



REPUBLIC OF ZAMBIA

REPORT

OF THE

COMMITTEE ON LOCAL GOVERNANCE, HOUSING AND CHIEFS' AFFAIRS

ON THE

LOCAL GOVERNMENT (AMENDMENT) BILL, N.A.B. NO. 75 OF 2026

FOR THE

FIFTH SESSION OF THE THIRTEENTH NATIONAL ASSEMBLY

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FOREWORD

Honourable Madam Speaker, the Committee on Local Governance, Housing and Chiefs' Affairs has the honour to present its Report on the Local Government (Amendment) Bill, N.A.B. No. 75 of 2026, for the Fifth Session of the Thirteenth National Assembly. The Committee is mandated to consider any Bills that may be referred to it by the House, pursuant to Standing Orders 113(1) and 207(j) of the National Assembly Standing Orders, 2024.

In order to acquaint itself with the ramifications of the Bill and effectively report to the House, the Committee sought both written and oral submissions from selected stakeholders, the list of which is at Appendix II. The Report is in three Parts. PART I highlights the background, objectives and salient provisions of the Bill, PART II outlines submissions raised by stakeholders, while PART III contains the observations and recommendations of the Committee.

Madam Speaker, the Committee is grateful to all stakeholders who tendered both written and oral submissions during its consideration of the Bill. The Committee further wishes to thank you for affording it the opportunity to scrutinise the Bill. The Committee also extends its appreciation to the Clerk of the National Assembly for the guidance and support rendered throughout the deliberations.



PP Mr Twaambo Mutinta, MP
CHAIRPERSON

May, 2026
LUSAKA

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1.0 COMPOSITION OF THE COMMITTEE

The Committee consisted of Mr Twaambo E Mutinta, MP (Chairperson); Mr Anthony M Kasandwe, MP (Vice Chairperson); Mr Newton Samakayi, MP; Ms Emeldah Munashabantu, MP; Mr Christopher Kang'ombe, MP; Mr Kabaso Kampampi, MP; Mr Kenny Siachisumo, MP; Mr George K Kandafula, MP; Mr Henry Sikazwe, MP and Mr Paul Chala, MP.

PART I

2.0 BACKGROUND

The Constitution of Zambia (Amendment) Act, No 13 of 2025, revised the composition of a council to include Members of Parliament from each constituency within the district as members of a council. Therefore, it has become necessary to amend the Local Government Act, Cap. 281 of the Laws of Zambia, so as to ensure consistency with the Constitution, as the supreme law of the land. The Bill, once enacted, will establish a comprehensive legal framework to govern the proceedings in a council. The Bill, will further provide clarity regarding the duties and responsibilities of a member of a council.

3.0 OBJECT OF THE BILL

The object of this Bill is to amend the Local Government Act, Cap. 281 of the Laws of Zambia, so as to:

- (a) extend the civic duties and responsibilities of a councilor to a member of a council; and
- (b) provide for matters connected with, or incidental to, the foregoing.

4.0 SALIENT PROVISIONS OF THE BILL

Clause 2 – Amendment of section 53

The clause seeks to repeal section 53 of the principal Act so as to extend the application of civic duties and responsibilities to a Member of Parliament, a mayor or council chairperson, and a chief to serve as a member of a council, in order to align the civic duties and responsibilities with Article 153 of the Constitution of Zambia.

Clause 3 – Repeal and Replacement of the Third Schedule

The clause repeals and replaces the Third Schedule to provide a revised framework governing council proceedings, meetings, quorum requirements, disclosure of interests, committees, delegation of functions, public access to meetings, and related administrative procedures. The Schedule includes the following Paragraphs:

- i. Paragraph 2 requires the principal officer of a council to issue written notice of meetings and limits business at special meetings to matters specified in the notice;
- ii. Paragraph 3 prescribes quorum requirements for ordinary and special meetings, including adjustments where vacancies or declarations of interest arise;

- iii. Paragraph 6 requires members of a council to disclose pecuniary interests and restricts participation in decision-making where conflicts of interest exist, while also providing penalties for non-compliance;
- iv. Paragraph 8 provides that meetings of councils and committees shall generally be open to the public, physically or electronically, subject to confidentiality and public interest exceptions;
- v. Paragraph 9 requires councils to maintain minutes of proceedings and provide copies to the Minister, while permitting public inspection of non-confidential proceedings; and
- vi. Paragraph 16 empowers committees to establish sub-committees for examination and reporting on matters within their mandate.

