Contents
Chapter 464. Roads and Road Traffic Act
Chapter 465. Tolls Act
Chapter 466. Inland Waters Shipping Act
Chapter 467. Zambezi River Authority Act
Chapter 468. Merchant Shipping (Temporary Provisions) Act
Chapter 469. Telecommunications Act
Chapter 470. Postal Services Act
Chapter 471. National Road Safety Council Act
Chapter 472. Vacant
Chapter 473. Vacant
Chapter 474. Vacant
Chapter 475. Appendix 1-12
Chapter 476. Vacant
Chapter 477. Vacant

REPUBLIC OF ZAMBIA

THE ROADS AND ROAD TRAFFIC ACT

CHAPTER 464 OF THE LAWS OF ZAMBIA
CHAPTER 464 THE ROADS AND ROAD TRAFFIC ACT

ARRANGEMENT OF SECTIONS

PART I

PRELIMINARY

Section

1. Short title and commencement
2. Interpretation

PART II

ROADS: GENERAL

3. Classification of roads

3A.-3G. Repealed by Act No. 35 of 1995 (now Cap. 471)

4. Territorial main roads
5. District roads
6. Branch roads
7. Rural roads
8. Estate roads
9. Exemption of roads from certain provisions of this Act
10. Public roads dedicated to public use
11. Service of notice in Reserves, etc.
12. Highway authorities in local authority areas
13. Width of roads
14. Control points of access, structures, etc.
15. Opening of branch roads
16. Report and recommendations to be submitted to Minister
17. Branch roads may be designated district roads
18. Consideration and determination of application
19. Reclassification, closure or diversion of road
20. Notice to be given
21. Disposal of storm water
22. Storm water from land adjoining
23. Control of roads and traffic
24. Powers of highway authority to control traffic
25. Traffic signs
26. Temporary traffic signs
27. Control of advertisements
28. Removal or alteration of advertisements
29. Exceptions
30. Experimental schemes of traffic control

PART III

CARE, MAINTENANCE AND CONSTRUCTION OF ROADS

31. Care, maintenance and construction of roads
32. Liability of highway authorities and their staff
33. Power of highway authority to enter upon land
34. Power to construct and maintain deviations
35. Power to reserve land for proposed roads
36. Reservation of road reserve
37. Withdrawal or modification of reservation
38. Unauthorised acts on reserved land
39. Compensation
40. Power to take materials for roadworks
41. Highway authorities' employees may park vehicles, erect huts, etc., on private land
42. Contractors may exercise rights granted to highway authority
43. Power to undertake ancillary works
44. Provision of footpaths, cycle tracks, etc.
45. Ferries and pontoons
46. Power to make rules controlling the construction of cattle grids
47. Prevention of damage, etc., to roads
48. Regulation of undertakers' works
49. Execution of undertakers' works
50. Undertakers to provide warning and safety precautions
51. Works at railway crossings
52. Removal of apparatus
53. Powers enjoyed by electricity undertakings
54. Limitation of time in which works may be executed

PART IV
ROAD BOARDS

Section
55. Constitution of road boards
56. Disqualifications
57. Vacation of office
58. Suspension or removal of member
59. Period of membership
60. Vacancies
61. Quorum
62. Functions of road boards
63. Interest of members

PART V
REGISTRATION OF MOTOR VEHICLES AND TRAILERS

64. Appointment of Road Traffic Commissioner and other officers
65. Motor vehicle and trailer registers
66. Registration of motor vehicles and trailers
67. Change of ownership
68. Position of registered owner who is not absolute owner
69. Furnishing evidence of weights and dimensions of motor vehicle or trailer
70. Previous registration deemed to be registration under this Act
71. Temporary registration cards
72. Details required
73. Particulars to be endorsed on application form
74. Motor vehicle or trailer deemed to be registered, etc.
75. Special examination of motor vehicles and trailers
76. Tests of satisfactory condition of motor vehicles and trailers
77. Obligatory test certificates
78. Provisions not applicable to vehicles to which Part XI applies
79. Destruction or permanent removal of motor vehicles or trailers from Zambia
80. Exemptions from need for registration
81. Registration marks
82. Offences in connection with registration marks

PART VI

VEHICLE LICENSING

Section
83. Vehicles to be licensed
84. Form of licence
85. Duration of licence
86. Owner paying tax to receive licence or token
87. Transfer of licence of vehicle other than motor vehicle or trailer
88. Application for licence
89. Issue of licences
90. Conditions to be satisfied before issue of licence
91. Alteration in conditions on which licence is issued
92. Suspension or refusal of licences
93. Duplicate motor vehicle and trailer licences
94. Duration of licence
95. Taxes
96. Disposal of taxes
97. Licence to be carried on motor vehicle or trailer
98. Penalty for affixing false licence or token
99. Motor dealer's vehicle licence
100. Use of motor dealer's vehicle licence
101. Motor dealer's identification plates
102. Duration of motor dealer's vehicle licence
103. Fee for motor dealer's vehicle licence
104. Cancellation of motor dealer's vehicle licence
105. Motor dealer's vehicle licence not to be misused
106. Farm vehicle licences
107. Contract cars
108. Power to remit fees
109. Provisions of Part VI not to apply to certain vehicles

PART VII
DRIVING LICENCES: ISSUE, TESTING, ETC.
Section
110. Necessity to hold driving licence
111. Application for issue of driving licence
112. Driving tests
113. Provisional driving licences
114. Physical fitness
115. Classes of motor vehicle
116. Age of driver
117. Driving test fees
118. Form and duration of licences
119.  Fees for licences
120.  Revocation, etc., of driving licences
121.  Appeals

PART VIII

DRIVING LICENCES: SUSPENSION, CANCELLATION, ENDORSEMENT

122.  Powers of court
123.  Right of appeal
124.  Production of driving licence for endorsement
125.  Suspended licence to be of no effect
126.  Application for removal of disqualification
127.  Removal of disqualification no longer provided for
128.  Fraudulent application for driving licence
129.  Particulars of endorsement to be copied on new licence
130.  Applying for licence without disclosing endorsement
131.  Issue of new licence free from endorsement
132.  Removal of endorsement

PART IX

COMPULSORY THIRD PARTY INSURANCE

133.  Users of motor vehicles to be insured against third party risks
134.  Saving in respect of liability
135.  Requirements in respect of policies of insurance
136.  Requirements in respect of securities
137.  Right of injured party to proceed against insurer
138.  Certain conditions in policy to be of no effect
139.  Avoidance of contracts so far as restrictive of liability in respect of death of or injury to passengers in public service vehicles
140.  Hospital expenses
141.  Documentary proof of existence of insurance policy
142.  Production of certificate of insurance
143. Customs officer may refuse to permit entry of uninsured vehicle
144. Making false statements
145. Certificate of insurance or security to be produced before issue of licence
146. Duty of insurer when policy is cancelled, etc.

PART X

PUBLIC SERVICE VEHICLES AND PUBLIC SERVICES

147. Road Transport Panel
148. Public sittings
149. Use of vehicles as public service vehicles for carriage of goods
150. Vehicles standing or plying for hire or used for carriage of persons for reward
150A. Prohibition of the use of station wagons as taxicabs, etc.
151. Terms, etc., of road service licences to be observed
152. By whom road service licence to be held, etc.
153. Notice to be given to Commissioner of alteration to vehicles
154. Authorised vehicles not to be changed without permission except in emergency
155. Road service licences
156. Short-term licences
157. Extension of validity of licences
158. Road Service Appeal Tribunal
159. Protection of chairman of Tribunal and Commissioner
160. Records and returns
161. Number of passengers: weights of public service vehicles
162. Touting
163. Driver of public service vehicle to wear badge
164. Drivers of public service vehicles—restriction on supply and consumption of liquor
165. Tickets and fares

PART XI
EXAMINATION OF CERTAIN CLASSES OF VEHICLES: CERTIFICATES OF FITNESS

166. Application of Part XI
167. Certificates of fitness
168. Form and display of certificate of fitness
169. Period of validity
170. Defects
171. Examination on direction of licensing officer
172. Inspection by road traffic inspector
173. Examination by other examiners
174. Appeals
175. Prescribed fees
176. Exemptions
177. Offences

PART XII
EXCLUSIVE CONCESSIONS

178. Power to grant concessions
179. Particulars to be given to Commissioner
180. Restrictions on other operators
181. Saving for existing operators
182. Revocation of road service licence held by existing operator
183. Termini of non-concession routes
184. Duty of concession holder to provide services
185. Prescribed fees
186. Powers of Commissioner
187. Saving for mails, parcels and luggage
188. Through running agreements
189. Undertaking at disposal of Government in emergency
190. Expiration of concession
191. Determination of concession by legislation

PART XIII

OFFENCES: GENERAL

Section

192. Speed limits

193. Road racing

194. Exemption of fire engines, etc., from speed limits

195. Careless driving

196. Reckless or dangerous driving

197. Being in charge of motor vehicle when under influence of drink or drugs

198. Driving when under influence of drink or drugs

198A. Arrested person to submit to medical examination

198B. Arrested person to provide specimen

199. Causing death by reckless or dangerous driving of motor vehicles

200. Warning to be given before prosecution

201. Driving motor vehicle in dangerous condition

202. Loads to be secure

203. Vehicles to give way to all locomotives at railway crossings

204. Travelling backwards

205. Sound warnings

206. Position of driver

207. Limitation of number of occupants of motor vehicles

208. Traffic signs and signals to be obeyed

209. Stopping of vehicles at school crossings

210. Failure of driver of motor vehicle to render assistance to injured person

211. Duty to stop in case of accident

212. Additional powers of police and others: requirements to be obeyed

213. Powers concerning vehicles suspected of being used as public service vehicles
214. Obstruction of roadway by vehicles
215. Disabled vehicles
216. Removal of vehicles from roads
217. Engine to be stopped when vehicle unattended
218. Opening doors of vehicles
219. Silencer
220. Discharge of oil and smoke
221. Filling petrol, etc.
222. Prohibition of sale of vehicles in a condition not complying with regulations as to construction, etc.
223. Prohibition of use of vehicles not complying with regulations as to construction, etc.
224. Pillion riding on motor cycle
225. Application to pedal cyclists of provisions relating to certain driving offences
226. Brakes, etc., on bicycles and tricycles
227. Excessive loads on two-wheeled vehicles
228. Throwing articles at or from vehicles
229. Interference with vehicles
230. Placing of handbill, etc., in or on motor vehicle
231. Unauthorised use of goods vehicles
232. Taking hold of or getting on vehicle in motion
233. Stretching rope, etc., across road: obstruction of road
234. Liability for animals on roads
235. Duty of pedestrians to comply with traffic directions given by police
236. Registration book and licences to be produced to police, etc., on demand
237. Duty to give information
238. Penalty for giving false information
239. Unlawful imitation, etc., of documents
240. Verification of facts in applications
241. Penalty
241A. Conditions of release of impounded vehicle or trailer
241B. No liability for impoundment

PART XIV
MISCELLANEOUS PROVISIONS

242. Control of parking charges on roads
243. Limitation of time for which drivers of certain vehicles may remain continuously on duty
244. Protective helmets for motor cyclists
245. Maximum weights that may be transmitted to roads
246. Control of driving schools and of the teaching for gain of driving
247. Instructors' licences and driving school licences
248. Appeals concerning driving school licences or instructors' licences
249. Instructors' licences and driving school licences not transferable
250. Inspection of premises, etc.

251. Certificate of examination to be admissible in evidence
252. Admissibility as evidence of certificates relating to ownership or driver of motor vehicles
253. Registers, etc., to be accepted as evidence
254. Doubt concerning classification of vehicles
255. Liability of driver and owner for offences
256. Persons empowered to examine vehicles exempted from liability for damage

257. Highway Code
258. Regulations
259. Exemption of vehicles from compliance with regulations relating to construction and equipment, and exemption from provisions of this Act

260. Repeals and savings
261. Application of Parts XIII and XIV to State

FIRST SCHEDULE-Taxes payable on annual licences
SECOND SCHEDULE-Cancellation, suspension and endorsement of driving licences
THIRD SCHEDULE—Prescribed fee

APPENDIX—Existing international or inter-territorial roads

CHAPTER 464

ROADS AND ROAD TRAFFIC

An Act to make provision for the care, maintenance and construction of roads in Zambia, for the control of motor traffic, for the licensing of drivers and motor vehicles, for the compulsory third party insurance of motor vehicles, for the licensing and control of public service vehicles and public services, and for other miscellaneous provisions relating to roads and motor traffic.


[Part IX (sections 133-142 and 144-146)-1st July, 1959]

[Parts V and VI-1st January, 1960]

[Part XIII (section 223)-26th August, 1960]

[Part XII (section 182)-15th September, 1961]

[Part XIV (section 250)-1st November, 1961]

[Part XIV (sections 246-249)-1st December, 1961]

[Parts VII and X (sections 147-149 and 153-165)-1st February, 1962]

[Parts XI and XIV (sections 245 and 259)-1st December, 1962]

[Part XIV (section 256)-19th July, 1963]

[Parts IX (section 143), X (sections 150-152) and XIII (sections 207, 209, 218 and 230)-29th April, 1966]


19 of 1959
26 of 1959
38 of 1960
17 of 1961
24 of 1963
25 of 1963
37 of 1963
37 of 1965
19 of 1966
44 of 1968
4 of 1969
25 of 1969
1. This Act may be cited as the Roads and Road Traffic Act. Short title and commencement

2. In this Act, unless the context otherwise requires—Interpretation

"advertisement" includes any structure or apparatus erected, or intended, for the display of advertisements, but shall not include a traffic sign prescribed or authorised under the provisions of section twenty-five;

"Agricultural Officer" means an Agricultural Officer or a Land Settlement Officer of the Government, and any other person declared by the Minister by Gazette notice to be an Agricultural Officer;

"animal" means any horse, cattle, ass, mule, sheep, pig, goat or dog;

"auto cycle" means a bicycle which has pedals and a motor attached and can be propelled by means of such pedals and by mechanical or electrical power from such motor;

"axle weight" means, in relation to an axle of a vehicle, the aggregate weight transmitted to the surface of the road or other base whereon the vehicle moves or rests by the several wheels attached to that axle;

"bicycle" shall include a tricycle;
"carriageway" means that part of a road designed and constructed to be used for vehicular traffic or used or reasonably usable for the time being for that purpose, but shall not include a cycle track;

"code" means the Highway Code authorised under section two hundred and fifty-seven;

"the Commissioner" means the Road Traffic Commissioner appointed under this Act, and shall include the Deputy Road Traffic Commissioner and an Assistant Road Traffic Commissioner when exercising such functions of the Road Traffic Commissioner as may be delegated to him by the Road Traffic Commissioner under the provisions of section sixty-four;

"concession" means an exclusive concession granted under the provisions of section one hundred and seventy-eight;

"concession area" or "concession road" means any area or road, as the case may be, in or on which a concession holder is authorised by his concession to provide a motor omnibus service;

"concession holder" means a person to whom a concession has been granted;

"construction vehicle" means-

(a) a motor vehicle incorporating water-boring machinery, or construction machinery of the nature of a crane, grader, shovel, scraper, pipelayer, cablelayer, or of such other nature as may be prescribed;

(b) any motor vehicle or class of motor vehicle which may be regulation be declared to be a construction vehicle;

"contract car" means a motor vehicle primarily constructed or adapted for the carriage of passengers and having seating accommodation for not more than seven persons other than the driver which is let out on hire to a hirer who is himself to drive or provide the driver for such motor vehicle;

"cycle track" means a portion of a road exclusive of the carriageway set aside for use solely by persons riding bicycles;

"driver", in relation to a vehicle, means the person or persons having control of the steering apparatus thereof, and in respect of a trailer, means the person or persons driving the vehicle by which the trailer is being drawn, and in respect of an animal-drawn vehicle, means the person or persons driving the animals; and "drive" has a corresponding meaning;

"driving examiner" means any person appointed under the provisions of this Act to examine persons for driving licences;

"existing operator" means any person who, at the date of the grant of a concession, is providing a motor omnibus service along any road or in any area in respect of which such concession is granted;

"fare" means the amount paid or payable for a passenger's conveyance in a public service vehicle or for the hire of a whole passenger-carrying public service vehicle, and includes any sum paid or payable for the conveyance of luggage in excess of any free allowance and any other sums lawfully charged or chargeable
by the owner of a public service vehicle or by his representative in connection with the conveyance of a passenger in such vehicle;

"footpath" means a portion of a road exclusive of the carriageway set aside for use solely by pedestrians;

"free area" or "free road" means an area or road, as the case may be, to which no concession applies;

"gate" means a swing gate of sufficient width to allow the reasonable free use of the road, having regard to the traffic thereon, and of not less width than fourteen feet, having a balance or catch or other free fastener so fixed as to enable the gate to swing clear of the road free from drag;

"goods" includes goods or burden of any description;

"goods vehicle" means a motor vehicle constructed or adapted for use primarily for the carriage or haulage of goods, or a trailer so constructed or adapted;

"gridiron track" means a track constructed through an opening in a fence intersecting a road, with the object of allowing the passage of vehicles and preventing the passage of livestock;

"gross weight" means the net weight of a motor vehicle or trailer together with such weight of goods or passengers or both as the vehicle or trailer may be authorised in terms of this Act to carry;

"heavy trailer" means a trailer exceeding eight thousand pounds gross weight;

"heavy vehicle" means a motor vehicle exceeding eight thousand pounds gross weight;

"heavy goods vehicle" means a heavy vehicle, constructed or adapted for use for the carriage or haulage of goods, or a heavy trailer so constructed or adapted;

"highway authority" means the authority responsible for the construction, care and maintenance of any road or class of road in accordance with the provisions of this Act;

"hire car" means a public service vehicle having seating accommodation for not more than seven persons other than the driver which is let with a driver under contract over a period which is not less than twenty-four hours for the carriage of passengers otherwise than at separate fares;

"identity card" means, in the case of a police officer, a certificate of appointment or other document issued by or on behalf of the Commissioner of Police and, in the case of a road traffic inspector, a certificate of appointment or other document issued by or on behalf of the Commissioner, to enable the holder to be identified as a police officer or road traffic inspector, as the case may be;

"intersection" means the crossing of two or more roads;

"intoxicating liquor" includes both intoxicating liquor as defined in the Liquor Licensing Act and traditional beer as defined in the Traditional Beer Act; Cap. 167

Cap. 168
"invalid carriage" means a mechanically propelled vehicle the weight of which unladen does not exceed five hundredweight and which is specially designed and constructed, and not merely adapted, for the use of persons suffering from some physical defect or disability and is used solely by such persons;

"laden weight" means the net weight of a motor vehicle or trailer, together with the actual weight of goods or passengers or both carried by such vehicle or trailer;

"licensing officer" means a person appointed as such under the provisions of section sixty-four;

"light trailer" means a trailer fitted with pneumatic tyres, the gross weight of which does not exceed two thousand pounds;

"lighting-up time" means from sunset to sunrise;

"local authority" means a municipal council, township council or mine township board, but does not include a rural council; and "local authority area" means the area over which a local authority exercises jurisdiction;

"manufacturer's permitted gross weight" means the weight that the manufacturer of a motor vehicle or trailer or his representative certifies that such vehicle or trailer has been built to carry, and in addition its own weight;

"motor cycle" means any motor vehicle-

(a) which is carried on two wheels only and includes any such motor vehicle with a sidecar or similar attachment, and an auto cycle; or

(b) which is carried on three wheels only, is not capable of being driven backwards under its own power, and does not exceed seven hundred pounds net weight;

"motor omnibus" means a public service vehicle, other than a hire car and a taxicab, hired for conveying passengers or otherwise used for conveying passengers for reward, whether at separate fares or otherwise;

"motor omnibus service" means a road service for the carriage of passengers in motor omnibuses but, save as provided by section one hundred and eighty-seven, does not include the carriage of goods in, on or about any motor omnibus or any trailer attached thereto;

"motor vehicle" means any mechanically propelled vehicle intended for use, or capable of being used, on roads unless such vehicle shall have been specifically excluded by regulation from this definition;

"net weight" means the actual weight of a motor vehicle when unladen, but inclusive of the weight of the body, the full amount of water, fuel and accumulators which are normally carried or used for purposes of propulsion and the normal full equipment of loose tools and accessories, and, in the case of a trailer, means the actual weight of the trailer when unladen but inclusive of the normal full equipment of loose tools and accessories;

"owner" means, in relation to a vehicle other than a registered motor vehicle or trailer, the person having habitual possession and control thereof and, in
relation to a registered motor vehicle or trailer, the person in whose name the
motor vehicle or trailer is registered:

Provided that in the case of a vehicle or trailer which is the subject
of a hire-purchase agreement, the term means the person in possession of the
vehicle under that agreement;

"Panel" means the Road Transport Panel established under section one hundred and
forty-seven;

"parcel" means any package not exceeding eleven pounds in weight, and not
exceeding three feet six inches in length or six feet in length and girth
combined;

"park" means to keep a vehicle, whether occupied or not, stationary for a period
of time greater than is reasonably necessary for the actual loading or unloading
of persons or goods;

"pneumatic tyre" means a tyre composed of flexible material and when in use kept
inflated at an air pressure greater than atmospheric pressure;

"prescribed" means prescribed by rules or regulations made under this Act;

"private motor car" means a motor vehicle (other than a public service vehicle,
motor cycle or contract car) constructed or adapted for use primarily for the
carriage of passengers and includes vehicles commonly known as "coupe imps" and
"station-wagons";

"private motor omnibus" means a motor vehicle, other than a public service
vehicle, having seating accommodation for more than seven persons other than the
driver;

"public place" includes any public way or place, other than a building, to which
for the time being the public are entitled or permitted to have access either
with or without condition;

"public road" means any road of a class described in section three;

"public service vehicle" means a motor vehicle or trailer, other than a contract
car, hired for conveying passengers or goods or both or otherwise used for
conveying passengers or goods or both for reward:

Provided that for the purposes of this definition a hire-purchase
agreement shall not be deemed to be a hiring.

Goods shall be deemed to be carried for hire or reward if the person
who
has purchased or otherwise acquired such goods from some other person transports
them to any other place, and thereupon resells or otherwise disposes of them to
the person from whom he purchased or otherwise acquired them;

"road" means any highway, and any other road to which the public have access and
any public place to which vehicles have access and any road in any residential
area, whether access to it is restricted or not, which is part of a
municipality, township or mine township, and includes any bridge, ford, culvert
or other work in the line of such road;
"road reserve" means any part of a road other than the carriageway, footpath and cycle track;

"road traffic inspector" means any person appointed as such by Gazette notice;

"structure" includes-

(a) any building, pole, power line, petrol pump, machinery, wall, plantation or hedge and any other object which could in like manner cause an obstruction; and

(b) any external alteration or addition to a structure;

"taxicab" means a public service vehicle having seating accommodation for not more than seven persons other than the driver which is let with a driver over a period of less than twenty-four hours for the carriage of passengers otherwise than at separate fares;

"ton" means one thousand kilogrammes;

"tractor" means a motor vehicle which is used for the purpose of drawing one or more trailers, but which is not itself designed to carry any load;

"traffic" includes vehicles, pedestrians, processions and bodies of troops, and all animals being ridden, driven or led;

"traffic sign" means any object or device, whether fixed or portable, for conveying warning, information, requirements, restrictions, prohibitions of any description prescribed or authorised under this Act to traffic or any specified description of traffic on any road, and includes any line or mark on a road for conveying such warnings, information, requirements, restrictions or prohibitions;

"trailer" means any vehicle which has no independent motive power of its own and which is drawn, or which is designed to be drawn, by a motor vehicle. It does not include a sidecar attached to a motor cycle, nor a farm implement that is not constructed or adapted for the conveyance of goods or burden of any description;

"Tribunal" means the Road Service Appeal Tribunal established under section one hundred and fifty-eight;

"undertaker" means the authority, body or person by whom a statutory power to execute undertakers' works is exercisable in the capacity in which that power is vested in them;

"undertakers' works" means works (including works executed or to be executed on behalf of the Government) for any purposes other than road purposes, being works of any of the following kinds, that is to say:

(a) placing apparatus, inspecting, maintaining, adjusting, repairing, altering or renewing apparatus, or changing the position of apparatus or removing it;

(b) breaking up or opening a road for the purposes of works mentioned in paragraph (a) of this definition, and tunnelling or boring under a road for those purposes, breaking up or opening a sewer, drain or tunnel for those
purposes, and other works requisite for or incidental to those purposes, and shall include laying any pipeline, wire or cable on or over any such road;

"vehicle" includes any engine, wagon, dray, cart, carriage, bicycle, or other means of carrying goods or persons by land, having two or more wheels, whether drawn or propelled by human, animal, steam, electric or other power;

"vehicle examiner" means any person appointed under the provisions of this Act to examine motor vehicles;

"works" includes any pipe, tube, tunnel, permanent excavation, quarry, irrigation works, borehole or well, and any addition or alteration to such works.


