ensure collaboration and eliminating systemic bureaucracies to achieve efficiency. This was exemplified in the consideration of the Chief Executive Officer of the RDB sitting in the Rwanda Cabinet, denoting the importance attached to the development agenda.

The RDB had further established one-stop centres for acquiring of all business permits and licenses to ease the process of business registration and enhance efficiency. The centre further had a designated desk and dedicated officer on the AfCFTA providing information to the general public.

### **3.6.2.2 Committee’s Observations and Recommendations**

#### **i. Guided Trade Initiative**

The Committee observes that Zambia is yet to finalise all requirements to be able to participate under the Guided Trade Initiative. The Committee, therefore, urges the Government to accelerate efforts towards Zambia becoming a state party to the Guided Trade Initiative for the commencement of trade.

**ii. Establish One-stop Centres for Permits and Licensing**

The Committee notes that the numerous offices awarding permits and licences in Zambia hamper efficiency in business registration. The Committee, therefore, recommends the establishment of one-stop centres for acquiring of permits and licences, and in particular, establishing of an AfCFTA desk at ZDA.

The Committee further urges the Government to streamline all investment and business licenses to be managed by the Zambia Development Agency, which should create an online domain for ease of access of information by members of the public.

**iii. Investment in Infrastructure Development**

The Committee bemoans the inadequate infrastructure in terms of road, rail, airline and border facilities that pose a challenge for Zambia to effectively participate in the AfCFTA.

In this regard, the Committee urges the Government to enhance infrastructure in the transportation, energy and communication sectors to facilitate smooth trade and reduce operational costs on businesses. This will boost efficiency, reduce transportation costs and attract investment.

## **PART III**

### **4.0 CONSIDERATION OF THE ACTION TAKEN REPORT ON THE REPORT OF THE COMMITTEE ON LEGISLATION AND INTERNATIONAL AGREEMENTS FOR THE THIRD SESSION OF THE THIRTEENTH NATIONAL ASSEMBLY**

#### **4.1 MINISTRY OF FINANCE AND NATIONAL PLANNING**

##### ***Statutory Instrument No. 60 of 2023-The Value Added Tax (Exemption) (Amendment) Order***

##### ***Meeting with Water Utility Companies***

##### ***Kafubu and Lukanga Water and Sanitation companies***

- i. The Committee in the previous Session had urged the Government to consider providing budget surplus support to water utility companies for the loss that was not passed on to the consumers.

#### **Executive's Response**

The Committee was informed that the Government through the Ministry of Water Development and Sanitation provided institutional support in its annual budget. For example, the Ministry had allocated K26, 487,208.00 in the 2024 budget for water utilities. This support was used for various purposes such as emergencies, performance improvement, and operational needs of the water utilities as a short-term measure.

The Committee was further informed that as a long-term measure, Government would

consider tariff adjustments for the sustainability of the water utility companies.

### **Committee's Observations and Recommendations**

The Committee resolves to await a progress report on when the Government will undertake the process to adjust tariffs.

- ii. The Committee in the previous Session had further recommended that water utility company services should be classified as zero rated so that the companies could be entitled to claim VAT.

### **Executive's Response**

The Committee was informed that the Government had noted the observation and the recommendation of the Committee as zero rating would reduce production costs by eliminating VAT on the procurement of electricity, chemicals, pipes, pumps, motor vehicles and spare parts. The 16 per cent reduction in production costs would provide the resources to the commercial utilities to undertake maintenance and rehabilitation of dilapidated infrastructure and procure the domestic meters, meet their payables such as statutory obligations and salaries as they fall due and expand service provision to un-serviced areas.

### **Committee's Observations and Recommendations**

The Committee resolves to await a progress report on steps taken to zero rate production inputs for water utility companies.

- iii. The Committee in the previous Session had recommended that water utility companies should be exempted from paying VAT on production inputs.

### **Executive's Response**

The Committee was informed that the observations and recommendations were noted considering that VAT on inputs increased the cost of providing water and sanitation services and the low tariff for consumers was leading to increased production costs and operational expenses. The average unit cost of service provision stood at K13.9 while the average tariff stood at K7.9 per cubic metre. This made water supply and sanitation service delivery unsustainable.

Government through the Ministry of Water Development and Sanitation, in collaboration with the National Water Supply and Sanitation Council (NWASCO) and the Ministry of Finance and National Planning, had embarked on a Tax Study. This study aimed to assess the impact of VAT exemption on water supply and sanitation services and propose the best alternative tax regime for the 2025 national revenue estimates.

Additionally, Cabinet would consider adjusting water tariffs specifically for high-cost and non-domestic consumers to support the operations of water utilities, in line with the Government's commitment to ensuring communities have clean and safe water supply.

### **Committee's Observations and Recommendations**

The Committee resolves to await a progress report on the tax study aimed at assessing the impact of VAT exemption on water supply and sanitation services and propose the best alternative tax regime for the 2025 national revenue estimates.

