

REPORT OF THE COMMITTEE ON LANDS, ENVIRONMENT, AND TOURISM FOR THE FOURTH SESSION OF THE ELEVENTH NATIONAL ASSEMBLY APPOINTED ON 25TH SEPTEMBER, 2014

Consisting of:

Mr R Chitotela, MP (Chairperson); Mr R Muntanga MP; Mr K Chipungu, MP; Mr R Mwewa, MP; Dr S Musokotwane, MP; Mr O C Mulomba, MP; Mr H S Chansa, MP; and Ms M Miti, MP.

The membership of your Committee changed when Mr R Chitotela, MP (Chairperson), was appointed Deputy Minister. Mr R Muntanga, MP, was subsequently elected as Chairperson of your Committee and Prof N G Willombe, MP, was appointed to serve on your Committee.

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

Sir,

Your Committee has the honour to present its Report for the Fourth Session of the Eleventh National Assembly.

Functions of the Committee

2. In addition to any other duties placed upon it by the Honourable Mr Speaker or any Standing Order or any other order of the Assembly, the duties of your Committee on Lands, Environment and Tourism are as follows:

- (a) to study, report and make appropriate recommendations to the Government through the House on the mandate, management and operations of the Government ministries, departments and/or agencies under their portfolio;
 - i. to carry out detailed scrutiny of certain activities being undertaken by the Government ministries, departments and/or agencies under their portfolio and make appropriate recommendations to the House for ultimate consideration by the Government;
 - ii. to make, if considered necessary, recommendations to the Government on the need to review certain policies and/or certain existing legislation; and
 - iii. to consider any Bills that may be referred to it by the House.

Meetings of the Committee

3. During the year under review, your Committee held fifteen meetings.

Procedure adopted by the Committee

4. During the course of its deliberations, your Committee considered and adopted the programme of work as set out below.

- (a) Consideration of the Auditor-General's Performance Reports on:

- (i) Management of Environmental Degradation caused by Mining Activities;
and
 - (ii) Management of Wildlife.
- (b) Consideration of the topical issue on the Role of Arts and Culture in National Development.
- (c) Foreign tour of Ghana.
- (d) Consideration of the Action-Taken Report on the Report of the Committee for the Third Session of the Eleventh National Assembly.
- (e) Consideration of the Committee's draft report.

PART I

CONSIDERATION OF TOPICAL ISSUES

THE ROLE OF ART AND CULTURE IN NATIONAL DEVELOPMENT

The submissions received by your Committee on this topical issue have been categorised into two. The first category consists of the submission from the Ministry of Tourism and Arts, while the second category consists of submissions from other stakeholders.

SUBMISSION FROM THE MINISTRY OF TOURISM AND ARTS

5. Your Committee was informed that the arts and culture sector was critical to the socio-economic development of the country. The sector had the potential to contribute to the economic growth necessary to foster employment creation. However, the ability to exploit the sector depended on both the public and private sector. The field of arts and culture was cross-cutting and encompassed: performing, visual, and fine arts; architecture; graphic design (landscape design, billboard design, signage design), interior design; and hand crafts. The field of arts and culture further encompassed design, new media, systems and products. Apart from film, digital media and video, arts and culture also included humanities and historic preservation; literature; folklore; and other creative activities. Culture, therefore, could be viewed as the arts as well as the intangible shared beliefs, values, and practices of a community.

Your Committee was informed that the arts and culture sector was dynamic and was continually developing and changing. For example, the ways in which arts and culture activities were defined, manifested, and valued varied from one locality and community to the other. The arts and culture sector was, therefore, intertwined with all forms of human activity and daily life, such that conceptualising it required a discriminative understanding of the roles played by different players and constituents as the roles were not necessarily fixed.

The Policy and Legal Framework Governing the Arts and Culture Sector

Your Committee was informed that the Ministry of Tourism and Arts was responsible for the formulation and implementation; as well as monitoring and evaluation of the arts and cultural-related policies and pieces of legislation. The Ministry was also responsible, through the National Arts Council, for coordination of all arts and cultural activities in the nation. In addition, the Ministry worked with other line ministries on matters related to arts and culture.

The Government, through the National Cultural Policy of 2003, fostered the preservation, development and promotion of Zambia's rich diverse cultural heritage. This in turn gave impetus to the enhancement of the creative arts and cultural industries for employment and wealth creation giving rise to the sector's contribution to the overall development process of the country. Further, the National Cultural Policy aimed at bringing together various aspects of culture such as museums, copyright and intellectual property rights, the arts, folklore, cultural industries, natural and cultural heritage in order to support a holistic strategy for the development of the sector. The Policy provides guidelines for the safeguarding of heritage while putting in place interventions aimed at promoting investment and building the capacity of cultural institutions, and the sector in general, for the benefit of the people of Zambia.

Your Committee was informed that in order to ensure that culture and arts were well protected and preserved, the Government had enacted various pieces of legislation which include the following:

- (i) *the National Archives Act;*
- (ii) *the National Arts Council Act;*
- (iii) *the National Museums Act;*
- (iv) *the National Heritage and Conservation Act;*
- (v) *the Chiefs Act;*
- (vi) *the Forests Act;*
- (vii) *the Copyright and Performance Act;*
- (viii) *the Trade Marks Act;*
- (ix) *the Witchcraft Act;*
- (x) *the Lands Act;*
- (xi) *the Environmental Management Act;*
- (xii) *the Science and Technology Act;*
- (xiii) *the Patents Act; and*
- (xiv) *the Employment Act.*

Your Committee was further informed that in order to remain part of the global village, the Government had continued the process of domesticating and implementing the international agreements that Zambia was party to, such as:

- (i) the 1954 Convention for the Protection of Cultural Properties in the Event of Armed Conflict;
- (ii) the 1970 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property;
- (iii) the 1972 Convention on the Protection of the World Cultural and Natural Heritage;
- (iv) the 2001 Convention on the Protection of the Underwater Cultural Heritage;
- (v) the Convention for the Safeguarding of the Intangible Cultural Heritage (ICH);
- (vi) the 2005 Convention on the Protection and Promotion of the Diversity of Culture Expressions;
- (vii) the Dakar Plan of Action for Cultural Industries;
- (viii) the African Union Charter;
- (ix) the Southern African Development Community (SADC) Protocol on Culture Information and Sport; and

- (x) the African Caribbean Pacific (ACP) agreements.

The various Players and their Roles in Arts and Culture

It was explained to your Committee that the arts and culture sector had a number of stakeholders, namely: Government ministries; arts and cultural associations; individuals; and private sector organisations who played different roles in the implementation and interpretation of the National Cultural Policy. Outlined below were some of the notable stakeholders and the roles they played.

Ministry of Education, Science, Vocational Training and Early Education

The role of the Ministry of Education, Science, Vocational Training and Early Education was to:

- (a) develop and promote indigenous knowledge, genetic resources and folklore;
- (b) provide technical support in cultural research;
- (c) develop Arts and Culture Curricula;
- (d) integrate Information and Communication Technology (ICT) in cultural development;
- (e) provide guidance on apprenticeship and vocational training in cultural disciplines; and
- (f) promote the learning of local languages.

Ministry of Information and Broadcasting Services

The role of the Ministry of Information and Broadcasting Services was to:

- (a) disseminate cultural information;
- (b) protect copyright and intellectual property rights;
- (c) administer copyright; and
- (d) develop, promote and market the cultural goods and services.

Ministry of Home Affairs

The Ministry was responsible for preserving records and registration of publications.

Ministry of Justice

The role of the Ministry was to:

- (a) review laws relating to the cultural affairs in collaboration with the Ministry of Tourism and Arts and other stakeholders; and
- (b) administer Customary Law.

Ministry of Youth and Sport

The role of the Ministry was to:

- (a) promote youth participation in the arts and culture;
- (b) integrate culture in sports programmes; and
- (c) develop and promote traditional games and other indigenous sports.

Ministry of Commerce, Trade and Industry

The role of the Ministry was to:

- (a) promote the development of cultural industries through empowerment programmes;
- (b) protection of indigenous knowledge through patents; and
- (c) facilitate export of cultural goods and services.

Ministry of Finance

The role of the Ministry was to:

- (a) mobilise and provide financial resources for the development of cultural infrastructure; and
- (b) facilitate tax and other incentives to the arts and cultural sector.

Ministry of Transport, Works, Supply and Communication

The role of the Ministry was to:

- (a) provide development of cultural infrastructure; and
- (b) supervise and certify cultural infrastructure.

Ministry of Health

The Ministry was responsible for the promotion of acceptable traditional health practices; and spearheading research into traditional medicines.

Ministry of Agriculture and Livestock

The role of the Ministry was to:

- (a) promote the preservation of local/indigenous crops; and
- (b) promote indigenous farming methods.

Ministry of Chiefs and Traditional Affairs

The role of the Ministry was to:

- (a) enhance governance systems in chiefdoms; and
- (b) conserve and preserve both movable and immovable cultural and natural heritage and culture and arts in their various forms.

Cabinet Office

The role of Cabinet Office under the office of the President was to:

- (a) provide logistical support towards cultural performances at State functions; and
- (b) guide development and implementation of cultural policy.

The Non Governmental Organisations and Community Based Organisations

The roles of Non-Governmental Organisations (NGOs) and Community Based Organisations (CBOs) were to:

- (a) complement the Government's efforts in cultural preservation;
- (b) initiate and implement cultural programmes;
- (c) advise the Government on cultural matters; and
- (d) mobilise resources to supplement implementation of cultural programmes

The National Arts Council of Zambia

The National Arts Council of Zambia was established through the *National Arts Council of Zambia Act, Chapter 170* of the Laws of Zambia. The Council was established to fulfill the mandate of developing, coordinating, regulating and promoting all art forms throughout Zambia.

Government's Programmes in Arts and Culture Sector

Your Committee learnt that the Government, through the Ministry of Tourism and Arts, fostered the development, promotion and preservation of Zambia's cultural heritage and arts through various disciplines, including, but not limited to the following:

- (i) traditional and contemporary music and dance;
- (ii) visual arts and crafts;
- (iii) theatre arts;
- (iv) culinary arts;
- (v) literary arts;
- (vi) fashion and dress;
- (vii) traditional knowledge systems; and
- (viii) all forms of both tangible and intangible cultural heritage.

These functions were performed in collaboration with various stakeholders in both the Government and the private sector, since the arts and culture sector was a multi-sectoral one.

