



**REPUBLIC OF ZAMBIA**

**REPORT**

**OF THE**

**COMMITTEE ON LOCAL GOVERNANCE, HOUSING  
AND CHIEFS' AFFAIRS**

**ON THE**

**LOCAL GOVERNMENT BILL, N.A.B. NO. 2 OF 2019**

**FOR THE**

**THIRD SESSION OF THE TWELFTH NATIONAL ASSEMBLY**

*Printed by the National Assembly of Zambia*

**REPORT**

**OF THE**

**COMMITTEE ON LOCAL GOVERNANCE, HOUSING  
AND CHIEFS' AFFAIRS**

**ON THE**

**LOCAL GOVERNMENT BILL, N.A.B. NO. 2 OF 2019**

**FOR THE**

**THIRD SESSION OF THE TWELFTH NATIONAL ASSEMBLY**

## **TABLE OF CONTENTS**

<b>No.</b>	<b>Item</b>	<b>Page</b>
1.	Membership of the Committee	1
2.	Functions of the Committee	1
3.	Meetings of the Committee	1
4.	Procedure adopted by the Committee	1
5.	Background of the Bill	1
6.	Objects of the Bill	2
7.	Salient provisions of the Bill	2
8.	Concerns by stakeholders	5
9.	Other concerns	16
10.	Committee's observations and recommendations	17
11.	Conclusion	23
	Appendix I – List of National Assembly Officials	24
	Appendix II – List of Witnesses	25

**REPORT OF THE COMMITTEE ON LOCAL GOVERNANCE, HOUSING AND CHIEFS' AFFAIRS ON THE LOCAL GOVERNMENT BILL, N.A.B. NO. 2 OF 2019 FOR THE THIRD SESSION OF THE TWELFTH NATIONAL ASSEMBLY APPOINTED ON THURSDAY, 21<sup>st</sup> SEPTEMBER, 2017**

**MEMBERSHIP OF THE COMMITTEE**

1. The Committee consists of Mr N Samakayi, MP (Chairperson); Mrs S S Mulyata, MP (Vice Chairperson); Mr G Chiyalika, MP; Mr M M Kabanda, MP; Mr M Chikote, MP; Dr E I Chibanda, MP; Mr E Musonda, MP; Mr D Livune, MP; Mr C Chali, MP and Dr C Kambwili, MP.

The Composition of the Committee changed, following the declaration, by the Honourable Mr Speaker, of the Roan Constituency vacant, which was held by Dr C Kambwili.

The Honourable Mr Speaker  
National Assembly  
Parliament Buildings  
**LUSAKA**

Sir

The Committee has the honour to present its Report on the Local Government Bill, N. A. B. No. 2 of 2019 for the Third Session of the Twelfth National Assembly.

**FUNCTIONS OF THE COMMITTEE**

2. In addition to any other duties conferred upon it by the Honourable Mr Speaker, or an Order of the House, the Committee is mandated to consider Bills that may be referred to it by the House.

**MEETINGS OF THE COMMITTEE**

3. The Committee held eight (8) meetings to consider the Local Government Bill, N.A.B. No. 2 of 2019.

**PROCEDURE ADOPTED BY THE COMMITTEE**

4. In order to acquaint itself with the ramifications of the Bill, the Committee sought both written and oral submissions from stakeholders. The stakeholders who appeared before the Committee are listed at Appendix II.

**BACKGROUND OF THE BILL**

5. The *Constitution of Zambia (Amendment) Act, No 2 of 2016* brought in Article 147, which provides for devolution of governance systems. This was preceded by the adoption of the Decentralisation Policy by the Government in 2002. The Policy is aimed at decentralising, by devolution, some specified

functions of the Central Government to lower levels of government such as the province, district and sub district levels. Central to the significance of the sphere of local government is the concept of self-governance and administration, which should be exercised at the level closest to the people. These measures are aimed at improving efficiency and effectiveness of service delivery by involving local communities in decision-making in developmental issues and their implementation.

Since its launch, various aspects of the Policy have been implemented. Amongst the key areas of implementation are legislative reforms to institutionalise devolution through a comprehensive framework.

### **OBJECTS OF THE BILL**

6. The objects of the Bill are to-
  - (i) provide for an integrated local government system;
  - (ii) give effect to the decentralisation of functions, responsibilities and services at all levels of local government;
  - (iii) ensure democratic participation in, and control of, decision making by the people at local level;
  - (iv) revise the functions of local authorities;
  - (v) provide for the review of tariffs, charges and fees within an area of a local authority;
  - (vi) provide for the proceedings of the council and committees;
  - (vii) provide for the role of traditional leadership in democratic governance;
  - (viii) repeal and replace the Local Government Act, 1991; and
  - (ix) provide for matters connected with, or incidental to, the foregoing.

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

7. The salient features of the Bill are as set out below.

#### **PART I – Preliminary**

##### **Clauses 1 to 2**

This part provides for the short title and the interpretation of key terms in the Bill.

#### **PART II – Establishment and Constitution of Councils**

##### **Clauses 3 to 15**

Clause 3 provides the Minister with power to establish a district, city council, municipal council or statutory council. This power is to be performed by statutory order. Clause 4 empowers the Republican President with power to confer on a municipal council, the status of a city and city council. Clause 5 empowers the Minister to issue a statutory order to effect necessary changes as regards the constitution, property, rights, obligation and staff of a council whenever a council has been affected by change in its area, a new council has been established or where a council has ceased to exist.

Clauses 6, 7 and 8 respectively provide that a local authority is a body corporate, may sue and be sued in its own name and also have a seal of its own. Clause 9 provides for the functions of the mayor or council chairperson. Clause 10 provides for the circumstances under which a deputy mayor or deputy council chairperson may be elected and clause 11 provides that a deputy mayor or deputy council chairperson of a council shall hold office for a term of two and half years and may be re-elected for a further term.

Clauses 12, 13 and 14 respectively provide that a councillor shall take an oath in accordance with the *Official Oaths Act*, before taking up that office.

### **PART III – Functions**

#### **Clauses 16 to 30**

Clause 16 restricts the functions of a local authority to its area. Clause 17 provides that a local authority must discharge any function conferred on it under this Act subject to any other written law relating to the discharge of that function. Clause 18 provides that the Minister may subject to the Constitution, confer additional functions on a local authority. Clause 19 confers a local authority with powers to enter into a contract in the discharge of its functions while Clause 20 confers a local authority with power to make standing orders to govern the proceedings and business for preserving order at meetings of a council.