PART II

5.0 SUBMISSIONS AND CONCERNS FROM STAKEHOLDERS

Stakeholders generally supported the Local Government (Amendment) Bill, N.A.B. No. 75 of 2026, particularly its objective of aligning the Local Government Act with the Constitution and strengthening accountability in councils. However, stakeholders raised concerns relating to decentralisation, council autonomy, enforcement mechanisms, conflict of interest provisions, constitutional consistency and operational practicality. The details of their concerns are set out below:

CLAUSE 2: AMENDMENT OF SECTION 53 – CIVIC DUTIES AND RESPONSIBILITIES

5.1 Extension of civic duties to members of Councils

Stakeholders generally supported the policy intention of expanding the composition of councils to include Members of Parliament, mayors or council chairpersons, and chiefs. Stakeholders submitted that the amendment was necessary to align the Local Government Act with Article 153 of the Constitution, as amended by the Constitution of Zambia (Amendment) Act No. 13 of 2025. They explained that the current legal framework only subjected members of the councils to the Code of Ethics despite mayors, council chairpersons and chiefs already participating in council proceedings since the 2016 constitutional reforms. Stakeholders further submitted that extending ethical obligations to all members of councils would promote uniform accountability, collective responsibility and integrity in local governance systems.

5.2 Constitutional and jurisdictional concerns regarding Members of Parliament

Stakeholders submitted that the inclusion of Members of Parliament within the civic duties framework raised constitutional and institutional concerns. It was submitted that Members of Parliament were already subject to parliamentary accountability mechanisms, privileges and disciplinary procedures under the Constitution, the National Assembly (Powers and Privileges) Act, Chapter 12 of the Laws of Zambia, as well as the Parliamentary and Ministerial Code of Conduct. Stakeholders argued that the Bill did not clarify whether Members of Parliament sitting in councils would additionally

become subject to the Local Government Code of Ethics Tribunal, thereby creating possible jurisdictional conflicts between parliamentary and local government accountability mechanisms. Stakeholders further submitted that the absence of harmonisation of provisions could create uncertainty regarding enforcement, disciplinary jurisdiction and applicable standards of accountability.

5.3 Application of civic duties to chiefs

Stakeholders observed that chiefs occupy constitutionally recognised traditional leadership positions with distinct governance and customary functions. In this regard, stakeholders submitted that the Bill failed to clarify how the Local Government Code of Ethics would apply to chiefs sitting as members of councils. It was submitted that provisions relating to pecuniary interests, disciplinary procedures and complaints mechanisms required careful consideration in view of the constitutional status of traditional leaders under Article 165 and 167(a) of the Constitution. Stakeholders recommended that procedures relating to complaints against chiefs be developed in consultation with the House of Chiefs to avoid undermining traditional authority structures or politicising traditional leadership.

5.4 Inconsistencies in the code of ethics framework

Stakeholders submitted that although the Bill extended civic duties and responsibilities to additional categories of council members, it failed to amend the Fifth Schedule and related provisions of the principal Act, which still referred exclusively to “councillors” Stakeholders explained that sections 54, 55 and 56 of the principal Act relating to the Local Government Code of Ethics Tribunal, declaration of assets and suspension procedures remained applicable only to “councillors.” Stakeholders argued that this created an incomplete accountability framework because the enforcement architecture had not been correspondingly extended to Members of Parliament, mayors, council chairpersons, chiefs and future proportional representation members. Stakeholders further submitted that the inconsistency risked creating legal uncertainty and institutional disputes regarding enforcement mechanisms and disciplinary jurisdiction. In this regard, they proposed adopting the broader formulation under Article 153 of the Constitution, as amended by Act No. 13 of 2025, in order to ensure consistency, clarity, and harmonised interpretation of the law.

