



REPUBLIC OF ZAMBIA

REPORT

OF THE

COMMITTEE ON CABINET AFFAIRS

ON THE

**ZAMBIA INSTITUTE OF ADVANCED LEGAL EDUCATION (AMENDMENT)
BILL, N.A.B. NO. 56 OF 2026**

FOR THE

FIFTH SESSION OF THE THIRTEENTH NATIONAL ASSEMBLY

Published by the National Assembly of Zambia

FOREWORD

Honourable Madam Speaker, the Committee on Cabinet Affairs has the honour to present its Report on the Zambia Institute of Advanced Legal Education (Amendment) Bill, N.A.B. No. 56 of 2026, for the Fifth Session of the Thirteenth National Assembly. The functions of the Committee are set out under Standing Orders 206(m) and 207(j) of the National Assembly of Zambia Standing Orders, 2024.

The Committee held two (2) meetings to consider the Bill. In order to gain insight into the ramifications of the Bill, the Committee sought both written and oral submissions from various stakeholders. The list of stakeholders is at Appendix II of the Report.

The Report is in three parts. PART I highlights the background, objectives and salient provisions of the Bill, PART II covers concerns raised by stakeholders and PART III contains observations and recommendations made by the Committee.

The Committee wishes to pay tribute to all stakeholders who appeared before it and tendered both oral and written submissions. It further wishes to thank you, Madam Speaker, for affording it an opportunity to study the Zambia Institute of Advanced Legal Education (Amendment) Bill, N.A.B. No. 56 of 2026. The Committee also appreciates the services rendered by the Office of the Clerk of the National Assembly during its deliberations.

PP *[Signature]*

Andrew Z Lubusha,
CHAIRPERSON

May, 2026
LUSAKA

ACRONYMS

ZIALE – Zambia Institute of Advanced Legal Education

TABLE OF CONTENTS

1.0	Membership of the Committee.....	1
2.0	Background	1
3.0	Object of the Bill.....	1
4.0	Provisions of the Bill.....	1
5.0	Submissions and Concerns from Stakeholders	2
6.0	Committee’s Observations and Recommendations	4
7.0	Conclusion	5
	Appendix I-List of National Assembly Officials.....	6
	Appendix II-List of Witnesses.....	7

1.0 MEMBERSHIP OF THE COMMITTEE

Mr Andrew Z Lubusha, MP (Chairperson); Ms Sibeso Sefulo, MP (Vice Chairperson); Mr Elias Musonda, MP; Mr Peter Phiri, MP; Mr Kaliye Mandandi, MP; Mrs Chushi Kasanda, MP; Rev Given Katuta Mwelwa, MP; Mr Newton Samakayi, MP; Dr Christopher Kalila, MP; and Mr Cliff Mpundu, MP.

PART I

2.0 BACKGROUND

For decades, the Government of Zambia has overseen the professional legal training of practitioners through the Zambia Institute of Advanced Legal Education (ZIALE), established under the principal Act. Whilst this legal framework has served as the foundation for post-graduate legal education, the governance structure of the Institute's Council has gradually diverged from the evolving requirements of Zambia's expanding legal and academic landscape. Consequently, the necessity for a more inclusive and modernised governing body, one that reflects the emergence of diverse public and private higher education sectors, has become increasingly apparent.

A review of the existing legislative framework suggests that ZIALE is yet to fully integrate the breadth of representation and the administrative agility now required of its Council. Under the principal Act, the Council's composition was notably more concentrated, lacking the inclusion of representatives from private higher education institutions and specialised legislative drafting experts. Furthermore, there is a pressing need to harmonise the institution's financial and administrative operations with contemporary constitutional standards, specifically regarding the transparent determination of emoluments for its leadership and staff through the Emoluments Commission. Without these updates, the Institute operates under a governance model that does not yet encompass the full spectrum of specialised expertise available within the modern legal fraternity.

Addressing these requirements, the *Zambia Institute of Advanced Legal Education (Amendment) Bill, N.A.B. No. 56 of 2026* has been introduced. Once enacted, the Bill will restructure the Council to incorporate a broader array of stakeholders. Additionally, the Bill formalises a modern administrative hierarchy by clearly defining the roles of the Secretary and other staff under the guidance of the Emoluments Commission. Such a legislative intervention is essential to modernise the governance of legal education and provide for matters connected with, or incidental to, the efficient administration of the Institute.

3.0 OBJECT OF THE BILL

The object of this Bill is to:

- (i) revise the composition of the Council of the Zambia Institute of Advanced Legal Education; and
- (ii) provide for matters connected with, or incidental to, the foregoing.