Clause 21 provides that a local authority may acquire land by an agreement while clause 22 provides for the circumstances under which a local authority may accept gifts of property. Clause 23 confers power on a local authority to sell, let or otherwise dispose of any property that belongs to the local authority, while Clause 24 provides for the circumstances under which a local authority may make grants or loans of money. Clause 25 confers power on a local authority to impose levies in various circumstances. Clauses 26 and 27 respectively provide that a proposed by-law or council resolution introducing a permit under this Act and any fees or charges that may be imposed by a local authority shall be subject to the *Business Regulatory Act No. 3 of 2014*. Clause 28 provides that the Emoluments Commission shall determine the allowances to be paid to a councillor. Clauses 29 and 30 respectively provide for the circumstances under which an alderman and a freeman may be appointed to those positions.

### **PART IV – Functions of the National Government in relation to Local Government**

#### **Clauses 31 to 35**

Clause 31 provides for the functions of the National Government that are exercised in relation with the powers and functions of a local authority. Clause 32 confers power on the Provincial Minister to monitor the functions of a local authority at provincial level while Clause 33 confers power on a ministry to provide technical support, training and advice to a local authority. Clause 34 provides for the manner in which the Minister may provide guidance to a local

authority while Clause 35 provides that a local authority must furnish the Minister with information that is necessary for the performance of the Minister's functions under this Act.

## **PART V – Ward Development Committees**

### **Clauses 36 to 39**

Clause 36 establishes Ward Development Committees in every local authority and provides for the composition of a Ward Development Committee. Clause 37 provides for the functions of the Ward Development Committee while clause 38 provides for the establishment of the Ward Development Executive Committee.

## **PART VI – Finance**

### **Clauses 40 to 52**

This part provides for various matters pertaining to finances under the Act. Many of the clauses are standard provisions that relate to corporate bodies. One of the salient provisions relating to finances under this part is clause 40, which states that the financial year of a local authority is twelve months and ends on 31<sup>st</sup> December each year while clause 43 provides that a local authority must open and maintain a bank account. In addition to the above, Clause 46 confers a local authority with the authority to invest funds of the local authority if it does not immediately require those funds.

Clause 47 provides that the Minister responsible for finance may, in consultation with the Minister make various regulations concerning the Local Government Equalisation Fund such as administration and management of the Equalisation Fund as well as the activities that the Equalisation Fund shall finance and the manner of financing those activities. Clause 48 provides for the manner in which a local authority may borrow sums of money that it may require for the purpose of carrying out its functions under this Act. Lastly, clause 52 provides that a person lending money to a local authority shall not be bound to inquire whether the borrowing of the money is legal or regular, or whether the money raised was properly applied.

## **PART VII – Civic Duties and Responsibilities**

### **Clauses 53 to 57**

Clause 53 provides that a councilor must perform civic duties and responsibilities with dignity while Clause 54 provides for the power of the Chief Justice to constitute an ad hoc Local Government Code of Ethics Tribunal whenever there is a recommendation for a councilor to vacate office. Clause 56 provides for the circumstances under which the Minister may suspend a councilor and also provides for the person who is authorised to conduct the functions of the councilor during the suspension by the Minister.

## **PART VIII – By-Laws and Regulations**

### **Clauses 58 to 67**

Clause 58 provides for the power of a local authority to make by-laws and also provides for the situations in which a local authority may be required to make by laws while Clause 59 provides that a by-law may be made in English or any other language that is necessary to communicate with the subject of the by-law. Clause 60 provides that a by-law made in accordance with the Act may prescribe penalties for failure to comply with the by-law. Clause 61 provides that a member of the public may object to a by-law, which has been published while Clause 62 provides that a by-law made by a local authority under this Act shall not have the force of law until approved by the Minister.

## **PART VIII – General Provisions**

### **Clauses 68 to 82**

This part provides for general provisions pertaining to the objects of the Bill such as Clause 69, which provides for situations in which a person commits a general offence under this Act and the sanctions that follow. Clause 80 provides for the issuance of statutory instruments for various matters for the better carrying out of the provisions of the Act. Clause 81 repeals the Local Government Act, Cap 281.

## **CONCERNS BY STAKEHOLDERS**

8. All the stakeholders who appeared before the Committee supported the Bill and stated that its enactment was long overdue especially that it was the principle legislation on local governance upon which the decentralisation, by devolution, is anchored as well as the operationalisation of a number of Acts passed by the House. However, the House of Chiefs did not support the Bill due to the lack of consultations before it was presented to the National Assembly. While supporting the Bill, stakeholders raised concerns as set out below.

### **Clause 2 – Interpretation**

- (i) Stakeholders noted that while the term “Authorised Officer” has been used in the Bill, the term has not been defined under this Clause. It was recommended that the term be defined accordingly and possibly maintained as defined under the *Liquor Licensing Act No.20 of 2011*.
- (ii) Stakeholders submitted that the definition of “levy” should be specific to read “*charges, fees and taxes imposed under this Act*”
- (iii) On the definition of “Municipality”, stakeholders proposed that it be recast to read “*a district for which a city council, municipal council and town council is established under this Act*”.
- (iv) Stakeholders submitted that the definition of “Ward Development Executive Committee” should be recast to read “*the ward development executive committee constituted under Section 42*”.

### **Clause 5 – Changes affecting districts**

Stakeholders submitted that under Clause 5 (1), reference to the First Schedule should be corrected to read “Second Schedule”.



### **Clause 6 – Incorporation of local authority**

Stakeholders raised concern with the proposed incorporation of a local authority as a body corporate with perpetual succession and capable of suing and being sued, among others. They noted that the Bill may have to expressly provide whether the legal status of a local authority would include the fact that a court order for an injunction or levying distress could be tenable against a local authority or that the local authority would be granted immunity. They submitted that the requisite immunity should be granted as levying distress on a local authority may cripple the operations of a local authority and make it difficult to carry out its mandate.

### **Clause 8 – Seal**

Stakeholders expressed concern with Clause 8 (2), which empowered the office of elected mayors or council chairperson and the principal officer to authenticate the seal. They contended that this may be a recipe for misunderstandings as the signing and sealing of documents should ordinarily be done by the principal officer who was also the controlling officer. Further, the mayor or council chairperson did not hold executive functions. Related to this, other stakeholders held the view that the Bill should clearly spell out who would be responsible for this action in the absence of the mentioned office holders. It was, therefore, recommended that the Clause be amended as follows:

*“subject to section 14, the affixing of the seal shall be authenticated by the Mayor/Council Chairperson for documents that are not of a contractual nature whereas all contracts shall be authenticated by the Principal Officer or any officer serving in that capacity by a resolution of the Council”*

### **Clause 9 – Functions of mayor or council chairperson**

(i) Clause 9 (1) – stakeholders noted that under the Clause, the jurisdiction for a mayor or council chairperson’s authority goes beyond the council to cover the entire local authority area. It was, therefore, recommended that the clause be recast as follows:

