



REPUBLIC OF ZAMBIA

REPORT

OF THE

COMMITTEE ON LEGISLATION AND INTERNATIONAL AGREEMENTS

ON THE

**ENVIRONMENTAL MANAGEMENT (AMENDMENT) BILL, N.A.B. NO. 17 OF
2026**

FOR THE

FIFTH SESSION OF THE THIRTEENTH NATIONAL ASSEMBLY

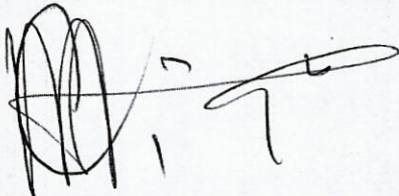
Published by the National Assembly of Zambia

FOREWORD

Honourable Madam Speaker, the Committee on Legislation and International Agreements has the honour to present its Report on the Environmental Management (Amendment) Bill, N.A.B. No. 17 of 2026. The functions of the Committee are set out under Standing Orders 206(a) and 204 (2) (iv) of the National Assembly of Zambia Standing Orders, 2024

In order to acquaint itself with the ramifications of the Bill, the Committee held eight meetings and sought both written and oral submissions from stakeholders. Stakeholders, who appeared before the Committee, are listed at Appendix II of the Report. The Report is organised in three parts. Part I provides a background and summary of the provisions of the Bill. Part II presents the summary of submissions from stakeholders, while Part III constitutes the Committee's observations and recommendations.

The Committee is grateful to stakeholders who tendered both written and oral submissions. The Committee further wishes to thank you, Madam Speaker, for affording it the opportunity to scrutinise the Environmental Management (Amendment) Bill, N.A.B. No. 17 of 2026. The Committee's appreciation is further extended to the Office of the Clerk of the National Assembly for the support and guidance rendered throughout its deliberations.



Mr Remember C Mutale, MP
CHAIRPERSON

April, 2026
LUSAKA

TABLE OF CONTENTS

Foreword	i
1.0 Membership of the Committee	1
2.0 Background	1
3.0 Objectives of the Bill	1
4.0 Summary of the Provisions of the Bill	1
5.0 Summary of Submissions from Stakeholders	2
6.0 Committee's Observations and Recommendations	3
7.0 Conclusion	4
Appendix I-List of National Assembly Officials	5
Appendix II-List of Witnesses	6

1.0 MEMBERSHIP OF THE COMMITTEE

The Committee consisted of Mr Remember C Mutale, MP (Chairperson); Mr Charles Abel Mulenga, (Vice-Chairperson); Mr Chonde Saka, MP; Mr Francis Kapyanga, MP; Rev Given Katuta, MP; Mr Wesley Kolala, MP; Mr Kenny Siachisumo, MP; Mr Menyani Zulu, MP; Mr Siphon Hlazo, MP; and Mr Phillimon Twasa, MP.

PART I

2.0 BACKGROUND

The Bill seeks to amend the *Environmental Management Act, Chapter 204 of the Laws of Zambia* so as to revise the composition of the Board of the Energy Regulation Board. This is in line with the Government policy as stipulated in Cabinet Office Circular Minute No. 101/39/1 of 2025 calling for the amendment of pieces of legislation on Boards and Committees’.

The decision by Government is aimed at strengthening governance in public institutions, including parastatal and statutory bodies in order to enhance service delivery and socio-economic transformation. The measure further seeks to strengthen the participation of the private sector, civil society organisations and other non-state actors in national affairs and programmes.

3.0 OBJECT OF THE BILL

The object of the Bill is to:

- (a) revise the composition of the Board of the Environmental Management Agency; and
- (b) provide for matters connected with, or incidental to, the foregoing.

4.0 SUMMARY OF THE PROVISIONS OF THE BILL

The summarised provisions of the Bill are as set out below.

Part One

Clause 1 – Preliminary Provisions

The clause provides the short title of the Bill and that once enacted, it shall be read as one with the *Environmental Management Act, Chapter 204 of the Laws of Zambia*, hereinafter referred to as the principal Act. Further, the clause provides for the commencement date of the Act as being the expiry of the term of office, or removal by the Minister, of the members of the Board holding office prior to the enactment of this Act. The Minister shall thereafter appoint the members of the Board in accordance with this Bill.

Clause 2 – Amendment of Section 2 of the Principal Act

This clause provides for the amendment of section 2 of the principal Act by the insertion of new definitions.

Clause 3 – Amendment of Section 11

The clause constitutes the Board of the Environmental Management Agency, which shall consist of nine part-time members appointed by the Minister. The clause further

provides that ministries, institutions and organisations referred to in that provision shall nominate representatives for appointment by the Minister

Clauses 4 – Repeal and Replacement of Heading to First Schedule

This clause repeals the heading and substitutes it with a new provision in order to provide clarity on the amendment. It further amends the quorum requirement in paragraph 1(4) of the First Schedule to the principal Act from “six” to “five”.

PART II

5.0 SUBMISSIONS AND CONCERNS BY STAKEHOLDERS

Stakeholders who appeared before the Committee were in support of the Environmental Management (Amendment) Bill, N.A.B. No. 17 of 2026, and submitted as outlined below.

The Committee was informed that the revision of the composition of the Board was in line with the Government policy relating to enhancing private sector participation in the governance of public institutions. In this regard, the Government through Cabinet Office Circular Minute No. 101/39/1 provided the underlisted guidelines.

- (i) Each Board of Committee has adequate representation from the private sector.
- (ii) The total number of members on each Board does not exceed eleven.
- (iii) Each Board or Committee has adequate gender representation.
- (iv) Each Board or Committee has adequate national representation.