PART II
ROADS: GENERAL

3. The public roads of Zambia shall be classified as follows:

(a) inter-territorial main roads, being the public roads specified in the Appendix;

(b) territorial main roads, as defined in section four;

(c) district roads, as defined in section five;

(d) branch roads, as defined in section six;

(e) rural roads, as defined in section seven;

(f) estate roads, as defined in section eight: Classification of roads

Provided that no road or portion of a road situated within the limits of a mine township shall be classified or designated as a public road without prior consultation with the board of management of such mine township.

(As amended by No. 17 of 1961, G.N. No. 293 of 1964 and No. 25 of 1969)

PART IIA

Repealed by Act No. 35 of 1995 (now Cap. 471).

PART IIB

Repealed by Act No. 35 of 1995 (now Cap. 471).

4. (1) Territorial main roads shall be those roads, other than inter-territorial main roads, so designated by the Minister by statutory notice. Territorial main roads
In respect of all main roads in any area other than in a local authority area, the Director of Roads shall be the highway authority responsible for the construction, care and maintenance of such roads, and all expenses incurred in such construction, care and maintenance shall be borne by the Government.

In respect of main roads or portions thereof in a local authority area, the highway authority shall be the local authority concerned:

Provided that such proportion of the expenses incurred by a local authority in the construction, care and maintenance of main roads as may be directed by the Minister in any case shall be borne by the Government.

(As amended by No. 17 of 1961, No. 25 of 1963 and G.N. No. 293 of 1964)

5. (1) District roads shall be those so designated by the Minister by statutory notice. District roads

(2) The Minister shall have power to appoint, by statutory notice, a highway authority in respect of all or any district roads in any area other than a local authority area, and such highway authority shall be liable for the construction, care and maintenance of such roads:

Provided that all expenses incurred in such construction, care and maintenance shall be borne by the Government except as may be otherwise provided in this Act.

6. (1) Branch roads shall be those so designated by the Minister by statutory notice. Branch roads

(2) The Minister shall have power to designate branch roads either on his own motion or after application under section fifteen.

(3) The Minister shall have power to appoint a highway authority in respect of all or any branch roads in any area other than a local authority area and such highway authority shall be liable for the construction, care and maintenance of such branch roads.

(4) It shall be competent for the Minister in designating any branch road to order whether and in what proportion the cost of such construction, care and maintenance of the said road shall be borne by the owners of the property served by the said road or otherwise. Where such costs are ordered to be borne by any person other than the highway authority concerned, the said costs shall be paid by such person to the highway authority concerned in accordance with such regulations as may be made in that behalf, and may be recovered from him by the highway authority as a civil debt.

(5) Any order made under subsection (4) may be varied by the Minister by a subsequent order.

7. (1) Rural roads shall be those roads outside a local authority area which may be so designated by the Minister by statutory notice on the application of the Resident Secretary of the Province in which they are situated. Rural roads

(2) The highway authority in respect of any rural road shall be the rural council administering the area in which such road is situated and such rural council shall be liable for the construction, care and maintenance of the rural
roads within its own area.

(3) A rural council shall be eligible to receive such grant from the Government towards the cost of construction, care and maintenance of rural roads in its area as the Minister may from time to time determine.

(As amended by No. 25 of 1969)

8. (1) Estate roads are roads outside a local authority area provided for purposes of internal access in any area being developed whether by Government or otherwise for residential plots or farms.

(2) The Minister shall have power to make rules for the designation, provision, construction, care and maintenance of estate roads in any area being developed as aforesaid other than an area which is subject to a development scheme approved under the Town and Country Planning Act. Cap. 283

(3) The cost of construction, care and maintenance of estate roads shall be borne in such proportion as the Minister may order by the owners or occupiers of the land which is served by such roads, unless the Minister shall otherwise order in any particular case, and any such costs or proportion thereof shall be recoverable by the highway authority from the person or persons liable as a civil debt.

(As amended by No. 26 of 1959 and G.N. No. 275 of 1964)

9. The Minister shall have power to declare, by statutory notice, that the provisions of sections twenty-seven, twenty-eight, twenty-nine, thirty, forty-three and forty-eight to fifty-four shall not apply to branch roads, rural roads or estate roads in any area or areas which may be designated in such notice.

(As amended by No. 25 of 1969)

Exemption of roads from certain provisions of this Act

10. (1) All public roads shall, upon designation as such in accordance with the provisions of this Act, be deemed to be dedicated to public use, subject to such restriction of user as may be prescribed.

Public roads dedicated to public use

(2) The highway authority concerned shall at all times have the right to enter and, subject to the provisions of this Act, to carry out any works and exercise any powers in relation to any public road or proposed public road.

(3) In relation to any public road or proposed public road which is constructed after the commencement of this Act, no work in relation to the construction of such road shall be carried out on any land without prior notice in writing to the owner or occupier of the land concerned, or, in any case where such owner or occupier cannot be traced within a reasonable time, without prior notice sent by registered post to the last known address within Zambia of such owner or occupier.

(4) In the case of any public road or proposed public road which is constructed after the commencement of this Act, compensation may be paid to the owner or occupier of any land over which such road is constructed in accordance with the following provisions:
(a) any claim for compensation shall be submitted in writing and shall set out the nature of the interest of those claiming compensation and give details of any expense or loss which may reasonably be incurred directly as a result of the taking or dedication to public use of such land;

(b) in the event of failure to agree upon the amount of compensation the matter shall be decided by arbitration;

(c) in the case of any arbitration the arbitrator, in making his award, shall, unless in any case the Minister shall otherwise direct-

(i) assess compensation in respect of improvements existing before the date of the notice given in terms of subsection (3) and damaged or destroyed or lost to the use of the owner or occupier by virtue of the construction and designation of the road concerned;

(ii) assess compensation for land taken on the basis of its market value at the date of the notice given in terms of subsection (3) having regard to the nature of the land taken and the period for which it will be lost to the owner or occupier:

Provided that-

A. where part only of a holding is taken, compensation for such part shall be calculated on the basis of its value as an integral part of the whole;

B. no enhancement in the market value of the land due to the proposed construction or extension of the road shall be taken into account:

(iii) not take into account the special suitability or adaptability of the land for road purposes;

(iv) not take into account any loss incurred or suffered as a result of a reduction in the traffic over a public road due to realignment, closure or change in status of such road;

(v) take into consideration any compensation already agreed or otherwise determined in accordance with the provisions of section thirty-nine.

(As amended by No. 17 of 1961)

11. Whenever under any of the provisions of this Act any notice is required to be served upon the owner or occupier of land, then, in respect of Reserves and Trust Land, such requirement shall be deemed to have been satisfied by the service of a notice upon the District Secretary in whose District the land concerned is situated.

Service of notice in Reserves, etc.

12. (1) In respect of any public road or portion thereof in any local authority area, the highway authority shall be the local authority concerned and shall be responsible for the construction, care and maintenance of the said roads subject to the following provisions:

(a) in respect of main roads, the costs of construction, care and maintenance shall be borne in accordance with the provisions of subsection (3) of section four;
(b) in respect of district roads, such proportion of the costs of
construction, care and maintenance as may be directed by the Minister in any
case shall be borne by the Government and paid to the local authority concerned.

(2) Nothing in the foregoing sections of this Act shall be construed as taking
away any powers conferred by any other written law on a local authority in
respect of the construction, care and maintenance of roads within its area of
jurisdiction.

(As amended by S.I. No. 122 of 1965)

13. (1) The Minister shall have power to declare, by statutory notice, the
width of any road or class or classes of road. Except as otherwise provided the
width shall be:

(a) for a main road, two hundred feet;
(b) for a district road, one hundred and twenty feet;
(c) for a branch road, one hundred and twenty feet;
(d) for any other class of road, sixty feet.

(2) The width prescribed in subsection (1) shall not apply to any main,
district or branch road within any local authority area.

(3) The centre line of a road shall in every case lie down the centre line of
the carriageway thereof, unless the Minister shall in any case otherwise provide
by statutory notice.

14. (1) The Minister shall have power to make rules to control the number,
location and design of points of access of public or private roads to all main
and district roads.

(2) The highway authority shall also have power to require the owners of
buildings and property to provide service roads to give access to buildings or
property and to prohibit the erection of any buildings with a direct frontage on
to a main or district road:

Provided that nothing in this section shall apply to roads within a local
authority area.

(3) The Minister shall have power to make rules providing for the removal, or
controlling the erection or modification, of any structure, or controlling the
carrying out of any works, on or under land within three hundred feet of the
centre line of any main or district road outside a local authority area, and any
such rules may provide for the payment of compensation in respect of any such
matter and the manner in which such compensation shall be assessed.

(As amended by No. 26 of 1959, No. 17 of 1961
and G.N. No. 275 of 1964)

15. (1) Occupiers of land adjoining any road may apply to the Minister through
a highway authority to have such road designated a branch road. In such cases
the following provisions shall be observed and shall be applicable:

Opening of branch roads
(a) every application must be made in writing and shall state-

(i) the point on the main or district road from which the branch road is required;

(ii) the farms or land through or over which it is proposed that a road shall be designated and the names of the owners or occupiers thereof;

(iii) the terminal point to which it is proposed that the road should be designated;

(b) notice shall be given by the applicants in one newspaper published or circulating in the district through which it is proposed to make such road that such application has been or will be made.

(2) The notice prescribed in subsection (1) (b) shall call upon any person objecting thereto to lodge at the office of the highway authority within three months after the date of the publication of such notice his objections thereto in writing.

(As amended by No. 17 of 1961)

16. (1) The highway authority, on receiving any such application, may require the applicants to deposit such sum of money as may appear to be necessary for the purpose of defraying the expense of causing the proposed route to be inspected by a competent person or persons and a report thereon made for submission to the Minister. Report and recommendations to be submitted to Minister.

(2) After considering any such application and any objection thereto made under section fifteen (2) and after making such further inquiries as it may deem fit, the highway authority shall made a report and recommendations on the matter to the Minister.

(3) If upon the consideration of any such report and recommendations it shall appear to the Minister that the road is one necessary or proper to be allowed, he may, by statutory notice, designate such a road to be a branch road and he may determine whether the whole or any part of the expense incurred in obtaining a report upon and causing the road to be designated should be paid and borne by the parties for whose use or at whose instance the same was so designated.

17. (1) The occupiers of any land which abuts upon a branch road may apply in writing to the Minister through the highway authority concerned to have such branch road designated a district road. Branch roads may be designated district roads.

(2) Notice shall be given by the applicants in one newspaper published or circulating in the district through which such road runs that such application has been or will be made.

(3) Such notice shall call upon any person objecting thereto to lodge at the office of the highway authority concerned within three months after the date of the publication of such notice his objections thereto in writing.

18. (1) The highway authority on receiving any such application may require the applicants to deposit such sum of money as may appear to be necessary for
the purpose of defraying the expense of causing the proposed road to be inspected by a competent person or persons and a report thereon made for submission to the Minister. Consideration and determination of application

(2) After considering any such application and any objection thereto made under section seventeen and after making such further inquiries as it may deem fit, the highway authority shall make a report and recommendations on the matter to the Minister.

(3) If upon consideration of any such report and recommendations it shall appear to the Minister that the application is one which should be approved, he may, by statutory notice, designate such road a district road and may determine whether the whole or any part of the expenses incurred in obtaining the report upon or in causing the road to be designated should be borne by the parties for whose use or at whose instance the same was so designated.

19. The Minister upon sufficient cause shown to his satisfaction may, by statutory notice and advertisement in one newspaper published or commonly circulating in the district concerned, declare that any road or part thereof designated or classified as an inter-territorial or a territorial main road, district road, branch road or rural road shall, as from the date to be stated in the said notice, cease to be so designated or shall be reclassified or shall be diverted: Reclassification, closure or diversion of road

Provided that in the case of any such road or portion thereof situated in a local authority area, the powers conferred upon the Minister by this section in respect of diversions shall be exercised by the local authority, subject to the provisions of any law in force in such local authority area and subject to the right of appeal by any persons to the Minister.

(As amended by No. 25 of 1969)

20. (1) Before any statutory notice under section nineteen shall be published relating to the closing, reclassification or diversion of any road, the Minister shall require or direct that notice of the intention to close, reclassify or divert such road shall be - Notice to be given

(a) posted for general information at some conspicuous place outside the office of the District Secretary of the District within which such road is situated and if he deems requisite at such other offices or places as he shall direct;

(b) advertised in the Gazette and in one newspaper published or commonly circulating in such District.

Such notice shall clearly describe the road sought to be affected and the situation thereof and shall call upon any person objecting to lodge at the office of the highway authority concerned within one month after the date of the publication of such notice in the Gazette his objections in writing.

(2) The highway authority shall consider any such objection and shall make a recommendation to the Minister.

(As amended by No. 17 of 1961)

21. (1) A highway authority in consultation with the owners or occupiers concerned may construct in or on any road for which it is responsible, culverts,
ditches or other works for the diversion of storm water from or under any such road into adjoining land. Disposal of storm water

(2) In respect of any loss or damage caused by water diverted under the provisions of subsection (1), the highway authority shall pay to the owner or occupier of the land concerned such amount of compensation as may be agreed at the time of the construction of the culvert, ditch or other work, and in default of such agreement such amount shall be determined by arbitration in accordance with such procedure as may be prescribed.

(3) In assessing the amount of any loss or damage for the purposes of this section, regard shall be had to any increased benefit of the road to the owner or occupier of the land concerned and to any diminution in the value of the land occasioned by the diversion of storm water.

22. (1) If any owner or occupier of land adjoining any public road has constructed drains or contour ridges for the purpose of improving or protecting his property, he shall not cause or permit storm water to discharge from such drains or contour ridges on to such road or into any existing road drain on such road without the permission of the highway authority concerned. Storm water from land adjoining

(2) In the event of any application for permission in terms of subsection (1), the highway authority concerned shall grant permission if the applicant agrees to pay the expenses of any enlargement or alteration of such road drains which is considered necessary by such highway authority.

(3) In the event of permission being refused or any dispute as to the necessity for such enlargement or alteration of drains arising, the matter shall be referred for decision to the Minister in consultation with the Natural Resources Board.

(4) Any person failing to comply with the provisions of this section shall be guilty of an offence.

23. (1) The Minister may from time to time by statutory notice-Control of roads and traffic

(a) prohibit any specified description of traffic from using any public road or portion thereof;

(b) restrict the volume or speed of any specified description of traffic on any public road or portion thereof;

(c) prohibit any specified description of traffic from travelling on any public road or portion thereof otherwise than in a specified direction;

(d) prohibit or restrict the waiting of any description of traffic or the loading or unloading of vehicles on any public road or portion thereof;

(e) prohibit the use of any public road or portion thereof by through traffic;

(f) prohibit or restrict the overtaking of traffic by vehicles or any class of vehicles on any public road or portion thereof;

(g) restrict the use of any public road or portion thereof to traffic of a
specified description or to vehicles being used for a specified purpose or by or under the directions of any specified person;

(h) prohibit the use of any public road by animals or by vehicular traffic of a kind which, or the use thereof by such traffic in a manner which, is unsuitable having regard to the existing character of the road or adjoining property.

(2) Before the publication of any notice under subsection (1), the Minister shall require or direct that notice of the intention of any such prohibition or restriction shall be posted for general information at some conspicuous place outside the office of the District Secretary of the District within which the notice is intended to operate, and, if he deems requisite, at such other offices or places as he shall indicate and shall be published once in the Gazette and in some newspaper circulating within such District. The notice shall clearly describe the road or portion thereof sought to be affected and shall contain full particulars of the proposed prohibition or restriction and shall call upon any person objecting thereto to lodge at the office of the Minister within one month after the date of the publication of such notice in the Gazette his objection thereto in writing:

Provided that whenever he considers it expedient in the circumstances of any particular case, the Minister may issue a notice under subsection (1) without the preliminary notice otherwise required under this subsection.

(3) The Minister may from time to time revoke, vary or amend any notice published under subsection (1).

(4) Any person who fails to comply with the terms of any notice issued under subsection (1) shall be guilty of an offence and shall be liable upon conviction to a fine not exceeding one thousand five hundred penalty units.

(As amended by No. 17 of 1961 and Act No. 13 of 1994)

24. (1) Subject to the provisions of this section, if a highway authority is satisfied that traffic on any road for the maintenance of which it is responsible should, by reason of works of repair or construction being required or being in progress on or near such road, be diverted wholly or in part on to any other existing road or roads, it may by order prohibit or restrict the use of that road or any part thereof in such manner as may be specified, and direct that such traffic as may be affected by such prohibition or restriction shall use such other existing road or roads.

Powers of highway authority to control traffic

(2) A highway authority shall, not less than fourteen days before making an order under subsection (1), cause notice of its intention to make such order to be published in the Gazette and shall also, at least fourteen days before the date upon which such order comes into force, cause it to be published in like manner. Every such notice shall contain a statement of the effects of the order and a description of the alternative route or routes available for traffic:

Provided that in any case where the highway authority concerned is satisfied that owing to the likelihood of danger to the public or serious damage to the road it is necessary to prohibit or restrict the use of such road forthwith, it may make any order under subsection (1) without publication of any notice under this subsection.
(3) So long as any order made under this section is in force, a notice stating
the effect of the order and describing the alternative route or routes available
for traffic shall be kept posted in a conspicuous manner at each end of the part
of the road to which the order relates and at the points at which it is
necessary for vehicles to diverge from such road, and the diversion route shall
at all times be clearly indicated to traffic using it by means of suitable
signs.

(4) In addition to the powers conferred upon it by subsections (1) and (2), a
highway authority may at any time by means of suitable barriers close or
restrict the use of all or any part of any road within its jurisdiction for the
purposes of repair or reconstruction:

Provided that-

(i) subject to the provisions of section thirty-four, wherever possible a
deviation for the passage of traffic shall be provided within or adjacent to the
road reserve concerned;

(ii) all reasonable steps shall be taken to display adequate traffic signs in
accordance with subsection (2) of section twenty-six giving reasonable warning
to traffic using the road of any such closure or restriction.

(5) Any person who uses or permits the use of any animal or vehicle in
contravention of any order issued by a highway authority under this section
shall be guilty of an offence and shall be liable upon conviction to a fine not
exceeding six hundred penalty units.

(As amended by No. 17 of 1961
and Act No. 13 of 1994)

25. (1) Subject to and in conformity with such general or other directions as
may be given by the Minister, a highway authority may cause or permit traffic
signs to be placed on or near any road in its area: Traffic signs

Provided that a railway administration may, subject to the provisions of this
Act and any regulations made thereunder, place traffic signs at any level
crossing without obtaining the permission of a highway authority.

(2) Traffic signs shall be of the prescribed size, colour and design except
where the Minister authorises the erection or retention of a sign of another
character.

(3) After the commencement of this Act no traffic signs shall be placed or
retained on or near any road except under and in accordance with the preceding
provisions of this section.

(4) The highway authority may, by notice in writing, require the owner or
occupier of any land on which there is any object or device (whether fixed or
portable) for the guidance or direction of persons using roads to modify or
remove it, and if any person fails to comply with such a notice the highway
authority may itself effect the removal and may recover summarily as a civil
debt from the person so in default the expenses incurred by it in so doing.

(5) A highway authority shall, if so directed by the Minister, remove or cause
to be removed any traffic sign or any such object as is mentioned in subsection
(6) The Minister shall have power to give directions to a highway authority for the placing on any road of a traffic sign of any prescribed type or authorised character specified in the directions or for replacing such sign as may be so specified, or for converting a sign into a sign of another prescribed type.

(7) If a highway authority fails to comply with any direction given under subsection (5) or (6), the Minister may order the work to be carried out by the Director of Roads and the expenses incurred in so doing may be recovered summarily as a civil debt from the highway authority concerned.

(8) Notwithstanding any other provision of this Act, any traffic sign which was, before the commencement of this Act, lawfully erected under any written law, and which is a traffic sign or of a class of traffic sign which may be specified by the Minister by statutory notice, shall continue to be lawful for such period as may be specified in such notice, and shall during such period be deemed to be a traffic sign lawfully erected under this Act.

(9) In any prosecution for a contravention of an instruction conveyed by a traffic sign, such sign shall be deemed to have been lawfully placed and displayed and to comply with the requirements prescribed for such traffic sign unless and until the contrary is proved.

(10) Any person who removes, mutilates, obscures or in any way damages or interferes with, or, without the permission of the highway authority concerned, attaches any notice or other thing to any traffic sign shall be guilty of an offence and shall be liable to a fine not exceeding one thousand penalty units or to imprisonment for a period not exceeding three months, or to both.


26. (1) A police officer or any person acting under the instructions (whether general or specific) of the Commissioner of Police may place on any road, or on any structure on any road, traffic signs of any size, colour or type prescribed or authorised under subsection (2) of section twenty-five, being signs indicating such prohibitions, restrictions or requirements relating to vehicular traffic as may be necessary or expedient to prevent or mitigate congestion or obstruction of traffic or danger to or from traffic in consequence of an accident or other unforeseen or extraordinary circumstances.

Temporary traffic signs

(2) The powers conferred by subsection (1) may also be exercised by a highway authority when engaged upon works of maintenance or reconstruction in respect of the length of road being so maintained or reconstructed.

(3) Any traffic sign placed in accordance with the provisions of this section shall be removed as soon as the circumstances or works on account of which it was placed have ceased to exist or have been completed, as the case may be.

27. (1) Subject to the provisions of section twenty-nine, no person shall erect or display an advertisement which is visible from any road without the written permission of the highway authority.

Control of advertisements

(2) The highway authority may grant or refuse such permission and if it grants such permission it shall prescribe therein-
(a) the specifications to which the advertisement shall conform;
(b) the period during which the advertisement may be displayed; and
(c) the manner, place and circumstances in which and the conditions on which
the advertisement may be displayed.

(3) The highway authority may at any time alter or revoke any such written
permission.

28. (1) If an advertisement, which is visible from a road—Removal or
alteration of advertisements

(a) is being displayed without the written permission of the highway
authority or after the expiration or revocation of such permission; or

(b) does not conform to the specification prescribed in the written
permission to display the advertisement or is being displayed in a manner or
place or in circumstances or under conditions other than those prescribed in
such permission;

the highway authority may cause the person displaying such advertisement to be
directed, by notice in writing, to remove it or to effect such alterations in
the nature of the advertisement or in the manner, place or circumstances in
which it is being displayed as may be prescribed in such notice within the
period prescribed in such notice.

(2) If the person displaying such advertisement fails within the period
prescribed to comply with the directions given in such notice, he shall be
guilty of an offence.

(3) If the person displaying an advertisement fails to comply with any
directions given to him under the provisions of subsection (1), the highway
authority may cause the advertisement to which the direction relates to be
removed.

(4) The cost of removing any advertisement under the provisions of subsection
(3) may be recovered by the highway authority as a civil debt from the person
who failed to comply with the direction.

(5) Notwithstanding any other provision contained in this section, a person to
whom a direction is given under this section may, before the expiration of the
period prescribed in the notice containing such direction, appeal to the
Minister against such direction.

(6) Where the Minister dismisses an appeal made under subsection (5), the
person appealing against a direction shall comply with the direction within such
period as the Minister shall specify when dismissing the said appeal.

(7) Where a person who has appealed against a direction fails to comply with
the direction within the time specified under subsection (6), the provisions of
subsections (3) and (4) shall apply.