*“A mayor or council chairperson is the head of a local authority area”*

(ii) Clause 9 (2) – on the specific functions of the mayor or council chairperson, stakeholders submitted that best practice had shown that the functions of the office of mayor exceeded what was contained under this Clause. It was recommended that the clause should be expanded by the inclusion of the following sub clauses:

*“(e) ensure implementation of decentralisation as well as functions and responsibilities set out in the First Schedule;*

*(f) oversee the implementation of programmes and projects in the district; and*

*(g) carry out performance appraisals for the principal officer.”*

**Clause 11 – Tenure of office of deputy mayor or deputy council chairperson**

Stakeholders noted that the tenure of office for the deputy mayor or deputy council chairperson should be extended from the proposed two and half years to five years. This was premised on the fact that the deputy mayor or deputy council chairperson had no prescribed functions hence the position being part of the mayor or council chairperson respectively. Further, the stakeholders submitted that the condition of having elections for the position of deputy mayor or deputy council chairperson may result in divisions which may negatively affect service delivery. Other stakeholders were of the view that the office of deputy mayor and deputy council chairperson be completely removed as it was serving no purpose.

**Clause 12 – Oaths**

Stakeholders noted that the word “firm” should be recast to read “form” and the Clause should be amended accordingly.

**Clause 13 – Discharge of functions of mayor or council chairperson during vacancy or absence**

Stakeholders noted that Clause 13 (b) which provides for convening a full council meeting for the election of a councillor to discharge functions in the absence of both the mayor and deputy mayor and the council chairperson and deputy council chairperson is unnecessary and costly. It was proposed that to avert this situation, the mayor or council chairperson should be given the authority to appoint a councillor and the clause should be amended to read as follows:

*“in the absence of the deputy mayor or deputy council chairperson, by a councillor appointed by the mayor or council chairperson”*

**Clause 16 – Functions of local authority**

Stakeholders expressed concern that while the functions of local government were provided for under the Clause and subsequently listed in the First Schedule, the Schedule was to be read together with the schedules under Article 147 of the Constitution. It was submitted that in terms of providing for devolved functions in line with the National Decentralisation Policy, the Bill had regrettably failed to change the status quo. It was submitted that this needed to be harmonised accordingly.

**Clause 19 – Contracts**

Stakeholders were concerned that the Clause on contracts was at variance with the *Public Procurement Act No. 12 of 2008* which regulated contracts. They submitted that the Clause should be expunged from the Bill for lack of consistence with the principal law on procurement.

**Clause 20 – Standing orders**

Stakeholders were concerned that Clause 20 (1) (b) should be deleted as it was at variance with the *Public Procurement Act No. 12 of 2008*.

### **Clause 21 – Acquisition of land**

Stakeholders expressed concern that the clause may be a source of conflicts in communities in that it implicitly granted compulsory acquisition of land by local authorities. In addition, the inclusion of the President in the Clause had the potential to bring the name of the President in disrepute and conflict with communities. They, therefore, recommended that the Clause should be deleted from the Bill.

### **Clause 23 – Disposal of property**

Stakeholders expressed concern that Clause 23 (3) relating to the disposal of property by a local authority was not a best practice as local authorities had in most instances old items such as furniture, tyres, which required urgent disposal. The stakeholders submitted that section 67 (2) of the current *Local Government Act Chapter 281* which stated as follows be retained under the clause:

*“A Council shall not sell, let for a period of fourteen years or more, or otherwise dispose of, any land or building except with the approval of the Minister”*

### **Clause 24 – Grants and loans by local authority**

Stakeholders expressed concern that Clause 24 (4) seems to imply that only one association would be supported yet there were other associations that had been formed in line with international best practices. In this vein, it was recommended that the Clause be amended as follows:

*“A local authority may, with the approval of the Minister, make a grant payment of money to any association of local authorities or officers of the Local authorities established for the purpose of consultation as to the common interest of those local authorities and consequently the local government”.*

### **Clause 28 – Allowances**

Stakeholders were of the view that in order to be consistent with the provisions of the Constitution, the word “allowances” in Clause 28 should be substituted by the word “emoluments”. Further, a proviso be introduced to enable the Minister determine emoluments for a councillor in consultation with a local authority or its representative body in the absence of the Emoluments Commission.

### **Clause 29 – Alderman**

- (i) Clause 29 (1) – stakeholders expressed concern at the exclusion of former councillors in town councils under this Clause to be appointed to the dignity of Alderman. They contended that this practice was not only discriminatory but also demotivating to councillors in town councils given that councillors were equal regardless of the area they were elected to represent. They submitted that the Clause be amended as follows:

*“A city council, municipal council or town council may appoint to the dignity of alderman any person who has held office as a councillor of that council for a period or periods amounting in the aggregate to not less than ten years”.*

- (ii) Clause 29 (6) – stakeholders noted that attendance of a meeting of the council by an Alderman should be at the invitation of the principal officer and that such person be entitled to a sitting allowance. It was recommended that the sub clause should therefore read:

*“An alderman may attend a meeting of the council at the invitation of the principal officer and may be paid such sitting allowance as prescribed”*

### **Clause 30 – Freeman**

Stakeholders reiterated their concerns on excluding town councils in admitting the status of freeman of a city or municipality a person of distinction for eminent services rendered to a city or municipality. They submitted that what this Clause entailed was that town councils had no persons who could render eminent services to the town council. In this light, it was strongly recommended that the Clause be amended as follows:

*“A city council, municipal council or town council may admit to the status of honorary freeman of the city, municipal or town council a person of distinction who has rendered eminent services to the city, municipal or town council”.*

### **Clause 31 – Functions of Central Government**

- (i) Clause 31 (b) and (d)- stakeholders submitted that the Clauses were prescribing the same thing and, therefore, recommended that 31(d) should be deleted. Further, in order to avoid the instance of unfunded mandates being devolved to local authorities, Clause 31 (h) should be amended as follows:

*“fully finance local authorities in order to execute their devolved functions”*

- (ii) Clause 31 (h) – stakeholders noted that while the Clause provided that the Government had a responsibility to finance local authorities in order to execute their devolved functions, regrettably, the Clause was not clear on the source of the finances and whether it was mandatory. They submitted that the Clause should explicitly state that the finances and/or money meant for these devolved functions shall be paid directly to local authorities.

### **Clause 35 – Local authority to furnish Minister with information**

Stakeholders submitted that Clause 35 (2) should be deleted from the Bill as it was an administrative practice.