State Functions

Your Committee was informed that the Ministry of Tourism and Arts, through the Entertainment and Religious Sub-Committee of the Committee of Permanent Secretaries on State Functions, coordinated religious state functions with church mother bodies, organised cultural entertainment for all state and public functions such as:

- (a) ceremonial opening of Parliament;
- (b) Africa Freedom Day;
- (c) International Trade Fair;
- (d) Kitwe and Lusaka Agricultural and Commercial Shows;
- (e) independence celebrations; and
- (f) any other state functions.

Cultural Infrastructure

The Ministry of Tourism and Arts was responsible for the rehabilitation and construction of cultural infrastructure at national and provincial levels such as provincial cultural villages, the National Cultural Centre, theatres and galleries. The Ministry was in the process of constructing and rehabilitating seven cultural villages, namely:

- (i) Mansa Cultural Village in Mansa, Luapula Province;
- (ii) Kabwata Cultural Village in Lusaka, Lusaka Province;
- (iii) Muchinga Cultural Village in Chinsali, Muchinga Province;
- (iv) Kifubwa Cultural Village in Solwezi, North Western Province;
- (v) Mwela Rock Cultural Village in Kasama, Northern Province;
- (vi) Kapata Cultural Village in Chipata, Eastern Province; and
- (vii) Masala Cultural Village in Ndola, Copperbelt Province.

The aim was to have cultural infrastructure in each province to enhance access by cultural practitioners to facilities for production, exhibitions, performances and skills training in the creative industries.

Cultural Media

The Ministry documented traditional ceremonies and arts and cultural activities nationwide in order to provide a repository to arts news and cultural information.

Public Performances

Your Committee was informed that the Ministry of Chiefs and Traditional Affairs was responsible for the National Dance Troupe, which was based in Livingstone. The National Dance Troupe provides entertainment during state and public functions and was used to showcase the country's rich cultural heritage at international cultural and tourism fairs.

Promotion of Creative and Cultural Industries

Creative industries comprised the creation, development, marketing and distribution of products and services resulting from human creativity. These could be tangible products and intangible intellectual assets, with economic and cultural value and creative content.

The Government, through the Ministry of Tourism and Arts, provides grants to identified players to facilitate the purchase of equipment, tools, raw materials and skills training in order to contribute to employment creation, poverty reduction and wealth creation. During the 2014 financial year, the Government budgeted for K 20,157,149.00 for infrastructure development and arts and cultural operations.

Folklore and Intangible Cultural Heritage Programme

This programme was aimed at fostering the safeguarding of Zambia's folklore and intangible cultural heritage by mainstreaming it in community and national development.

Policies and International Cultural Cooperation

The Ministry was responsible for development of the National Cultural Policy and other related Acts and Regulations. It also oversaw the promotion of international cultural exchange programmes and the drafting, signing and implementation of international protocols, conventions and agreements.

Capacity Building Programme

This programme was aimed at the development of human capital in the arts and cultural sector.

Cultural and Arts Research Department

The Department facilitated and undertook cultural research aimed at utilising research findings for building the body of knowledge for educational archiving and entertainment purposes.

Number of Jobs and Contribution to Gross Domestic Product (GDP) from the Arts and Culture Sector

The creative industries had been recognised as an important catalyst for job creation. In this regard, the Government had prioritised the development of this sector in its medium term plans. Tourism and the creative industries were expected to contribute 300,000 jobs to the targeted

1,000,000 jobs by 2016.

In understanding the number of jobs created in the arts and cultural sector, it was important to recognise the characteristics of the sector. Artists could carry on multiple jobs at the same time and most of these jobs were short term in nature. Another characteristic to consider when analysing arts and cultural-related jobs was that it was a product of collective efforts. This meant that while an art presentation may be done by an individual, its creation may have involved a number of people.

Avenues for direct jobs in the arts

The avenues for direct job creation in the arts were broad and varied as follows:

- (a) arts festivals;
- (b) advertising (electronic and print);
- (c) handcraft productions;
- (d) furniture designing;
- (e) culinary arts;
- (f) fashion, dress and clothing;
- (g) film and television;
- (h) video/audio visual;
- (i) graphic design;
- (j) software and application;
- (k) entertainment and show business;
- (l) cinema;
- (m) radio production;
- (n) visual arts exhibition;
- (o) writing and publication;
- (p) events and ceremonies (product launches or international days);
- (q) concerts, live performances including music, dance and theatre); and
- (r) artistic promotion.

Avenues for indirect job creation in the arts

The arts not only fostered direct job creation, but also stimulated the creation of indirect jobs. For example, when a theatre group staged a play at the Lusaka Play House, there were many other activities that supported it. The fashion designers that made the costumes; the restaurants that provided meals to the audience before or during the show; and the taxis that provided transport to the event indirectly created job.

Job Categories under Arts sector

In the arts sector, various types of job were created which may be direct or indirect; and included the following:

- (a) permanent jobs;
- (b) seasonal jobs that occurred at specific times in a year such as during the trade fair, agriculture shows, international days or traditional ceremonies;
- (c) event-related jobs, such as arts festivals or concerts;
- (d) short, medium and occasional jobs related to the specific project; and
- (e) apprenticeship, attachment and internship.

Estimates of Jobs created

Your Committee learnt that the arts and culture sector did not have a mechanism for monitoring

jobs created in the sector. In this regard, the estimates of the number of jobs created were based on the events or activities that took place in a given year. This number was then multiplied by an average number of possible artists that participated in that particular event. In some cases, specific numbers were known whilst in others rough estimates were made based on the average number of artists per group. These numbers were estimates and just gave an indicative picture of jobs created in the sector as shown in the table below for the year.

Art Activity	Number of Events	Jobs created
Traditional ceremonies	45 x 170 artists per ceremony	7,650
Trade Fair	10 traditional dance troupe with an average of 20 people	200
	7 contemporary music groups with an average of 12 people	84
	150 sign writers and graphic designers	150
Handcraft producers	Round estimate(Based on fairs and crafts markets held on a weekly basis)	10,000
Adverts	TV - 750 per month	3,750
	Radio - 650 per month	3,250
Music	Concerts and other programs 2,100 jobs per month in music sector	18,900
Arts promotion	Registered ones in nine months 33 x 24 artist per promoter	7,128
Film and video	Round estimate	1,000
Fashion , dress and clothing	Round estimate	1,000
Graphic design	Round estimate	72
Estimated total		53,184

Challenges faced by the Arts and Culture Sector in Zambia

Your Committee was informed that the arts and culture sector face a number of challenges. These include the following:

- (a) general lack of appreciation of the economic value of culture, hence its low prioritisation on the Government's development agenda, resulting in low funding;
- (b) threat of loss of identity due to globalisation;
- (c) dilapidated and inadequate infrastructure for the promotion of the arts. This had hindered the production and marketing of culture at local and international level;

general decline in financial resources to the cultural sector had adversely affected capital projects and programmes; this had resulted in the steady erosion of the capacity of cultural institutions to effectively contribute to national development. In addition, inadequate funding to the cultural sector had led to the dilapidation of cultural infrastructure, resulting in poor quality service delivery to clients and the public in general; this had also discouraged private sector investment in the cultural industry, thereby stifling competition which was a pre-requisite for good management and efficient and effective provision of quality public services;

- (d) inadequate trained human resources due to limited integration of cultural disciplines in the education and training programmes;
- (e) inadequacies of the policy framework which has negatively affected investment in the cultural industry; the policy should encourage more private sector participation in the industry;
- (f) inadequate markets for cultural products and services in Zambia were identified as a major obstacle to the development of a truly vibrant and economically viable cultural sector; and
- (g) fragmentation of the administration of the arts and cultural sector by various ministries; for example museums and heritage under the Ministry of Chiefs and Traditional Affairs, national archives under the Ministry of Home Affairs, art and music training under the Ministry of Education, Science, Vocational Training and Early Education; copyright and intellectual property administration under the Ministry of Information and Broadcasting Services.

Measures to Enhance the Role of the Arts and Culture in National Development

The measures specified below were identified to enhance the role of Arts and Culture in National Development.

- (a) In order to improve the standards of artistic, creative and cultural expression and products, the Government should establish district, provincial and national cultural centres across the country. This measure would address the problem of the inadequate and inappropriate infrastructure for artistic and intellectual creation.
- (b) The revision of the policy framework would enhance promotion of private sector participation in the industry through investments as well as in the development of the performing arts.
- (c) The promotion of awareness campaigns to sensitise law enforcement agencies, the public and all stakeholders on the need to respect copyright and avoid piracy to ensure that arts realised good returns from their intellectual capital.
- (d) In order to improve the coordination of the Government institutions that were involved in the delivery of cultural services; the Ministry should re-open high level dialogue on the establishment of the National Cultural Heritage, Commission and enactment of the Bill for its establishment.
- (e) The Ministry should step up the development of cultural industries and promotion of creative expressions through the review of all relevant pieces of Legislation in order to provide appropriate and comprehensive regulatory framework.

Your Committee was informed that arts and culture present a fundamental dimension to development. The sector constituted important elements of national development while at the same time contributed to the well being of the individuals through their identity with culture. However, the low appreciation among the general population of the role of the arts in national development would continue to undermine the efforts made by public institutions charged with its development. This implies that balanced and sustainable development could only be achieved by making cultural factors an integral part of the strategies designed to make development work.

Your Committee was informed that that the Government, through the Ministry of Tourism and Arts, endeavours to facilitate participation by all in the creation and enjoyment of Zambia's cultural wealth. The Committee learnt that unless people had access to arts and cultural facilities and participated actively in the preservation and promotion of their cultural heritage, contributing to sustainable national development would be a distant reality. The Government also took cognisance of the fact that as globalisation took place, culture could be a tool in fostering peace not only at global level but also within the country.

Despite the creation of the National Arts Council as a statutory body, there were limited policy guidelines for the coordination of administration of various aspects of arts and culture. This was because the administration of arts and culture was spread in various ministries, making smooth coordination difficult. This lack of coordination had impacted negatively on the preservation, development and promotion of the cultural sector.

SUBMISSIONS BY OTHER STAKEHOLDERS

6. The following stakeholders also made submissions before your Committee:

- (i) National Arts Council;
- (ii) National Museums Board;
- (iii) National Heritage and Conservation Commission;
- (iv) Zambia Association of Musicians;
- (v) Zambia Association of Media Arts;
- (vi) National Theatre Arts Association of Zambia;
- (vii) Visual Arts Council; and
- (viii) Crafts Producers' Representatives.

The stakeholders' concerns are outlined hereunder.