(As amended by No. 17 of 1961)

29. (1) The provisions of sections twenty-seven and twenty-eight shall not
Exceptions

(a) the display of an advertisement on a vehicle which is being used on a road if it is proved that the main purpose for which the vehicle is being so used is not to display such advertisement;

(b) the display of advertisements in any local authority area;

(c) the display on a building, or site, or within one hundred yards of a building or site, of an advertisement which otherwise than on a road-

(i) merely discloses the name or nature of any business or undertaking carried on in such building or on such site or the name of the proprietor or manager of such business or undertaking; or

(ii) relates solely to any article or service supplied in connection with any business or undertaking carried on in such building or on such site;

(d) the display otherwise than on a road of an advertisement which relates solely to-

(i) a form of recreation which is or will be available upon the land;

(ii) an entertainment, meeting or sale which is being or is to be held upon the land; or

(iii) the sale or lease of the land upon which the advertisement is displayed if the advertisement is displayed at an entrance to such land and not more than one advertisement is so displayed in respect of any one of such matters;

(e) the display otherwise than on a road of an advertisement which merely indicates-

(i) the name of a farm; or

(ii) that a particular road or path is a private road or path or leads to a particular place; or

(iii) that a particular act is prohibited or permitted;

(f) the display, otherwise than on a road and on or at a gate, of an advertisement which merely conveys-

(i) the name of a property or locality to which the gate gives access; or

(ii) a request or direction to close the gate;

(g) the display of any advertisement of a prescribed class if such advertisement conforms to such specifications and is displayed in accordance with such conditions as may be prescribed.

(2) If in the opinion of the Minister any advertisement displayed in accordance with the provisions of subsection (1) is likely to prove a danger to the travelling public, the Minister may call upon the person displaying such advertisement, or, in the case of signs within a local authority area, upon the local authority concerned, either to alter the advertisement or have it removed, and in such case the provisions of subsections (2), (3) and (4) of section
twenty-eight shall apply.

(As amended by No. 17 of 1961)

30. Where it appears to the Commissioner of Police expedient so to do for the purpose of carrying out within any specified area an experimental scheme of traffic control, he may, with the consent of the Minister and after giving such notice as the Minister may direct, make regulations for regulating vehicular traffic in any manner specified by regulation: Experimental schemes of traffic control

Provided that in no case shall the Minister give consent to any such scheme without prior consultation with any local authority concerned.

PART III

CARE, MAINTENANCE AND CONSTRUCTION OF ROADS

31. (1) Every highway authority shall, subject to the directions of the Minister, undertake the construction, care and maintenance of such roads or classes of roads within such area or areas as may be included in the jurisdiction conferred upon it in accordance with the provisions of this Act: Care, maintenance and construction of roads

Provided that if any local authority, being the highway authority concerned, fails to maintain any part of a main or district road lying within the said local authority area, the Minister may, after giving notice to the said local authority, arrange for such works to be executed in such manner as he shall direct.

(2) Unless otherwise provided in this Act, liability to undertake the construction, care and maintenance of any road shall include liability to pay all the costs incurred in such construction, care and maintenance.

32. (1) No matter or thing done or omitted to be done and no contract entered into by a highway authority and no matter or thing done or omitted to be done by any officer or servant or other person acting under the direction of such authority shall, if the matter or thing done was done or omitted to be done or the contract was entered into bona fide in pursuance of the duties of the authority, subject any servant or agent of the highway authority to any action, liability, claim or demand whatsoever and any expense incurred by any such servant or agent shall, in connection with any such action, claim or demand, be paid by the authority out of its funds. Liability of highway authorities and their staff

(2) Nothing in subsection (1) shall be deemed to debar a suit where any act or omission has been occasioned by such negligence on the part of the authority, its officers, or servants as would create liability under any other law:

Provided that the liability of a highway authority under any other law in respect of any injury, damage or loss which may accrue to any person or property through the failure of any road, ferry or pontoon to sustain any vehicle shall be limited to liability for physical damage to such person or property caused by such failure.

(As amended by No. 38 of 1960 and No. 17 of 1961)
33. (1) A highway authority shall, within the area of its jurisdiction, have the power to enter upon any land for the purpose of carrying out investigations in connection with, or surveying or setting out the line of, any proposed road, and compensation shall be payable in respect of any damage or destruction caused by such highway authority in respect of improvements on the land concerned. In the event of failure between the highway authority and the owner or occupier of the land concerned to agree upon such compensation, the matter shall be determined by arbitration in such manner as may be prescribed.

Power of highway authority to enter upon land

(2) No entry shall be made upon any land in accordance with subsection (1) unless prior notice has been given to the owner or occupier of the land concerned.

(As amended by No. 17 of 1961 and S.I. No. 122 of 1965)

34. (1) For the purpose of constructing, repairing or maintaining any public road within its jurisdiction, it shall be lawful for any highway authority on giving prior notice to the owner or occupier concerned to construct and maintain temporary deviations over any land adjacent to such road not being land occupied by buildings, orchards, gardens or other improvements, or land under cultivation, or land within a local authority area, and no compensation shall be payable.

Power to construct and maintain deviations

(2) The powers conferred upon a highway authority by subsection (1) may be exercised over land under cultivation with the concurrence of the owner or occupier concerned and on payment to such owner or occupier of such compensation as may be agreed, or failing agreement, as may be determined by arbitration in such manner as may be prescribed.

(3) Where any deviation has been constructed by a highway authority within a road reserve or otherwise, it shall be the duty of the highway authority when such deviation has ceased to be required for the purpose for which it was constructed to restore and make good to the satisfaction of an Agricultural Officer the land over which such deviation was constructed, for the purpose of preventing soil erosion.

35. (1) If during any investigation which is being made for the purpose of determining the course of any proposed public road, the Minister has reason to believe that the owner of or any person having any rights over or in land over which the proposed road may run is, within a distance of three hundred feet on either side of the centre line of the proposed course of such road, doing any act or intending to do any act which is calculated to interfere with any such proposed road, he may, in writing, request such owner or person to cease doing such act within such period as the Minister shall stipulate or not to do such act.

Power to reserve land for proposed roads

(2) If any such owner or person fails or refuses to comply with a request made in terms of subsection (1), the Minister may, by Gazette notice, reserve a strip of land to a width of three hundred feet on either side of the aforesaid centre line against all use thereof. Such notice shall specify each property affected by the reservation and shall prescribe the manner in which the area or areas reserved shall be demarcated.

(3) Publication of a notice of reservation in terms of subsection (2) shall
have the effect of prohibiting any activity whatsoever upon the land reserved other than work in connection with the determination of the course of the proposed road:

Provided that-

(i) the Minister may permit such limited use of the land concerned as he may determine, subject to such conditions as he may impose;

(ii) if no action is taken in terms of section thirty-six within twelve months of the publication of such notice, the reservation shall be deemed to lapse.

(4) No person shall be entitled to claim as a right compensation in respect of any loss or damage suffered by reason of the exercise by the Minister of any of the powers conferred upon him by this section.

(5) As soon as possible after the publication of a notice of reservation in terms of this section the Director of Roads shall lodge with the Registrar of Lands and Deeds two copies of the engineering survey plans showing the approximate centre line of the proposed road and the boundaries of properties affected.

(As amended by No. 25 of 1963)

36. (1) As soon as the course of any proposed road has been demarcated, the Minister may, by Gazette notice and by advertisement in a newspaper circulating in the district concerned, reserve a strip of land two hundred feet wide along such course and shall notify such reservation in writing by registered post to the individual landowners concerned. Every such notice shall include a list of the properties affected by the reservation and shall specify the office at which plans showing the reserved strip of land may be inspected.

Reservation of road reserve

(2) Publication of a notice in terms of this section shall have the effect of-

(a) reserving the strip of land described in such notice for road purposes;

(b) prohibiting any activity whatsoever not connected with the construction of the road upon the land so reserved:

Provided that the Minister may permit such limited use of the land as he may determine, subject to such conditions as he may impose in granting that permission;

(c) cancelling any reservation made in terms of subsection (2) of section thirty-five in respect of land affected by a reservation made in terms of this section, and any other land immediately adjacent thereto.

(3) As soon as possible after any land has been reserved in terms of this section, the Director of Roads shall lodge with the Registrar of Lands and Deeds two copies of the engineering survey plans showing the course of the proposed road.

(4) The Registrar of Lands and Deeds shall thereupon register the details of the reservation in such form and manner as may be prescribed.
(5) The registration of such reservation shall not debar the registered owner of any land affected from transferring or otherwise dealing with such land.

(6) Any land reserved under this section shall be demarcated in such manner as may be prescribed.

(As amended by No. 25 of 1963)

37. The Minister may at any time withdraw or modify any reservation made under the provisions of section thirty-five or thirty-six by Gazette notice and by notifying the Registrar of Lands and Deeds of such withdrawal or modification. Withdrawal or modification of reservation

38. Where on any land reserved in terms of section thirty-five or thirty-six any person does any act calculated to impede the purposes for which the land has been reserved or which he has not been authorised by the Minister to do, the Minister may, by notice in writing, direct such person, at his own expense and within such period as shall be specified in such notice, to restore such land to the condition in which it was immediately before such unauthorised act, and if such person fails to comply with such direction within the period specified, he shall be guilty of an offence and liable to a fine not exceeding one thousand five hundred penalty units or to imprisonment for a period not exceeding three months, or to both, and the Minister may cause to be carried out such work as may be necessary to restore the land and may recover from such person any expense incurred in such work.

(As amended by Act No. 13 of 1994) Unauthorised acts on reserved land

39. (1) Any person affected by the exercise of any of the powers conferred upon the Minister by section thirty-six or thirty-seven who wishes to claim compensation in respect thereof shall submit in writing, within thirty days of the date of the publication of any notice in terms of section thirty-six or thirty-seven, as the case may be, a statement setting out the nature of his interest, details of the compensation claimed in respect of land to be taken, improvements likely to be removed or damaged and any expense or loss which may reasonably be incurred or suffered directly as a result of the exercise of those powers: Compensation

Provided that the Minister shall not reject any claim only on account of the statement not having been submitted within the said period of thirty days if, in his opinion, the statement could not reasonably have been submitted within that period.

(2) The amount of compensation payable under this section shall be such amount as may be mutually agreed upon between the parties or, failing such agreement, as may be settled by arbitration.

40. (1) A highway authority, or any person duly authorised by it, shall at all times have the power to enter upon any land (except within the boundaries of a local authority area) and to take therefrom any material (including water, other than water from an artificial dam, well or borehole save with the consent of the owner) necessary for the construction, maintenance or repair of roads or proposed roads and for providing in connection therewith labour camps, access roads and space for stock-piling and no compensation shall be payable except as provided in this section. Power to take materials for roadworks
(2) Whenever a highway authority considers it necessary to exercise the powers conferred by subsection (1), it shall be lawful, after prior consultation with the owner, for it to select any place or places which it may deem suitable from which to take material:

Provided that the owner or occupier of the land shall if he so desires be entitled to select another place or other places on his land for the said purpose, and if such other place or places shall be found by the highway authority to be reasonably accessible and suitable as regards quantity and quality of materials, the materials shall be taken from the place or places selected by the owner.

(3) A highway authority shall not be entitled to take possession of materials on which any person other than its servants has expended any labour, or to take the stones or other material from any house, wall or other structure.

(4) If, in exercise of the powers conferred upon it by this section, a highway authority shall deem it desirable for the purposes of obtaining any material to open any quarry or quarries extending in aggregate over more than one-hundredth part of any holding or over an area of more than one acre on any holding, whichever is the less, such compensation for surface disturbances as may be mutually agreed between the highway authority and the owner of the land shall be paid by the highway authority to the owner in respect of such total area of any such quarries as exceeds one-hundredth part of any holding or one acre thereof, whichever is the less, or, failing such agreement, the amount of compensation shall be decided by arbitration in accordance with such procedure as may be prescribed:

Provided that where a quarry is in a road reserve no compensation shall be payable.

(5) In addition to any compensation which may be payable under subsection (4) whenever land is entered for any purpose in accordance with the powers conferred by this section, compensation shall be paid by the highway authority to the owner of the land in respect of improvements physically damaged or destroyed. Failing agreement between the highway authority and the owner, the amount of compensation shall be decided by arbitration in accordance with such procedure as may be prescribed:

Provided that compensation shall only be payable for buildings, fences, trees, crops, constructions or improvements constructed or planted inside a road reserve when such construction or planting has taken place before the road has been designated by statutory notice.

(6) A highway authority shall have the right, when constructing access roads to the sites of quarries or other places from which material is to be obtained, of making openings in fences where necessary:

Provided that such openings shall be effectively closed by the highway authority against the straying of livestock during the operations and the fences properly restored on the completion of the work.

(7) Any quarry or other excavation made in exercise of the powers conferred by this section which may be a source of danger shall on the completion of the work be securely fenced off, filled in or otherwise made safe against danger to life and limb of persons or animals.
(8) It shall be incumbent on any highway authority making quarries or borrow pits in accordance with the powers conferred by this section to ensure that in any case where such quarry or borrow pit if left unfilled is likely to be a source of danger to health by becoming a breeding ground for mosquitoes or other water-borne parasites, such quarry or borrow pit is filled in to the extent necessary to prevent such danger.

(9) Any owner aggrieved by the decision of a highway authority under this section may appeal to the Minister:

Provided that, if the circumstances are such that in the opinion of the highway authority any delay in exercising any right under this section would be unreasonable, the highway authority concerned may take the materials forthwith, and the Minister may make such subsequent order in the matter as he deems fit.

(10) For the purposes of this section, "owner" shall include the actual occupier of any land, but nothing in this section contained shall prejudice the right of any other person having an interest in such land in respect of any compensation payable under this section.

(As amended by No. 17 of 1961)

41. Persons employed by any highway authority under this Act in the construction or repair of any road or proposed road shall have the right, provided that before exercising such right under this section they shall give reasonable notice to and in consultation with the owner or occupier of any land which will be affected-

(a) to park their vehicles and to erect tents, huts or other temporary buildings on any site convenient to them, subject to the following conditions: Highway authorities' employees may park vehicles, erect huts, etc., on private land

(i) no tents, huts or other temporary buildings shall be erected within five hundred yards of any dwelling-house; and

(ii) if the owner or occupier of such land objects to any site chosen for the erection of tents, huts or other temporary buildings, the matter shall be referred to the District Secretary who may make such order thereon as he may deem just and reasonable;

(b) to place and store plant and equipment on private land where there is insufficient room on the road reserve;

(c) to take and otherwise make provision for water necessary for the proper execution of the work and for animals and labourers, provided it shall not be taken from any artificial dam, furrow or well or borehole save with the consent of the owner;

(d) to cut down and remove trees or bush where necessary in the construction of public roads, provided that such trees when cut down shall belong to the owner of the land upon which the said trees were cut:

Provided that nothing in this section shall apply to any local authority area.

(As amended by No. 17 of 1961)
42. The rights granted to and the obligations of a highway authority under the provisions of sections twenty-one, thirty-four, forty and forty-one may be exercised by a contractor under the supervision or direction of the highway authority engaged in the construction or repair of roads and on behalf of any highway authority: Contractors may exercise rights granted to highway authority

Provided that in the case of any damage done by a contractor, any compensation payable under this Act shall be paid by the highway authority concerned.

43. (1) A highway authority may, for the purpose of protecting traffic along any road from danger or of making the crossing of any road less dangerous to foot passengers, erect, light, maintain, alter and remove places of refuge in such road, and construct, light, maintain, alter, remove and close subways or overbridges for the use of foot passengers. Power to undertake ancillary works

(2) A highway authority shall have power to construct and maintain works in the carriageway-

(a) along any length of road for separating a part of the road which is to be used by traffic moving in one direction from a part of the road which is to be used (whether at all times or at particular times only) by traffic moving in another direction;

(b) at cross roads or other road junctions for regulating the movement of traffic;

(c) for providing places of refuge for the protection of foot passengers crossing the road.

(3) The powers conferred by subsection (2) shall include power to light any such works as aforesaid, to pave, grass or otherwise cover them or any part of them, to erect pillars, walls, rails or other fences on, around or across them or any part of them and to plant on them trees, shrubs, and other vegetation either for ornament or in the interests of safety.

(4) The power conferred by the foregoing provisions of this section to construct any works shall include power to alter or remove them.

44. A highway authority shall have the power to provide, wherever it shall deem it necessary or desirable for the safety or accommodation of foot passengers, proper and sufficient footpaths by the side of roads under its control and to provide, wherever it shall deem necessary for the safety or accommodation of ridden horses, driven livestock, agricultural machinery or pedal cyclists, grass or other margins or tracks by the side of roads under its control.

(As from 30th March 1973 by S.I. No. 86 of 1973) Provision of footpaths, cycle tracks, etc.

45. (1) A highway authority shall have power to construct and operate any ferry or pontoon to facilitate the crossing of any river or stream. Ferries and pontoons

(2) Any ferry or pontoon operated under the provisions of subsection (1) shall be operated in accordance with the provisions of any law in force relating to inland water transport.
3. A highway authority shall have power to construct bridges over rivers and streams and over or under any railway line or inland waterway:

Provided that nothing in this subsection shall detract from the rights, powers, duties, and responsibilities conferred upon the Railways by the Railways Act. Cap. 453

46. The Minister may, by statutory instrument, make rules regulating and controlling the construction of cattle grids and providing for the recovery by a highway authority of the cost incurred by it in constructing any cattle grid.

(No. 17 of 1961 as amended by G.N. No. 275 of 1964) Power to make rules controlling the construction of cattle grids

47. (1) Except in so far as may be necessary in any emergency in order to enable him to use the road in a lawful manner, no person shall otherwise than in accordance with the provisions of this Act - Prevention of damage, etc., to roads

(a) encroach on any road or road reserve by making or erecting any building, fence, ditch or other obstacle or by planting trees or otherwise:

Provided that nothing in this paragraph shall be construed to apply to a barrier of a pattern and in a position approved by the highway authority and duly erected in accordance with any law in force for the control of traffic for the purposes of examination in connection with immigration or customs or for the control of tsetse fly;

(b) leave or place or negligently allow to fall on or over any road any timber, stones or other material so as to obstruct such road or endanger persons using the road, or deposit rubbish, debris or other material on any road;

(c) intentionally or negligently damage in any way any part of any road;

(d) fill in or obstruct any ditch or drain made to carry water off a road, whether on the road or elsewhere, or, by making dams, ditches, drains or other works, cause the flooding of any road;

(e) cause or allow any timber, sledge, plough or other heavy material or thing, not being wholly raised above the ground on wheels, to be moved along or across a road:

Provided that in this paragraph the word "wheels" shall be construed as meaning wheels to which pneumatic or solid rubber tyres have been fitted:

Provided that the highway authority may authorise under such conditions as it may impose the doing of an act otherwise prohibited under this subsection.

(2) Any person contravening any of the provisions of subsection (1) shall be guilty of an offence.

(3) Any cost of repair incurred by a highway authority as a result of any act done in contravention of the provisions of subsection (1) may be recovered by the highway authority as a civil debt from the person who did such act or caused it to be done.
(4) A highway authority may, by notice in writing, direct any person who
encroaches on any road or road reserve by making, erecting or planting any
building, fence, ditch, tree or other obstacle contrary to the provisions of
subsection (1) to remove the same within the time to be stated in such notice.

(5) If any person fails to comply with a direction given under the provisions
of subsection (4), the highway authority may cause the obstacle specified in the
notice to be removed.

(6) The cost of removing any obstacle under the provisions of subsection (5)
may be recovered by the highway authority as a civil debt from the person
failing to comply with the notice.

(As amended by No. 17 of 1961
and No. 25 of 1963)

48. (1) In respect of any road specified by the Minister an undertaker shall
not execute any undertakers' works except in accordance with such regulations as
may be made in terms of subsection (2). Regulation of undertakers' works

(2) The Minister may, by statutory instrument, make regulations-

(a) requiring the prior submission of sufficient details of proposed
undertakers' works to the highway authorities concerned for consideration;

(b) requiring a highway authority to signify to the undertakers its approval
or disapproval of the proposals within a specified time and to give reasons for
any such disapproval:

Provided that in any case where the undertakers and the highway
authority are unable to agree the details of the proposed works the undertakers
may refer the matter to arbitration;

(c) requiring undertakers to give notice of the intention to commence works
approved or the subject of an arbitration award and prescribing the form and
manner in which such notice shall be served and the effect thereof;

(d) governing the execution by undertakers of works being emergency works as
defined in such regulations.

(3) If any undertaker executes any works in contravention of the provisions of
this section, he shall be liable on conviction to a fine not exceeding three
thousand penalty units.

(4) If any highway authority concerned objects to any works carried out or
alleged or proposed to be carried out in contravention of the provisions of this
section or to any emergency works and is unable to reach agreement with the
undertakers to meet the objections, the highway authority may refer the matter
to arbitration.

(As amended by No. 26 of 1959, G.N. No. 275 of 1964
and Act No. 13 of 1994)

49. (1) An undertaker shall execute works within roads in accordance with such
proposals and details thereof as may have been agreed under the provisions of
section forty-eight or in accordance with any arbitration award made thereunder,
and with all such despatch as is reasonably practicable. Execution of
undertakers' works

(2) An undertaker shall execute any items of works of an incidental nature and restore the road to a proper state of repair with all reasonable despatch after completion of any part of the works to the reasonable satisfaction of the highway authority:

Provided that the highway authority by agreement with the undertaker may itself undertake the reinstatement of the upper levels of the road at the undertaker's expense.

(3) If an undertaker fails to carry out reinstatement in accordance with his obligations under this section, he shall be guilty of an offence and liable on conviction to a fine not exceeding three hundred penalty units in respect of each day of such failure.

(4) The undertaker shall be liable to pay the highway authority the cost of remedying any subsidence or deterioration of reinstatement work carried out by the undertaker if such subsidence or deterioration takes places within six months of the completion of such reinstatement and if such deterioration is shown to have been attributable to defective workmanship or the use of defective materials:

Provided that the highway authority concerned shall have given reasonable notice to the undertaker before remedying the subsidence or deterioration.

(As amended by Act No. 13 of 1994)

50. (1) An undertaker or a contractor employed by an undertaker who is executing works shall secure at his expense that the following requirements are observed during and in connection with the execution of the works and of any restoration or other repair to any road occasioned thereby:

Undertakers to provide warning and safety precautions

(a) so long as the road, street, road reserve or street margin is open or broken up (except in a place to which the public have no right of access and are not permitted to have access) such works are adequately fenced and guarded and lighted in such a manner as to give adequate warning to the public during the hours of darkness;

(b) that traffic signs (within the meaning of section twenty-five) are so placed, and where so directed, operated and lighted in accordance with any directions in that behalf that may be given by the Minister;

(c) that no greater width or length of road than is reasonably necessary is open or broken up at any one time;

(d) that there is no greater obstruction to traffic on any road or interference with the normal use of such road than is reasonably necessary;

(e) that any spoil or other material not required for the execution of the works or of any consequent restoration or repair to the road is carried away as soon as it is reasonably practicable;

(f) that any other requirement imposed in accordance with any regulations made by the Minister is complied with.
(2) If any undertaker or any contractor employed by an undertaker fails to satisfy an obligation to which he is subject by virtue of subsection (1), he shall be guilty of an offence and shall be liable upon conviction to a fine not exceeding three hundred penalty units for each day of such failure.

(3) If an undertaker fails to satisfy an obligation to which he is subject by virtue of subsection (1) as regards any requirements mentioned in paragraph (a), (b) or (e) thereof, the highway authority may do anything necessary for securing observance of that requirement and the undertaker shall pay to the authority an amount equal to any cost reasonably incurred by them of so doing.


51. (1) An undertaker executing works on a road at any railway level crossing shall comply with any reasonable requirements as to the arrangements for executing the works, as to hours of work, or as to any other such matters which are imposed upon him by the authority having the management of the railway, for securing the safety of persons employed in connection with the works and for ensuring that interference with traffic on the railway caused by the execution of such works is reduced so far as is practicable. Works at railway crossings

(2) If any undertaker fails to comply with an obligation to which he is subject by virtue of subsection (1), he shall be guilty of an offence and shall be liable upon conviction to a fine not exceeding one thousand five hundred penalty units.