### **Clause 36 – Establishment of Ward Development Committee**

- (i) Clause 36 (3) (j) - stakeholders noted that since a councillor was an elected official in the ward, such a person was by virtue thereof, an automatic member of the Ward Development Committee and, therefore, could not be subjected to nomination by another institution or organisation. It was, therefore, recommended that the Clause should be deleted from the category of members to be nominated by their respective institutions and organisations.
- (ii) Clause 36(1) (b) – stakeholders noted that while the Clause specified that an extension officer from the department responsible for agriculture shall sit on the Ward Development Committee, it was noted that the boundaries of agricultural extension blocks and camps were not aligned with the ward boundaries. It was submitted that the Clause be amended accordingly.

### **Clause 37 – Functions of Ward Development Committee (WDC)**

- (i) Clause 37 - stakeholders expressed concern that while the Clause stipulated the functions of the Ward Development Committee, which was a substructure of the council in the main body of the Bill, the functions of the local authority on the other hand had been placed in the First Schedule. It was recommended that the whole section 37 should be placed under the Fourth Schedule of the Bill or in the alternative, transfer the First Schedule in the main body.
- (ii) Clause 37 (b) – stakeholders submitted that considering that the assignment under the Clause involved funds, the approval for this function should be sanctioned through a resolution of the full council as a measure to safeguard council funds. It was proposed that Clause 37 (b) should be amended to as follows:

*“collect revenue, levies and fees on behalf of a local authority upon being appointed to do so through a resolution of a council”*

### **Clause 38 – Ward Development Executive Committee**

- (i) Clause 38 (1) (a) - stakeholders expressed concern that while the Clause was explicit on who qualifies to be elected Chairperson for the Ward Development Executive Committee, the same was not the case with Clause 38 (1) (b) relating to the Vice Chairperson of the Ward Development Executive Committee, thereby implying that ex-officials qualified for this position. They proposed that the Clause be recast to read as follows:

*“the Vice Chairperson, who shall be elected from among the elected members from the zones”.*

- (ii) Clause 38 – stakeholders submitted that the provision for the Ward Development Executive Committee would be a super structure which was likely to create unnecessary divisions in the WDC. It was recommended that the office bearers in paragraphs (a) to (d) should, for the foregoing reason, be part of the main WDC. Accordingly, a subsection under section 37 be introduced to be recast as follows:

*“A Ward Development Committee shall elect the following office bearers*

- (a) A Chairperson who shall be elected from among the elected members from zones;*
- (b) Secretary; and*
- (c) Treasurer.”*

#### **Clause 41 – Budget**

Stakeholders noted with concern that reference under the Clause was made to the *National Planning and Budget Act 2018*, a piece of legislation that is nonexistent. It was, therefore, recommended that the Clause be deleted from the Bill.

#### **Clause 43 – Bank accounts**

Stakeholders were concerned that Clause 43 (1) limited local authorities to open and operate one account. They contended that given that local authorities had wide-ranging functions, there was need to have separate bank accounts for specific functions or assignments. It was proposed that the clause should be amended as follows:

*“A local authority shall open and maintain, at least, one bank account”*

Other stakeholders were of the view that the Clause should be deleted from this Part as it was already cited in Part I of the Bill.

#### **Clause 44 – Accounts**

Some stakeholders were concerned that while Clause 44 (3) empowered the members of the public to inspect council accounts and fosters transparency, the practicality of enforcing this provision may be a recipe for confusion. They recommended that the clause should be amended accordingly for local authorities to avail financial statements at a prescribed fee to the members of the public. In addition, it was recommended that the word *“accounts”* under the same clause should be replaced with the words *“financial statements”*.

#### **Clause 45 – Annual Report**

- (i) Clause 45 (1) – stakeholders expressed concern with the prescribed period of three months after the financial year to have the annual report with audited financial position and statement of income prepared and submitted to the Minister by the local authority. Not only was the period unrealistic but also impractical. They recommended that the period should be extended to six months.
- (ii) Clause 45 (3) - stakeholders noted that the reference to subsection (3) under the Clause should be to subsection (1). They stated that the Clause should be amended accordingly.
- (iii) Clause 45 (4) - stakeholders were of the view that considering that the financial statements for a local authority would be audited by the office of the Auditor General, who were on Government payroll, the need for a local authority to pay auditors’ fees did not arise. It was recommended that the Clause be deleted accordingly.

#### **Clause 46 – Investment of fund**

Stakeholders noted that since the decision to invest could be made at the time a local authority was preparing its budget, such a decision could not be restricted to a situation where excess funds had been realised. It was recommended that the Clause be amended as follows:

*“Subject to the Public Finance Management Act, 2018, a local authority may, with the approval of the Minister, invest the funds of a local authority”*

#### **Clause 47– Administration of Equalisation fund**

Stakeholders expressed concern that while Clause 47 (2) prescribed part utilisation of the equalisation fund, the Clause was silent on the salaries for officers to local authorities appointed by the Central Government. They wondered how officers under the local authority would be under different payroll systems. They proposed that the Clause should be expanded to provide another Clause to read as follows:

*“principal officers and officers of local authorities shall be paid from the central payroll (PMEC)”*

#### **Clause 48 – Authority to borrow and modes of borrowing**

Stakeholders noted with concern that the manner in which the Clause was crafted was at variance with Section 26 of the *Public Finance Management Act No 1 of 2018* which provided that any borrowing must be done in accordance with the *Loans and Guarantees (Authorisation) Act* which did not apply to local authorities. They contended that this may create serious gaps for local authorities to acquire loans and borrow using various instruments available in the market. Stakeholders were of the strong view that the Clause should be replaced by Section 47 of the current *Local Government Act, Chapter 281* which states as follows.

*“A council may, subject to the approval of the Minister, borrow funds as may be required for the financing of its functions in any of the following ways:*

- (a) By loan;*
- (b) By issuance of stock or bonds;*
- (c) By mortgage;*
- (d) By bank overdraft; and*
- (e) By loan from any other recognised source.”*

#### **Clause 51 – Suspension of payment of sums borrowed**

Stakeholders submitted that reference to the Minister under this clause should be the “Minister of Finance” in Line with the *Public Finance Management Act No1 of 2018*.

### **Clause 53 – Civic duties and responsibilities**

Stakeholders noted that whereas the Clause referred to the code of ethics for councilors, the Bill had not prescribed the civic duties of councillors upon which the code would be applied. They submitted that the civic duties of the councillor be prescribed under the Fifth Schedule.

### **Clause 54 – Constitution of Tribunal**

Stakeholders noted that while the Clause was important in dealing with disciplinary matters against the councillor, the provision did not state the grounds on which the same tribunal may be constituted. They contended that this may be subject to abuse, costly and time consuming for offences which were minor in nature. They submitted that the Clause should clearly state the offences under which the councillors may vacate office and pursuant to the said offences, a tribunal should be constituted to investigate.