5.5 Omission of proportional representation members

Stakeholders observed that the proposed section 53(2) expressly referred to Members of Parliament, mayors or council chairpersons and chiefs, but omitted proportional representation members who would join councils after the August 2026 elections under Article 153, as amended. Stakeholders submitted that women, youths and persons with disabilities elected through proportional representation would equally be members of councils and should, therefore expressly fall within the civic duties framework. They recommended that the provision either specifically include proportional representation members or broadly refer to all persons sitting as members of councils in accordance with Article 153 of the Constitution.

5.6 Complaints procedures and institutional bias

Stakeholders submitted that the complaints mechanism under the Fifth Schedule required reconsideration in light of the expanded application of the Code of Ethics. Stakeholders observed that the current framework required complaints to be lodged with the Principal Officer, after which the council itself constituted an ad hoc committee to investigate the complaint. It was argued that once all categories of council members became subject to the Code, the same council whose members were accused of misconduct would continue overseeing investigations into those allegations. Stakeholders submitted that this arrangement created risks of bias, lack of objectivity and compromised accountability standards. In this regard, stakeholders recommended a re-evaluation of the complaints framework to ensure fairness, impartiality and ethical oversight for all categories of council members.

CLAUSE 3: REPEAL AND REPLACEMENT OF THE THIRD SCHEDULE

5.7 General reform of council proceedings

Stakeholders submitted that the repeal and replacement of the Third Schedule was intended to modernise and harmonise council procedures with the expanded constitutional composition of councils. Stakeholders explained that the revised Schedule updated references from “councillors” to “members of a council” and introduced detailed provisions governing meetings, quorum, voting procedures, committee structures, disclosure obligations, public participation and delegation of council functions. Stakeholders generally welcomed the attempt to provide procedural clarity and improve governance standards in council operations.

THEMATIC SUBMISSIONS UNDER THE REVISED THIRD SCHEDULE

5.8 Approval requirement for special meetings

Stakeholders raised concern regarding the requirement that special meetings of councils could only be convened with approval from the Provincial Local Government Officer. Stakeholders submitted that this requirement undermined decentralisation and weakened the autonomy of local authorities by subjecting internal council operations to administrative approval from centrally supervised structures. It was argued that urgent governance matters could be delayed by bureaucratic processes, thereby weakening responsiveness and local decision-making. Stakeholders therefore recommended replacing the approval requirement with a notification mechanism or limiting such approval requirements to emergency situations only.

5.9 Frequency of council meetings

Stakeholders submitted that the proposed requirement for councils to meet at least once every three months was inadequate for modern governance demands. It was argued that infrequent meetings would delay project approvals, weaken oversight over council executives and negatively affect service delivery. Stakeholders further submitted that fewer meetings reduced democratic engagement and accountability to citizens. Consequently, stakeholders recommended that councils should instead hold ordinary meetings at least once every month to enhance responsiveness and effective governance.

5.10 Notice periods for meetings

Stakeholders welcomed the extension of the notice period for council meetings from twenty-four (24) hours to fourteen (14) days. Stakeholders submitted that the previous notice period was insufficient for meaningful preparation, particularly on substantive matters such as budgets, by-laws and policy resolutions. It was further submitted that the longer notice period would improve the quality of council deliberations and accommodate logistical realities associated with expanded council membership, including Members of Parliament based in Lusaka and chiefs in remote districts. However, stakeholders recommended that emergency provisions be inserted to permit shorter notice periods in urgent circumstances.