4.0 PROVISIONS OF THE BILL

Clause 1 – Short Title and Commencement

The clause provides for the citation of the Act and establishes the commencement date. The clause specifies that the Act, once enacted, shall come into operation upon the expiry of the term of office, or removal by the Minister, of the members of the Council currently in office.

Clause 2 – Amendment of Section 2

The clause provides for the insertion of new definitions in the principal Act to enhance clarity. These definitions include "Emoluments Commission", "legally disqualified", "private higher education institution", and "public higher education institution".

Clause 3 – Repeal and Replacement of Section 5

This clause seeks to repeal and replace the section governing the composition of the Council. It sets out a revised list of part-time members, which includes the Attorney-General as Chairperson, judicial officers, and representatives from the Law Association of Zambia and the Zambia Institute of Chartered Accountants. The clause further reduces the total number of Council members from twelve (12) under the current Act to eleven (11) as proposed in the Bill.

Furthermore, the clause establishes the eligibility criteria for appointment, stipulating that individuals who are undischarged bankrupts or have certain criminal convictions are disqualified from serving on the Council.

Clause 4 – Amendment of Section 6

The clause provides for the circumstances under which the office of a member of the Council becomes vacant. These circumstances include death, bankruptcy, resignation, legal disqualification, or removal by the Minister. Additionally, a vacancy arises if a member is absent from three consecutive meetings without a reasonable excuse or ceases to be a member of the organisation they represent.

Clause 5 – Insertion of Section 10B

The clause introduces a new section relating to the allowances of Council and committee members. It provides that such allowances shall be determined by the Emoluments Commission upon the recommendation of the Minister.

Clause 6 – Amendment of Section 14

The clause seeks to amend the principal Act to modernise the determination of emoluments for the Institute's leadership. It provides that the Emoluments Commission shall, on the recommendation of the Council, determine the salaries and benefits of the Director and Deputy Director. The Council remains responsible for determining other terms and conditions of service.

Clause 7 – Repeal and Replacement of Section 15

The clause provides for the appointment of a Secretary and other staff necessary for the Institute's functions. It specifies that the Emoluments Commission shall determine the emoluments for these positions, while the Council establishes the remaining terms and conditions of service.

PART II

5.0 SUBMISSIONS AND CONCERNS FROM STAKEHOLDERS

The stakeholders generally supported the modernisation of the governance framework for the Zambia Institute of Advanced Legal Education (ZIALE). However, while some stakeholders expressed full agreement with the Bill, others raised specific concerns regarding the reduction of stakeholder diversity, administrative overlaps, and the impact on institutional independence.

The detailed concerns are set out below:

5.1. Clause 2 – Interpretation

5.1.1. Lack of Clarity on Disqualification

Regarding the definition of "legally disqualified" and the provisions in Clause 3 (proposed Section 5(5)(c)), stakeholders noted a lack of specificity. They argued that the Bill does not sufficiently define the specific criteria that would disqualify a member from performing their functions, potentially leading to arbitrary removals.

5.2. Clause 3 – Composition of the Council

5.2.1. Reduction in Stakeholder Representation

Stakeholders highlighted a significant contraction in representation compared to the principal Act. They observed that while the 1996 framework included a dean and a senior lecturer from both public and private universities, the 2026 Amendment limits this to only one dean from each sector. Stakeholders argued that removing senior lecturers eliminates voices directly engaged in curriculum delivery, thereby weakening the link between policy and practical implementation.

5.2.2. Representation of the Practising Bar

Concerns were raised regarding Clause 3 (proposed Section 5(1)(k)), which reduces the number of legal practitioners on the Council from two to one. Stakeholders submitted that this diminishes the input of the practising profession in an institution that serves as the primary gateway to legal practice. Furthermore, they noted that the Bill lacks clear criteria for the appointment of the practitioner, which could lead to arbitrary selections.

5.3. Clause 5 – Remuneration and the Emoluments Commission

5.3.1. Duplication of Provisions

Stakeholders observed a potential legal conflict between the proposed Section 10B and the existing Section 6A of the principal Act. They argued that retaining both would create inconsistency, as Section 6A requires Ministerial approval of allowances, while Section 10B shifts the Minister's role to one of initiation. To ensure legislative clarity, they recommended adopting Section 10B exclusively.

5.3.2. Impact on Institutional Independence

While stakeholders acknowledged that involving the Emoluments Commission promotes transparency and standardisation, concerns were raised regarding ZIALE's operational autonomy. They argued that introducing an external body into internal governance might create additional layers of bureaucracy and potentially affect the Institute's independence.