### **Clause 60 – Penalties**

Stakeholders raised concern that while the provision on penalties was welcome, the omission for empowering local authorities to impose penalties especially where the offender admitted the offence may not help matters in resolving cases in an efficient manner. Further, it was argued this was an efficient administrative feature which had been addressed in most recent legislation such as the *Environmental Management Act No. 12 of 2011*, the *Mines and Mineral Development Act, No. 11 of 2015* and the *Solid Waste Regulation and Management Act No. 20 of 2018*, resulting in decongesting the courts as well as the costs associated with the prosecution of offenders. In this vein, stakeholders submitted that a provision be made under the Clause to empower local authorities to impose fines under given circumstances in order to avoid the unnecessarily red tape in dealing with penalties.

### **Clause 62 – Confirmation of by-laws**

Stakeholders submitted that while Clause 62 (3) was progressive, the current practice showed that the approval of by-laws by local authorities had taken longer than necessary due to the lack of a spelt out period in which this action would be taken. It was recommended that the Clause be amended as follows:

*“The Minister shall, within 30 days, after considering the application by a local authority-*

- (a) Approve the by-law*
- (b) Refuse to approve the by-law; or*
- (c) Approve the by-law in part, with the necessary modifications.*

### **Clause 73 – Legal proceedings**

Stakeholders noted that limiting Clause 73 (1) regarding the institution of criminal proceedings for contravening to only the Local Government Act was a serious omission especially that local authorities administered other pieces of legislation in carrying out their various functions. It was recommended that the Clause be amended as follows:



*“Subject to the National Prosecution Authority Act, 2010, a local authority may institute criminal proceedings against any person alleged to have contravened this Act and any other Act related to the functions of a local authority or a by-law of a local authority before a court in respect of a contravention of this Act or any relevant Act or any by-law of a local authority within its area.”*

#### **Clause 75 – Powers of arrest**

Stakeholders stated that Clause 75 (1) in the manner it was couched may be difficult to enforce and misinterpreted to imply that the offender would not be arrested until a warrant was secured or until approval was sought from the Inspector General of Police. In this light, stakeholders submitted that the Clause should be recast to read as follows:

*"subject to the Zambia Police Service Act, an authorised officer of a local authority may arrest without warrant any person on reasonable suspicion of the person having committed a contravention of this Act within the area of the local authority and may detain that person until that person can be delivered into custody of a police officer"*

#### **Clause 82 – Savings and transitional provisions**

Stakeholders submitted that Clause 82 (1) should be amended to make reference to the “Second Schedule” and not the “First Schedule”

#### **FIRST SCHEDULE**

- (i) Clause 3 (c) – stakeholders noted that the Clause was inconsistent with the *Noxious Weeds Act, Chapter 231* and *Plant Pests and Diseases Act, Chapter 233* for which Central Government shall be responsible for, especially in respect of sanitary and phyto-sanitary regulations that govern international trade. It was submitted that the clause be amended accordingly.
- (ii) Stakeholders also noted that the First Schedule omitted the provision of agricultural extension services to farmers and operation of facilities related to agricultural extensions services such as Farmer Training Centres (FTCs) under the functions of the local authorities. This may imply that provision of extension services would remain the preserve of the Central Government. It was, therefore, submitted that the provision of extension services be included in the functions of the local authorities under this clause.

#### **THIRD SCHEDULE**

- (i) Clause 8 (1) - stakeholders noted that the inclusion of a committee under the Clause was misplaced given that there was a specific section under Clause 12 (1) which specifically dealt with proceedings of committees. It was, therefore, recommended that the words "or a committee" be expunged from Clause 8 (1). The amended Clause should read as follows:

*“Subject to the provisions of sub-paragraph (2), all meetings of a council shall be open to the public”.*

- (ii) Clause 11(1) (a) and (b) - stakeholders noted with concern that the Clause supposedly includes other persons who were not elected members to sit on the Standing Committees, including the Finance Committee. It was stated that including non elected members of the committee to preside over financial matters would result in a number of challenges such as delayed service delivery as was the case with the current *Local Government Act, Chapter 281*. It was submitted that the Clauses 11 (1) (a) and 11 (1) (b) should be amended as follows:

*“11 (1) (a) a person other than a Councillor shall NOT be a member of the Finance Standing Committee;  
11 (1) (b) not less than two thirds of the members of a committee other than the standing committee of Finance shall be Councillors.”*

- (iii) Clause 13(3) – stakeholders noted with concern that the one month requirement for local authorities to submit the minutes of any proceedings of a committee to the Minister with a number of copies thereof, as the Minister may determine, is a very costly exercise. They submitted that the Clause should be amended in order to enable local authorities submit the minutes quarterly as was the practice in the existing *Local Government Act, Chapter 281*.
- (iv) Clause 17 – stakeholders expressed concern with the Clause on immunity which only protected council employees. They submitted that the immunity under this Clause should be extended to the mayor, council chairperson, deputy mayor, deputy council chairperson and councillor.

#### **FOURTH SCHEDULE**

- (i) Clause 2 (4) (b) – stakeholders noted the need to specify the legal qualifications of a member of the Ward Development Committee as was the case under the Ward Development Committee Guidelines.
- (ii) Clause 2 (4) (f) – stakeholders noted that the Clause should be amended to exclude a councillor from losing membership from a WDC for engaging in active politics since a councillor was a politician. It was submitted that the Clause should be amended as follows:

*“engages in active politics with an exception of a councillor”*

#### **FIFTH SCHEDULE**

- (i) Clause 15 (3) – stakeholders noted with concern that reference under the Clause had been made to the Local Government Elections Tribunal Court instead of the Local Government Code of Ethics Tribunal. They recommended that the Clause be recast to read as follows:

*“where a councillor is aggrieved by the decision of the Minister, the councillor may appeal to the Local Government Code of Ethics Tribunal”.*

- (ii) Clause 6 (d) – stakeholders were of the view that this provision for a councillor to ensure that official duties take precedence over other duties was misplaced as a councillor was not a full-time employee of a local authority. It was recommended that the clause should be deleted.
- (iii) Clause 10 and 11 – stakeholders noted that reference had been made in both clauses to a Chief Resident Magistrate yet some local authorities had no Chief Resident Magistrate and Magistrate in some instances. It was, therefore, recommended that the clauses should be amended accordingly.