(As amended by Act No. 13 of 1994)

52. Where there is placed in a road apparatus required only in connection with building operations or other work on land adjacent to such road, if the apparatus is not removed on completion of such building or other work, the highway authority may give the undertaker notice requiring him to remove it and if it is not removed within eight days from the giving of such a notice, the authority may remove it and the undertaker shall pay to the authority an amount equal to the cost reasonably incurred in such removal and in any restoration or repair to the road occasioned by the presence or removal of the apparatus concerned. Removal of apparatus

53. The powers conferred upon authorised undertakings in terms of sections twenty-three (5) and twenty-six of the Electricity Act shall, in so far as they relate to the doing of work in or over any road, street, road reserve, or street margin, be exercised in accordance with the preceding sections of this Act.

(As amended by G.N. No. 293 of 1964) Powers enjoyed by electricity undertakings. Cap. 433

54. (1) Subject to the provisions of this section, a statutory power of undertakers to break up or open a road, being a power conferred for any purposes other than road purposes or purposes of a railway undertaking, shall not be exercisable on or under any road during the twelve months following either—Limitation of time in which works may be executed

(a) the end of any period during which the use by vehicles of the carriageway of such road has been prohibited or the width thereof available for vehicular traffic has been reduced to less than two-thirds of its normal width for the purposes of execution of works for road purposes;
(b) the completion of a resurfacing extending to one-third or more of the width of the carriageway of such road.

(2) The provisions of subsection (1) shall not apply unless the following conditions are satisfied:

(a) the highway authority has given to the undertaker concerned at least three months before the date on which the works for road purposes or resurfacing, as the case may be, were substantially begun, a notice stating that the works for such purposes were intended to be carried out and specifying the date of their commencement;

(b) the works for road purposes or resurfacing, as the case may be, were substantially begun on, or within one month from the date so specified or, if any undertakers' works were in progress in the road on that date, within one month from the completion of such undertakers' works or in either case within such extended period as may have been agreed between the highway authority and the undertaker concerned.

(3) Nothing in this section shall apply to any breaking up or opening of a road in any of the following cases:

(a) for the carrying out of any emergency works;

(b) in relation to any part of a road other than a carriageway, in the case of works relating only to the installation, maintenance, repair or removal of a service pipe or service line or overhead telegraph line or overhead electric cable;

(c) in the case of any works carried out by an undertaker, where the execution of such works is in fulfilment of an obligation imposed upon the undertaker by the provisions of this Act and could not reasonably be effected without breaking up or opening the road, as the case may be;

(d) in the case of any breaking up or opening of a road executed with the consent of the highway authority concerned.

(4) If any undertaker or any contractor employed by an undertaker breaks up or opens a road in contravention of this section-

(a) he shall pay to the highway authority concerned an amount equal to any cost reasonably incurred by such highway authority in restoring or repairing the road concerned;

(b) without prejudice to his liability under paragraph (a), he shall be liable upon conviction to a fine not exceeding one thousand five hundred penalty units.

(As amended by Act No. 13 of 1994)

PART IV

ROAD BOARDS

55. (1) The Minister may from time to time by Gazette notice—Constitution of road boards
(a) constitute for any area outside the area of a local authority a board, hereinafter called a road board, consisting of not less than four nor more than seven such persons as may be appointed by the Minister subject to the provisions of section fifty-six: Provided that the Minister may in addition to such persons appoint other persons ex officio members of a road board, and such members shall have the right to take part in the proceedings of the road board but shall not have the right to vote;

(b) increase, alter or diminish the area of jurisdiction of any road board constituted under this section and at any time on due cause being shown abolish or disestablish such board.

(2) The chairman of a road board shall be a member thereof elected by the board.

(3) The Minister may from time to time determine the amount to be paid to a member for travelling and personal expenses whilst on the business of the road board.

(As amended by No. 17 of 1961)

56. No person shall be appointed, or continue to be, a member of a road board-

(a) who has been convicted at any time of an offence for which imprisonment without the option of a fine has been imposed as a punishment, unless he shall have received a free pardon or his period of imprisonment shall have expired at least three years prior to the date of his appointment; or

(b) who is of unsound mind; or

(c) who is an undischarged bankrupt or who has made an assignment of his estate for the benefit of his creditors.

Disqualifications

57. A member of a road board shall vacate his office-

(a) in any of the circumstances described in section fifty-six; or

(b) if he has been removed from office by the Minister in terms of section fifty-eight; or

(c) if he has been convicted for a contravention of section sixty-three.

Vacation of office

58. The Minister may suspend and remove any member of a road board from his office on the ground of his incapacity to act as such or misbehaviour or for any other good and sufficient reason.

(As amended by No. 17 of 1961)

Suspension or removal of member

59. Subject to the provisions of section fifty-seven, every member of a road board shall hold office for a period of three years from the date of his appointment.

Period of membership

60. (1) If any member of a road board shall, during the currency of his period of office, die, resign, become or be found disqualified under any law or
otherwise vacate his seat thereon, a successor to fill the vacancy so caused may be appointed by the Minister.

Vacancies

(2) A member appointed in terms of this section shall hold office only for the unexpired term of office of his predecessor.

61. Four members of a road board including the chairman shall form a quorum provided that where the membership of a board is less than five including the chairman the quorum shall be three members of whom one shall be the chairman, and provided further that at any meeting from which the chairman is absent, such other member of the board as may for such meeting be appointed by the members present shall act as chairman.

Quorum

62. A road board shall-

(a) have such powers, duties and functions as may be prescribed;

(b) assist and advise the Minister on all matters relating to roads within its district;

(c) obtain and transmit to the Minister any information that may be required by him in connection with the administration of this Act or the regulations made thereunder; and

(d) generally carry out all such functions as may from time to time be assigned to it by the Minister.

Functions of road boards

63. (1) No member of a road board shall vote upon or in his capacity as a member take part in or be present at the discussion of any matter before the board in which he has any pecuniary interest either directly or indirectly.

Interest of members

(2) Any member knowingly contravening the provisions of this section shall be guilty of an offence and on conviction his seat on the board shall ipso facto become vacant.

PART V

REGISTRATION OF MOTOR VEHICLES AND TRAILERS

64. (1) There shall be a Road Traffic Commissioner, hereinafter referred to as the Commissioner, who shall, subject to the general directions of the Minister, exercise such powers and perform such duties as are conferred upon him by or in pursuance of this or any other Act, and there shall be such Deputy and Assistant Road Traffic Commissioners as may be necessary who may, subject to the control of the Commissioner, exercise such powers and perform such duties as may be assigned to them by the Commissioner.

Appointment of Road Traffic Commissioner and other officers

(2) The Commissioner may from time to time delegate to the Deputy Road Traffic Commissioner or to an Assistant Road Traffic Commissioner for such time as may be specified any of the functions conferred upon him under this Act.

(3) There shall be such licensing officers as may be necessary for the due carrying out of the provisions of this Act and of the regulations made thereunder.
(4) Each such licensing officer when appointed shall be under the direction of the Commissioner, and shall perform his duties for such area as may be specified in his appointment.

(5) All licences and registration books issued under this Act shall be issued by such licensing officers on behalf of the Commissioner.

(6) The Commissioner shall appoint such driving examiners, vehicle examiners and road traffic inspectors as may be necessary for the carrying out of the provisions of this Act and of the regulations made thereunder.

(As amended by Act No. 35 of 1974)

65. (1) The Commissioner shall keep registers of motor vehicles and trailers, and may at his discretion, and upon payment of the prescribed fee, supply to any person applying therefor a copy of such entries therefrom as that person shows he has reasonable cause to require:

Motor vehicle and trailer registers

Provided that no fee shall be payable when the person to whom copies are supplied is an officer of the Government or a local authority, acting in his official capacity.

(2) Separate registers shall be kept by the licensing officer in any locality as directed by the Commissioner.

(3) Every licensing officer shall, within fourteen days, forward to the Commissioner a copy of every entry made in his local register.

(4) Any licensing officer shall, upon application being made to him by any other licensing officer, supply a copy of the entries in his register relating to any motor vehicle or trailer specified in such application.

(5) Every licensing officer shall allow any police officer to inspect his register at any time, and shall permit such officer to take a copy of any entry in the register relating to any specified motor vehicle or trailer.

(6) Every licensing officer may supply to any other person applying for a copy of the entries relating to any specified motor vehicle or trailer a copy of these entries on payment of the prescribed fee, provided that such person shows that he has reasonable cause for requiring such a copy.

(As amended by S.I. No. 36 of 1964)

66. (1) Save as hereinafter provided, no person shall own a motor vehicle or trailer unless such vehicle or trailer is registered in accordance with the provisions of this Act:

Registration of motor vehicles and trailers

Provided that no person shall be liable to a penalty for a breach of this section if he proves that the motor vehicle or trailer has been in his ownership only for such time as might reasonably be required to get it registered.

(2) Application for the registration of a motor vehicle or trailer shall be made by the owner on the prescribed form.

(3) The licensing officer to whom application is made shall enter particulars of the motor vehicle or trailer in the register, and shall assign to the motor vehicle or trailer a registered letter or letters and number, which shall become
the registration mark of such motor vehicle or trailer:

Provided that-

(i) a motor vehicle or trailer shall not be registered unless the applicant produces-

(a) in the case of vehicles wholly manufactured or assembled in Zambia, a certificate of local manufacture or assembly;

(b) in any other case, a Customs Clearance Certificate;

(ii) a motor vehicle or trailer shall not be registered unless it complies with the provisions of this Act and of any regulations made thereunder with regard to the maximum limits permitted for axle weights, gross weight, height, length and width of motor vehicles or trailers or unless it shall have been exempted by the Director of Roads from compliance with such limits.

(4) For the purposes of subsection (3), a "Customs Clearance Certificate" means a certificate given by or on behalf of the Controller of Customs and Excise, setting out particulars of ownership and of the motor vehicle or trailer and such other particulars as may be prescribed and certifying that all customs formalities have been complied with in respect of the said motor vehicle or trailer; and "certificate of local manufacture or assembly" means a certificate given by or on behalf of the manufacturer or assembler of the motor vehicle or trailer, setting out particulars of the said motor vehicle or trailer, the name of the manufacturer or assembler and such other particulars as may be prescribed and certifying that the said motor vehicle or trailer has been wholly manufactured or assembled in Zambia.

(5) A licensing officer may, in accordance with such procedure or such conditions as may be prescribed, on the request of any person and on payment of the prescribed fee, assign to a motor vehicle or trailer owned by such person a particular registered letter or letters and number which shall become the registration mark of such motor vehicle or trailer.

(6) The owner of every motor vehicle or trailer shall, upon its registration, pay the fee prescribed for registration and shall obtain from the licensing officer a registration book containing such particulars as may be prescribed.

(7) Whenever it appears to the satisfaction of a licensing officer that the registration book issued to any person has been lost or destroyed or the essential particulars accidentally defaced or is in a state of dilapidation or that space is lacking for essential particulars, it shall be competent for such licensing officer, on payment of the prescribed fee, to issue a duplicate of such book with the word "duplicate" written thereon:

Provided that, where there is no space available in a registration book for further essential particulars, no fee shall be charged for the issue of a duplicate.

(8) Before a duplicate registration book is issued on account of defacement, dilapidation or lack of space for essential particulars, the old registration book shall be sent to the licensing officer.

(9) If a motor vehicle or trailer does not bear on it a registration mark as provided by this section, this fact shall be regarded as prima facie evidence
that the motor vehicle or trailer has not been registered and the police may
detain such vehicle or trailer until inquiries have been made.

(10) The onus of proving that a motor vehicle or trailer has been registered
rests upon the owner of such vehicle or trailer.

(11) The owner of a motor vehicle or trailer shall notify the licensing officer
of the district in which the motor vehicle or trailer is registered of every
change of address and of any other circumstance or event which affects the
accuracy of the entries in the register, at the same time forwarding the
registration book for amendment. The Commissioner and any licensing officer may
call upon any owner of a motor vehicle or trailer at any time to furnish all
information required for the verification of the entries in the register.

(12) Any person failing to comply with the provisions of subsection (1) or (11)
shall be guilty of an offence and shall be liable upon conviction, in the case
of a first offence to a fine not exceeding one thousand penalty units, and in
the case of a second or subsequent conviction, to a fine not exceeding two
thousand penalty units.

(As amended by No. 17 of 1961, No. 25 of 1963,
G.N. No. 293 of 1964, No. 19 of 1966, No. 35 of 1974
and Act No. 13 of 1994)

67. (1) On the change of ownership of a motor vehicle or trailer otherwise
than by death-Change of ownership

(a) the registered owner shall, within fourteen days, inform the licensing
officer of the district in which the vehicle or trailer is registered in writing
of the name and address of the new owner, and of the date of the change of
ownership of the motor vehicle or trailer and shall deliver his motor vehicle or
trailer registration book and licence to the new owner;

(b) the new owner shall, within fourteen days, deliver the registration book
to the licensing officer who shall register the new owner:

Provided that in any case where a person is under the provisions of
section sixty-eight entered in the register of the licensing officer and in the
registration book as the absolute owner of a motor vehicle or trailer, the
licensing officer shall consult him before registering a person as the new owner
of such motor vehicle or trailer.

(2) Application for registration of a new owner may be made before the actual
transfer of the motor vehicle or trailer, but the registration of a new owner
shall not be effective until the registration book has been surrendered to, and
reissued by, the licensing officer.

(3) On the death of the registered owner of a motor vehicle or trailer, the
person into whose custody the motor vehicle or trailer shall come shall, within
fourteen days of its coming into his custody, give notice of the fact to the
licensing officer of the district in which the vehicle or trailer is registered.

(4) Subsections (1) and (2) shall not apply to any change of ownership of a
motor vehicle or trailer which occurs by reason of the motor vehicle or trailer
being lawfully seized under a hire-purchase agreement, but in any such
circumstances the following provisions shall apply:
(a) the registered owner or his representative shall, within seven days of the seizure, deliver the motor vehicle or trailer licence and the registration book to the person who has seized the motor vehicle or trailer, and inform the licensing officer in writing of the change of ownership;

(b) such person shall, within seven days of receiving the motor vehicle or trailer licence and the registration book, apply to the licensing officer to be registered as the owner thereof in place of the registered owner and shall be registered accordingly unless the licensing officer thinks fit to order otherwise;

(c) the licensing officer shall, if he is satisfied that any such person whose name has been entered in the register and registration book under section sixty-eight as the absolute owner of the motor vehicle or trailer is unable, within seven days of the seizure, to procure the motor vehicle or trailer licence and the registration book from the registered owner or his representative, supply such person on request with duplicates of the said licence and book and such person shall thereafter be deemed to be the registered owner and the licensing officer shall accept his signature as such until the next change of ownership is effected.

(5) Subject to the provisions of subsection (4), any change of ownership of any motor vehicle or trailer not notified in writing to the licensing officer of the district in which the vehicle or trailer is registered may render such vehicle or trailer liable to impoundment by any road traffic inspector in uniform or by any police officer.

(6) Where the holder of a motor dealer's vehicle licence acquires the ownership of a motor vehicle or trailer by way of purchase, or otherwise, for the purpose of resale, then notwithstanding any other provision in this section, the procedure to be followed regarding the registration of the change of ownership shall be such as may be prescribed.

(7) On the registration of a new owner, the licensing officer shall charge the prescribed fee, make the necessary alterations to the registration book, and shall deliver the altered book to the new registered owner. If more convenient, a new registration book may be issued.

(As amended by No. 17 of 1961 and Act No. 35 of 1974)

68. (1) Where the person entitled to the possession of a motor vehicle or trailer is not the absolute owner thereof, but is registered as the owner thereof, any person claiming to be the absolute owner thereof (hereinafter called the "claimant") may apply to the licensing officer of the district in which the motor vehicle or trailer is registered to enter his name in the register, and in the registration book of the motor vehicle or trailer, as the absolute owner in addition to the name of the registered owner. Position of registered owner who is not absolute owner

(2) On receipt of any such application, the licensing officer shall make such inquiries into the matter as he deems necessary and shall then make any such order as he thinks fit:

Provided that any person aggrieved by such an order may within thirty days appeal to the Commissioner, whose decision shall be final.
In any case where an order passed in accordance with subsection (2) requires that the name of the claimant shall be entered in the registration book, the registered owner shall produce the book for the entry to be made upon being required to do so.

When any person whose name has been entered in the register and registration book as the absolute owner of a motor vehicle or trailer ceases to be the absolute owner, he shall inform the licensing officer who shall thereupon delete the entries:

Provided that it shall be lawful for the licensing officer to delete the said entries otherwise than upon the information given by the claimant, if he is satisfied that such person has ceased to be the absolute owner of the motor vehicle or trailer.

Every owner of a motor vehicle or trailer shall, if so required by the Commissioner or a licensing officer, furnish such evidence as may be reasonably available or obtainable by him in regard to the net weight and the maximum weight, including its own weight, that the manufacturers of the motor vehicle or trailer state that such vehicle or trailer has been built to carry, including the recommended distribution of such weight over the several axles of the vehicle or trailer and the height, length and width of the motor vehicle or trailer, and any person who fails to comply with any such requirement shall be guilty of an offence.

Providing evidence of weights and dimensions of motor vehicle or trailer

The Commissioner or a licensing officer may require any dealer in motor vehicles or trailers to furnish a sworn declaration specifying the net weight, the maximum weight, including its own weight, that the manufacturers of the motor vehicle or trailer state that such vehicle or trailer has been built to carry, including the recommended distribution of such weight over the several axles of the vehicle or trailer, and the height, length and width of any motor vehicle or trailer sold by him, and any builder of motor vehicle or trailer bodies to furnish such a declaration concerning the weight and the dimensions of any such body built by him. Any such dealer or builder who fails to comply with any such requirement shall be guilty of an offence.

Any applicant for a registration book or for a licence or for the duplicate of such book or licence or any other person required in terms of the provisions of this section to give any information, who shall wilfully give false, misleading or inaccurate information shall be guilty of an offence, and liable upon conviction, in the case of a first offence, to a fine not exceeding one thousand five hundred penalty units, and, in the case of a second or subsequent offence, to a fine not exceeding three thousand penalty units.

(As amended by Act No. 13 of 1994)

Notwithstanding anything to the contrary contained in section sixty-six, it shall not be necessary to register under this Act any motor vehicle registered under the provisions of the Motor Traffic Act, Chapter 138 of the 1930 Edition of the Laws, or of the Motor Traffic Act, Chapter 172 of the 1960 Edition of the Laws, but any such vehicle shall be deemed to be registered under this Act, and the registration mark assigned to such vehicle under the provisions of either of the said Acts shall be deemed to have been assigned under the provisions of this Act. Previous registration deemed to be registration under this Act.
71. (1) Any person who becomes the owner of a motor vehicle or trailer which is not registered or licensed in terms of this Act, and who wishes to take such motor vehicle or trailer for registration from the district in which he acquired it to the district in which he resides or carries on business, may apply on the prescribed form to the licensing officer of the district in which he acquired such motor vehicle or trailer.

Temporary registration cards

(2) The licensing officer on receipt of such application on the prescribed form and of the prescribed fee, and if he is satisfied that there is in force in respect of the use of such motor vehicle or trailer a policy of insurance which complies with the requirements of section one hundred and thirty-five, and that such policy will be valid for the whole period during which such vehicle or trailer may be used with temporary registration cards attached to it, shall issue to such applicant two temporary registration cards on the prescribed form which shall be valid for a period of fourteen days from the issue thereof or for such lesser period as may be specified thereon.

(3) Every person to whom temporary registration cards have been issued in terms of this section shall—

(a) cause such temporary registration cards to be affixed to the motor vehicle or trailer in respect of which they were issued, in such position as may be prescribed;

(b) on or before the date of expiry of the period of validity of the temporary registration cards or on registration of the motor vehicle or trailer under this Act, whichever is the earlier, surrender the temporary registration cards to the licensing officer of the district in which he resides or carries on his business.

(4) Notwithstanding the provisions of subsection (2), it shall be lawful for a licensing officer to refuse to issue temporary registration cards for any vehicle or trailer that does not comply with the provisions of this Act and of the regulations made thereunder with regard to the maximum limits permitted for axle weights, gross weight, height, length and width of motor vehicles or trailers unless such vehicle or trailer shall have been exempted by the Director of Roads from compliance with such limits.

(As amended by No. 26 of 1959 and No. 25 of 1963)

72. Temporary registration cards shall specify such particulars as may be prescribed. Details required

73. The licensing officer when issuing any such temporary registration cards shall endorse on the application form relating thereto such particulars as may be prescribed. Particulars to be endorsed on application form

74. A motor vehicle or trailer shall be deemed to be registered and licensed under this Act and a registration book shall be deemed to have been issued under this Act for a motor vehicle or trailer if valid temporary registration cards issued in respect of the motor vehicle or trailer are attached to it in the prescribed position. Motor vehicle or trailer deemed to be registered, etc.

75. (1) Before registering any motor vehicle or trailer, the licensing officer shall verify all the particulars entered in the form of application and may, if he deems it necessary, order that any such vehicle or trailer be taken to a
vehicle examiner to be examined for the purpose of ensuring that it is of such construction and in such condition as complies with the requirements of this Act and of the regulations made thereunder. Special examination of motor vehicles and trailers

(2) Every licensing officer shall, in respect of any motor vehicle or trailer which he has reason to believe is not in a fit and proper state of repair, or does not conform with the provisions of this Act or of any regulations made thereunder, have the power to order that the said motor vehicle or trailer be taken to a vehicle examiner for examination.

(3) Where a vehicle examiner on examining a motor vehicle or trailer sent to him under the provisions of subsection (1) or (2), or submitted to him pursuant to a prohibition under paragraph (f) of subsection (1) of section two hundred and twelve, finds that the said motor vehicle or trailer does not comply with the provisions of any law in regard to construction and equipment applicable to such motor vehicle or trailer, he shall make a full list (hereinafter called a "defects list") of all defects found and shall give the owner of the vehicle or trailer a copy thereof and shall notify him of the date (hereinafter called the "notified date") by which the defects must be remedied and the vehicle or trailer produced for re-examination.

(4) If, upon re-examining a motor vehicle or trailer under the provisions of this section to ascertain whether the defects in a defects list have been remedied, the vehicle examiner finds any further defects he shall require, in the manner set forth in subsection (3), the owner to remedy such defects.

(5) If a motor vehicle or trailer is not produced for re-examination on the notified date or if the defects in a defects list have not been remedied on the notified date, or if, upon examining a motor vehicle or trailer under the provisions of this section, it is considered necessary in the interests of safety, a vehicle examiner may prohibit the use of such motor vehicle or trailer, or issue such other directions as he may think necessary restricting its use; any such order, and any prohibition of the use of a motor vehicle or trailer under paragraph (f) of subsection (1) of section two hundred and twelve may be cancelled or revoked by the vehicle examiner as soon as the defects of such vehicle or trailer have been remedied to such an extent that in his opinion the said motor vehicle or trailer may safely be used on a road.

(6) When all the defects in a defects list have been remedied to his satisfaction, the vehicle examiner shall cancel the defects list and, if the examination was made under the provisions of subsection (1), he shall inform the licensing officer that he has cancelled the defects list.

(7) On each examination of a motor vehicle or trailer as provided in this section, and on any subsequent examination for the purpose of ensuring that defects in a defects list have been remedied, such fees shall be paid by the owner of a vehicle or trailer as may be prescribed, and such fees shall be allocated in the prescribed manner:

Provided that, except in the case of re-examinations for the purpose of ascertaining whether defects have been remedied, no fee shall be payable for an examination pursuant to a prohibition under paragraph (f) of subsection (1) of section two hundred and twelve, nor, if no defects are found, for an examination ordered under subsection (2).

(8) If any owner of a motor vehicle or trailer is aggrieved by any decision of
a vehicle examiner, he may appeal to the Commissioner who may vary or cancel the requirements of the vehicle examiner or dismiss the appeal.

(9) Any person who fails to comply with or who disobeys any order made by a licensing officer under subsection (1) or (2) shall be guilty of an offence.

(10) Any person who fails to comply with or who disobeys any order made by a vehicle examiner under subsection (5) shall be guilty of an offence and shall be liable upon conviction, in the case of a first offence, to a fine not exceeding one thousand five hundred penalty units, and in the case of a second or subsequent offence, to a fine not exceeding three thousand penalty units.