5.5. Administrative Hierarchy

5.5.1. Appointment of Secretary and Staff

Stakeholders expressed support for the updated provisions in Clause 7 regarding the appointment of the Secretary and other staff. They noted that defining these roles under the direction of the Council and the Director provides a more structured administrative framework for the performance of the Institute's functions.

PART III

6.0 COMMITTEE’S OBSERVATIONS AND RECOMMENDATIONS

After carefully considering the submissions from various stakeholders, the Committee notes that while the Zambia Institute of Advanced Legal Education (Amendment) Bill, N.A.B. No. 56 of 2026 is a commendable effort to modernise the governance and financial administration of the Institute, several provisions require refinement to ensure stakeholder balance, administrative coherence, and legal clarity. In this regard, the Committee sets out the following observations and recommendations.

6.1. The Committee notes that the revised composition of the Council under Clause 3 significantly reduces the diversity of representation from key academic and professional sectors. It further observes that the removal of senior lecturers and the reduction of legal practitioners from two to one may weaken the vital link between legal education, policy and the practical realities of the practising Bar.

The Committee therefore recommends that the Ministry adopts a more measured approach to the Council’s composition, preserving a wider range of professional and academic expertise to ensure that the Institute remains responsive to the needs of the legal fraternity.

6.2. The Committee expresses concern at the lack of clarity regarding the definition of “legally disqualified” and the criteria for the removal of a member under Clause 3. It observes that, in the absence of clear and objective standards of what constitutes an inability to perform functions, there is a risk of arbitrary removal.

The Committee therefore recommends that explicit criteria or references to established legal standards be included to promote transparency and safeguard the tenure of Council members.

6.3. The Committee identifies a potential legislative inconsistency between the proposed Section 10B introduced under Clause 5 and the existing Section 6A of the principal Act. It notes that retaining both provisions would result in procedural inconsistency concerning the respective roles of the Minister and the Emoluments Commission in determining allowances.

To enhance legislative clarity, the Committee recommends that Section 6A be repealed, allowing Section 10B to operate as the sole and coherent framework for remuneration, thereby aligning the Institute with modern constitutional standards.

6.4. The Committee observes that, while the involvement of the Emoluments Commission in Clauses 6 and 7 promotes national fiscal uniformity, it is essential that this does not undermine the operational independence of the Institute.

The Committee recommends that the Council’s authority to determine terms and conditions of service, excluding emoluments, be adequately safeguarded, so as to ensure that ZIALE maintains the administrative flexibility needed to manage its staff and unique institutional requirements effectively.

6.5. The Committee observes that the Bill does not specify the criteria for the appointment of the legal practitioner and the deans from private higher education institutions.

6.5. The Committee observes that the Bill does not specify the criteria for the appointment of the legal practitioner and the deans from private higher education institutions.

The Committee recommends that the Bill be refined to include clear nomination and appointment guidelines for these positions, ensuring that the selection process is merit-based and reflective of the diverse interests within Zambia's legal and academic landscape.

7.0 CONCLUSION

The Committee supports the *Zambia Institute of Advanced Legal Education (Amendment) Bill, N.A.B. No. 56 of 2026*, as an important legislative initiative aimed at modernising the governance and financial administration of the country's leading legal training institution. By broadening the Council's composition to incorporate private higher education institutions and aligning remuneration structures with national standards, the Bill introduces necessary reforms that reflect Zambia's evolving academic and legal environment.

However, the Committee emphasises that, for the legislation to be fully effective and inclusive, the identified gaps relating to stakeholder representation and legal clarity must be addressed. Enhancing the balance between academic and professional representation on the Council, clarifying the criteria for disqualification, and removing procedural overlaps involving the Emoluments Commission will help ensure that the Bill advances the interests of both the Institute and the wider legal profession. The Committee, therefore, urges the House to approve this Report and trusts that the Executive will implement these recommendations in order to create a robust, transparent, and modernised governance framework for legal education in Zambia.

P.P. 

Andrew Z Lubusha,
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 Andrew T Siwale, Committee Clerk

Ms Ruth Nambule, Administrative Assistant

Mr Daniel Lupiya, Senior Committee Assistant

Mr Muyembi S Kantumoya, Committee Assistant

Ms Taona Chabinga, Committee Assistant

Ms Emma Mwandila, Intern

Ms Dorothy Kapanji, Intern

APPENDIX II – LIST OF WITNESSES

Law Association of Zambia

Ministry of Justice

Zambia Institute of Advanced Legal Education