## **4.2 MINISTRY OF LOCAL GOVERNMENT AND RURAL DEVELOPMENT**

### ***Statutory Instrument No 39 of 2016 - The Provincial and District Boundaries (Division) (Amendment) Order (Kalumbila and Mushindamo Districts)***

#### ***Meeting with Mushindamo District Council***

The Committee in the previous Session had recommended that the Government should expedite the process to degazette the site at Kafulabunga or considers the alternative location at Mafita Area to establish the Central Business District (CBD).

#### **Executive's Response**

The Executive responded that there had been no activity on kafulabunga site due to the concerns that were raised by the Ministry of Green Economy and Environment. However, on the Mafita site, the Ministry of Local Government and Rural Development had managed to obtain consent to establish the Central Business District (CBD) from his Royal Highness, Senior Chief Kalilele of Mushindamo district.

#### **Committee's Observations and Recommendations**

The Committee resolves to await a progress report on the process to establish the Central Business District (CBD) at the Mafita site.

## **4.3 MINISTRY OF LABOUR AND SOCIAL SECURITY**

### ***Statutory Instrument No. 50 of 2023-The Employment Code (Shop Workers Minimum Wages and Conditions of Employment) Order, 2023***

#### ***Meeting with Ministry of Labour and Social Security and Representative Associations***

The Committee in the previous Session had urged the Government to expedite the process of restructuring the Ministry of Labour and Social Security in order to ensure that the staffing challenges are resolved.

#### **Executive's Response**

The Executive submitted that the Ministry of Labour and Social Security was in the process of restructuring the structure which, if approved by Cabinet Office would have its presence in all 116 districts across the country. It was envisaged that, the Ministry would have 72 main operating stations with 44 satellite offices in districts with less economic activities.

#### **Committee's Observations and Recommendations**

The Committee resolves to await a progress report on the restructuring process.

## **4.3 LOCAL TOUR REPORT**

- i. *Statutory Instrument No. 36 of 2022 - The Customs and Excise (Ports of Entry and Routes) (Amendment) Order, 2022.***

*Meeting with Zambia Revenue Authority at Sakania Border*

The Committee in the previous Session had resolved to await a progress report on the process of finalising the procurement process for the construction of the Ndola/Mufulira Road and the modernisation of Sakania Border facilities through a Public Private Partnership model.

### **Executive's Response**

The Executive submitted that the Government of the Republic of Zambia, acting through the Minister of Finance and National Planning and the Ministry of Commerce Trade and Industry acting through the Road Development Agency (Contracting Authority) and JASWIN Ports Limited (Concessionaire) a company incorporated on 16<sup>th</sup> October, 2023 under the *Companies Act No. 10 of 2017*, signed a Concession Agreement for the project to design, finance, build, operate , maintain and transfer of the Sakania Border Post Infrastructure in the Copperbelt Province of Zambia through a Public -Private Partnership Model.

Under the Concession Agreement, the Concessionaire was to undertake among others: the construction of the Ndola-Sakania Road (approximately 17.26km) and new construction of access road to Sakania Border (approximately 1.5km), construction of the Sakania to Mufulira Road (approximately 41.7km) and construction of a new Border post at Sakania Boarder.

### **Committee's Observations and Recommendations**

The Committee resolves to await a progress report on the status of the project.

- ii. ***Statutory Instrument No. 49 of 2022 - The Public-Private Partnership (Kasumbalesa Border Post) (User Fees) (Amendment) Regulations, 2022***

*Meeting with Zambia Revenue Authority at Kasumbalesa Border*

- i) The Committee in the previous Session had resolved to await a progress report on the implementation of the One Stop-Border Post.

### **Executive's Response**

The Executive submitted that the Government of the Republic of Zambia and the Democratic Republic of Congo were actively discussing the initiative. Further, Cabinet, at its 9th Meeting held on 23rd May, 2024, had accepted the recommendation by the Ministers of Commerce, Trade and Industry and Finance and National Planning for the management and development of infrastructure at Kasumbalesa Border through a Public Private Partnership Model.

The Committee was informed that further updates would be provided on the progress of the project.

### **Committee's Observations and Recommendations**

The Committee resolves to await a progress report on the project.

- viii. ***Statutory Instrument No. 47 of 2022-The Emoluments Commission Act (Commencement) Order, 2022***

*Meeting with Acting Director General and Management team*

The Committee in the previous Session resolved to await a progress report on the procurement process, and when the funds would be made available by the Treasury for the purchase of a building for office accommodation.

#### **Executive's Response**

The Committee was informed that the status remained unchanged as feedback was still being awaited regarding availability of funds for procuring suitable office accommodation for the Emoluments Commission.

#### **Committee's Observations and Recommendations**

The Committee resolves to await a progress report as to when funding would be made available for the procurement of office space for the Emoluments Commission.

#### ***x. Statutory Instrument No. 87 of 2020 – The Animal Health (Designated Border Inspection Posts) Regulations***

##### **Visit to Kazungula Boarder**

The Committee in the previous Session had resolved to await a further progress report on when the Government will procure the 600 motorbikes and 80 motor vehicles to enhance service delivery in combating livestock diseases.