(As amended by No. 25 of 1963 and Act No. 13 of 1994)

76. (1) The provisions of this and the next following section shall have effect for the purpose of ascertaining whether the requirements of this Act and of any regulations made thereunder relating to the construction and condition of motor vehicles and trailers or their accessories or equipment are complied with. Tests of satisfactory condition of motor vehicles and trailers

(2) The Minister may by regulation make provision for the examination of motor vehicles and trailers submitted for examination under this section and for the issue, where it is found on such an examination that the said requirements are complied with, of a certificate (hereinafter referred to as a “test certificate”) that at the date of the examination the said requirements were complied with in relation to the motor vehicle or trailer so examined.

(3) Examinations for the purposes of this section shall be carried out by persons appointed as vehicle examiners.

(4) Where a test certificate is refused, the vehicle examiner shall issue a notification of the refusal stating the grounds thereof, and any person aggrieved by the refusal may appeal to the Commissioner within twenty-eight days; and on any such appeal the Commissioner shall cause a further examination to be made and either issue a test certificate or issue such a notification as aforesaid.

(5) The Minister may, by statutory instrument, make regulations for the purpose of giving effect to the foregoing provisions of this section and for prescribing anything authorised by this section to be prescribed and in particular as to-

(a) the establishment and maintenance of stations where examinations under this section may be carried out and the provision and maintenance of apparatus for carrying out such examinations;

(b) the manner in which and the conditions under which examinations are carried out, and the inspection of premises at which and apparatus with which examinations are being, or are to be, carried out;

(c) the manner in which applications for, or notices of, examinations due under this section are to be made, the manner in which appeals may be brought under subsection (4), the information to be supplied and documents to be produced on such an application, examination or appeal, the fees to be paid on such an application, examination or appeal, and the repayment of the whole or part of the fee paid on such an appeal where it appears to the Commissioner that there were substantial grounds for contesting the whole or part of the decision appealed against;
(d) the form of, and particulars to be contained in, test certificates, their
display and production on demand to police officers or road traffic inspectors,
and the form of notification of a refusal to issue a test certificate;

(e) the issue of duplicates of test certificates lost or defaced, and the
fees to be paid for the issue thereof;

(f) the keeping by vehicle examiners of registers of test certificates, and
the inspection of such registers by such persons and in such circumstances as
may be prescribed;

(g) the keeping by vehicle examiners of such other records as may be
prescribed and the furnishing by them of returns and information to the
Commissioner;

and regulations under this section may make different provision in relation to
different motor vehicles and trailers or classes of motor vehicles and trailers.

(As amended by No. 26 of 1959, No. 17 of 1961
and G.N. No. 275 of 1964)

77. (1) Any person who uses a motor vehicle or trailer on a road at any time
or causes or permits to be so used a motor vehicle or trailer to which this
section applies and in respect of which no test certificate has been issued
within the appropriate period before the said time shall be guilty of an offence
and shall be liable upon conviction, in the case of a first offence, to a fine
not exceeding seven hundred and fifty penalty units, and in the case of a second
or subsequent offence, to a fine not exceeding one thousand five hundred penalty
units.Obligatory test certificates

(2) Notwithstanding the provisions of subsection (1), any motor vehicle or
trailer on which no test certificate is displayed may be impounded by any road
traffic inspector in uniform or by any police officer.

(3) The motor vehicles and trailers to which this section applies at any time
shall be such as the Minister may, by statutory notice, determine.

(4) The Minister may by regulation exempt from subsections (1) and (2) the use
of motor vehicles or trailers for such purposes as may be prescribed.

(5) The Minister may by regulation exempt from subsections (1) and (2) the use
of motor vehicles or trailers in any such area or on any such road as may be
prescribed.

(6) The Minister may by regulation provide that where application is made under
section eighty-eight for a licence for a motor vehicle or trailer to which this
section applies, the licence shall not be granted except after either-

(a) the production of such evidence as may be prescribed of the granting of
an effective test certificate or (if it is so prescribed) the production of such
a certificate; or

(b) the making of such a declaration as may be prescribed that the motor
vehicle or trailer is not intended to be used during the period for which the
licence is to be in force except for a purpose prescribed under subsection (3)
or in an area or on a road prescribed under subsection (4).
In paragraph (a), the expression "effective test certificate" means in relation to an application for a licence for a motor vehicle or trailer, a test certificate relating to the said motor vehicle or trailer and issued within the appropriate period before the date from which the licence is to be in force.

(7) In this section, the expression "appropriate period" means a period of twelve months or such shorter period as may be prescribed.

(8) Where within the appropriate period after the issue of a test certificate, but not earlier than one month before the end of that period, a further test certificate is issued as respects the same motor vehicle or trailer, the further certificate shall be treated for the purposes of this section as if issued at the end of the said appropriate period.

(9) For the purposes of spreading the work of issuing certificates in anticipation of the coming into operation of this section or of a change in the length of the appropriate period—

(a) the order appointing a day for the coming into operation of this section may appoint different days as respects different motor vehicles, trailers or classes of motor vehicles or trailers;

(b) the regulations changing the length of the appropriate period may be made so as to come into operation on different days as respects different motor vehicles, trailers or different classes of motor vehicles or trailers.


(10) The provisions of this section and of section seventy-six shall not come into force until a date or dates to be notified by the Minister by statutory notice.


78. The provisions of sections seventy-five (2), (3), (4), (5) and (6), seventy-six and seventy-seven shall not apply in relation to any motor vehicle or trailer to which the provisions of Part XI apply.

Provisions not applicable to vehicles to which Part XI applies

79. (1) When any motor vehicle or trailer is broken up, destroyed or sent permanently out of Zambia, the person who at the material time is the owner of such motor vehicle or trailer shall, within fourteen days, notify the licensing officer of the district in which the vehicle or trailer is registered and shall deliver up the registration book to the licensing officer.

Destruction or permanent removal of motor vehicles or trailers from Zambia

(2) The licensing officer may on receipt of such information and the registration book assign the registration mark of such motor vehicle or trailer to any other motor vehicle or trailer subsequently registered by him.

(3) In any case where a motor vehicle or trailer has neither been licensed, nor exempted from being licensed, for a consecutive period of five years, its registration shall be cancelled by the licensing officer of the district in which it is registered, and its registration mark may be assigned to any motor vehicle or trailer subsequently registered by such licensing officer. A
registration so cancelled shall be of no effect.


80. The following classes of motor vehicles or trailers shall be exempted from the need for registration:

(a) motor vehicles or trailers in the possession of manufacturers of or dealers in motor vehicles or trailers, but subject to such provisions as to motor dealers' vehicle licences as may appear hereinafter;

(b) motor vehicles or trailers brought into Zambia by visitors whether used under the authority of an international certificate or not, and exempted from registration in accordance with any regulations made under this Act;

(c) trailers used exclusively for agricultural purposes and not used on any road;

(d) any other motor vehicle or trailer as may by regulation be exempted from registration.

Exemptions from need for registration

81. (1) There shall be fixed and maintained on every motor vehicle and trailer in such manner as may be prescribed the registration mark referred to in subsection (3) of section sixty-six.

Registration marks

(2) When a motor vehicle is being used to tow a trailer or trailers, its registration mark shall also be fixed at the rear of such trailer, or, if there is more than one trailer, at the rear of the last trailer, in such manner as may be prescribed.

(3) No other figures, letters or designs may be placed on or within such distance as may be prescribed from a registration mark lawfully fixed on a motor vehicle in terms of this section.

Offences in connection with registration marks

82. (1) If the registration marks to be fixed and maintained in accordance with this Act and regulations made thereunder are not so fixed and maintained, or if being so fixed and maintained are in any way obscured or rendered or allowed to become not easily distinguishable, the person driving the motor vehicle or trailer and the owner thereof shall be guilty of an offence, and upon conviction shall be liable, in the case of a first offence, to a fine not exceeding one thousand five hundred penalty units, and in the case of a second or subsequent offence, to a fine not exceeding three thousand penalty units:

Provided that a person shall not be convicted of an offence under this section if in the case of a prosecution for obscuring a mark or rendering or allowing it to become not easily distinguishable, he proves that he has taken all steps reasonably practicable to prevent the mark from being obscured or rendered not easily distinguishable.

(2) Notwithstanding anything contained in subsection (1), any motor vehicle or trailer having no registration marks or on which false registration marks are fixed may be impounded by any road traffic inspector in uniform or by any police officer.

(As amended by Act 35 of 1974 and Act No. 13 of 1994)
83. (1) No person shall use and no person being the owner shall cause or permit to be used upon a road any vehicle or trailer unless there is in force in relation to that vehicle or trailer a licence issued in accordance with the provisions of this Part, and no person shall use or cause or permit to be used a vehicle or trailer for a purpose not authorised by, or in contravention of any condition or other provision contained in, any licence in force in relation to such vehicle or trailer under this Part.

Vehicles to be licensed

(2) Any person failing to comply with the provisions of subsection (1) shall be guilty of an offence, and upon conviction shall be liable, in addition to any other penalty which may be prescribed, to pay a fine (which shall be disposed of in the same manner as the tax payable on the licence) not exceeding treble the amount of tax payable on an annual licence for the vehicle concerned:

Provided that a person shall not be convicted of an offence under this section by reason only of not holding a valid licence if he proves that he has not had a reasonable opportunity of obtaining such licence and that the vehicle was being used for the purpose of obtaining such licence.

(3) Subject to the provisions of subsection (2), any motor vehicle or trailer on which no valid licence is displayed may be impounded by any road traffic inspector in uniform or by any police officer.

(As amended by Act No. 35 of 1974)

84. (1) Vehicle licences in respect of vehicles other than motor vehicles and trailers shall be in the prescribed form and shall be issued by a licensing officer.

Form of licence

(2) Every person applying for a licence for a vehicle under this section shall furnish to the licensing officer such particulars as may be prescribed.

(3) On being furnished with the particulars required by subsection (2), the licensing officer shall, subject to the provisions of this Act, issue a licence to the applicant.

(4) A licensing officer who is satisfied that a vehicle licence duly issued under this section has been lost or destroyed, may, upon payment of the prescribed fee, issue a duplicate thereof.

(As amended by No. 26 of 1959 and No. 19 of 1966)

85. Every vehicle licence, not being a licence for a motor vehicle or trailer, shall be in force from the date of issue thereof until the next ensuing 31st December.

Duration of licence

86. The owner of a vehicle, not being a motor vehicle or trailer, to whom a vehicle licence is issued shall be provided with a licence or token which shall be in the form prescribed as suitable for the particular class or type of vehicle, and shall maintain the said licence or token affixed while valid in a conspicuous place on the vehicle in respect of which it is issued. In the event of any such licence or token being lost, a new licence or token may be issued to
the owner on payment of the prescribed fee. Owner paying tax to receive licence or token

87. (1) Every person who transfers the ownership of a vehicle not being a motor vehicle or trailer shall, within fourteen days, deliver his vehicle licence to the licensing officer and shall inform him in writing of the name and address of the transferee. Transfer of licence of vehicle other than motor vehicle or trailer

(2) On application by the transferee and on payment of the prescribed fee the licence, amended as may be necessary, shall be reissued to him.

(As amended by No. 19 of 1966)

88. Application for the licensing of a motor vehicle or trailer shall be made on such form as may be prescribed, or, if no such form is prescribed, in person or by letter. Application for licence

89. Subject to the provisions of this Part, licences in respect of motor vehicles and trailers shall be issued by the licensing officer to whom application is made, who shall enter on such licence such particulars as may be prescribed, including the purpose for which the vehicle or trailer is being licensed.

(As amended by No. 26 of 1959) Issue of licences

90. A licensing officer shall not issue a motor vehicle or trailer licence unless the motor vehicle or trailer has been duly registered, or renew a motor vehicle or trailer licence unless he is satisfied that the motor vehicle or trailer does not differ in any respect from the particulars in the register. Conditions to be satisfied before issue of licence

91. (1) Where the holder of a motor vehicle or trailer licence desires to use the motor vehicle or trailer for a purpose not authorised by the licence, or where, after the issue of a licence, a motor vehicle or trailer is altered so that a different rate of tax becomes payable, the existing licence shall become void and the holder shall apply for a new licence. In such cases the new licence shall not be issued until the old licence has been surrendered. The licensing officer shall require the holder to pay, or shall refund to him, as the case may be, such difference in tax between the old and new licences, for the unexpired period of the old licence, as may be appropriate: Alteration in conditions on which licence is issued

Provided that, in each case of refund, the sum of seventy five penalty units shall be deducted.

(2) Where a new licence is issued in the circumstances referred to in this section, the licensing officer shall duly amend the register, or notify the licensing officer of the district in which the vehicle is registered, as the case may be, and shall issue a new registration book.

(As amended by Act No. 13 of 1994)

92. (1) If upon an examination of a motor vehicle or trailer under the provisions of subsection (2) or (3) of section seventy-five or under the provisions of section seventy-six, the vehicle or trailer is found to be so constructed or in such a condition as to be a source of danger to any persons
travelling in the vehicle or trailer, or to any users of the road, or to be injurious to the roads themselves, or if the owner of the vehicle or trailer fails by the notified date to remedy the defects pointed out by the vehicle examiner, a licensing officer may suspend or refuse the renewal of a motor vehicle or trailer licence for that vehicle or trailer: Suspension or refusal of licences

Provided that any owner of a motor vehicle or trailer in respect of which the licence is so suspended or for which the renewal of the licence is refused may, within thirty days, appeal against the decision of the licensing officer to the Commissioner, and the Commissioner may, if he thinks fit, direct the licensing officer in writing to grant or withhold the issue of the licence applied for.

(2) This section shall not apply in relation to any motor vehicle or trailer to which Part XI applies.

93. If a motor vehicle or trailer licence is lost, defaced, mutilated or rendered illegible, the licensing officer shall issue a duplicate licence on payment of the prescribed fee: Duplicate motor vehicle and trailer licences

Provided that, if any such licence be subsequently found, the holder of the duplicate shall forthwith deliver up to the licensing officer the duplicate, and any person knowingly retaining or having in his possession both an original and a duplicate licence shall be guilty of an offence under this Act.

94. Every motor vehicle and trailer licence shall be in force from the date of issue until-

(a) if an annual licence, the last day of a twelve-month period beginning on the first day of the quarter in which the licence was issued;

(b) if a half-yearly licence, the last day of a six-month period beginning on the first day of the quarter in which the licence was issued; or

(c) if a quarterly licence, the last day of the quarter in which the licence was issued: Duration of licence

95. (1) The taxes specified in the First Schedule shall be payable in respect of vehicle, motor vehicle and trailer licences: Taxes

(2) For every annual licence for a motor vehicle or trailer the tax shall be as specified in the said Schedule: for every half-yearly licence there shall be paid fifty-five per centum of the said tax, and for every quarterly licence thirty per centum of the said tax.

(3) The holder of a motor vehicle or trailer licence other than a quarterly licence shall, on surrendering it for cancellation to the licensing officer who issued the licence, be entitled to a refund of one-twelfth part of the annual tax paid on the licence for each complete calendar month of the licence period still to run:

Provided that-

(i) the sum of seventy five penalty units shall be deducted from the total amount so computed and shall not be refunded;

(ii) the licensing officer may, where it is proved to his satisfaction that
it is not possible for the holder of a licence to surrender it for cancellation, 
dispense with the surrender of such licence.

*This subsection shall be deemed to have come into force on 6th July, 1963. (See 
Act No. 37 of 1963.)*

(4) Notwithstanding any other provision contained in this section, the tax payable in respect of vehicle, motor vehicle and trailer 
licences issued on or after the 6th July, shall be computed-

*This subsection shall be deemed to have come into force on 6th July, 1963. (See 
Act No. 37 of 1963.)*

(a) for the period from the 6th July, to the 30th September, both dates 
inclusive, at the rate in force immediately before the 6th July;

(b) for any period after the 30th September, at the rate in force on the 6th 
July;

and the tax so computed shall be payable in respect of any such licence.

(As amended by No. 26 of 1959, No. 17 of 1961, Nos. 24 
and 37 of 1963, and Act No. 13 of 1994)

96. All taxes collected under the provisions of section ninety-five shall be 
paid into the general revenues of the Republic.

(As amended by No. 38 of 1960, S.I. No. 122 of 1965 
and No. 19 of 1966)Disposal of taxes

*This subsection shall be deemed to have come into force on 6th July, 1963. (See 
Act No. 37 of 1963.)*

97. (1) Every motor vehicle or trailer licence shall be carried on the vehicle 
or trailer in the manner prescribed when the vehicle or trailer is in 
use:Licence to be carried on motor vehicle or trailer

Provided that a motor dealer's vehicle licence need not be carried on a vehicle 
or trailer used under the authority of the licence, and provided further that a 
trailer licence may be carried in or on the motor vehicle drawing it at the 
time.

(2) Every motor vehicle or trailer licence may be inspected on demand by any 
road traffic inspector in uniform or by police officer or by any other person so 
authorised in writing by the Commissioner.

(As amended by Act No. 35 of 1974)

98. Any person who shall manufacture or be in possession of or affix any 
false licence or token to any vehicle, or who shall affix a licence or token to 
a vehicle other than the vehicle in respect of which it was issued, shall be 
liable upon conviction, in the case of a first offence, to a fine not exceeding 
seven hundred and fifty penalty units or to imprisonment for a period not 
exceeding three months, and in the case of a second or subsequent offence, to a 
fine not exceeding one thousand five hundred penalty units or to imprisonment 
for a period not exceeding six months, or to both such fine and imprisonment.
(As amended by Act No. 13 of 1994) Penalty for affixing false licence or token

99. Notwithstanding any other provision contained in this Part, a licensing officer may issue to a dealer in or manufacturer of motor vehicles or trailers, who makes application on the prescribed form, a motor dealer's vehicle licence which, subject to the payment of the tax specified in the First Schedule and to the provisions of sections one hundred to one hundred and six, and to any other conditions which may from time to time be prescribed, shall authorise the use of such number of motor vehicles or trailers as may be specified therein.

Motor dealer's vehicle licence

100. A motor dealer's vehicle licence in the prescribed form shall authorise the use of any motor vehicle or trailer which is being driven to the motor dealer's place of business after delivery to him, or being tested by the motor dealer, or being tested or used for the purpose of effecting a sale, or for such other purposes as may be prescribed. It shall not authorise the carriage of passengers or goods for hire or reward or any passenger not employed by the motor dealer or not engaged in testing the vehicle or trailer or inspecting the same with a view to purchase.

Use of motor dealer's vehicle licence

101. The licensing officer shall assign sufficient identification numbers and, if it is so prescribed, sufficient discs or other tokens in the prescribed form to identify all vehicles and trailers used under the authority of a motor dealer's vehicle licence, and shall enter such numbers in the licence. The plates bearing the assigned identification numbers shall be interchangeable between all vehicles or trailers in the motor dealer's possession when used for the purpose set forth in section one hundred and shall be fixed or suspended on the vehicle or trailer in the prescribed manner.

Motor dealer's identification plates

102. A motor dealer's vehicle licence shall continue in force from the date of the granting thereof until the next following 31st December.

Duration of motor dealer's vehicle licence

Provided that the licence shall cease to be valid if the motor dealer ceases to carry on business in the district in which it is issued, and provided further that it may be transferred or assigned to any other motor dealer with the sanction of the licensing officer.

103. For each separate identification number included in a motor dealer's vehicle licence a fee shall be charged as specified in the First Schedule.

Fee for motor dealer's vehicle licence

104. Where the holder of a motor dealer's vehicle licence is convicted before any court of an offence contrary to any of the provisions of this Act or of any regulations made thereunder relating to such licences, the court may in addition to imposing any other penalty order the cancellation of such licence.

Cancellation of motor dealer's vehicle licence

105. (1) No motor dealer's vehicle licence shall be used for any purpose not provided for in this Act.

Motor dealer's vehicle licence not to be misused

(2) No motor vehicle or trailer shall be used on any road under the authority of a motor dealer's vehicle licence unless the holder of the licence or a person duly authorised by him accompanies such vehicle, and any person so using a motor vehicle or trailer shall be guilty of an offence.
106. Notwithstanding any other provision contained in this Part, a licensing officer may issue to any farmer who makes application in the prescribed form and manner a farm vehicle licence which, subject to the payment of the tax specified in the First Schedule and to any other conditions which may from time to time be prescribed, shall authorise the use of such number of motor vehicles and trailers, used exclusively by the farmer concerned for agricultural purposes as may be specified therein, subject to the following provisions:

(a) the motor vehicles and trailers used under such licence shall not be used on any road except-Farm vehicle licences

(i) for the purpose of proceeding to or from a workshop for the purposes of maintenance or repair;

(ii) for a journey of not more than eight kilometres for the purpose of going from one portion of land belonging to or in the occupation of the owner of the motor vehicle or trailer to any other such portion; or

(iii) for the purpose of complying with the provisions of this Act or any regulations made thereunder or with any order or direction made or given under the said Act or regulations, relating to the examination of vehicles;

(b) every such licence shall be valid for twelve months from the first day of the quarter in which it is issued;

(c) every motor vehicle or trailer used on a road under the authority of a farm vehicle licence shall display in such manner as may be prescribed a farm vehicle identification plate or token in the prescribed form.

(As amended by No. 25 of 1963)

107. (1) No person shall let out on hire any contract car unless the motor vehicle licence in respect of such contract car has been inscribed by the licensing officer as being valid for a contract car.Contract cars

(2) No motor vehicle licence issued in respect of a contract car shall be used on any motor vehicle other than the motor vehicle in respect of which it was issued.

(3) Any person who fails to comply with the provisions of this section shall be guilty of an offence.

108. The *Power delegated to the Road Traffic Commissioner to remit fees for short-term road service licences issued for the carriage of maize and farm produce from rural areas to collection centres on or near main roads and in respect of vehicles authorised for use under such licences by S.I. No. 461 of 1969.*Minister may, if he thinks fit, remit the whole or any portion of any fee prescribed for a licence issued under the provisions of this Act, either unconditionally or on such terms as he may deem fit to enforce, and he may delegate his powers to such officers and on such conditions as he thinks fit.

* Power delegated to the Road Traffic Commissioner to remit fees for short-term road service licences issued for the carriage of maize and farm produce from rural areas to collection centres on or near main roads and in respect of vehicles authorised for use under such licences by S.I. No. 461 of 1969.Power to remit fees
109. (1) The provisions of this Part shall not apply to—

(a) any vehicle or trailer held for the purposes of sale only, subject to the provisions of sections ninety-nine to one hundred and five;

(b) any vehicle or trailer for which a licence is required under any other law for the time being in force;

(c) any motor vehicle or trailer owned by the Government or the President;

(d) any motor vehicle or trailer brought into Zambia by visitors, whether used under the authority of an international certificate or not, and exempted from being licensed under this Act in accordance with any regulations made under this Act;

*Power delegated to the Road Traffic Commissioner to remit fees for short-term road service licences issued for the carriage of maize and farm produce from rural areas to collection centres on or near main roads and in respect of vehicles authorised for use under such licences by S.I. No. 461 of 1969.

(e) bicycles;

(f) any other vehicle or trailer or class of vehicle or trailer as may by regulation be prescribed.

(2) After the commencement of this Act, no licence to use a vehicle or trailer shall be necessary under any rules or by-laws made or deemed to have been made under the Local Government Act.

(As amended by G.N. No. 293 of 1964 and No. 37 of 1965) Cap. 281

PART VII

DRIVING LICENCES: ISSUE, TESTING, ETC.

110. (1) No person shall drive a motor vehicle on a road unless he is the holder of a driving licence authorising him to drive a vehicle of that class or description, and no person shall permit or employ any person to drive a motor vehicle on a road unless that person is the holder of such a driving licence, and if any person acts in contravention of any of these provisions he shall be guilty of an offence and liable upon conviction, in the case of a first offence, to a fine not exceeding one thousand five hundred penalty units, and in the case of a second or subsequent offence, to a fine not exceeding three thousand penalty units:

Provided that this section shall not apply to any person who is the holder of an international driving permit or of any other driving licence or permit issued outside Zambia, or of a military driving licence, or of the equivalent of such licence or permit, which is deemed by regulation made under this Act to have effect within Zambia as though it were a driving licence issued under section one hundred and eleven or one hundred and thirteen.