5.11 Quorum requirements

Stakeholders expressed concern regarding quorum requirements under the expanded council composition anticipated after August, 2026. They submitted that, once Members of Parliament became members of councils, attendance challenges would likely arise due to competing parliamentary duties, which often runs parallel to council meetings. They cautioned that this could expose Members of Parliament to repeated violations under the Schedule of Offences and Penalties in the principal Act. Therefore, stakeholders argued that counting Members of Parliament toward quorum requirements could make it difficult to attain quorum, particularly for special meetings, thereby potentially paralysing council operations. In this regard, stakeholders proposed revising the quorum threshold for special meetings to enhance practicality and ensure the efficient conduct of council business.

5.12 Conflict of interest and disclosure requirements

Stakeholders generally supported the strengthening of disclosure of interest provisions as important anti-corruption safeguards that promoted transparency and accountability in council operations. Stakeholders particularly welcomed the introduction of registers of interests and disclosure obligations. However, concerns were raised regarding the narrow focus on “pecuniary interest,” with stakeholders recommending expansion to include direct or indirect private or personal interests in line with the Anti-Corruption Act. Stakeholders further submitted that Integrity Committees should eventually be established across councils to strengthen ethical governance.

5.13 Severity of criminal penalties

Stakeholders expressed concern over the proposed penalty of imprisonment for up to fourteen (14) years for failure to disclose interests. Stakeholders submitted that the punishment was excessive and disproportionate, especially where non-disclosure arose from procedural omissions rather than intentional corruption. It was argued that such severe penalties could discourage participation in local governance. Conversely, other stakeholders supported strong sanctions but recommended additional ethical consequences such as immediate vacation of office, disqualification from public office and civil recovery of improperly obtained benefits where deliberate non-disclosure occurred.

5.14 Admission of the public to meetings

Stakeholders welcomed provisions requiring council and committee meetings to be accessible to the public, physically or electronically, describing the amendment as progressive and consistent with transparency and democratic participation. However, concern was raised regarding provisions allowing exclusion of the public on grounds of “public interest” or “other special reasons,” which stakeholders considered vague and susceptible to abuse. Stakeholders submitted that broad discretionary powers to exclude the public could undermine transparency and accountability in local governance.

5.15 Committee structures and democratic accountability

Stakeholders expressed concern regarding provisions allowing persons who were not members of councils to sit on council committees provided they qualified for election as councillors. Stakeholders argued that non-elected persons participating in council committees could weaken democratic legitimacy and accountability because such committees exercised significant influence over governance decisions. Additionally, stakeholders submitted that the power of councils to revoke committee appointments lacked safeguards against arbitrary removal. Stakeholders therefore recommended that revocation of committee appointments only occur for good reason.

5.16 Submission of committee minutes to the minister

Stakeholders objected to the requirement that committees submit minutes directly to the Minister. Stakeholders submitted that committees were delegates of councils and should report to councils rather than bypassing them. It was argued that requiring both councils and committees to separately submit minutes to the Minister amounted to micromanagement, excessive bureaucracy and undermined council authority over committees. Stakeholders therefore recommended that committee minutes instead form part of reports submitted to councils.

5.17 Financial oversight and non-delegable functions

Stakeholders generally supported the retention of non-delegable financial functions such as levying rates, borrowing money, adopting budgets and making by-laws. Stakeholders submitted that these functions were central to democratic accountability and fiscal discipline and should remain vested in the full council. At the same time, some stakeholders cautioned that restrictions on delegation could create operational difficulties for councils facing capacity constraints.

PART III

6.0 COMMITTEE’S OBSERVATIONS AND RECOMMENDATIONS

After carefully considering submissions from all stakeholders, the Committee makes the following observations and recommendations.

CLAUSE 2 – CIVIC DUTIES AND RESPONSIBILITIES

- 6.1 The Committee observes that extending civic duties and responsibilities to all council members is progressive and promotes accountability. However, inconsistencies remain between the proposed amendment and enforcement provisions under the principal Act. The Committee, therefore, recommends comprehensive amendments to the Fifth Schedule and related provisions to ensure uniform application of accountability and enforcement measures to all council members.