Loss of heritage through vandalism and uncoordinated urban developments

Some of the stakeholders complained that vandalism and uncoordinated urban developments had impacted negatively on certain heritage sites. Vandalism at heritage sites had manifested itself in the theft of bronze plaques and theft of heritage objects/artefacts/specimens. Heritage resources had been lost or destroyed through illegal land allocation and poorly planned developments. In some cases, people collected heritage objects from their original sites, thereby contributing to permanent loss of heritage and values of that particular site. Some developments near or at heritage sites did not comply with Environmental Impact Assessment Regulations.

Expansion and modernisation of urban settlements had resulted in heritage structures being demolished and replaced by modern structures. This usually happened without the knowledge of the National Heritage Conservation Commission. Addressing these anomalies had been a challenge considering that the developers did obtain the necessary approvals from local authorities and owners of the land had title.

Poor accessibility to heritage sites

Your Committee was informed that a number of sites were located in remote areas where construction of tarred roads was considered economically unjustifiable in the short to medium term. Accessibility to a number of heritage sites, therefore, remained a challenge. The situation was exacerbated during the rainy season. Some of the affected heritage sites include: David Livingstone Memorial Site in Chitambo; Lumangwe Falls in Kawambwa/Mporokoso, Kalambo Falls, and Ingombe Illede in Chirundu.

Inadequate marketing of heritage sites

Stakeholders informed your Committee that very little had been done to promote awareness of heritage sites in Zambia despite the national heritage register showing an increase in heritage site statistics. For example, sites like the Chimpempe Falls were not well known to the general public. Effective marketing and packaging could improve the number of domestic and international tourists visiting the heritage sites, thereby contributing to national development. For instance, the Victoria Falls and a few other natural heritage sites have been advertised, but not well packaged.

Invasive Alien Species Control and Management

Your Committee was informed that the Mosi-oa-tunya/Victoria Falls World Heritage site's aesthetic values were threatened by an invasive species, *Lantana camara*. The species has colonised the surfaces of the gorges and threatened to displace indigenous vegetation. Your Committee was further informed that there were three recommended methods of controlling the species namely: mechanical, chemical and biological. The mechanical and chemical methods seemed to be more effective if they could be rolled out on a larger scale, but due to inadequate funding, only a small area was cleared at a time which was later recolonised by the same species.

High levels of piracy

Stakeholders submitted that artists, especially in the music and film industry, complained about high levels of piracy in Zambia. They lamented that despite the introduction of a hologram which artists purchased at great cost, there appeared to be reluctance on the part of the Government to fight piracy. According to the artists, the Government did not want to alienate its voters who were involved in selling of pirated CDs and DVDs.

Lack of local and international distribution network of arts and cultural products and services

Most stakeholders lamented the lack of access to the international market as well as the lack of support for their products within the country by Government institutions (such as the Zambia National Broadcasting Services).

Committee's Observations and Recommendations

7. Your Committee makes the observations and recommendations set out below.

(a) Fragmented administration of the arts and culture

Your Committee notes that the various aspects of arts and culture are strewn across several ministries, rendering the administration of the sector ineffective. This also diminishes the value of resources going to the sector as they are not pooled into one ministry. For instance, the museums and heritage's under the Ministry of Chiefs and Traditional Affairs; the National Archives under the Ministry of Home Affairs; art and music training is under the Ministry of Education, Science, Vocational Training and Early Education; and copyright and intellectual property administration's

under the Ministry of Information and Broadcasting Services.

(b) *Fragmented Legal Framework*

Related to the fragmented administration of the arts and culture is the issue of a fragmented legal framework. This poses a challenge to a well-coordinated regulation of the sector. Legislation that governs the various aspects of the creative sector is spread across different functions of the Government. These include:

- (i) *Theatres and Cinematography Exhibition Act, Chapter 158 of 1932* (Ministry of Information and Broadcasting Services);
- (ii) *National Cultural Policy of 2003* (Ministry of Chiefs and Traditional Affairs);
- (iii) *Zambia National Broadcasting Corporation (Amendment) Act of 2010* (Ministry of Information and Broadcasting Services);
- (iv) *Zambia Mass Communications Act of 1996* (Ministry of Information and Broadcasting Services);
- (v) *Independent Broadcasting Authority Act No. 17 of 2002* (Ministry of Information and Broadcasting Services);
- (vi) *Information Communication Technology Act No. 15 of 2009* (Ministry of Information and Broadcasting Services);
- (vii) *Copyright and Performance Rights Act, No. 25 of 2010* (Ministry of Information and Broadcasting Services);
- (viii) *Zambia National Museums Act, Chapter 174 of the Laws of Zambia* (Ministry of Chiefs and Traditional Affairs);
- (ix) *National Heritage Act* (Ministry of Chiefs and Traditional Affairs);
- (x) *National Archives Act Chapter 175 of the Laws of Zambia* (Ministry of Home Affairs);
- (xi) *The Libraries Act* (Ministry of Education);
- (xii) *Intellectual Property Policy* (Ministry of Commerce Trade and Industry);
- (xiii) Information and Communications Technology (ICT) Policy (2005); and
- (xiv) Traditional Knowledge, Genetic Resources and Expressions of Folklore Bill (2011) (currently under Ministry of Commerce, Trade and Industry).

Additionally, in Zambia, legislation is normally tied to a particular Ministry and each Ministry gets funds for specific projects under its remit. In the case of a fragmented sector, enforcement and monitoring resources are thinly spread across Government ministries instead of being pooled into one basket for effective use. A fragmented regulatory framework also makes it difficult to effectively monitor the impact of regulation. It is also challenging to develop a regulatory strategy that will be focused towards common results.

(c) *Dilapidated and inadequate infrastructure for the promotion of the Arts*

There is a general lack of infrastructure to support the development of the arts and culture sector in Zambia. This hinders the production and marketing of culture at local and international levels, thereby eroding the capacity of cultural institutions to effectively contribute to national development.

(d) *Inadequate trained human resources due to limited integration of cultural disciplines in the education and training programmes*

The lack of educational and training institutions for art related disciplines, especially at tertiary level, has hindered the development of all forms of artistic expression such as music, film-making and designing.

(e) *Proposed creation of another statutory body to coordinate the art and culture sector*

Your Committee notes that the Government has plans to create another statutory body that will coordinate all the various institutions dealing in art and culture related issues. This statutory body will be in addition to the existing ones such as the National Heritage Conservation Commission, the National Arts Council and the National Museums Board.

(f) *Lack of infrastructure at heritage sites*

Your Committee notes that the various heritage sites around the country generally lack appropriate infrastructure such as roads, trails, viewing points and visitor accommodation. These are demotivating factors to many a tourist who desire to visit sites that are in remote areas and whose access roads are in bad condition.

In light of the foregoing, your Committee makes recommendations as set out below.

- a. The Government should revise its placement of the various aspects of arts and culture across ministries which renders the administration of the sector ineffective.
- b. The Government should undertake a review of all legislation relating to the art and culture sector with a view of either consolidating these laws or bringing them under the administration of one ministry.
- c. The Government should urgently undertake to create a statutory authority that will coordinate and oversee all arts and culture in the country. Your Committee urges the Government to explore other options of enhancing coordination in the arts and culture sector.
- d. The Government should facilitate the creation and construction of the necessary infrastructure for the arts and cultural sector.
- e. The Government should ensure that all aspects of arts and culture are sufficiently integrated and provided for within the school system, with relevant curricula especially at tertiary level.
- f. The Government should extend its infrastructure development to heritage sites around the country to make them accessible and attract more visitors.

PART II

FOREIGN TOUR OF GHANA

8. Your Committee undertook a foreign tour of Ghana in order to exchange views with various stakeholders in that country on the role of arts and culture in national development.

Your Committee held meetings with various stakeholders and also paid a courtesy call on the First Deputy Speaker of the Parliament of Ghana. The major findings of your Committee are presented below.

Meeting with the Committee on Trade, Industry and Culture

During the tour, your Committee held a meeting with the Parliamentary Committee on Trade, Industry and Culture which provides oversight on the Ministry of Tourism, Culture and Creative Arts, among others.

Your Committee was informed that culture played an important role in the Ghanaian society in general and the tourism sector in particular. To this end, the Government had established the Ministry of Tourism, Culture and Creative Arts. Your Committee was further informed that preservation of culture was a major priority; therefore, culture was incorporated in the school curriculum from elementary school right through to university level. This helped to ensure preservation of culture and contributed to Ghana's national identity. Culture was a strong unifying factor and had helped in the maintenance of peace in the country.

Your Committee learnt that culture was preserved through the mystifying of certain natural resources such as forests and rivers which were considered to be sacred. The importance of such practices was that they played a role in fostering national development because they helped to reduce deforestation and pollution, thereby helping to conserve natural resources. Similarly, certain initiation rites for young girls and boys taught the dangers of early sexual debut and therefore, helped to curb sexually transmitted infections and early pregnancies. This consequently led to a healthy future generation that would contribute to national development.

Your Committee was informed that culture played a very important role in tourism. Entrance fees that were charged at various cultural heritage sites contributed to Government revenue. Additionally, Ghana exported a lot of cultural arts and crafts and this contributed to the country's Gross Domestic Product (GDP).

Ministry of Tourism, Culture and Creative Arts

Your Committee visited the Ministry of Tourism, Culture and Creative Arts and was informed by the Minister that the Ministry was realigned in 2013, to provide a firm and stable policy environment for effective mainstreaming of Ghanaian culture into all aspects of national life and to ensure the strong emergence of a vibrant creative economy that would improve and advance the tourism industry.

The Ministry's mandate was to facilitate the interface between the Government, implementing bodies in tourism, culture and the creative industries as well as with international and civil society partners.

Your Committee learnt that the Ministry's policy objectives were to:

- (a) diversify and expand the tourism industry for revenue and accelerated job creation;
- (b) intensify the promotion of domestic tourism;

- (c) promote sustainable and responsible tourism so as to preserve historical, cultural and natural heritage;
- (d) develop a competitive creative arts industry;
- (e) strengthen the regulatory and institutional framework for the development of national culture; and
- (f) harness culture for national development.

Your Committee learnt that Ghana's tourism brand was based mainly on culture and hence the reason for the realignment of the Ministry. The Ministry had fourteen agencies under it managing various aspects of tourism, culture and creative arts. The Ghana Tourism Authority (GTA) and the National Commission for Culture (NCC) were statutory bodies that promoted the role of arts and culture in national development. Plans were underway to transform the NCC into an authority so as to give it a wider mandate. In addition, each region had a Centre for National Culture to promote both regional and national arts and culture. These centres had district offices and were responsible for the promotion of culture from the grassroots level.

