

REPORT OF THE COMMITTEE ON ESTIMATES ON THE CONSIDERATION OF THE TRADES LICENSING (REPEAL) BILL, N.A.B. NO. 5 OF 2011, FOR THE FIFTH SESSION OF THE TENTH NATIONAL ASSEMBLY, APPOINTED ON 23RD SEPTEMBER 2010

Consisting of:

Mr H H Hamududu, MP (Chairperson); Mr E M Hachipuka, MP; Mr C L Milupi, MP; Mr J P L Mulenga, MP; Mrs S T Masebo, MP; Mr G Lubinda, MP; Mr P Sichamba, MP; Mr E M Sing'ombe, MP; and Mr L J Ngoma, MP.

The Honourable Mr Speaker
National Assembly
Parliament Buildings
P O Box 31299
LUSAKA

Sir,

Your Committee has the honour to present its Report on the ramifications of the Trade Licensing (Repeal) Bill, N.A.B. No. 5 of 2011.

Functions of the Committee

2. The terms of reference of your Committee on Estimates are as follows:
 - (a) to report on the economies, improvement in organisation, efficiency or administrative reform consistent with the policy underlying the estimates, examine whether the money is well laid out within the limits of the policy implied in the estimates;
 - (b) consider Bills referred to it by the whole House;
 - (c) to suggest alternative policies in order to bring about efficiency and economy in administration;
 - (d) to carry out regular examination and scrutiny on budgets, estimates and management thereof, and conduct budget hearings; and
 - (e) to make recommendations and report to the House for the formulation and implementation of future Budget Estimates.

Meetings of the Committee

3. Your Committee held five (5) meetings to consider the Bill and objectively examined in detail all the submissions presented to it.

Procedure Adopted by the Committee

4. Your Committee, in considering the Bill, requested written submissions from various stakeholders who also appeared before it and made oral submissions.

CONSIDERATION OF THE TRADES LICENSING (REPEAL) BILL, N.A.B. NO. 5 OF 2011

5. Your Committee scrutinised and analysed the Bill and its findings are summarised in the paragraphs set out below.

Back ground

Your Committee was informed that the Trades Licensing (Repeal) Bill, N.A.B. No. 5 of 2011 seeks to repeal the *Trades Licensing Act Chapter 393* of the Laws of Zambia. The need to repeal the *Trades Licensing Act* has been necessitated because this Act creates a parallel licensing and regulatory system for business thereby increasing to the cost of doing business. Since there are provisions in other pieces of legislation which regulate specific aspects of commerce, such as the *Market and Bus Stations Act*, the Trades Licensing Acts adds no value to the licensing and regulatory system.

In view of the above, the repeal of the Trades Licensing Act is intended to bring to an end the duplicity in the licensing process and regulatory matters generally.

Specific Clauses of the Bill

Clause 2: Repeal of the Trades Licensing Act, Chapter 393 of the Laws of Zambia.

The Clause provides for the repeal of the Trades Licensing Act, Chapter 393 of the Laws of Zambia.

COMMITTEE'S OBSERVATIONS AND RECOMMENDATIONS

6. Your Committee wishes to support the Bill. It believes that repealing the Trades Licensing Act will streamline the licensing procedures thereby reduce the cost of doing business. Your Committee commends the Government for its continued efforts to reduce the cost of doing business in the country. It is aware that the Ministry of Commerce, Trade and Industry in collaboration with the Private Sector Development Programme (PSDP) has been working to restructure the requirements for operating a business. This Bill, therefore, is in line with the reform process already in place.

Further, your Committee appreciates the information that trading licences are provided for in other pieces of legislation. In this regard, your Committee is hopeful that the Single Business Permit System (SBPS) and other licensing requirements have been taken on board in the enactment of the Liquor Licensing Bill and in the *Local Government Act* so as to provide for regulation of businesses within the jurisdiction of local authorities.

In supporting the Bill, your Committee observes that the offices of the Patents and Companies Registration Authority (PACRA) are limited to a few provincial centres. This makes it difficult for people in remote areas to register their business as they have to walk long distances. Your Committee recommends that PACRA should be decentralised to districts. This should be done in collaboration with local authorities.

CONCLUSION

7. In concluding, Mr Speaker, your Committee wishes to pay tribute to all the witnesses who appeared before it and tendered both oral and written submissions. It also wishes to

thank you, Mr Speaker, for affording it an opportunity to consider the Bill. It, further, thanks the Office of the Clerk of the National Assembly for their unfailing assistance throughout its deliberations.

We have the honour to be, Sir, your Committee on Estimates mandated to consider the Trades Licensing (Repeal) Bill, N.A.B. No. 5 of 2011.

Mr H H Hamududu, MP
(Chairperson)

Mr E M Hachipuka, MP
(Member)

Mr C L Milupi, MP
(Member)

Mr J P L Mulenga, MP
(Member)

Mrs S T Masebo, MP
(Member)

Mr G Lubinda, MP
(Member)

Mr P Sichamba, MP
(Member)

Mr E M Sing'ombe, MP
(Member)

Mr L J Ngoma, MP
(Member)

March, 2011
LUSAKA

H H Hamududu, MP
CHAIRPERSON

APPENDIX I
List of Officials

Mr S M Kateule, Principal Clerk of Committees
Mr G Lungu, Deputy Principal Clerk of Committees
Mr S Mtambo, Assistant Committee Clerk
Ms K Chisenga, Typist
Mr C Bulaya, Committee Assistant
Mr S M Likunyendo, Parliamentary Messenger

**APPENDIX II
WITNESSES**

Ministry of Justice

Mr Nkunika, Senior Parliamentary Counsel
Ms C Musonda, Parliamentary Counsel

Ministry of Local Government and Housing

Mr B B Chirwa, Acting Permanent Secretary
Mr M M Munansangu, Acting Director
Mr D C Zulu, Acting Director

Lusaka City Council

Mr A Musonda, Acting Town Clerk
Ms M Chacho, Acting Director of Legal Services