(2) Subject to the provisions of subsection (1), any motor vehicle which is driven on a road by any person who is not the holder of a valid driving licence authorising him to drive a vehicle of that class or description, may be
impounded by any road traffic inspector in uniform or by any police officer.

(3) Upon the issue of a driving licence to a person, any driving licence previously issued to that person, whether inside or outside Zambia, shall become void in so far as it may authorise the holder to drive a motor vehicle in Zambia.

(As amended by Act No. 35 of 1974 and Act No. 13 of 1994)

111. (1) Application for a driving licence or for a duplicate driving licence or for the renewal of such licences as may be prescribed or for the extension, by endorsement, of a driving licence, shall, subject to the provisions of subsection (2), be made to a licensing officer and shall be in such form as may be prescribed.

Application for issue of driving licence

(2) Where it is so prescribed an application under the provisions of subsection (1) shall be made to the Commissioner.

(3) Any person making an application under this section shall comply with such conditions and make such declarations as may be prescribed:

Provided that where conditions are so prescribed a licensing officer or the Commissioner, as the case may be, may dispense with compliance with such conditions in such circumstances as may be prescribed.

(4) Subject to the provisions of this Act and to any regulations made thereunder and on payment of the prescribed fee, a licensing officer shall issue, renew or extend, by endorsement, a driving licence or a duplicate driving licence.

(5) Driving licences shall be renewed or extended, by endorsement, in such manner as may be prescribed.

(No. 17 of 1961)

112. (1) A driving test shall be conducted by a driving examiner, and the form of the test shall be in accordance with the general instructions laid down from time to time by the Commissioner and every person taking a test shall comply with such conditions as may be prescribed.

Driving tests

(2) Upon being satisfied on such test that the applicant is competent to drive a motor vehicle of the class in respect of which the test was held, the driving examiner shall on payment of such fee as may be prescribed issue to the applicant a certificate in such form as may be prescribed stating that the holder is competent to drive such class of motor vehicle as may be specified in such certificate.

(As amended by No. 17 of 1961)

113. (1) Notwithstanding anything to the contrary contained in section one hundred and ten, a licensing officer may issue a provisional driving licence to any person who wishes to learn to drive a motor vehicle and who applies for such licence in such form and manner, if any, as may be prescribed.

Provisional driving licences

(2) A provisional driving licence shall be in such form as may be prescribed
and shall entitle the holder thereof, for a period of three months from the date
of issue in the case of any motor vehicle other than a motor cycle, or for a
period of one month from the date of issue in the case of a motor cycle, to
drive upon any road a motor vehicle of the class in respect of which it has been
issued:

Provided that-

(i) whilst a person is so driving a motor vehicle he shall at all times be
under the supervision of a person who shall sit beside him or, if this is not
possible, as near as is practicable, and who shall be in possession of a licence
to drive such vehicle, and provided further that such plates as may be
prescribed shall be displayed upon such vehicle;

(ii) such plates as may be prescribed for use when a person is under
instruction shall be removed when any person holding a valid driving licence
issued under section one hundred and eleven is driving the vehicle:

Provided that this proviso shall not apply to a vehicle used
specifically for driving instruction and owned by a person licensed in
accordance with section two hundred and forty-seven as a driving instructor nor
to a vehicle being driven by a person holding a valid licence during any period
when a person holding a provisional licence is under instruction;

(iii) a person riding a motor cycle or auto cycle or other vehicle which is
not constructed or adapted to carry more than one person whilst in possession of
a provisional driving licence shall not be required to be under supervision as
in proviso (i) and no person other than the rider shall be carried on a motor
cycle or auto cycle when the rider thereof has a provisional driving licence.

(3) Where a public service vehicle is being driven by the holder of a
provisional licence, no person other than the person supervising the driving of
such vehicle by such holder in accordance with the provisions of subsection (2)
shall be carried as a passenger in such vehicle:

Provided that-

(i) the provisions of this subsection shall not apply where a person is being
carried in such vehicle for the sole purpose of receiving instruction in the
driving of such vehicle;

(ii) not more than one person being carried for the purpose of receiving
instruction shall be in the front seat with the driving instructor.

(4) Any person failing to comply with the provisions of this section shall be
guilty of an offence and upon conviction shall be liable, in the case of a first
offence, to a fine not exceeding one thousand penalty units, and in the case of
a second or subsequent conviction to a fine not exceeding two thousand penalty
units.

(5) Notwithstanding anything contained in subsection (4), any motor vehicle in
respect of which an offence is committed under this section may be impounded by
any road traffic inspector in uniform or by any police officer.

(As amended by No. 17 of 1961 and No. 19 of 1966
and No. 35 of 1974 and Act No. 13 of 1994)
114. A licensing officer shall not issue a provisional driving licence to any person who is unable to certify in the prescribed manner that his physique, vision, hearing, and bodily and mental fitness are such as to warrant the issue to him of a licence, and before issuing a provisional driving licence the licensing officer may, if he thinks fit, require the applicant to produce a satisfactory medical certificate in such form as may be prescribed, signed by a registered medical practitioner.

(As amended by No. 17 of 1961)

115. (1) A driving licence and a provisional driving licence, unless expressed to be valid for all classes of motor vehicles, shall be valid only for the class or classes of motor vehicle specified therein, but may by endorsement of the licence in the manner and form prescribed, and on payment of the prescribed fee, be extended to any other class of motor vehicle:

Classes of motor vehicle

Provided that the passing of a test to drive a particular class of vehicle specified in such regulations as may be made in that behalf shall entitle the applicant to have his licence endorsed for other classes of vehicle as may be specified in such regulations.

(2) For the purposes of this section, motor vehicles shall be classified as may be prescribed.

(As amended by No. 17 of 1961)

116. (1) Notwithstanding any other provision of this Act, no person shall obtain or attempt to obtain a driving licence or provisional driving licence:

Age of driver

(a) to drive an auto cycle or invalid carriage, unless he has attained the age of sixteen years; or

(b) to drive a construction vehicle, a heavy goods vehicle or an articulated vehicle, unless he has attained the age of eighteen years; or

(c) to drive a public service vehicle carrying passengers for hire or reward, or a private motor omnibus used otherwise than for private or domestic purposes, unless he has attained the age of twenty-one years; or

(d) to drive any motor vehicle not mentioned in paragraph (a), (b) or (c), unless he has attained the age of seventeen years.

(2) For the purposes of this section, an "articulated vehicle" means a motor vehicle with a trailer so attached to the drawing vehicle that part of the trailer is superimposed upon the drawing vehicle and when the trailer is uniformly loaded not less than twenty per centum of the load is borne by the drawing vehicle.

(3) Any driving licence or provisional driving licence obtained in contravention of this section shall be void.

(4) Any person contravening the provisions of this section shall be guilty of an offence.

(As amended by No. 38 of 1960)
117. (1) Every person applying to undergo a driving test shall pay the prescribed fee. If a person fails to present himself for the test for which he has applied, the fee paid shall be forfeit: Driving test fees

Provided that if he gives forty-eight hours' notice of his inability to appear for any test which has been arranged for him, the fee paid shall be refunded to him. The disposal of fees shall be as may be prescribed.

(2) No fee shall be payable in respect of a test carried out as a result of an order passed under subsection (1)(c) of section one hundred and twenty.

118. (1) Driving licences shall be in such form and be valid for such periods as may be prescribed: Form and duration of licences

Provided that different forms and different periods of validity may be prescribed for different types of driving licence.

(2) Duplicate driving licences shall be in such form and may be issued in such circumstances and subject to such conditions as may be prescribed.

(3) The signature, or thumb mark, and, where so required by regulations made under subsection (4), the photograph of the holder shall be affixed to a driving licence in the prescribed manner, and a licensing officer may require that such holder, or any person to whom a driving licence is to be issued, shall appear before him in person for the purpose of affixing such signature, mark or photograph.

(4) The Minister may, by regulation-

(a) require a photograph, of such size and type as may be prescribed, of the holder of a driving licence, or of any specified type of driving licence, to be affixed to such licence;

(b) prescribe the class or description of vehicle which old licences of a specified type shall authorise the holders thereof to drive;

(c) prescribe a date after which old licences, or any specified type or types of old licence, shall cease to be valid;

(d) provide for the replacement of old licences by driving licences issued under this Act, the procedure to be adopted upon such replacement, and the fee, if any, to be paid in respect thereof.

(5) In this section-

"old licence" means a driving licence issued under the provisions of the Motor Traffic Act, Chapter 172 of the 1960 Edition of the Laws, and valid at the commencement of any regulations made under subsection (4) referring to such licence;

"type", in relation to a licence, means such a licence authorising the holder thereof to drive vehicles of a certain class or description, or certain classes or descriptions.

(No. 17 of 1961 as amended by G.N. No. 275 of 1964)

119. (1) There shall be payable in respect of a driving licence the fee
prescribed in the Third Schedule. Fees for licences

(2) There shall be payable in respect of a provisional driving licence such fee as the Minister may prescribe.

(3) Any fee payable in respect of a driving licence or a provisional driving licence shall be paid to the licensing officer by whom it is issued at the time it is issued.

(4) Any fee paid to a licensing officer in respect of a driving licence or a provisional driving licence shall be paid into the general revenues of the Republic:

Provided that if a licensing officer is the holder of an office in a local authority, there shall be paid into the general fund of such local authority in each financial year of such local authority-

(a) ten per centum of the first thirty thousand fee units of the fees so paid to such licensing officer in that financial year; and

(b) five per centum of the balance of the fee units so paid to such licensing officer in that financial year;

and the net amount of such fees shall be paid into the general revenues of the Republic.

(5) In this section-

"financial year", in relation to a local authority, has the meaning assigned thereto in section forty-two of the Local Government Act,

"local authority" means a municipal council, a township council or a rural council established, or deemed to be established, under the Local Government Act.

(No. 4 of 1969 and Act No. 13 of 1994) Cap. 281

120. (1) Notwithstanding anything to the contrary contained in this Act, it shall be lawful for the Commissioner—Revocation, etc., of driving licences

(a) to revoke a licence or an endorsement authorising the holder thereof to drive a public service vehicle if, in the opinion of the Commissioner, the conduct or character of the holder is such as to render him unfit to drive such vehicle from the point of view of the safety of the public;

(b) to revoke a driving licence of any person who appears, in the opinion of the Commissioner, to be suffering from a disease or disability likely to cause the driving by him of a motor vehicle to be a source of danger to the public; or

(c) to order a fresh driving test by a driving examiner in the case of any holder of a driving licence who appears to the Commissioner to be so deficient in driving ability as to be a source of danger to the public, and if the licence holder fails to pass such test, the Commissioner shall have power to revoke his licence.

(2) The Commissioner may at any time cancel or amend an order made by him under
(3) No revocation may be made under this section unless the licence holder concerned has first been given an opportunity to make representations on his behalf to the Commissioner.

(4) Any person aggrieved by an order or decision of the Commissioner under this section may appeal to the Minister within fourteen days from the making thereof.

(5) Any order under this section shall be in writing and shall be sent or delivered to the licence holder concerned, and in the case of an order to revoke a driving licence or an endorsement of such licence the licence holder shall, within fourteen days of the receipt of such order or of the failure of an appeal against such order, as the case may be, deliver or send such licence to the person who made such order.

(As amended by No. 38 of 1960 and S.I. No. 36 of 1964)

121. (1) Any person aggrieved by the refusal of a licensing officer or of the Commissioner to issue a driving licence under this Part may, within fourteen days of such refusal, appeal to the Commissioner or, where the appeal is from a refusal of the Commissioner, to the Minister in such form and manner as may be prescribed. Appeals

(2) In any such appeal the decision of the Commissioner or of the Minister, as the case may be, shall be final.

(3) Regulations may be made providing for an appeal against a refusal to issue a duplicate driving licence.

(As amended by No. 17 of 1961)

PART VIII

DRIVING LICENCES: SUSPENSION, CANCELLATION, ENDORSEMENT

122. (1) Any court before which a person is convicted of an offence under this Act-Powers of court

(a) may where so permitted by the Second Schedule, and unless the court for special reasons thinks fit to order otherwise shall where so required by the said Schedule, if the person convicted holds a driving licence granted in Zambia, or a driving licence or its equivalent granted in any other country and which is valid in Zambia, suspend such licence or its equivalent, for such time as the court thinks fit, or cancel such licence or its equivalent and declare the person convicted disqualified from obtaining another licence in Zambia for a stated period:

Provided that where the provisions of this section apply, and where the person convicted holds no driving licence or its equivalent, the court may, and unless the court for special reasons thinks fit to order otherwise shall where so required, declare that person disqualified from obtaining a licence in Zambia for a stated period;

(b) may where so permitted by the Second Schedule, and shall where so
required by the said Schedule, order that particulars of the conviction and of any suspension or cancellation of his driving licence and any disqualification to which such person has become subject shall be endorsed on the licence or its equivalent held by such person;

(c) may in all cases where a licence is suspended or cancelled order that the person convicted be disqualified from holding or obtaining a licence in Zambia unless and until he has, since the date of such order, passed a driving test: Provided that if the court thinks fit, any suspension of a licence or disqualification imposed under this section may be limited to the driving of a motor vehicle of the same class as the vehicle in relation to which the offence was committed.

(2) Any court, hereinafter called the convicting court, making an order under the provisions of subsection (1) shall cause a copy of such order to be sent to the Commissioner.

(3) Where the convicting court or any other court varies an order made under the provisions of subsection (1), the convicting court shall cause the Commissioner to be notified of such variation.

(4) Where the Commissioner receives a copy of an order or is notified of a variation of an order, under the provisions of this section, he shall cause such order or variation to be noted in such manner as may be prescribed.

(As amended by No. 17 of 1961)

123. A person whose licence by virtue of an order of a court is suspended or cancelled or who is disqualified from holding or obtaining a driving licence, or whose licence is endorsed, may appeal against the order in the same manner as against a conviction, and the court may, if it thinks fit, pending an appeal, suspend the operation of the order.

Right of appeal

124. Where an order is made requiring any licence or its equivalent held by an offender to be endorsed, then-

(a) if the offender is at the time the holder of a licence or its equivalent he shall, if so required by the court, produce the licence or its equivalent within five days or such longer time as the court may determine for the purpose of endorsement;

(b) if the offender is not then the holder of a licence but subsequently obtains a licence he shall, within five days after so obtaining the licence, produce it to the court for the purpose of endorsement;

(c) if the offender fails to produce the licence or its equivalent to the court for the purpose of endorsement within such time as aforesaid, he shall be guilty of an offence under this Act;

(d) if the licence or its equivalent is not produced for the purpose of endorsement within such time as aforesaid, it shall be suspended from the expiration of such time until it is produced for the purpose of endorsement.

Production of driving licence for endorsement

125. A driving licence or its equivalent suspended by a court shall during the period of suspension be of no effect, and a person whose licence or its
equivalent is cancelled and who is declared by the court to be disqualified from obtaining a licence shall during the period of such disqualification be disqualified from obtaining a driving licence. Suspended licence to be of no effect

126. (1) Any person whose driving licence is by virtue of a conviction or order suspended or who is by virtue of a conviction or order disqualified from holding or obtaining a driving licence may apply to the court before which he was convicted or by which the order was made to cancel the suspension or remove the disqualification: Application for removal of disqualification

Provided that no such application shall be made before the expiration of whichever is relevant of the following periods from the date of the conviction or order by virtue of which the suspension or disqualification was imposed, that is to say:

(a) six months, if the disqualification or suspension is less than a year;
(b) one-half of the period of the disqualification or suspension if it is for less than six years, but not less than a year;
(c) three years in any other case.

Notwithstanding paragraphs (a), (b) and (c) of this proviso, if, in the opinion of a magistrate, circumstances are such as to justify the removal of the suspension or disqualification of a driving licence in a lesser period, the magistrate may direct accordingly.

(2) In determining the expiration of the period for which a licence is suspended or a person is disqualified by virtue of a conviction or by an order made in consequence of such a conviction or after which, under the provisions of this section, a person may apply for the cancellation of such suspension or for the removal of such disqualification, any time after the conviction during which the suspension or disqualification was suspended or his licence was not suspended or he was not disqualified shall be disregarded.

(3) Upon any such application a court may if it thinks proper, having regard to the character of the person whose licence is suspended or who is disqualified and his conduct subsequent to the conviction or order, the nature of the offence and any other circumstances of the case, either by order remove the suspension or disqualification as from such date as may be specified in the order, or refuse the application:

Provided that where an application under this section is refused, a further application thereunder shall not be entertained if made within three months after the date of the refusal.

(4) If the court orders a suspension to be cancelled or a disqualification to be removed, the court shall cause particulars of the order to be endorsed on the licence or its equivalent, if any, previously held by the applicant, and the court shall, in any case, have power to order the applicant to pay the whole or any part of the cost of the application.

127. Where as a result of any order passed prior to the commencement of this Act a person is disqualified from holding or obtaining a driving licence, or his licence is suspended, and where such disqualification or suspension is no longer provided for in this Act, the court shall, upon the application of the person
128. If any person who under the provisions of this Act is disqualified from holding or obtaining a driving licence applies for or obtains a licence while he is so disqualified, or if any person while he is so disqualified or while his licence is suspended drives a motor vehicle on a road or, if the disqualification or suspension is limited to the driving of a motor vehicle of a particular class or description, drives a motor vehicle of that class or description, on a road, or if any person who has been refused a licence applies for or obtains a licence without disclosing such refusal, he shall be liable upon conviction, in the case of a first offence, to a fine not exceeding three thousand penalty units or to imprisonment for a period not exceeding six months, and in the case of a second or subsequent offence, to a fine not exceeding six thousand penalty units or to imprisonment for a period not exceeding one year.

(As amended by Act No. 13 of 1994) Fraudulent application for driving licence

129. On the issue of a new driving licence to any person, the particulars endorsed on any previous licence or its equivalent held by him shall be copied on to the new licence, unless he has previously become entitled under the provisions of section one hundred and thirty-one to have a licence issued to him free from endorsement. Particulars of endorsement to be copied on new licence

130. If any person whose driving licence or its equivalent has been ordered to be endorsed, and who has not previously become entitled under the provisions of section one hundred and thirty-one to have a licence issued to him free from endorsement, applies for or obtains a licence without giving particulars of the order of endorsement, he shall be guilty of an offence and liable upon conviction, in the case of a first offence, to a fine not exceeding one thousand five hundred penalty units, and in the case of a second or subsequent offence, to a fine not exceeding three thousand penalty units, and any licence so obtained shall be of no effect.

(As amended by Act No. 13 of 1994) Applying for licence without disclosing endorsement

131. Where a person in respect of whom an order has been made under this Act or under the Motor Traffic Act, Chapter 172 of the 1957 Edition of the Laws, requiring the endorsement of any driving licence or its equivalent held by him has during a continuous period of three years or upwards since the order was made had no further similar order made against him, he shall be entitled, on application and subject to the payment of the fee specified for the issue of a driving licence, and to the surrender of any subsisting licence, or its equivalent, at any time to have issued to him a new licence free from endorsement: Issue of new licence free from endorsement

Provided that, in reckoning the said period of three years, any period during which the person was by virtue of the order disqualified from holding or obtaining a licence or for which his licence was suspended shall be excluded.

(As amended by No. 38 of 1960)

132. Where as a result of any order passed prior to the commencement of this Act a driving licence or its equivalent is endorsed, and where such endorsement is no longer provided for under this Act, the holder of that licence or its equivalent shall be entitled to a new licence free from endorsement as provided
PART IX

COMPULSORY THIRD PARTY INSURANCE

133. (1) It shall not be lawful for any person to use or cause or permit any other person to use a motor vehicle or trailer on a road unless there is in force in relation to the use of such vehicle or trailer by that person or that other person, as the case may be, such a policy of insurance or such a security in respect of third party risks as complies with the requirements of this Part: Users of motor vehicles to be insured against third party risks

Provided that this section shall not apply to a motor vehicle or trailer owned by the Government.

(2) Any person who contravenes the provisions of this section shall be guilty of an offence and liable upon conviction, in the case of a first offence, to a fine not exceeding three thousand penalty units or to imprisonment for a period not exceeding one year, and in the case of a second or subsequent offence, to a fine not exceeding seven thousand five hundred penalty units or to such imprisonment as aforesaid, or to both such fine and imprisonment.


134. A person charged with using a motor vehicle or trailer in contravention of section one hundred and thirty-three shall not be convicted if he proves that the vehicle or trailer did not belong to him and was not in his possession under a contract of hiring or of loan, that he was using the vehicle or trailer in the course of his employment, and that he neither knew, nor had reason to believe, that there was not in force in relation to the vehicle or trailer such a policy of insurance or security as complied with the requirements of this Part. Saving in respect of liability

135. In order to comply with the requirements of this Part, a policy of insurance must be a policy which-

(a) is issued by a person who is approved by the Minister as an insurer for the purposes of this Part; and

(b) insures such person, persons or classes of person as may be specified in the policy in respect of any liability which may be incurred by him or them in respect of the death of, or bodily injury to, any person caused by, or arising out of the use of the motor vehicle or trailer on a road to an amount of at least - Requirements in respect of policies of insurance

A. fifteen thousand fee units in respect of any one person killed or injured; and

B. sixty thousand fee units in respect of any one accident or series of accidents due to or arising out of the occurrence of any one event:

Provided that any policy in terms of this section shall not be required to cover-
(i) any liability in respect of the death of, or bodily injury to, a person in the employ of any person insured by the policy, if such death or bodily injury arises out of and in the course of his employment; or

(ii) except in the case of a motor vehicle or trailer in which passengers are carried for hire or reward or by reason of or in pursuance of a contract of employment, liability in respect of the death of or bodily injury to persons being carried in or upon or entering or getting on to or alighting from the vehicle or trailer at the time of the occurrence of the event out of which the claims arise; or

(iii) any contractual liability.

(As amended by Act No. 13 of 1994)

136. (1) In order to comply with the requirements of this Part, a security must—Requirements in respect of securities

(a) consist of an undertaking by the giver of the security to make good, subject to any conditions specified therein, and up to an amount approved by the Minister, any failure by the owner of the motor vehicle or trailer or such other persons or classes of persons as may be specified in the security duly to discharge any such liability as is required to be covered by a policy of insurance under the last preceding section, which may be incurred by him or them; and

(b) be approved by the Minister and deposited with him.

(2) Whenever such a security is approved by the Minister and deposited with him, the Minister shall give to the owner of the motor vehicle or trailer concerned a certificate (hereinafter called a certificate of security) in the prescribed form and containing such particulars of any conditions subject to which the security is given as may be prescribed.

(3) References in the remainder of this Part to a policy, an insurer or an insured shall be deemed to include references to a security, a giver of a security or a person secured, as the case may be.

137. (1) Any person having a claim against a person insured in respect of any liability in regard to which a policy of insurance has been issued for the purposes of this Part shall be entitled in his own name to recover directly from the insurer any amount, not exceeding the amount covered by the policy, for which the person insured is liable to the said person having the claim:Right of injured party to proceed against insurer

Provided that—

(i) the rights of any such person claiming directly against the insurer shall, except as provided in subsection (2), be not greater than the rights of the person insured against such insurer;

(ii) the right to recover directly from the insurer shall terminate upon the expiration of a period of two years from the date upon which the claimant's cause of action against the person insured arose;

(iii) the expiration of such period as is mentioned in proviso (ii) shall not affect the validity of any legal proceedings commenced during such period for
the purpose of enforcing a right given under this section.

(2) In respect of the claim of any such person claiming directly against the insurer, any condition in a policy purporting to restrict the insurance of the person insured thereby shall be of no effect:

Provided that nothing in this section shall require an insurer to pay any sum in respect of the liability of any person otherwise than in or towards the discharge of that liability, and any sum paid by an insurer in or towards the discharge of any liability of any person which is covered by the policy by virtue only of the operation of this subsection shall be recoverable by the insurer from that person.

138. (1) Any condition in a policy given under this Part providing that, in the event of some specified thing being done or omitted to be done no liability shall arise under the contract, or that in any such event any liability so arising shall cease, shall be of no effect in connection with any claim in respect of which the policy holder is required to be insured by virtue of the provisions of this Part:

Provided that nothing in this section shall be taken to render void any provision in a policy requiring the person insured to repay to the insurer any sums which the latter may have become liable to pay under the policy or under the provisions of section one hundred and thirty-seven and which have been applied to the satisfaction of the claims of third parties.