The Minister explained that without culture, a country had no identity. Arts and culture were the driving force behind Ghana's tourism. The country had a rich culture and history and this attracted a lot of tourists, especially during the various cultural festivals of each of the country's regions. In addition, a national arts and culture festival was held annually and this was also a major tourist attraction. During this festival, the various arts and culture of each region were showcased. Cultural festivals generated a lot of business for the various service providers in the tourism, transport and hospitality sectors, supporting both commercial and small business. This contributed to employment creation and consequently to national development.

The Ministry, through its various agencies, encouraged each region to promote its arts and culture. Each district and each region was encouraged to raise revenue for development by promoting and showcasing the uniqueness of its culture. Well performing, entities within each region were allocated funds from the Tourism Development Fund to help grow their businesses.

Your Committee was informed that creative arts were an important tool for skills transfer and passing on the knowledge of making crafts and theatre performing thereby creating a large employment pool. It was, therefore, important for the Ministry to promote the harnessing of such skills.

Ghana Tourism Authority (GTA)

Your Committee visited the GTA and was informed that it was established by an Act of Parliament in 2011. The GTA was formerly known as the Ghana Tourist Board (GTB). The functions of the GTA encompassed the previous functions under the GTB and had wider functions to cover new areas in the tourism and hospitality sectors. The Authority was the main implementing agency responsible for regulation, marketing and promotion, research and statistics, product development and investments as well as human resource development. Under the GTA, a Tourism Development Fund was established to which all tourism businesses were expected to contribute 1 per cent of their annual business sales.

Your Committee was informed that the main focus of the GTA was to ensure the promotion of responsible and sustainable tourism development so as to contribute to national development. Culture was one of the main products of Ghana's tourism and the country did not undermine its role in the promotion of tourism. The country had managed to preserve its culture even after colonialism and this had been an advantage to the tourism industry. Your Committee was further informed that Ghana's rich history was also a major tourist attraction. There were major heritage

sites that attracted tourists such as the remnants of the slave trade. Your Committee learnt that the GTA worked in collaboration with several organisations to promote visual and creative arts as part of the tourism product.

Your Committee was informed that tourism accounted for 4.7 percent of Ghana's Gross Domestic Product (GDP). However, one of the biggest challenges was to identify how much culture contributed to the tourism sector in terms of GDP. There had been no desegregation of statistics to show the specific contribution of culture despite the big role that culture played in Ghana's tourism.

The GTA had to ensure that it marketed the right tourism product that would attract tourists. Ghana received over 1,000,000 tourists in 2014, with revenue of over US\$2,000,000. The traditional tourist market for Ghana had been the United Kingdom, but in the past five years the trend had changed, with more tourists visiting from the United States of America. Ghana had also seen a rise in tourists from other countries. The number of Ghanaians in the diaspora that visited Ghana as tourists stood at over 124,600 in 2014.

Greater Accra Centre for National Culture

Your Committee toured the Centre for National Culture in Accra popularly known as the Arts Centre. The Arts Centre is an autonomous statutory body mandated to promote the development of creative arts. The Centre had twelve district offices within the Greater Accra Region in order to enhance the promotion of arts and culture.

Your Committee learnt that each of the ten regions of Ghana had a Centre for National Culture performing the same functions as the one in Accra. Each regional centre was first and foremost mandated to promote the arts and cultural heritage of the local area, but also had the mandate to showcase and promote national arts and culture.

Your Committee was informed that the Arts Centre managed the market stalls in which traders sold various artefacts and crafts. Some of the market stalls were constructed and owned by the centre and rented out to tenants. Other stalls had been constructed by occupiers on land that had been allocated to them by the Government. The Centre also catered for performing arts and housed a number of theatre groups. Performers were able to display their work in the Centre's theatre or could perform in different locations throughout the country, including during arts and cultural festivals.

The Centre Director informed your Committee that over sixty percent of the visitors to the Centre were foreigners. Additionally, the Centre had managed to create linkages with people in foreign countries and was able to export crafts and artefacts depicting Ghanaian culture from all over the country. In addition, the Centre had in the past exhibited at international tourism fairs in collaboration with the Ghana Tourism Authority.

During the time of your Committee's tour, the Greater Accra Region was observing a month of silence. This was a cultural practice that was observed annually. The ban on noise making was a ritual in most traditional festivals in Ghana and this particular ban was a prelude to the Ga Homowo Festival. It was seen as a ritual of silence and peace. The period was meant to be a time of quiet reflection and self-denial. During this period, residents were not allowed to beat drums, sing and clap or make any unnecessary noise. It was imposed after the sowing season and was meant to allow for the multiplication of fish in the rivers and growth of crops. Your Committee learnt that this was very important in determining the quantity and quality of the crop and fish yield.

University of Ghana School of Performing Arts

Your Committee visited the University of Ghana, School of Performing Arts. The School had three academic departments and offered both local and international students interesting theoretical and practical courses in the performing arts. The School offered courses in language, culture and the creative arts. According to the Dean, these were the pillars of national development in most societies, as they were the major tools for socio-economic development and social change. The teaching, research programmes and performances were avenues for the recognition, maintenance, sustenance, documentation and preservation of Ghana's cultural heritage and national identity. It also taught the meaning, history and economic contribution of the performing arts. The School continued to motivate lecturers and students to enhance their skills, knowledge and research in African creative arts and combine the practical and theoretical aspects of performance. It was an important source of documentation on Ghanaian culture for future generations.

Your Committee was informed that arts and culture gave society a creative approach to solving problems. As a result, the School inculcated an appreciation of culture in students. Students were taught to tap from traditional and indigenous knowledge practices in areas such as values, teachings and traditional medicine. However, because culture was dynamic, the School also incorporated modern practices in the performing arts into the curriculum so as to enrich Ghana's culture.

The School of Performing Arts provided professional services to many agencies, including the Ghana Education Service; National Commission on Culture; Ghana National Theatre; Ghana Broadcasting Services; the numerous radio stations in the country; video film production outfits; professional and amateur performance groups; and creative arts agencies. Further, graduates from the school were able to work in many economic sectors such as the film industry, education and banking because the School produced well rounded graduates. It would continue to train students to find their place in the world market and in industries both locally and internationally.

Your Committee was treated to a performance from students of the school depicting the culture of each of each of the regions of Ghana. The performance also depicted the role of culture in bringing about peace and harmony in the country.

Visit to Cape Coast Castle

Your Committee toured Cape Coast Castle which is one of the forty slave castles that were built on the Gold Coast of West Africa (now Ghana) by European traders. It was originally built by the Swedes for trade in timber and gold, but later used in the trans-Atlantic slave trade. Your Committee learnt that slave castles were used to hold slaves before they were loaded onto ships and sold in the Americas, especially the Caribbean. Slaves were kept at the Cape Coast Castle in dungeons while awaiting transportation to the new world. Around 1,000 male slaves and 500 female slaves occupied the castle at any one time in separate dungeons. Each slave would be locked up for six to twelve weeks, waiting for their turn to board one of the ships. The dungeons must have been unbearable with hundreds of slaves crammed in together with no sanitation facilities. There were only a few windows to let in fresh air, and a channel down the middle to carry away excrement which completely covered the floor of the dungeons.

Your Committee was informed that the Castle was one of Ghana's cultural heritage sites and a major tourist attraction. While it was a source of painful memories, the Castle had been preserved as it was an important part of Ghana's history.

Committee's Observations and Recommendations

Your Committee notes that the arts and culture sector has an important role in national development and if well harnessed can bring benefits to communities and to a country as a whole.

It can create jobs, attract investments, generate tax revenues, and stimulate local economies through tourism and consumer purchases. Arts and culture can help enhance the quality of life and are an important complement to community development. Your Committee further notes that Ghana has, to a great extent, recognised the potential contribution of arts and culture to national development. Your Committee, therefore, makes the observations as set out hereunder.

- (i) Arts and culture play a major role in Ghana's tourism sector.
- (ii) The importance attached to arts and culture in Ghana is evidenced by their incorporation into the school curriculum from elementary school all the way up to tertiary education. The University of Ghana School of Performing Arts bears testimony to the importance attached to arts and culture in the education curriculum.
- (iii) The establishment of centres for culture in each region of Ghana is an effective means of promoting the development of the creative arts industry in each region and for supporting the grassroots arts and culture industry which can drive local and consequently national development. At the heart of the creative industries are individual artists. Providing support to these artists brings about entrepreneurial opportunities both inside and beyond their regions and this offers many economic development possibilities. Arts and culture and its related industries provide jobs, attract investments, and stimulate local economies through tourism, consumer purchases, and tax revenue.
- (iv) While the tourism sector as a whole contributes to Ghana's GDP, the contribution of arts and culture to the sector cannot easily be assessed or determined.

Arising out of the above, your Committee makes the recommendations set out below.

- (i) Your Committee recommends that arts and culture should be well packaged as part of the tourism product of the country because they play a vital role in the tourism sector.
- (ii) While noting the introduction of arts in the school curriculum, your Committee strongly urges the Government to ensure that this is rolled out to all levels of the education system. Your Committee further recommends that departments of cultural studies, and creative and performing arts, should be established in the country's public institutions of higher learning.
- (iii) Your Committee recommends that the Government should promote and support research and development in the arts and culture sector as they are not static but dynamic concepts.
- (iv) Your Committee recommends that the National Arts Council of Zambia should be supported to decentralise its operations so that cultural centres can be set up in all Provinces of the country. This will enhance the development of policies, strategies and investments that respond to the need of each province. Your Committee is of the view that this will foster local cultural economic development and ultimately national development.
- (v) Your Committee recommends that the Government should devise a robust system of monitoring progress in the arts and culture sector so that investments in the sector are popularly guided to achieve intended results.

PART III

9. CONSIDERATION OF THE ACTION-TAKEN REPORT ON THE COMMITTEE'S REPORT FOR THE SECOND SESSION OF THE ELEVENTH NATIONAL ASSEMBLY

Topical Issues

A. Postmortem of the 20th Session of the United Nations World Tourism Organisation General Assembly

- (i) Your previous Committee had recommended that for future events, there should be comprehensive and conclusive planning to avoid the issues highlighted in its report. It had specifically recommended that infrastructure development and maintenance in all tourist destinations should be done yearly from recurrent expenditure so that conferences and preparations for them should be focused on their intended or key objectives and the selling of Zambia's tourism.