### **OTHER CONCERNS**

9. The other concerns brought up by stakeholders are outlined hereunder.
- (i) Stakeholders expressed concern with Clause 37 (b) which provides for the Ward Development Committee to collect revenue, levies and fees on behalf of the local authority. They contended that providing for detailed functions of a substructure of the council, that is, the Ward Development Committee in the Act may create unnecessary misunderstandings especially that the functions of the local authorities have been clearly spelt out in the schedule. It, therefore, follows that such details must be placed under the First Schedule. Stakeholders recommended that Clause 37 should be removed from the main provisions and be placed under the First Schedule of the Bill with clear guidelines by local authorities on the mode of collection of revenue by Ward Development Committees for any avoidance of doubt.
  - (ii) Stakeholders noted with concern that whereas one of the objects of the Bill is to provide for the role of the traditional leadership in democratic governance, regrettably, the Bill was silent on this matter. This is despite the *Constitution of Zambia* under Article 153 providing for Chiefs (Traditional leadership) to sit as member of the councils. It was recommended that the Bill should include a section on traditional leadership accordingly.
  - (iii) Stakeholders were of the view that considering the functions of mayors or council chairpersons as espoused under Clause 9 of the Bill which required certain skills, the Clause should be amended to include appropriate academic qualifications for the occupants of the office in order to enhance the efficiency of this office.
  - (iv) Some stakeholders noted with concern that while the functions of the mayors or chairpersons had been spelt out in the Bill, the functions and qualifications for the chief executive officer had been omitted.

Stakeholders were of the strong view that the functions of the principal officer should be stated in the Bill especially that the Local Government Bill was the principle legislation for local governance. Other stakeholders held the view that prescribing the functions of the principal in the Bill was not necessary especially that they were subject to change from time to time.

- (v) Some stakeholders raised concern that the Bill lacked clarity on the provision of health services by local government in the light of pending decentralisation of primary health care services. This was more so especially on the need for clarity on the roles of the councils would be in the provision of primary health care services. They submitted that the proposed law should clearly prescribe devolved comprehensive health care service.
- (vi) Most stakeholders expressed concern that while the *Constitution of Zambia* prescribes the detailed functions for both the Central and Local Government, some functions for local authorities were not in harmony with the Revised Decentralisation Policy. This implied that the effective implementation of the proposed Local Government Act should ordinarily be preceded by the revision of the Republican Constitution. It was submitted that the schedule of the devolved functions in the Republican Constitution should be detailed and synchronised with the Revised Decentralisation Policy.
- (vii) Stakeholders noted that a number of existing legislation were at variance with the provisions of the Bill. They submitted that in order to avert any challenges in the implementation of the Act, there was need to include a supremacy clause in the Bill, especially that it was the principle legislation on local governance. Further, they submitted that all the existing Acts that were inconsistent with this Act should be amended in order to align them with the constitutional provisions.
- (viii) Stakeholders expressed concern that whereas the Bill was aimed at providing for an integrated local governance system, the Bill was, however, silent on how this would be achieved especially with the Service Commissions. They recommended that the Bill should explicitly state how these linkages with other institutions would be achieved.

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

10. Having considered the submissions and taking into account the concerns raised by stakeholders, the Committee fully supports the Bill, and urges the House to support it as its implementation will foster service delivery to the lowest organ of government and actualise the constitutional provisions as they relate to decentralisation by devolution. In this regard, it makes observations and recommendations as outlined below.

- (i) Clause 13 (b) – the Committee finds the Clause providing for the convening of a full council meeting for the election of councillor to discharge functions in the absence of both the mayor and deputy mayor or the council chairperson and deputy council chairperson unnecessary and costly. The Committee strongly recommends that in order to avert this situation, the mayor or council chairperson should be given the authority to appoint a councillor in their absence. The Clause should, therefore be amended as follows:

*“in the absence of the deputy mayor or deputy council chairperson, by a councillor appointed by the mayor or council chairperson”*

- (ii) Clause 16 (1) – the Committee observes that while the functions of local authorities are provided under the Clause and subsequently listed in the First Schedule, they are not consistent with what is provided under Article 147 of the Constitution. The Committee strongly recommends that the Schedule should be harmonised with both Article 147 of the Constitution and the revised National Decentralisation Policy accordingly.
- (iii) Clause 19 – the Committee notes that the Clause relating to contracts by local authorities is inconsistent with the *Public Procurement Act No. 12 of 2008* which regulates contracts. The Committee strongly recommends that the Clause should be expunged from the Bill accordingly.
- (iv) Clause 29 (1) – the Committee expresses concern with the exclusion of former councillors in town councils under this Clause to be appointed to the dignity of Alderman. It contends that this practice is not only discriminatory but also demotivating to councillors in town councils given that councillors are equal regardless of the area they are elected to represent. The Committee, therefore, strongly recommends that the Clause be amended as follows:

*“A city council, municipal council or town council may appoint to the dignity of alderman any person who has held office as a councillor of that council for a period or periods amounting in the aggregate to not less than ten years”.*

- (v) Clause 30 – the Committee, yet again reiterates its concerns on excluding town councils from admitting the status of Freeman of a city or municipality on a person of distinction for eminent services rendered to a town council. It contends that what this Clause entails is that town councils have no persons who could render eminent services to the town council thereby making it discriminatory. In this vein, the Committee strongly recommends that the Clause be amended as follows:

*“A city council, municipal council or town council may admit to the status of honorary freeman of the city, municipal or town council a person of distinction who has rendered eminent services to the city, municipal or town council”.*

(vi) Clause 37 – the Committee observes that while the clause stipulates the functions of the Ward Development Committee, which is a substructure of the council in the main body of the Bill, the functions of the local authority on the other hand have been placed in the First Schedule. The Committee recommends that the whole Clause 37 be placed under the Fourth Schedule of the Bill or alternatively transfer the First Schedule in the main body for consistence.

(vii) Clause 37 (b) – the Committee observes that considering that the function of collection of funds by WDCs under the Clause is a sensitive one and may result in misunderstandings between the local authorities and WDCs, the approval for this function should be sanctioned through a resolution of the full council as a measure to safeguard council funds. The Committee recommends that the Clause be amended as follows:

*“collect revenue, levies and fees on behalf of a local authority upon being appointed to do so through a resolution of a council”*

(viii) Clause 38 (1) (a) – the Committee expresses concern that while the Clause is explicit on who qualifies to be elected Chairperson for the Ward Development Executive Committee, to the contrary Clause 38 (1) (b) which relates to the Vice Chairperson of the Ward Development Executive Committee, is not clear thereby implying that even ex-officials qualified for this position. The Committee recommends that the Clause be amended accordingly.

(ix) Clause 38 – the Committee notes that the establishment of another body of the Ward Development Executive Committee is not only unnecessary but may also create divisions in the WDCs. It is the Committee’s view that the office bearers in paragraphs (a) to (d) should be part of the main WDC. Accordingly, a subsection under section 37 be introduced to be recast as follows:

*“A Ward Development Committee shall elect the following office bearers*

*(a) A Chairperson who shall be elected from among the elected members from zones;*

*(d) Secretary; and*

*(e) Treasurer.”*

(x) Clause 41 – the Committee is concerned that reference under the Clause is made to the National Planning and Budget Act 2018, a piece of legislation that is nonexistent. The Committee recommends that the Clause should be deleted from the Bill.