CLAUSE 3 – REPEAL AND REPLACEMENT OF THE THIRD SCHEDULE

Paragraph 1 – Ordinary and special meetings

- 6.2 The Committee observes that holding ordinary meetings once every three months may weaken effective oversight and service delivery, while approval requirements for special meetings may undermine council autonomy. The Committee, therefore, recommends monthly ordinary meetings and replacement of approval requirements for special meetings with a notification mechanism.

Paragraph 2 – Notice of meetings

- 6.3 The Committee observes that the fourteen-day (14) notice period enhances preparedness and participation in council proceedings. However, the Committee notes the need to accommodate emergency situations. In this regard, it recommends retention of the proposed notice period while allowing shorter notices in cases of emergency situations.

Paragraph 3 – Quorum

- 6.4 The Committee observes that quorum requirements may become impractical following the expanded composition of councils. The Committee, therefore, recommends clarification of quorum calculations and adoption of a more practical quorum threshold for special meetings.

Paragraph 6 – Disclosure of interest

- 6.5 The Committee observes that strengthened disclosure provisions will enhance transparency and integrity in council operations. However, the Committee notes that the scope of disclosure is narrow and the proposed penalties may be excessive. The Committee, therefore, recommends broadening disclosure provisions to include private or personal interests and reviewing penalties to ensure proportionality.

Paragraphs 10 and 11 – Committees

- 6.6 The Committee observes that standing committees strengthen institutional oversight, but notes that inclusion of non-elected persons without safeguards may undermine accountability. The Committee, therefore, recommends

establishing clear criteria and safeguards for appointment and removal of committee members.

Paragraph 13 – Minutes of Committees

6.7 The Committee observes that direct submission of committee minutes to the Minister may create duplication and excessive bureaucracy. The Committee, therefore, recommends that committee minutes be submitted through councils before transmission to the Minister. Accordingly, it recommends refinement of the paragraph 13(3).

Drafting and Technical Matters

6.8 The Committee observes that the Bill contains drafting inconsistencies and typographical errors which may affect clarity and implementation. The Committee, therefore, recommends correction of all drafting inconsistencies and omissions as identified above.

7.0 CONCLUSION

The Committee finds the Local Government (Amendment) Bill, N.A.B. No. 75 of 2026 progressive and necessary for aligning the Local Government Act No. 2 of 2019 with the Constitution of Zambia and strengthening accountability, transparency and governance in local authorities. The Committee further observes that the Bill enhances ethical standards and provides greater procedural clarity in council operations. However, the Committee notes that certain provisions require refinement to address concerns relating to decentralisation, ministerial discretion, enforcement mechanisms, quorum requirements and conflict of interest provisions. In this regard, the Committee supports the Bill subject to the incorporation of the recommendations contained in this Report.



PP Mr Twaambo Mutinta, MP
CHAIRPERSON

May, 2026
LUSAKA

APPENDIX I - NATIONAL ASSEMBLY OFFICIALS

Mr Charles Haambote, Director (Social Committees)
Mrs Chitalu K Mumba, Deputy Director (Social Committees)
Mr Darius Kunda, Senior Committee Clerk (SC1)
Mr Kelezo Lushako, Committee Clerk
Mr Febian Litia, Committee Clerk
Ms Charity K Muyunda, Administrative Assistant II
Mr Daniel Lupiya, Senior Committee Assistant
Mr Muyembi S Kantumoya, Committee Assistant
Ms Taona Chabinga, Committee Assistant

APPENDIX II–LIST OF WITNESSES

Cabinet Office - Office of the President

Chapter One Foundation

Local Government Association of Zambia

Lusaka City Council

Ministry of Justice

Ministry of Local Government and Rural Development

Mr Misheck Nyambose, Member of Parliament for Chasefu Constituency

Zambia Federation of Employers

Zambia Federation of Trade Unions