Executive's Response

The Executive in its response stated that the Ministry of Tourism and Arts was in the process of engaging other relevant Ministries and institutions on the need to budget for maintenance works for infrastructure in all tourist destinations so that the infrastructure could be in good condition. In the same vein, the Ministry of Tourism and Arts had advertised for a bidder to design, build and operate a conference centre in Livingstone. The conference centre would be able to accommodate events similar to that of the UNWTO General Assembly. Further, a market study had been undertaken to identify areas to market for investment purposes.

Committee's Observations and Recommendations

Your Committee requests a progress report on the engagement of stakeholders with regard to budgeting for the maintenance of infrastructure in forest destinations. Your Committee also requests a progress report on the construction of the conference centre in Livingstone as well as the outcome of the market study. Your Committee further wishes to be availed a time frame in which these plans will be accomplished.

- (ii) Your previous Committee had recommended that in coming up with a policy on meetings, incentives, conferences and events and as part of a broader policy review the Government should review, the current Tourism Policy so that it could cater for new developments in the tourism sector.

Executive's Response

The Executive responded that the revision of the Tourism Policy, had reached an advanced stage. It was expected that it would be cleared by Cabinet before the end of the year. The revised policy had taken new developments in the sector into consideration.

Committee's Observations and Recommendations

Your Committee requests an update on the review of the Tourism Policy.

- (iii) Your previous Committee had recommended that funding to the Zambia Tourism Board should be consistent and comparable to at least other countries within the region which got at least US\$ 10 million to market their tourism.

Executive's Response

The response from the Executive was that the desire to increase funding to the Zambia Tourism Board to effectively market tourist destinations in the country was high on the Ministry's tourism development agenda. This was because the increase in the tourism budget would have significant impact on the earnings for the sector, as could be seen from destinations that have a bigger budget than Zambia. However, the Ministry was constrained by limited resources as well as other competing needs in the sector. The planned introduction and implementation of the Tourism Levy was one such initiative that could provide the income for the sector, and in particular funds for marketing Zambia's tourism.

Committee's Observations and Recommendations

Your Committee reiterates its recommendation that the Zambia Tourism Board should be adequately funded and in this vein urges the Government to take steps towards securing the necessary resources. Your Committee further requests an update on the introduction of the Tourism levy.

- (iv) Your previous Committee had recommended that Government should subcontract exhibition management to those who managed such events as opposed to leaving them to Government technocrats. In that regard, the issue of a world class training institution should be resolved and the Government should expedite the establishment of the Livingstone University for Hotel and Tourism Training.

Executive's Response

The Executive's response was that the Ministry of Tourism and Arts had managed to successfully host conferences such as IATA, IIPT and RETOSA ministers meetings. This was done by establishing inter-ministerial committees to prepare for and to coordinate the hosting of the conferences. The situation was different with the UNWTO General Assembly in that it was a pre-condition by UNWTO for the countries bidding to host to appoint a professional conference organiser.

The Government recognised the need to enter into smart partnerships with professional exhibition specialists so that capacity could be enhanced within Government in order to be able to successfully host any mega event. Expediting the establishment of the Tourism University was thus a timely and brilliant recommendation that would enable the institution to provide skills in tourism research, meetings, incentives, conferences and events. The measure would provide a platform to guide the Ministry in terms of policy interventions in relation to market trends, among other things.

Regarding the issue of the Livingstone University, the Ministry of Tourism and Arts was currently negotiating with two financiers from Malta and Spain to finance the project. The two financiers had shown willingness to participate in the project. However, they were still negotiating with Government on a number of issues regarding partnership arrangements and how best to ensure that the resources invested were safe and secured. It was hoped that the successful bidder would participate in the development of the project.

The project concept was designed by a consortium of Zambian consultants and was valued at US\$ 618, 130,000.00. As soon as financing modalities were agreed upon, construction works would commence. The target commencement date for construction works, with all the agreements being in place, was January, 2015.

Committee's Observations and Recommendations

Your Committee requests a progress report on the matter.

- (v) Your previous Committee had recommended that there should be a holistic and comprehensive analysis of the conference objectives so that the marketing of Zambia as a tourist destination was focused on those aspects that would give it a comparative advantage.

Executive's Response

Government's response was that the revised Tourism Policy had addressed the gaps in the sector and provided possible interventions that would optimise the destination's comparative advantage. The Policy would guide both the MICE strategy and the marketing strategy under ZTB to give Zambia an edge among its competitors.

Committee's Observations and Recommendations

Your Committee requests an update on the revision of the Policy.

- (vi) Your previous Committee had recommended that all incomplete projects left over from the UNWTO Conference should be completed expeditiously.

Executive's Response

The Executive's response was that the Ministry of Tourism and Arts intended to engage with the Ministry of Finance, Ministry of Health, Ministry of Local Government and Housing, Ministry of Works, Supply, Transport and Communications and the Provincial Administration in Southern Province over the possibility of budgeting for the remaining projects in Livingstone.

Committee's Observations and Recommendations

Your Committee notes that the response indicates lack of seriousness and commitment. In this regard, it requests an update and a time frame in which these projects will be completed.

- (vii) Your previous Committee had recommended that the Government should expeditiously work on the impediments identified at the UNWTO that hindered tourism growth in Zambia. In that regard, issues of regional policy harmonisation, air connectivity, infrastructure and the UNIVISA should be resolved.

Executive's Response

The Executive's response was that Zambia was a member of various regional organisations such as the Southern Africa Development Community (SADC) and other bilateral and multilateral regional bodies that were currently considering matters of policy harmonisation and UNIVISA processes for the region. Such initiative was the Zambia-Zimbabwe UNIVISA pilot project which was currently in the process and should be launched before the end of 2014, riding on the successful co-hosting of the UNWTO General Assembly. Once successful, the pilot would be used as a draw card for the establishment of the SADC UNIVISA for the region.

Zambia had also made headway in electronic visa processing and was one of the few countries that were able to receive electronic payment for VISAs on arrival using the visa card.

The Government had also made progress in the establishment of a national airline which would be a flag carrier for the nation and enhancing air connectivity within and outside the region. The national carrier would improve Zambia's visibility and, therefore, unlock her tourism potential.

The infrastructure development underway in the road sector such as the Link Zambia 8000 would open up access to major tourism destinations across the country and enhance further development in the sector.

Committee's Observations and Recommendations

Your Committee requests a progress report on the UNIVISA and the issue of regional integration. As for the issue of the national carrier, your Committee requests that more details be made available. With regard to the Link Zambia 8000, your Committee requests that details on the number and specific roads leading to tourist areas that have been done be provided.

B. Administration and Management of Forests and Forest Reserves

- (i) Your previous Committee had recommended that the Government should expedite the review of the Forest Policy, which policy should include the re-establishment of the position of forest guard and forest ranger.

Executive's Response

The Executive's response was that the Government, through the Ministry of Lands, Natural Resources and Environmental Protection, would ensure that the revised National Forestry Policy was in place before the end of 2014. The Policy would provide for responsible forest management through the promotion of local community and private sector participation. This would improve management of forests and forest products in a most sustainable manner.

Committee's Observations and Recommendations

Your Committee requests a progress report on the revised National Forestry Policy since the Executive had undertaken that this would be in place by the end of 2014. Further, your Committee requests for clarification as to whether the response given is an alternative solution to the proposal by your Committee on the reintroduction of forest guards and rangers and local community participation.

- (ii) Your previous Committee had recommended that in view of the problems highlighted, there should be an immediate and expeditious review of the entire legal framework guiding the forestry sector.

Executive's Response

The Executive's response was that the Government, through the Ministry of Lands, Natural Resources and Environmental Protection, in collaboration with Ministry of Justice were currently in the process of reviewing the 1973 *Forest Act*. The new legislation would ensure the protection and sustainable utilisation of the forests in the country. Consultations with various stakeholders had already been undertaken. The new Forest Bill

would be presented to Parliament in the first quarter of 2015.

Committee's Observations and Recommendations

Your Committee requests an update on the review of the legal framework.

- (iii) Your previous Committee had recommended that a new legal framework that aimed at curing the deficiencies of the 1973 *Forest Act* as well as the non-operationalised 1999 *Forest Act* should be finalised as a matter of urgency.

Executive's Response

The Executive responded that as mentioned above, Government, through the Ministry of Lands, Natural Resources and Environmental Protection, in collaboration with Ministry of Justice was in the process of reviewing the *1973 Forest Act*. The repeal of both the *1973 Forests Act CAP 199* of the Laws of Zambia and the *Forests Act, No. 7 of 1999*, would reposition the Forestry Department and make it much more effective and efficient in service delivery to the public. In addition, the new legislation would provide for, among other things, the following:

- (a) restructuring of the Forestry Department in order to effectively respond to current challenges and emerging issues like climate change and trans-boundary forest resource management; The restructured Forestry Department would include re-introduction of field staff responsible for supervision and monitoring of forest field operations which was key to effective management of protected forest areas;
- (b) development of an effective national forest monitoring system to ensure that changes to forests were regularly monitored to facilitate planning; the monitoring system would include guidelines on forest and land-use carbon monitoring;
- (c) expansion of the Protected Area System from the current national and local forests in order to facilitate the participation of more stakeholders in the protection of forests and sustainable management of forests to include Joint Forest Management Areas, Botanical Reserves, Community Forests and Private Forests to suit different needs;
- (d) enhancement of effective prosecution of forest offences through appointment of forest officers as prosecutors in collaboration with the Director of Public Prosecutions;
- (e) development of criteria and indicators for sustainable forest management in order to provide a baseline for monitoring effective management;
- (f) enhancement of regulation of forest produce;
- (g) establishment of the Forest Development Fund; and
- (h) stiffening of penalties for forest offences.

Committee's Observations and Recommendations

Your Committee requests for an update as the revision of the legal framework.

Emerging Cooking Solutions

As a way of lowering the price of the stove, your previous Committee had recommended that the Government should consider addressing issues of taxes such as Value Added Tax and import duty on the stoves.

Executive's Response

The Executive's response was that it was worth noting that only about 20 per cent of Zambian households had direct connectivity to electricity while the remaining 80 percent were dependent on wood fuel. The dependency on charcoal by many households in Zambia has caused serious deforestation throughout Zambia. As a way of encouraging households that were highly dependent on wood fuel to start using alternative sources of energy, in 2008 the Government reduced the cost of electrical energy by removing taxes on the consumption of electricity. This was done through the removal of the excise duty on electricity. However, a 3 percent levy had been maintained to finance rural electrification projects, an important tool for ensuring that more Zambians could have access to electricity. In the same year, the Government further removed both customs duty and Value Added Tax on solar batteries, inverters for solar power and most diesel or semi diesel generators and generators with spark ignition internal combustion in piston engines for petrol generators.