(2) A person issuing a policy of insurance for the purposes of this Part shall be liable to indemnify the persons or classes of persons specified in the policy in respect of any liability which the policy purports to cover in the case of those persons or classes of persons.

(3) In this section, and in section one hundred and thirty-seven, "person insured" includes any person whom a person issuing a policy of insurance for the purposes of this Part is liable to indemnify by virtue of subsection (2).

(As amended by No. 19 of 1966)

139. Any contract for the conveyance of a passenger in a public service vehicle shall, so far as it purports to negative or to restrict the liability of any person in respect of any claim which may be made against that person in respect of the death of, or bodily injury to, the passenger while being carried in, entering, or alighting from the vehicle, or purports to impose any conditions with respect to the enforcement of any such liability, be void.

Avoidance of contracts so far as restrictive of liability in respect of respect of death of or injury to passengers in public service vehicles

140. Where an insurer makes any payment under the provisions of this Part in respect of the death of, or bodily injury to, any person who has received treatment in a hospital in respect of the fatal or other bodily injury so arising, the insurer shall also pay to such hospital the expenses reasonably incurred by the hospital in affording such treatment to an amount not exceeding one thousand five hundred penalty units for each person so treated as an in-patient and not exceeding three hundred penalty units for each person so treated as an out-patient:

Hospital expenses

Provided that these sums may be varied from time to time by the Minister by statutory notice.
141. Upon the issue of a policy of insurance in accordance with the 
requirements of this Part, the insurer shall issue to the insured in respect of 
each vehicle and trailer insured a certificate (in this Part referred to as a 
"certificate of insurance") in the prescribed form and containing such 
particulars of any conditions subject to which the policy is issued and of any 
other matters as may be prescribed, and different forms and different 
particulars may be prescribed in relation to different cases or 
circumstances.

142. (1) Any person driving a motor vehicle on a road, or any person whom a 
police officer has reasonable cause to believe to have been the driver of a 
motor vehicle at a time when an accident occurred owing to its presence on a 
road, or any person whom a police officer has reasonable cause to believe to 
have committed an offence in relation to the use of a motor vehicle on a road, 
shall, on being so required by a police officer, give his name and address and 
the name and address of the owner of the vehicle and shall produce his 
certificate of insurance and if he fails to do so he shall be guilty of an 
offence:

Production of certificate of insurance

Provided that if the driver of a motor vehicle within seven days after the date 
on which the production of his certificate was so required, or within such 
greater period as the police officer requiring him to produce his certificate 
may specify, produces or otherwise furnishes the certificate at such police 
station as may have been specified by him at the time its production was 
required, he shall not be convicted of an offence under this subsection by 
reason only of failure to produce his certificate to the police officer.

(2) If in any case where, owing to the presence of a motor vehicle or trailer 
on a road, an accident occurs involving personal injury to another person, the 
driver of the vehicle does not at the time produce his certificate to a police 
officer or to some person who, having reasonable grounds for so doing, has 
required its production, the driver shall as soon as possible, and in any case 
within twenty-four hours of the occurrence of the accident, report the accident 
at a police station or to a police officer and thereupon produce his 
certificate, and if he fails to do so, he shall be guilty of an offence:

Provided that a person shall not be convicted of an offence under this 
subsection by reason only of failure to produce his certificate if, within seven 
days after the occurrence of the accident or within such greater period as the 
police officer to whom he reported the accident may specify, he produces or 
otherwise furnishes the certificate at such police station as may have been 
specified by him at the time the accident was reported.

(3) It shall be the duty of the owner of a motor vehicle to give such 
information as he may be required by or on behalf of the Commissioner of Police 
to give for the purpose of determining whether the vehicle was or was not being 
driven in contravention of section one hundred and thirty-three on any occasion 
when the driver was required under this section to produce his certificate, and 
if the owner fails to do so he shall be guilty of an offence.

(4) In this section, the expression "produce his certificate" means produce for 
examination the relevant certificate of insurance or certificate of security or 
such other evidence that the vehicle was or was not being driven in 
contravention of section one hundred and thirty-three as may be prescribed.
In the case of motor vehicles or trailers that are subject to Part XI, a road traffic inspector may exercise all the powers conferred upon a police officer by this section.

(As amended by No. 17 of 1961 and No. 25 of 1963)

143. Any customs officer may refuse to permit entry into Zambia by road of any motor vehicle or trailer if he is satisfied that there is not in force in relation to the use of such motor vehicle or trailer such a policy of insurance or such a security in respect of third party risks as complies with the requirements of this Part.

(No. 19 of 1966) Customs officer may refuse to permit entry of uninsured vehicle

144. If any person, for the purpose of obtaining a policy as required by section one hundred and thirty-three, makes any false statement, knowing it to be false, in consequence whereof the policy is liable to be avoided, or wilfully does any act which disentitles him to claim under the policy, he shall be guilty of an offence and liable upon conviction, in the case of a first offence, to a fine not exceeding three thousand penalty units, and in the case of a second or subsequent offence, to a fine not exceeding seven thousand five hundred penalty units.

(As amended by Act No. 13 of 1994) Making false statements

145. No licensing officer shall issue to any person a licence or transfer to any person a licence for a motor vehicle or trailer unless such person produces to him-

(a) a certificate issued by an approved insurer in the prescribed form which states that a policy of insurance complying with the requirements of this Part will be in force in respect of the use of such vehicle or trailer on the date upon which the licence or transfer applied for is to come into force and for the period for which the licence is to be issued or remain in force; or

(b) a certificate of security in respect of the use of such vehicle or trailer which will be in force on the date upon which the licence or transfer applied for is to come into force and for the period for which the licence is to be issued or remain in force. Certificate of insurance or security to be produced before issue of licence

146. Where to the knowledge of an insurer a policy given for the purposes of this Part ceases to be effective without the consent of the person to whom it was issued otherwise than by the effluxion of time or by reason of his death, the insurer shall forthwith notify the Commissioner of Police of the date on which the policy ceased to be effective. Duty of insurer when policy is cancelled, etc.

PART X

PUBLIC SERVICE VEHICLES AND PUBLIC SERVICES

147. (1) There shall be established a Road Transport Panel which shall consist of such persons as may be appointed thereto by the Minister, and any person so appointed shall remain on the Panel for such period as the Minister shall,
either generally or in any particular appointment, specify.

(2) If any person who has been appointed to the Panel acquires any financial interest in the motor trade or in any transport undertaking which carries passengers or goods for hire or reward within Zambia he shall, within four weeks after so doing, give notice thereof in writing to the Minister specifying the interest so acquired, and the Minister after taking the matter into consideration may, if he thinks fit, require such person to resign from the Panel.

(As amended by S.I. No. 122 of 1965)

148. (1) Subject to the provisions of sections one hundred and fifty-five and one hundred and fifty-six, the Commissioner shall, for the purpose of hearing and determining applications for the grant of road service licences or the variation of terms or conditions of such licences, and may for other purposes, hold public sittings at such places within Zambia and at such times as appear to the Commissioner to be required, having regard to the purposes of this Part and the interests of the parties concerned:

Provided that the Commissioner may, on giving at least fourteen days' notice in the Gazette of the intention so to do, vary a road service licence without holding a public sitting if he is of the opinion that, having regard to the trivial character of the variation, it is not necessary to hold a public sitting.

(2) At any public sitting the Commissioner shall sit with two assessors who shall be chosen by the Commissioner from the Panel as advisers.

(As amended by No. 50 of 1970)

149. (1) No person shall use or cause or permit to be used on a road any vehicle as a public service vehicle for the carriage of goods unless there is in force in relation to such vehicle a road service licence authorising such use.

Provided that the Commissioner may, on giving at least fourteen days' notice in the Gazette of the intention so to do, vary a road service licence without holding a public sitting if he is of the opinion that, having regard to the trivial character of the variation, it is not necessary to hold a public sitting.

(2) Any person who contravenes any of the provisions of this section shall be guilty of an offence and liable upon conviction, in the case of a first offence, to a fine not exceeding three thousand penalty units, and in the case of a second or subsequent offence, to a fine not exceeding seven thousand five hundred penalty units.

(As amended by No. 19 of 1966, and Act No. 13 of 1994)

150. (1) Subject to the provisions of Part XII, no person shall use or cause or permit to be used any vehicle for the purpose of standing or plying for hire or as a public service vehicle for the carriage of persons unless there is in force in relation to such vehicle a road service licence authorising such use.

(2) Any person who contravenes any of the provisions of subsection (1) shall be guilty of an offence and shall be liable upon conviction, in the case of a first offence, to a fine not exceeding three thousand penalty units, and in the case of a second or subsequent offence, to a fine of not less than thirty thousand penalty units and not exceeding seven thousand five hundred penalty units.
(3) Where a person is charged with using a vehicle in contravention of the provisions of subsection (1) and it is proved that a police officer or road traffic inspector observed such vehicle on two or more occasions in such circumstances as to cause him reasonably to suspect that such vehicle was being used for the purpose of standing or plying for hire or as a public service vehicle for the carriage of persons, it shall be presumed, unless the contrary is proved, that such vehicle was used for such purpose or as a public service vehicle for the carriage of persons, as the case may be.

(4) Where any person is convicted of an offence under subsection (2) and the court is satisfied that such person has been previously convicted under that subsection within the twelve months immediately preceding the date on which such offence was committed, the court shall order—

(a) the cancellation by a licensing officer of the licence issued under the provisions of Part VI in respect of the vehicle used for the purpose of standing or plying for hire or as a public service vehicle for the carriage of persons, as the case may be; and

(b) that for such period, being not less than six months and not exceeding twelve months, as the court may direct, such vehicle may not be licensed by any person.

(5) Where a court has made an order under subsection (4) that for a specified period a vehicle may not be licensed, any person who uses such vehicle on a road during such period and while such order is in force shall be guilty of an offence and liable upon conviction to a fine not exceeding seven thousand five hundred penalty units.

(6) Any court which has made an order under subsection (4) that for a specified period a vehicle may not be licensed may, on the application of the owner for the time being of such vehicle, revoke such order at any time after it has been made.

(7) Nothing in this section shall be so construed as to prohibit the sharing of expenses of a journey by a passenger with the owner or driver of a motor vehicle other than a goods vehicle.

(8) (a) Taxicabs shall operate only from taxi-ranks prescribed by municipal, township or rural councils.

(b) Taxicabs without metres shall operate only along prescribed routes which shall be endorsed on their operating licences at the time of issue by the Commissioner.


150A. (1) Notwithstanding anything in this Part contained, no road service licence shall be granted for authorising the use of any station wagon vehicle as a taxicab or public service vehicle for the carriage of persons, and all such road service licences in force immediately before the 30th June, 1973, shall be deemed to have been cancelled on that date:Prohibition of the use of station wagons as taxicabs, etc.

Provided that no person shall be deemed to be guilty of an offence under section
one hundred and fifty, by reason only that on or after the 30th June, 1973, but before the publication of the Roads and Road Traffic (Amendment) (No. 2) Act, 1973, he used or caused or permitted to be used for the purpose of standing or plying for hire as a public service vehicle for the carriage of persons any vehicle in respect of which road licence has been cancelled by this subsection. Act No. 33 of 1973

(2) The Government or any public officer shall not be held liable for anything done or any action taken on or after the 30th June, 1973, to prohibit or restrict the use of any vehicle which is a station wagon as a taxicab or a public service vehicle for the carriage of persons.

(As amended by Act 33 of 1973)

151. (1) Subject to the provisions of Part XII, no person shall use or cause or permit to be used on a road any public service vehicle save in accordance with the terms and conditions of a road service licence authorising such use of the vehicle concerned: Terms, etc., of road service licences to be observed

Provided that any person holding more than one road service licence authorising him to carry goods may, subject to the conditions of any permit granted under section two hundred and forty-five in respect of any vehicle authorised under any of those licences, use any such vehicle on any route or in any area specified in any of those licences so long as neither the maximum number of vehicles, which he is by that licence authorised to use, nor the maximum aggregate weight, which he is so authorised to carry, is exceeded.

(2) Any person who contravenes the provisions of this section shall be guilty of an offence and liable upon conviction, in the case of a first offence, to a fine not exceeding three thousand penalty units, and in the case of a second or subsequent offence, to a fine not exceeding seven thousand five hundred penalty units.

(No. 19 of 1966 and Act No. 13 of 1994)

152. (1) The person required to hold a road service licence in respect of a public service vehicle shall be - By whom road service licence to be held, etc.

(a) if the vehicle is on hire to another person for a purpose other than the conveyance by that other person of passengers or goods for hire or reward, the person in whose name the vehicle is registered;

(b) in any other case, the person using the vehicle.

(2) Save as hereinafter provided, a road service licence shall not be capable of being transferred or assigned:

Provided that the Minister may by regulation provide for enabling a person taking over the business of the holder of a road service licence to continue for such time as may be specified to use the vehicles authorised in such licence in the event of the death, incapacity, bankruptcy or liquidation of the holder, or of the appointment of a receiver or manager in relation to the business.

(No. 19 of 1966)

153. (1) It shall be the duty of the holder of a road service licence, on any material alteration other than by way of replacement of parts being made in the
structure or fixed equipment of any authorised vehicle specified in the licence, forthwith to give notice of such alteration to the Commissioner. Notice to be given to Commissioner of alteration to vehicles

(2) If any person fails to comply with the provisions of this section, he shall be guilty of an offence.

154. (1) Notwithstanding any other provision contained in this Part, in the event of breakdown or other unforeseeable emergency, the holder of a road service licence may temporarily substitute another vehicle for an authorised vehicle: Authorised vehicles not to be changed without permission except in emergency

Provided that-

(i) he is unable in any other way to provide the service authorised in his road service licence;

(ii) within twenty-four hours of making such substitution, such holder shall notify the Commissioner of such substitution, and no vehicle so substituted shall be used in place of an authorised vehicle for a period greater than seven days without the consent of the Commissioner.

(2) Any person who fails to comply with the provisions of this section shall be guilty of an offence.

155. (1) Subject to the provisions of this section, the Commissioner may grant to any citizen of Zambia applying therefor a road service licence which shall be in the prescribed form authorising the holder to provide such road service as may be specified therein, and the Commissioner may vary the provisions of a road service licence either on application of the holder thereof or of any person of a class of objector mentioned in subsection (5), or on his own motion: Road service licences

Provided that the Commissioner may, subject to the specific or general approval of the Minister, grant a road service licence to, or vary the provisions of a road service licence held by, a person who is not a citizen of Zambia if the Commissioner considers that such a grant or variation is in the interest of the Republic of Zambia.

(2) In this section, "citizen of Zambia" means-

(a) in relation to an individual, an individual who is a citizen of Zambia;

(b) in relation to a partnership, a partnership which is composed exclusively of persons who are citizens of Zambia;

(c) in relation to a body corporate, a body corporate which is incorporated under the laws of Zambia and-

(i) is certified under the hand of the Minister to be controlled by the State; or

(ii) A. not less than seventy-five per centum of whose membership is exclusively composed of persons who are citizens of Zambia; and

   B. whose directors are exclusively citizens of Zambia; and
C. which is not controlled by any means, directly or indirectly, outside Zambia or by persons who are not exclusively citizens of Zambia or who are associated in the capital structure thereof with persons who are not exclusively citizens of Zambia.

(3) For the purpose of subsection (2), persons shall be deemed to control a body corporate notwithstanding that other persons are associated with them in the control thereof, if they can override those other persons.

(4) The Commissioner shall not grant or vary a road service licence in respect of any route if it appears to him from any particulars furnished in pursuance of subsection (7) that the provisions of this Act or of the regulations relating to the speed of motor vehicles are likely to be contravened.

(5) In exercising his discretion to grant or refuse or vary a road service licence in respect of any route or area, the Commissioner shall have regard to the following matters:

(a) that the applicant is a citizen of Zambia;

(b) the suitability of the routes on which a service may be provided under the licence;

(c) the extent to which any route or area in respect of which the application is made is already served by rail, road or other form of transport;

(d) the extent to which rail or road transport might be adversely affected and any representations which may be made in that behalf;

(e) the extent to which the proposed service is necessary or desirable in the public interest, including the provision of adequate, suitable and efficient services and the elimination of unnecessary and uneconomic services;

(f) the needs of Zambia as a whole in relation to traffic and the co-ordination of all forms of transport;

(g) the payment of reasonable wages and observance of proper conditions of service in respect of the drivers and conductors of the applicant;

(h) the reliability and financial stability of the applicant;

(i) facilities at the disposal of the applicant for carrying out vehicle maintenance and mechanical repairs;

(j) any previous convictions of the applicant for any offence against the provisions of this Act;

(k) the number of vehicles possessed by the applicant in relation to the demands of the service for which a licence is sought;

(l) whether the applicant's main source of livelihood is or is intended to be derived from the business of operating public service vehicles;

(m) in the case of a person who holds or has held a road service licence, the manner in which he has operated the service or services authorised by such licence;
and shall take into consideration any objections or other representations which may be made by persons who are already providing transport facilities, whether by means of road transport or any other kind of transport, along or near to the routes or in the area in respect of which the application is made or any part thereof, or by any local authority in whose area such services or any part thereof are to be provided, or by any member of the public within the area in respect of which the application is made or any part thereof. The onus of proof that there are grounds for any objection shall lie on the objector. To enable such objections or representations to be made, the Commissioner shall, if the particulars required under subsection (7) have been supplied and the application is otherwise in order, cause a notice of the application to be published in the Gazette and in such other manner, if any, as may be prescribed by regulations, or in the absence of such regulations as the Commissioner may think fit, at least forty days before the public sitting at which the application is heard. Notice of objections or other representations from persons already providing transport facilities along or near to the routes or in the area in respect of which the application is made or any part thereof or from any local authority stating the grounds on which they desire to object or make representations shall be given in writing in accordance with such procedure as may be prescribed:

Provided that the Commissioner shall not be required to publish or hear an application—

(i) made by a person who is not a citizen of Zambia, unless the Commissioner otherwise considers that the application might fall within the proviso to subsection (1);

(ii) if the application falls within subsection (18).

(6) The Commissioner may grant a road service licence subject to such conditions as he may think fit and may attach to a road service licence such conditions as he may think fit and may from time to time vary such conditions in such manner as he may think fit. Compliance with the provisions of this Act and of any regulations made thereunder and adherence to the rates and fares fixed and laid down in respect of any service shall be implied conditions of the road service licence under which that service is operated.

(7) (a) Every person applying for a road service licence, and every holder of such licence applying for a variation thereof, shall submit to the Commissioner—

(i) particulars of the road or roads or area it is proposed to serve;

(ii) particulars of the vehicles to be used;

(iii) the reasons for alleging that existing transport facilities on such road or in such area (including transport by rail or any other means) are inadequate;

(iv) in the case of regular services, the time-tables of the services which it is proposed to provide under the licence;

(v) in any other case, such particulars as to the frequency of the services, the times to be taken, and the vehicles to be used on the journeys included in those services as the Commissioner may require;

(vi) the rate or fare tables of the proposed services;
(vii) particulars of any bankruptcy or of any agreement with creditors entered into by the applicant;

(viii) particulars of any agreement or arrangement affecting in any material respect the provision within Zambia of facilities for the transport of goods or passengers for hire or reward entered into by the applicant with any other person by whom such facilities are provided;

(ix) particulars of any financial interest (whether as a partner or shareholder or as a result of any loan, guarantee or other financial transaction) which any other person providing facilities for the transport of goods or passengers for hire or reward or controlling (either solely or in conjunction with any other person) the business of any person who provides such facilities, has in the business of the applicant, and in the case of an applicant being a company, of any right which any such person as aforesaid has to nominate any director of the company, and any such interest or right which the applicant has in the business of any other person engaged in the operation of public service vehicles within Zambia;

(x) such other information as the Commissioner may require;

and in the case of any material misstatement of any of the above particulars the Commissioner may revoke any road service licence issued or any variation made by him upon the application containing such misstatement.

(b) Where any application made by any person in accordance with paragraph (a) is refused by the Commissioner and within a period of six months from the date of such refusal a further application is made by the same person which, in the opinion of the Commissioner, is substantially the same as the one refused, the Commissioner may in his discretion refuse to entertain such further application until the expiry of such period of six months.

(8) The Commissioner may, either of his own motion or at the request of any person interested or affected, at any time lay down or vary fixed rates and fares for any service on any road or in any area, or may fix or vary the maximum or minimum rates and fares for any service.

(9) The Commissioner on granting, revoking or suspending in whole or in part a road service licence or varying the terms or conditions of such a licence shall publish a notice thereof in the Gazette, and in such other manner, if any, as may be prescribed by regulation or, in the absence of such regulation, as the Commissioner may think fit, but failure to publish such notice shall not operate to invalidate any matter in respect of which such notice ought to have been given.

(10) (a) A road service licence may be revoked or suspended in whole or in part or its terms or conditions may be varied by the Commissioner on the ground that any condition subject to which the licence or a variation was granted has not been complied with:

Provided that the Commissioner shall not revoke, suspend or, in the terms of this subsection, vary such a licence unless owing to the frequency of the breach of conditions on the part of the licence holder or to the breach having been committed wilfully, or to the danger to the public involved in the breach, the Commissioner is satisfied that the licence should be revoked, suspended or
(b) The issue of a road service licence may be withheld or cancelled by the Commissioner if any of the conditions subject to which such licence was granted are not complied with.

(11) Where it comes to the knowledge of the Commissioner that the services specified in any road service licence are not being adequately provided, the Commissioner may revoke or suspend the licence in whole or in part, or vary its terms or conditions, and it shall not be necessary for the Commissioner to decide such cases, or those referred to in subsection (10), at a public sitting unless requested by the holder of the licence so to do:

Provided always that in any case in which the Commissioner has been requested to hold a public sitting in accordance with the provisions of this subsection he may, if he thinks it necessary in the public interest or for the safety of the public or any members thereof, declare the licence suspended until a public sitting can be held.

(12) Subject to the provisions of section one hundred and fifty-six, every road service licence shall be granted for a period of not less than one year nor more than five years.

(13) For the issue of every road service licence or duplicate thereof, for every variation of such licence, and for each authorised vehicle specified therein, there shall be paid the prescribed fee.

(14) The Commissioner shall cause to be kept a register of all road service licences granted by him and such register shall be available for public inspection during normal office hours.

(15) The Commissioner shall have power to take evidence on oath and make such other necessary investigations as he may deem fit in assisting him to come to a decision regarding the issue, suspension, cancellation, variation or refusal of a road service licence, or the variation of any conditions attached thereto, and for that purpose the Commissioner shall have power to administer oaths.

(16) (a) Notwithstanding the provisions of this section and of section one hundred and forty-eight, the Commissioner may, on giving at least fourteen days' notice in the Gazette of the intention so to do without holding a public sitting, grant to any person applying therefor a road service licence to provide a rural feeder service after having regard only to the matters contained in paragraphs (b), (e), (g) and (j) of subsection (5), and to any objections or representations made by any person in respect thereof.

(b) For the purposes of this section, a rural feeder service shall mean a service for conveying goods for hire or reward in areas or on roads that are declared by the Commissioner to be primarily rural in character, subject to the following conditions:

(i) that on a rural feeder service no goods shall be taken up at any point on any specified route or in any specified area and on the same journey be set down at any other point on any specified route or in any specified area;

(ii) that no rural feeder service shall be authorised to operate on a specified route or in a specified area beyond the nearest point on that route or in that area at which such service can reasonably terminate.
(c) For the purposes of this section, specified routes and specified areas shall be those notified by the Minister from time to time in the Gazette.

(17) Notwithstanding the provisions of subsection (5), the Commissioner may grant road service licences for the operation of taxicabs in any place or area, not exceeding such number of taxicabs (hereinafter in this section referred to as "the quota") as the Minister may, by Gazette notice, from time to time specify in respect of such place or area, and the provisions of paragraphs (c), (d), (e) and (f) of subsection (5) shall not apply to any application for any such licence.

(18) Where the quota in respect of any place or area has been met, the Commissioner may refuse to publish any application for a road service licence in respect of such place or area:

Provided that the Commissioner shall keep a register of unpublished applications and shall, when the number of taxicabs falls below the quota in any place or area, publish the applications relating to that place or area in the date order in which they were received by him, to such number as he may consider necessary to meet the quota.