- (xi) Clause 45 (1) – the Committee finds the prescribed period of three months, after the financial year, to have the annual report with audited financial position and statement of income and expenditure prepared and submitted to the Minister by the local authority unattainable. Not only is the period unrealistic but also impractical. In this vein, the Committee recommends that the period should be extended to six months and the Clause should be amended accordingly.
- (xii) Clause 48 – the Committee observes that the Clause in the manner it is couched is at variance with Section 26 of the *Public Finance Management Act No 1 of 2018* which provides that any borrowing must be done in accordance with the *Loans and Guarantees (Authorisation) Act* which does not apply to local authorities. It contends that this may create serious gaps for local authorities to acquire loans and borrow using various instruments available on the market. The Committee strongly recommends that the Clause should be replaced by Section 47 of the current *Local Government Act, Cap 281* which states as follows.
- “A council may, subject to the approval of the Minister, borrow funds as may be required for the financing of its functions in any of the following ways:*
- (a) by loan;*
- (b) by issuance of stock or bonds;*
- (c) by mortgage;*
- (d) by bank overdraft; and*
- (e) by loan from any other recognized source.”*
- (xiii) Clause 53 – the Committee notes that whereas the Clause refers to the code of ethics for councillors, the Bill has not prescribed the corresponding civic duties for councillors upon which the code will apply. The Committee recommends that the civic duties for councillors should be prescribed under the Fifth Schedule accordingly.
- (xiv) Clause 54 – The Committee notes that while the Clause is important in dealing with disciplinary matters against the councillor, the provision does not state the grounds upon which the same tribunal may be constituted. It contends that this may be subject to abuse, costly and time consuming for offences which were minor in nature to be tabled before the tribunal. The Committee, therefore, recommends that the Clause should clearly state the offences under which the councillors may vacate office and pursuant to the said offences, a tribunal should be constituted to investigate them.
- (xv) Clause 60 – the Committee expresses concern that while the provision on penalties is welcome, the omission for empowering local authorities to impose penalties, especially where the offender admits an offence, may not help matters in resolving cases in an efficient manner.

Further, this provision is an efficient administrative feature which has been addressed in most recent legislation such as the *Environmental Management Act No. 12 of 2011*, the *Mines and Mineral Development Act, No. 11 of 2015* and the *Solid Waste Regulation and Management Act No. 20 of 2018*, among others, resulting in decongesting the courts as well as the costs associated with prosecution of offenders. In this vein, the Committee recommends that a provision be made under the Clause to empower local authorities to impose fines under given circumstance in order to avoid the unnecessary red tape in dealing with penalties.

- (xvi) Clause 62 (3) – the Committee notes that while the Clause on the confirmation of by laws is progressive, experience has shown the approval of by-laws by local authorities takes longer than necessary due to the lack of spelling out the period in which this action would be taken. It is recommended that the Clause should be amended as follows:

*“The Minister shall, within 30 days, after considering the application by a local authority-*

*(a) approve the by-law;*

*(b) refuse to approve the by-law; or*

*(c) approve the by-law in part, with the necessary modifications.*

- (xvii) Clause 73 (1) – the Committee observes that the clause empowers local authorities to institute criminal proceedings for contravening the Bill and yet local authorities administer other pieces of legislation in carrying out various functions. The Committee recommends that the clause should be amended to include other pieces of legislation as follows:

*“Subject to the National Prosecution Authority Act, 2010, a local authority may institute criminal proceedings against any person alleged to have contravened this Act and any other Act related to the functions of a local authority or a by-law of a local authority before a court in respect of a contravention of this Act or any relevant Act or any by-law of a local authority within its area.”*

- (xviii) First Schedule Clause 17 – the Committee is concerned with the immunity Clause which only protects council employees. It recommends that this immunity should be extended to the mayor, council chairperson, deputy mayor, deputy council chairperson and councillors respectively.

- (xix) Fourth Schedule Clause 2 (4) (f) – the Committee notes that the Clause on the tenure of office for Ward Development Committee members should be amended to exclude a councillor from losing membership from a WDC for engaging in active politics since a councillor is a politician. It submits that the clause should be amended as follows:



*“engages in active politics with an exception of a councillor”*

- (xx) The Committee is concerned that whereas one of the objects of the Bill is to provide for the role of the traditional leadership in democratic governance, regrettably, it is silent on this matter as there is no specific provision for the role of the traditional leadership in democratic governance. This is despite the Constitution of Zambia in Article 169 (5) (d) providing that the House of Chiefs shall initiate, discuss and make recommendations to a local authority regarding the welfare of communities in a local authority. The Committee recommends that the Bill should include a provision on role of traditional leadership in relation to decentralisation.
- (xxi) The Committee observes that while the Constitution of Zambia prescribes the detailed functions for both the Central and Local Government, the stated functions for local authorities are not synchronised with the Revised Decentralisation Policy. This implies that the effective implementation of the Local Government Bill should ordinarily have been preceded by the revision of the Republican Constitution. The Committee strongly recommends that with the anticipated revision of the Republican Constitution, the Schedule of the devolved functions should be detailed and synchronised with the Revised Decentralisation Policy in order to avoid possible conflicts that may negate the spirit of decentralisation by devolution of power.
- (xxii) The Committee notes with concern that a number of existing legislation are in conflict with some provisions of the Bill. This may pose as a challenge in the implementation of the Bill. The Committee strongly recommends that a supremacy Clause be included in the Bill, especially that it is the principle legislation on local governance.
- (xxiii) The Committee expresses concern that whereas the Bill is aimed at providing for an integrated local governance system, among other objectives, the Bill is, silent on how this will be achieved especially with other institutions, ministries and departments. In this regard, the Committee recommends that the Bill should explicitly state how these linkages with other institutions will be achieved.
- (xxiv) The Committee notes with concern that while the functions of the mayors or chairpersons have been spelt out in the Bill, the functions and qualifications for the chief executive officer have been omitted which may be a source of potential conflict between the mayor or council chairperson and the principal officer. The Committee strongly recommends that the generic functions of the principal officer should be stated in the Bill especially that the Local Government Bill is the principle legislation for local governance while the specific details can be issued by a statutory instrument.

## **CONCLUSION**

11. The Committee wishes to express its gratitude to all stakeholders who appeared before it and tendered both oral and written submissions. The Committee also wishes to thank you, Mr Speaker, for affording it an opportunity to scrutinise the Bill. The Committee also appreciate the services rendered to it by the Office of the Clerk of the National Assembly and the permanent witnesses from the Ministry of Justice.

We have the Honour, to be, Sir, the Committee on Local Governance, Housing and Chiefs' Affairs mandated to consider the Local Government Bill, N.A.B. No. 2 of 2019 for the Third Session of the Twelfth National Assembly.