In 2012, the Government also removed customs duty on gas stoves, among other things, in view of the challenges faced in the supply of electricity in general as well as to make the stove more affordable and encourage the use of gas as an alternative source of energy. In addition, Government intended to scale up the rural electrification programme to ensure most of the parts of the country were electrified.

This demonstrated Government's concern not only to make stoves affordable to many Zambians but much more also to ease the increasing demand on the hydro-generated electricity and curb indiscriminate deforestation in the rural parts of the country.

Committee's Observations and Recommendations

Your Committee's recommendation regarding this specific stove has not been addressed. Your Committee, therefore, requests an appropriate response on this matter.

- (ii) Your previous Committee had recommended that in the long term, the Government should encourage or facilitate the local manufacturing of the stoves.

Executive's Response

The Executive's response was that the Ministry of Commerce, Trade and Industry took note of your Committee's recommendation. Through the investment incentives contained in the *Zambia Development Agency Act, No. 11 Of 2006*, the Ministry would encourage and promote the development of local manufacturers of stoves. Government was promoting and encouraging both local and foreign investment through the *Zambia Development Agency Act*. Currently, there were incentives under the *Zambia Development Agency Act* that promoted investment in the priority sectors with regard to machinery and equipment acquired by a business enterprise conducting operations in a priority sector.

The Ministry intended to use these incentives to attract both local and foreign investors in this sector. Notably, the manufacturing sector had been identified as a priority sector which could spur growth and economic development. The Ministry shall, therefore, step-up and

improve its engagement with both the local and foreign investors. Finally, the Government had established the Multi-Facility Economic Zones with the view of promoting and encouraging investment in the manufacturing sector both in heavy and light industries.

Committee's Observations and Recommendations

Your Committee wishes to be informed specifically whether with these incentives any investor had shown interest in engaging in the manufacture of the stoves in question.

ZAFFICO -Ndola Group

- (i) Your previous Committee had recommended that the entire ZAFFICO plantation should be degazetted and hived off and put on title so that ZAFFICO's operations could be secured on a long term basis as this would give the company power to commence legal proceedings on activities that encroach on its operations as well as ensuring the sustainable operations of the company.

Executive's Response

The Executive's response was that ZAFFICO was a parastatal company and the Government would continue to provide security for its operations. Further, the Government would ensure that long term agreements (leases) were entered into between the Forestry Department and ZAFFICO instead of Title Deeds. It was important to note that both the *Environmental Management Act of 2011* and the *Forests Act, of 1973* provided for relevant protection and the Government would ensure that it explored the provisions of these Acts in the interest of better forest management.

Committee's Observations and Recommendations

Your Committee notes that the recommendation of your previous Committee has not been addressed. Your Committee, therefore, requests an appropriate response.

- (ii) Your previous Committee had recommended that there was need for the Government to support ZAFFICO in ensuring value addition to its products, especially in relation to electricity pole production.

Executive's Response

The Executive's response was that production of electricity poles started with establishment of plantations for the supply of transmission poles mainly of Eucalyptus species. The Government would, therefore, provide an enabling environment and recapitalisation to ensure that ZAFFICO could establish plantations to supply treated transmission poles.

Committee's Observations and Recommendations

Your Committee requests an update on value addition of ZAFFICO products.

- (iii) Your previous Committee had recommended that the Government should support the carrying out of research especially in the area of locally breeding seed as that would go a long way in the expansion of ZAFFICO.

Executive's Response

The Executive's response was that the Forestry Research Division under the Forestry

Department was mandated to carry out research in relation to seed and tree planting. The Government would, therefore, ensure that the Forestry Research Division staffing levels as well as the infrastructure were improved so as to enhance the research work. Further, the Government would ensure that seed for plantation establishment was properly tested and monitored to enhance economic performance of trees on research grown trees.

Committee's Observations and Recommendations

Your Committee requests an update on the improvement of the operations of the Forestry Research Division.

- (iv) Your previous Committee had recommended that since the products of ZAFFICO go a long way in addressing the issues of deforestation, the Government should support ZAFFICO's quest to acquire more land.

Executive's Response

The Executive's response was that while Government had been providing land across the country for expansion of plantations under ZAFFICO, priority would also be given to already existing unplanted land under ZAFFICO on the Copperbelt Province to ensure that these areas were planted. In addition, the Government would ensure that high quality trees were planted to ensure full benefits to ZAFFICO.

Committee's Observations and Recommendations

Your Committee requests an update on how much land had been acquired by ZAFFICO since your Committee's recommendations.

Wood Processing Industries

- (i) Your previous Committee had recommended that the Government should encourage private participation in the setting up of exotic plantations and public private partnerships should be encouraged for more wood processing industries to be set up.

Executive's Response

The Executive's response was that the Government recognised the important role that the private sector played in the plantation industry. As such, the Government through the Ministry of Lands, Natural Resources and Environmental Protection was in the process of developing incentives to attract investment in forest based industrial development including the setting up of exotic plantations. The participation of the private sector in exotic plantations and the setting up of wood processing industries would be enhanced once the forestry policy was in place later this year as well as the enactment of the new forest legislation early next year.

Committee's Observations and Recommendations

Your Committee requests for an update on the development of policy and legislation.

- (ii) Your previous Committee had recommended that the Government should identify areas for the setting up of exotic plantations as these required specific weather conditions and extensive tracts of land which were not easily available.

Executive's Response

The Executive's response was that the Government, through ZAFFICO, was in the process of identifying areas for setting up of exotic plantations. Land had since been identified and reserved in Muchinga and Luapula Provinces for setting up of exotic plantations. In addition, the Government, through the Ministry of Lands, Natural Resources and Environmental Protection under the Forestry Research Division has been conducting research to determine the suitable areas for growing exotic trees for various uses. The Government would, therefore, continue to work with ZAFFICO in identifying suitable tree species to be grown in different areas of the country.

Committee's Observations and Recommendations

Your Committee requests an update on the identification of suitable areas for setting up of exotic plantations.

Dambwa Forest Reserve

- (i) Your previous Committee had recommended that there was need to capacitate the forestry sector close to the levels that were being done with the Zambia Wildlife Authority.

Executive's Response

The Executive's response was that the Government had recognised the importance of the forestry sector to the development of the country. In this regard, the Government had been supporting various components of the sector, including tree planting and development of the strategy to reduce deforestation. In addition, the Government was in the process of revising the *Forests Act of 1973*. Once the new Forests Act was enacted and operationalised, it would entail the restructuring of the Forestry Department to enable the department be able to effectively respond to current challenges and emerging issues such as climate change and trans-boundary forest resource management. The restructured Forestry Department will include the re-introduction of field staff responsible for supervision and monitoring of forest field operations, which was key to effective management of protected forest areas.

Committee's Observations and Recommendations

Your Committee requests an update on the development of the forests policy and relevant legislation vis-à-vis the forestry sector.

- (ii) Your previous Committee had recommended that the need to reintroduce the forest guards as well as to ensure that they had the means to police the agents of deforestation.

Executive's Response

The Executive's response was that the Government was very concerned at the increase in illegal harvest of indigenous trees which had contributed to the high rate of deforestation and forest degradation. In order to counter the illegal harvest, high rate of deforestation and forest degradation, the Government was in the process of revising the *1973 Forests Act*. The new *Forests Act* once enacted and operationalised, would allow for the restructuring of the Forestry Department. This would enable the Department to effectively respond to current challenges and emerging issues such as climate change and trans-boundary forest resource management. The restructured Forestry Department would include re-introduction of field staff responsible for supervision and monitoring of forest field operations, which was key to effective management of protected forest areas.

Committee's Observations and Recommendations

Your Committee requests an update on the reintroduction of the position of forest guard.

- (iii) Your previous Committee had recommended that the Government should expedite the conclusion of both the policy as well as the legislation governing the forestry sector to include the important aspect of joint forestry management so as to address the weaknesses which were in the pilot.

Executive's Response

The Executive's response was that the Government, through the Ministry of Lands, Natural Resources and Environmental Protection, would ensure that the revised National Forestry Policy was in place before the end of 2014. Further, Government through the Ministry of Lands, Natural Resources and Environmental Protection, in collaboration with the Ministry of Justice was currently in the process of revising the *1973 Forest Act*. The new legislation would provide for Joint Forest Management Areas to suit different needs in order to facilitate the participation of more stakeholders in the protection of forests and sustainable management of forests.

Committee's Observations and Recommendations

Your Committee requests an update on the conclusion of the Policy and revised legislation as regards joint forestry management.

Harry Mwaanga Nkumbula International Airport

Your previous Committee had recommended that the Government should, expeditiously, release funds to complete all outstanding works at the Airport.

The Executive's response was that the Government, through the National Airports Corporation Limited, remained committed to the development and maintenance of airport infrastructure to international standards in line with the corporate mission statement and indeed in fulfilment of the Government's quest to develop aviation infrastructure.

The Government further agreed with the observations of your Committee on the rehabilitation of Harry Mwaanga Nkumbula International Airport with regard to the outstanding scope of works and necessity for project finance from GRZ. The rehabilitation of Harry Mwaanga Nkumbula International Airport was being implemented in a phased manner due to financial constraints with Phase I as the construction of the concourse and international departure while Phase II was the construction of the arrivals hall and external works. Phases I and II commenced on 16th August, 2010 and 12th June 2012, respectively. The project was partially handed over on 16th August, 2013, to facilitate the United Nations World Tourism Organisation General Assembly which was hosted by Zambia in August, 2013.

The Government, through NACL, had borrowed in excess of US\$30 million from a local commercial bank for the works so far done. The completion of the project and eventual commissioning awaited provision of funding for the outstanding works which comprised specialist's works and builders' works. The project finance sought from GRZ was K36 million, which was enough to complete the outstanding works and settle pending claims from works done and equipment supplied.

In the interim, the Government had been executing water and electrical reticulation through internal resources. The works could not wait for Government funding.

Committee's Observations and Recommendations

Your Committee requests an update on the completion of the outstanding works at the Harry Mwangi Nkumbula International Airport.

Livingstone International Bus Terminus

Your previous Committee had recommended that that all impediments should be resolved so that the Project can be ready in May, 2014, as scheduled.