#### **Executive's Response**

The Executive had noted recommendation and informed the Committee that the Ministry of Fisheries and Livestock had commenced the procurement process for the 600 motorbikes and 80 vehicles in 2023 and a draft contract was prepared. However, due to tight fiscal space, funds were not released for this activity and the procurement was, therefore, deferred to 2024.

The Committee was further informed that owing to the tight fiscal space, it was, therefore, decided that the procurement of the 80 vehicles and 600 motor bikes would be done in phases starting with the first phase in 2024. In this regard, the procurement of 20 motor bikes and 20 vehicles under the first phase had commenced and was at evaluation stage.

#### **Committee's Observations and Recommendations**

The Committee observes with concern the inordinate delay by the Ministry of Fisheries and Livestock to purchase the 80 vehicles and 600 motor bikes, which was affecting service delivery. The Committee resolves to await a progress report on the matter.

#### ***xii. Statutory Instrument No. 7 of 2018 - The Railways (Transportation of Heavy Goods) Regulations, 2018***

##### **Visit to Zambia Railways Limited Headquarters**

The Committee in the previous Session had resolved to request for a progress report on the matter and specifically the status of works on the contract signed between Industrial Development Corporation (IDC) and Team Sweden Railway Consortium.

## **Executive's Response**

The Government through the Ministry of Transport and Logistics submitted that on 10<sup>th</sup> July, 2023, Team Sweden Rail Consortium through its representative, Yapiray Demiryolu issued a notice of suspension of phase 1 works effective 31<sup>st</sup> July, 2023 which according to them was on the basis of non-payment of some certificates. Further to the notice of suspension, Yapiray through their lawyers commenced legal proceedings against the industrial Development Corporation and Zambia Railways Limited in April, 2024 for breach of contract and non-payment of some certificates.

Due to the legal proceedings on the contract, the rehabilitation and modernisation project had been put on hold until all matters were resolved.

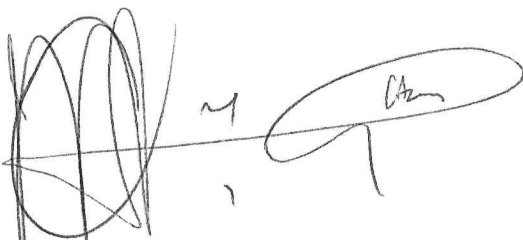
## **Committee's Observations and Recommendations**

The Committee resolves to await a progress report on the matter

## **5.0 CONCLUSION**

The AfCFTA presents a transformative opportunity for Zambia to expand its trade horizons, stimulate economic growth, and achieve sustainable development. However, effective integration of AfCFTA provisions into national laws and policies is crucial for realising these benefits. This can only be achieved after addressing the implementation of the AfCFTA challenges to ensuring that it is fully effective and operational.

Madam Speaker, the Committee, would like to express their appreciation for your wise counsel and direction given to them during the past year. The Committee also wishes to thank all witnesses who submitted memoranda that provided the basis for them to make informed decisions on the issues under their consideration. Lastly, the Committee wishes to express their appreciation of the service rendered by the Office of the Clerk of the National Assembly throughout their deliberations.

A handwritten signature in black ink, consisting of a large, stylized 'M' followed by a horizontal line and a smaller signature.

Mr Remember C Mutale  
**CHAIRPERSON**

June, 2025  
**LUSAKA**

## **APPENDIX I - List of National Assembly Officials**

Mr Barnabas Bwalya, Director (Social Committees)  
Mrs Chitalu K Mumba, Deputy Director (Social Committees)  
Ms Betty Zulu, Senior Committee Clerk (Social Committees-2)  
Mr Timothy C Lumba, Committee Clerk  
Ms Grace Mbewe, Administrative Assistant  
Mr Danny Lupiya, Acting Senior Committee Assistant  
Mr Muyembi Kantumoya, Acting Committee Assistant

## **APPENDIX II- List of Witnesses**

Centre for Trade Policy Development  
Consumer Unity and Trust Society International  
Law Association of Zambia  
Ministry of Energy  
Ministry of Finance and National Planning  
Ministry of Health  
Ministry of Infrastructure and Urban Development  
Ministry of Local Government and Rural Development  
Ministry of Labour and Social Security  
The Judiciary  
Ministry of Commerce, Trade and Industry  
Zambia Revenue Authority  
Zambia Development Agency (ZDA)  
Zambia Chamber of Commerce and Industry (ZACCI)  
Ministry of Small and Medium Enterprise  
Competition and Consumer Protection Commission  
Zambia Association of Manufacturers (ZAM)  
Zambia Association of Small and Medium Enterprise (ZAMSE)  
Zambia Bureau of Standards (ZABS)  
Institute for Economic and Social Research (IESR)  
Zambia Institute for Policy Analysis and Research (ZIPAR)  
Centre for Trade Policy Development  
Consumer Unity and Trust Society International