Mr N Samakayi, MP  
**(Chairperson)**

Mrs S S Mulyata, MP  
**(Vice Chairperson)**

Mr G Chiyalika, MP  
**(Member)**

Mr M M Kabanda, MP  
**(Member)**

Mr M Chikote, MP  
**(Member)**

Dr E I Chibanda, MP  
**(Member)**

Mr E Musonda, MP  
**(Member)**

Mr C Chali, MP  
**(Member)**

Mr D Livune, MP  
**(Member)**

March, 2019  
**LUSAKA**

## **APPENDIX I – NATIONAL ASSEMBLY OFFICIALS**

Ms C Musonda, Principal Clerk of Committees  
Mr F Nabulyato, Deputy Principal Clerk of Committees (SC)  
Mr S Chiwota, Senior Committee Clerk (SC)  
Mr S C Samuwika, Committee Clerk  
Mr C Bulaya, Committee Clerk  
Mrs R T Mwila, Stenographer  
Mr M Chikome, Committee Assistant

## **APPENDIX II – THE WITNESSES**

### **Ministry of Justice**

Mr F Chilunga, Principal Legal Officer

### **Society of Local Authority – Chief Executives**

Mr B M Daka, President

Mrs M M Chocho, Vice President

### **Local Government Association of Zambia**

Mr C Kang'ombe, President

Mr M Mbolela, Executive Secretary

Mr D Longwe, Programme Officer

### **Cabinet Office, Management Development Division – Decentralisation Secretariat**

Mr A S Sakwiya, Director – Decentralisation Secretariat

Dr M Nswana, Assistant Director – Human Resource Management

Dr V Seti, Assistant Director

Mr B Musonda, Assistant Director

Mr B Chumpuka, Assistant Director

### **Zambia United Local Authorities Workers Union**

Mr K Zulu, President

Mr M Mulenga, Deputy General Secretary

### **Ministry of Health**

Mr K Malama, Permanent Secretary (Technical Services)

Dr A N Kabalo, Director – Health Promotion Environment and Social Determinates

Mr E M Malikana, Assistant Director – Health Policy

Dr A Mwiche, Assistant Director

Ms L M Liwewe, Head – Communications, Information and Research

### **Ministry of Water Development, Sanitation and Environmental Protection**

Dr Bishop Rev Chomba, Permanent Secretary

Mr O Katooka, Director – Department of Water Supply and Sanitation

Mr G F Gondwe, Director – Environmental Management Department

Mr T Musonda, Director – Planning and Information Department

Mr K Nyundu, Director – Water Resources Development

Mr M C Melele, Chief Human Resource Management Officer

### **Ministry of Lands and Natural Resources**

Mr N L Yumba, Permanent Secretary

Mr J Minango, Survey General

Mr M Kapalu, Principal Legal Officer

Mr E M Shitima, Acting Director – Climate Change and Natural Resources Management

Mrs A Mpolokoso, Acting Director – Planning and Information

Mrs A Banda, Chief Registrar

Mr C Silwimba, Chief Lands Officer  
Mr W L Sangulube, Chief Forestry Officer

**Ministry of Agriculture**

Mr S Zyambo, Permanent Secretary  
Mr P Lungu, Director – Agriculture  
Mr J Kalumbi, Director – Policy and Planning Department  
Mr M Chulu, Senior Agriculture Economist

**Civil Service Commission**

Mr H Chipango, Vice Chairperson  
Mr G Kamfwa, Commission Secretary  
Mr C Soko, Acting Chief Human Resource Management Officer  
Mr N C Kabanda, Senior Human Resource Management Officer  
Ms J M Malitoli, Member  
Mr M Nyambose, Member

**Teaching Service Commission**

Mr S M'hango, Chairperson  
Ms I N Anagasishe, Vice Chairperson  
Mr Z Luhanga, Commission Secretary  
Mr M Sendoi, Commissioner  
Ms H M Chileshe, Commissioner  
Mrs N M Zulu, Senior Human Resource Management Officer

**Local Government Service Commission**

Mr A Musonda, Chairperson  
Mr L Mulenda, Commission Secretary  
Mrs M K Makowa, Commissioner  
Mr E N Mumba, Commissioner  
Mr P H Zimba, Deputy Commission Secretary

**Ministry of General Education**

Dr J Kalumba, Permanent Secretary  
Mr L Mwansa, Director – Planning and Information  
Dr S Mwape, Director – Standards and Curriculum  
Ms D Daka, Parliamentary Liaison Officer

**Livingstone City Council**

Ms C Chibiliti, Town Clerk  
Ms P P Kaungu, Council Advocate

**Kasenengwa District Council**

Mr M Masiye, Council Secretary

**Chingola Municipal Council**

Mr K Mutakela, Town Clerk

**Lusaka City Council**

Mr A Mwansa, Town Clerk

Mr J K Chisoko, Director – Finances

Mr H Kachejela, Director – Administration and Human Resource

**Chibombo District Council**

Mr R W Simfukwe, Council Secretary

Mr J Ng’uni, Council Treasurer

**Sikongo District Council**

Mr E Kalunga, Council Secretary

**Ministry of Chiefs and Traditional Affairs – House of Chiefs**

Chief Kaputa, Member and Chairperson of Committee

Chief Ngabwe, Member

Chief Chipepo, Member

Chieftainess Muwezwa, Member

Chief Chamuka, Member

Mr J Kawangu, Deputy Clerk

Mr C Chikobo, Committee Clerk

Ms K Chitesha, Committee Clerk

**Ministry of Finance – Secretary to the Treasury**

Mr F K Yamba, Secretary to the Treasury

Mr R Bwalya, Executive Assistant to the Secretary to the Treasury

Mr M Chanda, Director Finance – Local Government

Mr D Banda, Assistant Director – Intergovernmental Fiscal Architecture

Mr M Akapelwa, Assistant Director – Planning, Policy and Research

Ms V Y Kaulung’ombe, Senior Economist

Mr K F Kambwe, Senior Economist

Ms K Hangoma, Acting Senior Budget Analysis

**Zambia Congress of Trade Unions**

Mr C Mukuka, Secretary General

Mr E Njovu, Deputy Secretary General – Administration and Organisation

Ms O Silimi, Director – Regional Organisation

Mr L Makinishi, Director – Education and Training

Ms A Chola, Director – Organisation

Mr J Beene, Deputy Secretary General – Finance

Mr M Kamanisha, Deputy Director – Research and Economics

**Ministry of Local Government**

Hon V Mwale, Minister

Mr A Malupenga, Permanent Secretary

Ms M C Kapanda, Director – Local Government Administration

Ms N Munthali, Director – Planning and Information