Executive's Response

The Executive's response was that there was harmony between the consultant and contractor. The consultant has been paid Certificate No.5 amounting to K2,491,000.00 of the contractor sum of K5,300,000.00 on the 50 percent work progress. The contractor was back on site. The escalator had been installed and ZESCO had also installed a transformer. However, the completion period had since been extended to next year so as to provide for an allocation in the 2015 budget.

Committee's Observations and Recommendations

Your Committee requests an update on the completion of the Livingstone International Bus Terminus.

Livingstone Ultra-Modern Market

Your previous Committee had recommended that supervision of the Project should be enhanced.

Executive's Response

The Executive's response was that a Committee was established to enhance supervision. The Committee comprised all major stakeholders such as the Ministry of Local Government and Housing (MLGH), Livingstone City Council (LCC), Ministry of Transport, Works, Supply and Communications (MTWSC) and others.

Committee's Observations and Recommendations

Your Committee requests an update on the procurement of furniture for the Library.

Victoria Hall and City Library

Your previous Committee had recommended that furniture for the Library should be purchased.

Executive's Response

The Executive in its response reported that Livingstone City Council has started to procure furniture for the Library.

Committee's Observations and Recommendations

Your Committee requests an update on the procurement of furniture for the library.

Western Province: Sesheke and Kaoma

- (i) Your previous Committee had urged the Government to pay attention and rejuvenate this important resource by allocating sufficient staff to the area, and by the provision of facilities such as fire towers and transport for patrolling the area.

Executive's Response

In response, the Executive stated that the Government recognised the lack of forest staff to protect the forest and that in order to address the staffing levels in the forestry sector, the Government was in the process of revising the *1973 Forests Act*. The new *Forests Act* once enacted and operationalised, would allow for the restructuring of the Forestry Department and consequently enable the Department to effectively respond to current challenges and emerging issues like climate change and trans-boundary forest resource management. The restructured Forestry Department would include re-introduction of field staff responsible for supervision and monitoring of forest field operations which was key to enhancing effective management of protected forest areas.

Committee's Observations and Recommendations

Your Committee requests an update on the recruitment of field staff to supervise and monitor forest field operations so as to enhance effective management of protected forest areas .

- (ii) Your previous Committee had recommended that due to the vast area covered by the resource, the Government must provide mechanisms for community participation in the management and preservation of this forest as well as the control of encroachment to the area.

Executive's Response

The Executive's response was that the Government recognised the important role that local communities played in the sustainable management of the forest reserves in the country. In this regard, the Government had been working closely with local communities in managing forests. The Government would, therefore, continue to promote local community participation in the management of forests such as Masese Forest and other forests across the country. The involvement of local communities would curb and control encroachment in the forest areas, including Masese Forest. In addition, the enactment of the Forest Bill would enhance community participation in the management of forests in the country.

Committee's Observations and Recommendations

Your Committee requests an update on mechanisms for the promotion of local community participation in the management of forests.

- (iii) Your previous Committee had recommended that the World Bank recommendations that led to the scrapping off the position of forest guards should be reviewed.

Executive's Response

The Executive's response was that the Government was currently in the process of revising the current structure of the Forestry Department so as to make it responsive in addressing the current challenges in the forestry sector. So far, the Government had come up with the proposed structure as well as the costing required to incorporate forest rangers,

including the introduction of Forest Community Facilitators and the Forest protection unit. A total of 557 and 341 Forest Rangers respectively and Forest Guards had been proposed. Further, Government intended to capacitate the Forest Rangers and Guards with motorbikes and other equipment.

In addition, in order to address the staffing levels in the forestry sector, Government was in the process of revising the *1973 Forests Act*. The new Forests Bill, once enacted and operationalised, would allow for the restructuring of the Forestry Department in order to effectively respond to current challenges and emerging issues like climate change and trans-boundary forest resource management. The restructured Forestry Department would include the re-introduction of field staff responsible for supervision and monitoring of forest field operations which was key to effective management of protected forest areas.

Committee's Observations and Recommendations

Your Committee requests an update on the status of the proposed Forest Legislation.

- (iv) Your previous Committee had recommended that where there were existing traditional systems of managing natural resources, these should be opportunities for the Government to enter into joint forest management ventures.

Executive's Response

The Executive's response was that the Government had ensured that the Forestry Policy and the revised Forests Act took into account the promotion of joint forest management both with private sector and or local communities including the traditional leaders. The Policy would be in place before the end of 2014 and the new Forests Act would be in place early next year.

Committee's Observations and Recommendations

Your Committee requests an update on the Policy and new Forests legislation.

- (v) Your previous Committee had stated that there was need for the Government to have deliberate policies to preserve key areas for the local communities for local use which could best be advised by the local communities themselves.

Executive's Response

The Executive's response was that the Government recognised the important role local communities played in the sustainable management of the forests and forest reserves in the country. In this regard, the Government had been working closely with local communities in managing the forests. The Government would, therefore, continue to promote local community participation in the management of forests across the country. In addition, the revised Forestry Policy which would be approved this year and the enactment of the new *Forests Act* early 2015 would promote community participation in the sustainable utilisation and management of forests through local forest management community in the country with the support of the Government.

Committee's Observations and Recommendations

Your Committee requests an update on the new Policy and law on forests.

- (vi) Your previous Committee had urged the Government to come up with a forestry management system that embraces and includes traditional leaders and communities in

order to arrest the declining forest stock and cover especially with an underfunded Forestry Department that had no transport to cover the large areas in question.

Executive's Response

The Executive's response was that the Government recognised the important role local communities and traditional leaders played in the sustainable management of the forests and forest reserves in the country. In this regard, the Government had been working closely with local communities and traditional leaders in managing the forests. The Government would therefore continue to enhance local community participation in the management of forests across the country. In addition, the revised forestry policy this year and the enactment of the Forest Bill early next year would promote and enhance community and or traditional leadership participation in the sustainable utilisation and management of forests across country with the support of the Government.

Committee's Observations and Recommendations

Your Committee requests an update on the new Forests legislation which would provide for local community participation.

Timber Producers, Kaoma

- (i) Your previous Committee had recommended the need for the effective management of the forest resource and that the Government, in that regard, should capacitate the Forestry Department in order to allow it to supervise the strict enforcement of the law in relation to timber felling.

Executive's Response

The Executive's response was that the Government was currently in the process of revising the current structure of the Forestry Department so as to make it responsive in addressing the current challenges in the forestry sector. So far, the Government had come up with the proposed structure as well as the costing required to incorporate forest rangers, including the introduction of Forest Community Facilitators and the Forest Protection Unit. A total of 557 and 341 Forest Rangers and Forest Guards had been proposed respectively. Further, the Government intended to capacitate the Forest Rangers and Guards with motorbikes and other equipment.

In addition, in order to address the staffing levels in the forestry sector, the Government was in the process of revising the *1973 Forests Act*. The new Forests Act once enacted and operationalised, would allow for the restructuring of the Forestry Department and consequently enable the Department to effectively respond to current challenges and emerging issues like climate change and trans-boundary forest resource management. The restructured Forestry Department would include re-introduction of field staff responsible for supervision and monitoring of forest field operations which was key to effective management of protected forest areas.

Committee's Observations and Recommendations

Your Committee requests an update on the status of the revision of the 1973 Forests Act.

- (ii) Your previous Committee had urged the Government to review and reconcile laws such as the Zambia Development Agency Act that allowed foreign investors with a prescribed quantum of investment to go into areas such as timber felling vis-à-vis the *Forestry Act* which prescribed how timber felling should be done.

Executive's Response

The Executive's response was that the Ministry of Commerce, Trade and Industry was in the process of reviewing the *Zambia Development Agency Act* to harmonise it with other pieces of legislation of other sectors, including the *Forestry Act*. The Ministry expected to complete the review process by the second quarter of 2015, after which it would submit the proposed amendments to Cabinet.

Committee's Observations and Recommendations

Your Committee requests an update on the harmonisation of the *ZDA Act* and the *Forest Act*.

Consideration of the Action-Taken Report on the Committee's Report for the Second Session of the Eleventh National Assembly.

Land Administration in Zambia

- (i) Your previous Committee had requested for a timeframe in which activities related to the Land Policy would be undertaken.

Executive's Response

In response, the Executive responded that the Government had commenced the process of formulating the Land Policy. In May, 2014, a consultative workshop was held with key stakeholders to develop a roadmap for the formulation of the policy. Based on the roadmap, the Land Policy would be in place before the end of 2015. During this period, the Government would undertake consultations at community, provincial and national levels. Consultations with traditional leaders would also be undertaken to ensure that the interests of Zambians were taken into account.

As regards the Customary Land Administration Bill, the Cabinet Memorandum was circulated to other ministries to seek their comments. The Cabinet Memorandum would be tabled before Cabinet before the end of 2014. The Bill would then be tabled before Parliament early next year.

Committee's Observations and Recommendations

Your Committee requests an update on the Land Policy which is expected to be in place by the end of 2015.

- (ii) Your previous Committee had requested the Ministry of Lands, Natural Resources and Environmental Protection to clarify whether or not it was possible to have a policy in the absence of a new constitutional order.

Executive's Response

In its response, the Executive stated that it was possible to have a Land Policy in the absence of a new constitutional order. In this regard, the Government, through the Ministry of Lands, Natural Resources and Environmental Protection had since commenced the process of formulating the Land Policy. Consultations with various stakeholders had since commenced.

Committee's Observations and Recommendations

Your Committee requests an update on the formulation of the Land Policy which is expected to be in place by the end of 2015.

- (iii) Your previous Committee had requested for the current status and a progress report on the land audit.

Executive's Response

The Executive's response was that the Government, through the Ministry of Lands, Natural Resources and Environmental Protection, had since commenced the Land Audit and Titling Programme. Currently, the Government had procured satellite imagery for use under this programme. The first phase of the land audit programme would be implemented during the Revised Sixth National Development Plan (RSNDP) 2014-2016 period. During the year 2014, the Ministry would be piloting within Lusaka Province of which a total of K100 million had been budgeted for to undertake this programme.

Committee's Observations and Recommendations

Your Committee requests an update on the first phase of the land audit.

- (iv) Your previous Committee had requested for the status and a timeframe in which the decentralisation of the functions of the Ministry responsible for lands would be done.

Executive's Response

The Executive's response was that the Ministry of Lands, Natural Resources and Environmental Protection had identified the functions to be devolved as well as the modalities. However, it was important to note that the Ministry was working within the overall framework of the decentralisation process, hence it was not possible to give a timeframe in which this would be done.