Generally, stakeholders submitted that the amendment was progressive as it would enhance corporate governance, transparency and accountability. They were of the view that revising the Board would provide a more diverse and professionally representative Board, which would enhance the Board's ability to balance technical, economic, and environmental interests. In an era where Zambia was navigating an energy transition, the regulator must possess the multi-disciplinary depth to govern complex energy systems.

However, stakeholders were of the view that to enhance provisions of the Bill, the underlisted should be addressed.

(i) Clause 3 – Composition of the Board

Stakeholders submitted that the inclusion of professional bodies was commendable and represented a progressive step toward strengthening technical, financial, and spatial planning input in environmental decision-making. This was in contrast to the current Board, whose composition was dominated by representatives of ministries.

Therefore, the reduction in the number of ministries represented on the Board would enhance institutional independence and reduce the risk of political interference in environmental governance.

Furthermore, the Committee was informed that the inclusion of an institutional nomination mechanism improves transparency, accountability, and merit-based appointments.

However, stakeholders submitted that, while the proposed Board composition enhanced professional representation, the Bill did not provide for representation by economists or sustainable finance experts. This created a governance gap, limiting the Board's ability to integrate environmental sustainability with macroeconomic stability, stress testing environmental impacts on the economy, fiscal planning, inclusive and resilient growth considerations.

In this regard, stakeholders recommended the inclusion of a representative from the private sector with expertise in economics or finance.

(ii) Board Independence

Stakeholders submitted that independent, non-executive directors should constitute a substantial portion of the Board. Their lack of direct ties to management or political stakeholders underpins objective deliberation, mitigated conflicts of interest, and safeguarded public interest.

Therefore, stakeholders argued that maintaining a representative from the Attorney's General Office would work against good corporate governance in promoting transparency and accountability.

This was coupled with the fact that the Director Legal, who was also the Secretary of the Board, was the legal advisor to the Board of ZEMA.

6.0 COMMITTEES' OBSERVATIONS AND RECOMMENDATIONS

After scrutinising the Bill, and taking into consideration the submissions from various stakeholders, the Committee supports the amendment of *the Environmental Management Act, Chapter 204 of the Laws of Zambia*. In doing so, the Committee makes observations and recommendations set out below.

(i) Clause 3 – Composition of the Board

The Committee observes that, while the Board has a multi-sectoral representation, the clause does not provide an adequate criterion for selection of private sector nominees in clause 3(1) (g).

The Committee, therefore, recommends the refinement of the selection process to ensure that it prioritises individuals with a proven track record in environmental management, to ensure the Board benefits from industrial insight without compromising ethics.

Furthermore, the Committee recommends that the Bill should stipulate that the representatives from professional bodies such as Zambia Institute of Planners and ZICA must be registered members, who are in good standing with their respective professional bodies in order to ensure professional accountability, and maintain the highest standards. This will ensure that the representative is subject to the professional code of ethics and disciplinary oversight of their home institution.

(ii) Corporate Governance and Independence of the Board

The Committee observes, with concern, that the Bill maintains a representative from the Attorneys General Office on the Board. This is notwithstanding the fact that the Board

already has the Director Legal, who is the Secretary to the Board providing legal advice and that the Attorney General is consulted whenever an opinion is sought by the Board.

In this regard, the Committee recommends the removal of the Attorney General from the Board and substitution thereof with a representative from the Law Association of Zambia in order to safeguard the independence of the Board.

(iii) Enhance the Board Composition

The Committee observes that, while the proposed Board composition enhances professional representation, the Bill does not provide for representation by economists or finance experts.

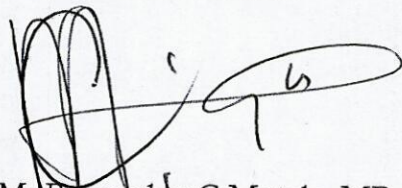
In this vein, the Committee recommends the formal incorporation of economic expertise on the Board, including representation from the Economics Association of Zambia.

7.0 CONCLUSION

In conclusion, the Environmental Management (Amendment) Bill, N.A.B 17 of 2026 represents a meaningful step toward strengthening Zambia's environmental governance framework. Its success, however, will depend on how effectively it balances efficiency with independence, technical expertise with accountability, and development imperatives with long-term sustainability.

With targeted refinements, particularly regarding economic expertise and governance safeguards, the Bill can significantly enhance Zambia's ability to pursue environmentally sustainable, economically sound, and socially inclusive development.

We have the honour to be, Madam, the Committee on Legislation and International Agreements, mandated to scrutinise the Environmental Management (Amendment) Bill, N.A.B 17 of 2026.



Mr Remember C Mutale, MP
CHAIRPERSON

April, 2026
LUSAKA

APPENDIX I – List of National Assembly Officials

Mr Charles Haambote, Director – Social Committees
Mr Geoffrey Zulu, Deputy Director – Financial Committees
Ms Chitalu R Mulenga, Senior Committee Clerk (FC2)
Mr Timothy C Lumba, Committee Clerk
Ms Ruth Nambule, Administrative Assistant
Mr Daniel Lupiya, Senior Committee Assistant
Mr Muyembi Kantumoya, Committee Assistant
Ms Taona Chabinga, Committee Assistant

APPENDIX II – List of Witnesses

Engineering Institution of Zambia

Ministry of Justice

Ministry of Energy

Zambia Environmental Management Authority

Zambia Institute of Chartered Accountants

Zambia Institute of Planners