

**REPORT OF THE COMMITTEE ON ESTIMATES ON THE CONSIDERATION OF THE TRADITIONAL BEER (REPEAL) BILL, N.A.B. NO. 4 OF 2011, FOR THE FIFTH SESSION OF THE TENTH NATIONAL ASSEMBLY, APPOINTED ON 23<sup>RD</sup> 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  
**LUSAKA**

Sir,

Your Committee has the honour to present its Report on the ramifications of the Traditional Beer (Repeal) Bill, N.A.B. No. 4 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 TRADITIONAL BEER (REPEAL) BILL, N.A.B. NO. 4 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 Traditional Beer (Repeal) Bill, N.A.B. No. 4 of 2011 repeals the *Traditional Beer Act Chapter 168 of the Laws of Zambia* so as to facilitate the enactment of a comprehensive legislation to regulate the sale and supply of intoxicating liquor, including traditional beer.

Your Committee was further informed that with the passage of time from its enactment, the *Traditional Beer Act* has become outdated as it was meant to regulate the production of traditional brews during the colonial era.

In order to effectively regulate the sector, it is necessary to repeal the *Traditional Beer Act* and enact a new law which shall eliminate all the permits under the *Traditional Beer Act* and replace them with a single liquor licence under the proposed Liquor Licensing Act, 2011. It is envisioned that the law will provide streamlined liquor licensing regulatory system covering both opaque and clear beer and other alcoholic drinks.

### **Specific Clause of the Bill**

#### **Clause 2: Repeal of the Traditional Beer Act Chapter 168 of the Laws of Zambia.**

The Clause provides for the repeal of the Traditional Beer Act, Chapter 168 of the Laws of Zambia.

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

6. Your Committee wishes to support the Bill repealing the Traditional Beer Act Chapter 168 of the Laws of Zambia. This is because the current law is out-dated. It is also the Committee's view that the repeal will facilitate the enactment of a comprehensive legislation to regulate the sale and supply of intoxicating liquor, including traditional beer.

While your Committee appreciates that the Law is outdated and needs repeal, it is concerned that it has taken long for the Government to present the Bill to repeal it. Its concern arises from the fact that maintaining the out-dated laws leaves room for illegality thereby setting a bad precedent.

It, therefore, recommends that in future, the Government should ensure laws are updated regularly to keep pace with society's dynamics.

## **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 Traditional Beer (Repeal) Bill, N.A.B. No. 4 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 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