Committee's Observations and Recommendations

Your Committee requests an update on what is being done in relation to the overall decentralisation process in general and in relation to the devolution of functions of the Ministry of Lands, Natural Resources and Environmental Protection in particular.

- (v) Your previous Committee had requested for the status and a timeframe in which the review of the town and country planning legislation would be undertaken and completed.

Executive's Response

In response, the Executive explained that the Ministry would commence the awareness meeting on the new organisational structures for City, Municipal and District Councils Between September and October 2014 in all districts.

Committee's Observations and Recommendations

Your Committee requests an update on actions taken to review the town and planning legislation.

- (vi) Your previous Committee had requested for the status and a timeframe in which the review of town and country planning legislation would be undertaken and completed.

Executive's Response

The Executive responded that the Government was determined at developing a Land Policy and legislation that were people driven. As such, the development and formulation of both the Land Policy and land related legislation would involve the consultation of stakeholders in order to ensure that they met the needs and aspirations of the people of Zambia.

Committee's Observations and Recommendations

Your Committee requests an update on the revision of the Land Policy and legislation relating thereto.

- (vii) Your previous Committee had requested for the status of what actual programmes were being carried out with regard to the re-planning of and provision of services to informal urban settlements and time frame in which these activities would be done.

Executive's Response

The response from the Executive was that the Government had since commenced the process of formulating the land policy. In May, 2014, a consultative workshop was held with key stakeholders to develop a roadmap for the formulation of the policy. Based on the roadmap, the land policy would be in place before the end of 2015. During this period, the Government would undertake consultations at community, provincial and national levels as well as with traditional leaders to ensure that the interests of Zambians were taken into account.

As regards the Customary Land Administration Bill, the Cabinet Memorandum was circulated to other ministries to seek for their comments. The Cabinet Memorandum would be tabled before Cabinet before the end of 2014 and the Bill would be tabled before Parliament early next year.

The Ministry of Justice would arrange for the Cabinet Legislative Committee Meeting to consider the Bill. The follow up activity after the Legislative Committee Meeting would be the presentation of Bill to the Committee on Local Governance, Housing and Chiefs Affairs at which various stakeholders would be consulted. Finally, once the Committee adopt its report on the Bill, the bill will be tabled on the floor of the House in Parliament.

Committee's Observations and Recommendations

Your Committee notes that the recommendation has not been responded to and requests an appropriate response on the matter.

- (viii) Your previous Committee while urging the Government to come up with a policy framework, had requested for the specific timeline in which that would be done.

Executive's Response

The Executive's response was that the Government had since commenced the process of formulating the Land Policy. In May 2014, a consultative workshop was held with key stakeholders to develop a roadmap for the formulation of the policy. Based on the

roadmap, the Land Policy would be in place before the end of 2015. During this period, the Government would undertake consultations with community and traditional leaders as well as at national and provincial levels to ensure that the interests of Zambians were taken into account.

Committee's Observations and Recommendations

Your Committee requests an update on the matter.

- (ix) Your previous Committee while urging the Government to come up with a policy framework, requested for the specific timeline in which that would be done.

Executive's Response

The response from the Executive was that the guidelines on managing internally displaced persons were approved by Cabinet. Whenever there were displacements of people, the Government applied the principles in the guidelines relating to alternative resettlement land and compensation for the affected persons.

Committee's Observations and Recommendations

Your Committee requests an update on the matter.

Kangaluwi Large Scale Mining Project in Lower Zambezi National Park

Your previous Committee had expressly requested that guidance on the issue of *sub judice* specifically vis-a-vis this matter be given by the National Assembly. In that regard, your Committee awaited guidance before commenting on the matter.

The Executive submitted that firstly, the *sub judice* rule, was a voluntary exercise of restraint on the part of the House to protect an accused person, or other party to a court action or judicial inquiry, from any prejudicial effect of public discussion of the issue.

Secondly, the convention also existed to maintain a separation and mutual respect between the Legislative and Judicial branches of Government so as to recognise the constitutional independence of one branch of Government from the other. However, the application of the convention was not absolute, but exercised at the discretion of the Speaker as it did not apply in all situations, but only where, in the Presiding Officer's opinion, discussion on the matter would have a prejudicial effect on either party to litigation or judicial inquiry. Further, where a ministerial decision was in question in the Courts of Law, as in the present case, it would be improper for the Minister to argue his case before your Committee rather than conclude the matter in court.

Committee's Observations and Recommendations

Your Committee puts the matter in abeyance until its conclusion before the courts of Law.

Foreign Tour to Uganda 2013

Decentralisation of land administration through establishment of District Land Boards

Your previous Committee had requested for the status and time frame in which that would be done.

Executive's Response

The response was that the Ministry of Lands, Natural Resources and Environmental Protection had identified the functions to be devolved as well as the modalities. However, it was important to note that the Ministry was working within the framework of the decentralisation process hence it was not possible to give a time frame within which this would be done.

Committee's Observations and Recommendations

Your Committee requests an update on the decentralization of land administration.

Local Tours

Chibolya

Your previous Committee had noted that the response given was the status at the time your Committee made its recommendations.

Executive's Response

The Executive's response was that the Government, through the Ministry of Lands, Natural Resources and Environmental Protection, had made progress on the formulation and enactment of the Customary Land Administration Bill. The Cabinet Memorandum on the Customary Land Administration Bill was circulated to other ministries to seek for their comments. The Cabinet Memorandum would be tabled before Cabinet before the end of 2014. The Bill would then be tabled before Parliament early next year.

Committee's Observations and Recommendations

Your Committee notes that there is no correlation between the question and the response given. In this regard, your Committee would like the question answered of when order would be restored in Chibolya.

Siavonga

Enforcement of 50 Metre Buffer Zone around Lake Kariba for Public Access

Your previous Committee had urged the Government to take specific steps towards ensuring the public's access to the waterfront in Siavonga.

Executive's Response

The Executive's response was that the Government was committed to ensure that water frontage were not fenced off in order to allow access by general public. As such, in order to ensure that the public had access to the waterfront in Siavonga, the Government had urged the Council to re-plan all plots along the water front.

Committee's Observations and Recommendations

Your Committee requests an update on the matter.

Ownership and Management of Boarder Islands on the Zambian Side on Lake Kariba

Your previous Committee had requested for a progress report and timeframe in which that would be done.

Executive's Response

The response from the Executive was that the Government of Zambia met with the Government of Zimbabwe in Livingstone and Siavonga under the Zambia/Zimbabwe Joint Permanent Commission. A comprehensive work plan and budget were done and agreed. However, work could not start as both Governments were still looking for funds, as this work required huge financial outlays. Work would commence once both Governments were ready. It was therefore, difficult to indicate when the exercise would commence and end, as it was dependent on the availability of resources for both countries.

Committee's Observations and Recommendations

Your Committee requests an update on the ownership and management of boarder islands on the Zambian side of Lake Kariba.

Mitcho Compound – Clustering of Churches

Your previous Committee had requested for specific details on the situation in Mitcho Compound.

Executive's Response

The Government's response was that Mitcho Compound was partly planned, and plots were allocated to potential developers. However, the area was not serviced and developers did not take up possession of their plots. As a result, land invasion ensued and an illegal settlement sprouted up. The local authority was carrying out upgrading programmes in liaison with the Provincial Planning Office and the Department of Housing and Infrastructure Development (DHID) when funds become available. So far, the Provincial Planning Office had done an upgrading plan of Kaleya. However, Mitcho was yet to be tackled.

Committee's Observations and Recommendations

Your Committee requests an update on the matter.

Livingstone (Land Administration)

Livingstone Landfill

Your previous Committee had requested for a status report and the time frame in which the Livingstone landfill would be constructed.

Executive's Response

The Executive's response was that the Council was still looking for alternative land on which to construct the engineered landfill. In meantime, the Council was utilising the existing landfill by ensuring that cabbage collected was properly gathered according to the specification guidelines by the Zambia Environmental Management Agency.

Committee's Observations and Recommendations

Your Committee requests an update on the construction of the Livingstone landfill.

Sioma – Legislation of Traditional Land Certificates

Your previous Committee had requested for a status report and the time frame in which legislation of traditional land certificates would be done.

Executive's Response

The Executive's response was that the Government, through the Ministry of Lands, Natural Resources and Environmental Protection, had made progress on the formulation and enactment of the Customary Land Administration Bill. The Cabinet Memorandum on the Customary Land Administration Bill was circulated to other ministries to seek for their comments. The Cabinet Memorandum would be tabled before Cabinet before the end of 2014. The Bill would then be tabled before Parliament early next year.

Committee's Observations and Recommendations

Your Committee requests an update on the legislation to provide for Traditional Land Certificates.

Livingstone University for Hotel and Tourism Training

Your previous Committee had requested for a progress report.

Executive's Response

The Executive's response was that the Ministry of Tourism and Arts was currently engaged in negotiations with two financiers: one from Malta and the other one from Spain to finance the project. The two financiers had shown willingness to participate in the project. However, they were still negotiating with Government on a number of issues regarding partnership arrangements and how best to ensure that resources invested in the project were safe. It was hoped that the successful bidder would participate in the development of the project. The project concept was designed by a consortium of Zambian consultants and was valued at US\$ 618, 130,000.00.

As soon as financing modalities were agreed upon, construction works would commence. The target commencement date for construction works, with all the agreements being in place was January, 2015.

Committee's Observations and Recommendations

Your Committee requests an update on the matter.

Forestry Policy and Bill

Your previous Committee had requested for a progress report on the matter.

Executive's Response

The Executive's response was that the Government was determined to ensure that the country had a Forestry Policy before the end of 2014. The Policy was before Cabinet for its consideration and approval.

Committee's Observations and Recommendations

Your Committee requests an update on the matter.

Grading and Classification of Hospitality Establishments

Your previous Committee had requested for a progress report and the time frame in which that would be done.

Executive's Response

The Executive responded that the training of assessors to carry out the grading and classification of hospitality establishments had been provided for in 2014 budget. Terms of Reference for the consultant to train assessors had been developed. The training was planned to take place before the end of the year.

Committee's Observations and Recommendations

Your Committee requests an update on the grading and classification of hospitality establishments.

CONCLUSION

10. In conclusion, your Committee wishes to express its gratitude to you, Mr Speaker, and to the Clerk of the National Assembly for the advice and support rendered to it during the year. Your Committee is also indebted to all the witnesses who appeared before it for their co-operation in providing the necessary memoranda and briefs.

Your Committee is hopeful that the observations and recommendations contained in this report will go a long way in improving the land, environment and tourism sectors in Zambia.