(19) Any road service licence-

(a) issued in contravention of subsection (1) to a person who is not a citizen of Zambia shall be void; or

(b) issued to a person who or which, by reason of any event, ceases to be a citizen of Zambia during the period of validity of such licence, shall, upon the happening of such event, expire; or

(c) may be revoked by the Minister, by statutory order, if it is issued to a body corporate or to a partnership of which a partner is a body corporate and the Minister is satisfied, after such inquiry as he may make or cause to be made with respect to such first mentioned body corporate or partnership, that it is not a citizen of Zambia:

Provided that nothing in paragraph (a), (b) or (c) shall apply to a road service licence issued by the Commissioner by virtue of his powers under the proviso to subsection (1).

(20) Any person who knowingly-

(a) gives any false information to the Commissioner in connection with an application for a road service licence; or

(b) makes a false entry in the prescribed form in respect of an application for a road service licence;

shall be guilty of an offence and shall be liable on conviction-

(i) in the case of a first offence, to a fine not exceeding three thousand penalty units or, in default of payment, to imprisonment for a period not exceeding twelve months;

(ii) in the case of a second or subsequent conviction, to a fine not exceeding seven thousand five hundred penalty units or, in default of payment,
to imprisonment for a period not exceeding three years.

(21) Where, in a prosecution for an offence under this section, it is relevant to prove that a person is not a citizen of Zambia, it shall be presumed that such person is not a citizen of Zambia until the contrary is proved.

(No. 50 of 1970 and No. 13 of 1994)

156. (1) Upon payment of the prescribed fee, the Commissioner may, if the Commissioner is satisfied in the particular circumstances that the needs of those concerned cannot reasonably be met from other sources or that it is desirable in the public interest, issue to any person applying therefor in the form and manner prescribed a short-term road service licence for any period not exceeding three months enabling public service vehicles to be used temporarily—Short-term licences

(a) for the purpose of a seasonal business;

(b) for the purpose of the execution of a particular piece of work; or

(c) for any other purpose of limited duration.

Such short-term licences may be issued without the necessity for the Commissioner to hold a public sitting.

(2) In granting short-term road service licences under this section, the Commissioner may exercise all the powers conferred upon him by subsections (6) and (8) of section one hundred and fifty-five.

(As amended by No. 25 of 1963)

157. If on the date of the expiration of a road service licence, other than a short-term licence, proceedings are pending before the Commissioner on an application by the holder of that licence for the grant to him of a new licence in substitution for the existing licence, the existing licence shall continue in force until the application is disposed of, without prejudice, however, to the exercise in the meantime of the powers of suspension and revocation conferred by this Part.

(As amended by No. 17 of 1961) Extension of validity of licences

158. (1) The Minister shall appoint a Road Service Appeal Tribunal consisting of a chairman, who shall be a barrister or solicitor entitled to practise in Zambia or a person who holds or has held judicial office, and two other members for the purpose of hearing and determining appeals under this Part and Part XII. Road Service Appeal Tribunal

(2) The Minister may appoint a secretary to the Tribunal.

(3) Any person who—

(a) being an applicant for the grant or variation of any licence which may be issued under this Part, is aggrieved by the decision of the Commissioner on the application, or by any condition subject to which the licence was granted or attached to the licence; or

(b) having duly made an objection to or a representation concerning any such
application under this Part, is aggrieved by the decision of the Commissioner thereon; or

(c) being the holder of a road service licence, is aggrieved by the revocation or suspension thereof, or by any variation of the conditions attached thereto; or

(d) is aggrieved by any order of the Commissioner made under the provisions of section one hundred and eighty-six, and is a person to whom a concession has been granted under the provisions of section one hundred and seventy-eight, or any person who has made representations or objections in respect of such order; or

(e) is aggrieved by any determination of the Commissioner made under the provisions of subsection (1) of section one hundred and eighty-three; or

(f) is aggrieved by any modification by the Commissioner made under proviso (i) to subsection (1) of section one hundred and eighty-one modifying the conditions or time-table of a road service licence held by an existing operator;

may appeal to the Tribunal within thirty days of the decision appealed against.

(4) The Tribunal may, by notice in writing, require any person, subject to the payment or tender of the reasonable expenses of his attendance, to attend as a witness and give evidence, or to produce any documents in his possession or power which relate to any matter in question on an appeal under this section, and if any person without reasonable excuse fails to comply with any of the provisions of such notice he shall be guilty of an offence.

(5) The Tribunal shall hear and determine the matter of the appeal, and may make such order therein in addition to or substitution for the matter appealed against as it thinks fit, and any such order shall be binding on the Commissioner.

(6) The Tribunal-

(a) shall have power to take evidence on oath and make such other investigations as it may deem fit in assisting it to come to a decision regarding any matter before it, and for that purpose the chairman shall have the power to administer oaths;

(b) may award to any party to an appeal such costs as the Tribunal considers reasonable, and direct how and by what parties they are to be paid:

Provided that the Commissioner shall not be directed to pay any such costs.

(7) Any of the persons mentioned in subsection (3) who is dissatisfied with the decision of the Tribunal may appeal to the High Court on any question of law but not on a question of fact. Notice of such appeal shall be given to the High Court within thirty days of the decision of the Tribunal appealed against.

(As amended by No. 25 of 1963 and No. 19 of 1966)

159. No action shall be brought against the chairman of the Tribunal or against the Commissioner in respect of any act done or order made by him in good
faith in the execution or supposed execution of the powers and duties conferred upon him under this Act and any regulations made thereunder. Protection of chairman of Tribunal and Commissioner

160. (1) It shall be the duty of any person carrying on the business of operating public service vehicles to keep such accounts and records in relation thereto and to make such financial and statistical returns to such persons and in such manner and at such times as may be prescribed: Records and returns

Provided that the Commissioner may, subject to such conditions, if any, as he thinks fit to impose, authorise the submission of financial and statistical returns in a manner and at times other than as may be prescribed.

(2) The owner of a public service vehicle shall at the request of the Commissioner produce for inspection all accounts or records kept in accordance with subsection (1).

(3) If any person fails to comply with the provisions of this section he shall be guilty of an offence and liable upon conviction to a fine not exceeding seven hundred and fifty penalty units and, in the case of a continuing offence, to a fine not exceeding one hundred and fifty penalty units for every day during which the offence continues.

(As amended by No. 25 of 1963 and Act No. 13 of 1994)

161. (1) The gross weight of a public service vehicle, the weight of goods and the maximum number of passengers that may be carried on a public service vehicle shall be determined by a vehicle examiner in the prescribed manner, and, together with such other particulars as may be prescribed, shall be described on the certificate of fitness for the vehicle issued under Part XI and shall be legibly painted in a conspicuous position on the vehicle in such manner as may be prescribed: Number of passengers: weights of public service vehicles

Provided that, notwithstanding the provisions of this subsection and of any regulations which may be made prescribing the manner in which the number of passengers that may be carried in a public service vehicle shall be determined, the Commissioner may, in his discretion, by Gazette notice, authorise, subject to such conditions as he may specify in such notice, the carriage of standing passengers in such omnibuses or classes of omnibuses as he may so specify.

(2) If there be found in any public service vehicle more passengers than the vehicle is permitted to carry, then the conductor of the vehicle, if any, or, if no conductor is carried, the driver, shall be guilty of an offence and liable upon conviction, to a fine not exceeding two hundred penalty units in respect of every passenger carried in excess of the permitted number of passengers.

(3) If any person being requested by the conductor or driver of a public service vehicle not to enter the vehicle enters or attempts to enter the vehicle when it is carrying the full number of passengers which it is permitted to carry, he shall be guilty of an offence.

(4) For the purposes of this section, a child apparently under five years of age and not occupying a seat shall not be counted as a person, and three children apparently over five years of age and under ten years of age shall be counted as two persons.
162. (1) No owner, driver, or conductor, or person acting on behalf of the owner, driver or conductor of a public service vehicle authorised to carry passengers shall make any loud noise or sound any instrument in order to attract the attention of the public or of a possible passenger, or by troublesome or frequent demands or by persistent following hold out the vehicle for hire to the public, or attempt to induce any person to become a passenger therein in such manner as to constitute a nuisance, or act in any way so as to cause annoyance or inconvenience to any person.

(2) Any person who shall act in contravention of this section shall be guilty of an offence.

163. Every driver of a public service vehicle shall, while on duty as defined in subsection (3) of section one hundred and sixty-four, wear a badge of such description and in such manner as may be prescribed.

164. (1) Any person who knowingly sells or supplies any intoxicating liquor to any driver of a public service vehicle, or of any other vehicle exceeding 40,000 pounds gross weight including the gross weight of any trailer drawn thereby, while such driver is on duty, and any such driver who buys or consumes intoxicating liquor while he is on duty shall be guilty of an offence, and such person or driver shall upon conviction be liable, in the case of a first offence, to a fine not exceeding one thousand five hundred penalty units or to imprisonment for a period not exceeding three months, and in the case of a second or subsequent offence, to a fine not exceeding three thousand penalty units or to imprisonment for a period not exceeding six months.

(2) Any person licensed to drive a public service vehicle who, at any time within six hours before the time at which he is due to take charge of a public service vehicle in respect of any journey, by the consumption of intoxicating liquor renders himself incapable of taking proper control of a motor vehicle, shall be guilty of an offence and shall be liable upon conviction, in the case of a first offence, to a fine not exceeding one thousand five hundred penalty units or to imprisonment for a period not exceeding six months and, in the case of a second or subsequent offence, to a fine not exceeding three thousand penalty units or to imprisonment for a period not exceeding one year, or to both.

(3) For the purposes of this section, the driver of a public service vehicle shall be deemed to be on duty during the time when he is in charge of or responsible for the driving of such vehicle in the course of any journey, including the period of any halt during such journey other than a halt overnight.

165. (1) Any person authorised to receive fares from passengers or intending passengers in public service vehicles other than hire cars or taxicabs shall forthwith issue to each passenger or intending passenger who has paid his fare a ticket showing the amount of such fare and such other particulars as may be prescribed.
(2) Any passenger in a public service vehicle who has paid his fare may, if the vehicle fails to start on its journey from its terminal point within six hours of the time approved in its time-table, or if the operator fails to convey him to his destination within a reasonable time, recover the whole fare paid by him.

(3) Where a fare is recoverable under subsection (2), it shall be the duty of the person who received the fare or the person on whose behalf the fare was received if it has been handed over to him to repay it to the passenger on demand. If any such person fails so to repay the fare a magistrate may on conviction order him to repay the fare, in addition to any other fine to which he may be liable, and the amount of the fare shall then be recoverable as a fine, and imprisonment may be imposed in default of payment.

(4) Nothing in this section shall affect any civil remedy for the recovery of the fare or any part thereof which may be recoverable under this section.

(5) Any person failing to comply with the provisions of this section shall be guilty of an offence.

(As amended by No. 38 of 1960, No. 17 of 1961, No. 25 of 1963 and No. 19 of 1966)

PART XI

EXAMINATION OF CERTAIN CLASSES OF VEHICLES:
CERTIFICATES OF FITNESS

166. The vehicles to which this Part applies shall be public service vehicles, heavy vehicles, heavy trailers, contract cars, and motor vehicles used for gain for the teaching of driving.

Application of Part XI

167. No vehicle or trailer to which this Part applies shall be used on any road unless there is in force in respect of such vehicle or trailer a valid certificate, hereinafter referred to as a certificate of fitness, issued by a vehicle examiner, and no licensing officer shall issue a motor vehicle or trailer licence for any vehicle or trailer to which this Part applies unless there is produced to him such evidence as may be prescribed that either on the date when the licence comes into operation there will be in force in respect of that vehicle or trailer a valid certificate of fitness, or that such vehicle or trailer will be exempt from the need to hold such a certificate:

Certificates of fitness

Provided that-

(i) no person shall be liable to a penalty for a breach of this section if he proves that he has not had a reasonable opportunity to obtain a certificate of fitness;

(ii) in the case of vehicles or trailers registered and licensed outside Zambia, regulations may be made granting exemption from the provisions of this section.

(As amended by No. 25 of 1963)

168. (1) A certificate of fitness shall record such matters as are specified in section one hundred and sixty-one and such other matters as may be prescribed, and shall state that the vehicle or trailer in respect of which it
is issued is in all respects fit for the purpose for which it is to be used, and
that it complies with any conditions as to fitness and construction as may from
time to time be prescribed.Form and display of certificate of fitness

(2) A certificate of fitness shall at all times be displayed in a conspicuous
place on the vehicle in respect of which it was issued, or in the case of a
trailer on the trailer or on the vehicle drawing it at the time.

(3) Any vehicle or trailer to which this Part applies on which no certificate
of fitness is displayed in the manner prescribed in subsection (2) may be
impounded by any road traffic inspector in uniform or by any police officer.

(As amended by Act No. 35 of 1974)

169. A certificate of fitness shall be valid from the date of coming into
force of such certificate-

(a) for four months in the case of a public service vehicle, heavy vehicle or
heavy trailer used for the carrying of passengers, a contract car and a motor
vehicle used for the teaching for gain of driving; and

(b) for twelve months in the case of other public service vehicles, heavy
vehicles and heavy trailers.Period of validity

170. (1) Where a vehicle examiner on examining a vehicle or trailer under the
provisions of this Part finds that the said vehicle or trailer does not comply
with the provisions of any law in regard to construction and equipment
applicable to such vehicle or trailer, he shall make a full list (hereinafter
called a "defects list") of all defects found and shall give the owner of the
vehicle or trailer a copy thereof and shall notify him of the date (hereinafter
called the "notified date") by which the defects must be remedied and the
vehicle or trailer produced for re-examination.Defects

(2) If upon re-examining a vehicle or trailer under the provisions of this
section to ascertain whether the defects in a defects list have been remedied,
the vehicle examiner finds any further defects he shall require, in the manner
set forth in subsection (1), the owner to remedy such defects.

(3) If a vehicle or trailer is not produced for re-examination on the notified
date, or if the defects in the defects list have not been remedied on the
notified date or if, upon examining a vehicle or trailer under the provisions of
this section it is considered necessary in the interests of safety, a vehicle
examiner may prohibit the use of such vehicle or trailer or issue such other
directions as he may think necessary restricting its use; any such order and any
prohibition of the use of a motor vehicle or trailer under paragraph (f) of
subsection (1) of section two hundred and twelve may be cancelled or revoked by
the vehicle examiner as soon as the defects of such vehicle or trailer have been
remedied to such an extent that in his opinion the said vehicle or trailer may
safely be used on a road.

(4) If upon examining a vehicle or trailer as aforesaid no defects are found,
or if any defects found are remedied to the satisfaction of the vehicle
examiner, the examiner shall—

(a) if the examination is for a certificate of fitness, issue such a
certificate and cancel any defects list that may have been issued;
(b) if the examination is pursuant to a prohibition made under paragraph (f) of subsection (1) of section two hundred and twelve, cancel any defects list that may have been issued.

(5) In any case where a vehicle examiner prohibits the use of a vehicle or trailer to which this Part applies, he shall take and retain in his possession the certificate of fitness, if any, of the vehicle or trailer concerned until its use on a road is again permitted and thereupon he shall return the said certificate to the owner of the said vehicle or trailer.

(No. 25 of 1963)

171. Any licensing officer in whose district a vehicle or trailer to which this Part applies is being used and who has reason to suspect that the vehicle or trailer has ceased to be fit for the purpose for which it is being used may order that the vehicle or trailer be produced for examination by a vehicle examiner at a specified time and place and, if such order is not obeyed, the licensing officer may, at his discretion, prohibit the use of the vehicle or trailer until the order is obeyed.

(As amended by No. 25 of 1963)Examination on direction of licensing officer

172. (1) A road traffic inspector shall at any time on production, if so required, of his identity card, be entitled to enter and inspect any vehicle or trailer to which this Part applies, and for that purpose may require any such vehicle or trailer to be stopped and may at any time which is reasonable, having regard to the circumstances of the case, enter any premises upon which he has reason to believe that any such vehicle or trailer is kept. Inspection by road traffic inspector

(2) If, upon inspection made under subsection (1), a road traffic inspector is satisfied that it is necessary to do so, he may order that the vehicle or trailer be taken off the road forthwith or may issue such directions restricting the use of the vehicle or trailer as he may think fit, and the inspector shall notify the Commissioner of any such order or direction.

173. Subject to an appeal to the Commissioner, no person shall have his vehicle or trailer examined for the purpose of ascertaining whether defects discovered earlier have been remedied, by a vehicle examiner other than the one who discovered such defects, unless such examiner shall consent to the examination of the vehicle or trailer by such other examiner. Examination by other examiners

174. The decision of a vehicle examiner that a vehicle or trailer is fit for use shall be final. His decision that any such vehicle or trailer is unsafe for use and any order, direction or prohibition made under section one hundred and seventy or one hundred and seventy-two shall be subject to an appeal to the Commissioner within fourteen days of the decision, order, direction or prohibition concerned being made.

(As amended by No. 25 of 1963)Appeals

175. Such fees as may be prescribed shall be charged for examinations and re-examinations as are made under this Part: Prescribed fees

Provided that no fee shall be payable for an examination conducted in accordance with section one hundred and seventy-one if no defects are discovered, nor for
an examination conducted in accordance with section one hundred and seventy-two. Fees shall be disposed of and accounts of them rendered in such manner as may be prescribed.

176. The Commissioner may exempt any vehicle or trailer to which this Part applies from the requirements of its provisions, subject to such conditions as he may impose for ensuring the safety of the occupants of the vehicle and of the public.

Exemptions

177. If any person-

(a) uses or causes or permits to be used on a road a vehicle or trailer to which this Part applies and for which there is no certificate of fitness in force; or

(b) fails to display on a vehicle or trailer to which this Part applies a certificate of fitness; or

(c) uses or causes or permits to be used on a road any vehicle or trailer while a prohibition imposed under this Part is in force in relation to such vehicle or trailer; or

(d) obstructs any road traffic inspector or vehicle examiner in the course of his duty; or

(e) fails to stop a vehicle or trailer when required by a road traffic inspector so to do under this Part; or

(f) fails to comply with an order or direction given to him by a road traffic inspector or vehicle examiner under this Part;

he shall be guilty of an offence and liable upon conviction, in the case of a first offence, to a fine not exceeding one thousand five hundred penalty units, and in the case of a second or subsequent offence, to a fine not exceeding three thousand penalty units.

(As amended by No. 25 of 1963 and Act No. 13 of 1994)

PART XII

EXCLUSIVE CONCESSIONS

178. (1) The Minister may, by statutory notice, grant to any person or to any two or more persons jointly an exclusive concession to provide a motor omnibus service along any road or in any area upon such conditions and for such period as shall be specified in the grant and subject to the provisions of this Act:

Power to grant concessions

Provided that, where the area of any local authority is included within a concession area, the local authority may at any time after the grant of the concession concerned apply to the Minister for the excision therefrom of an area of not more than twelve miles' radius from the principal post office in the local authority area and for the grant to such local authority of an exclusive concession to provide from its own resources motor omnibus services within such excised area.
Any concession shall be revocable in accordance with any provision as to revocation which may be contained therein.

Where the Minister is satisfied that it is necessary or desirable that a concession be extended and applied to any free road or free area he may, by statutory notice and subject to any provision as to extension which may be contained in the grant, so extend and apply such concession, and reference in this Part to the date of the grant of a concession shall be deemed to mean, in relation to any area or road to which a concession is extended and applied under the provisions of this subsection, the date upon which the concession was so extended and applied.

The provisions of sections one hundred and fifty, one hundred and fifty-one, one hundred and fifty-four, one hundred and fifty-five, one hundred and fifty-six and one hundred and fifty-seven shall not apply to any service or vehicle from time to time provided or used under or by virtue of a concession.

Not less than one month before commencing to operate any new service under or by virtue of any concession, the concession holder shall give to the Commissioner particulars of the route along which such service is to be operated, the points at which passengers may be taken up or set down, and a copy of the fare-table and time-table of the service, and if the concession holder shall make any alterations in the route or the time-table or in any of the fares or charges for the carriage of passengers on any service for the time being operated by the concession holder under or by virtue of his concession, the concession holder shall without delay notify the Commissioner of such alteration: Particulars to be given to Commissioner

Provided that-

(i) the concession holder may with the consent of the Commissioner commence to operate a service notwithstanding that the concession holder shall not, in respect of that service, have complied or fully complied with the foregoing provisions of this section; and

(ii) the concession holder shall not be required to notify the Commissioner of any temporary alteration in the route or time-table of any service made by the concession holder at times of race meetings, public gatherings or the like special occasions or to facilitate the carrying out of road repairs or in consequence of any accident or any cause beyond the control of the concession holder.

Subject to the provisions of this Part, no person other than the concession holder shall, during the continuance in force of a concession, use any motor omnibus on any concession road or in any concession area without the prior consent of the concession holder, and no road service licence shall, during the continuance in force of a concession, be granted to any person to provide a motor omnibus service on any concession road or in any concession area without the like consent: Restrictions on other operators

Provided that-

(i) if the Minister, after considering any representations made by the concession holder and the duties of the concession holder under this Act and the concession, declares that the consent of the concession holder is in any
particular case unreasonably withheld, his consent shall not in that case be necessary;

(ii) in respect of any concession road, the Commissioner may issue to any person, other than the concession holder, road service licences for the provision of motor omnibus services by such number of motor omnibuses not exceeding in the aggregate one motor omnibus for every nine used by the concession holder upon such concession road as the Commissioner may think fit, and any motor omnibuses used upon such concession road by an existing operator shall be included in computing the said aggregate.

(2) The provisions of paragraphs (c), (d), (e) and (f) of subsection (5) of section one hundred and fifty-five shall not apply to an application for a licence to be granted under the powers conferred upon the Commissioner by proviso (ii) to subsection (1).

(3) Notwithstanding the provisions of subsection (1), a road service licence may be granted to any person in respect of a special tour or journey for bona fide tourist or sporting facilities and the provisions of the said subsection shall not apply to any motor omnibus whilst it is being used on such special tour or journey:

Provided that where any such special tour or journey originates within a concession area or on any concession road the concession holder or his nominee shall, if he is in possession of a road service licence to operate such tour or journey on any free road or in any free area which may be included in the itinerary of such tour or journey, have the exclusive right to provide such special tour or journey unless the Commissioner is satisfied that the fares proposed to be charged by the concession holder in respect of such special tour or journey are unreasonable or that the concession holder is unable or unwilling to provide such special tour or journey and, in any such case, the Commissioner may issue a short-term road service licence to any other person in respect of such special tour or journey.

(As amended by G.N. No. 275 of 1964)

181. (1) Notwithstanding the provisions of section one hundred and eighty, any existing operator may, so long as he is authorised by a road service licence so to do, continue to provide any motor omnibus service, in accordance with the conditions of his road service licence and time-tables in force at the date of the grant of the concession concerned, which he was licensed to provide on any concession road or in any concession area at the said date: Saving for existing operators

Provided that-

(i) the Commissioner may from time to time modify such conditions and time-table, so however that the rights of the existing operator at the said date are not diminished thereby;

(ii) except as provided by section one hundred and eighty, an existing operator shall not, without the approval of the Commissioner and the prior consent of the concession holder concerned, at any time use a greater number of motor omnibuses upon such service than he was authorised to use under any road service licence in force at the said date, or if such road service licence does not specify a number of vehicles, then such number as he was using thereon at any time during the twelve months ending on such date.
(2) Notwithstanding any provision of this Act to the contrary, upon the death of an existing operator his personal representatives may, for a period of six months from the date of the death, continue to provide the motor omnibus services which such existing operator was entitled under the provisions of this section to provide immediately before his death, and at any time during the said period the Minister may direct that the rights of such existing operator under this section shall devolve upon any person who by virtue of the will or the intestacy of the deceased operator is entitled to succeed to his undertaking, and thereupon such person shall be deemed for all the purposes of this Part to be an existing operator with the rights to which the deceased operator was entitled at the date of his death.

(3) If, at the date of the expiration of any road service licence held by an existing operator in respect of a motor omnibus service on any concession road or in any concession area, proceedings are pending before the Commissioner on an application by the existing operator holding that licence for the grant to him of a new licence in substitution for the existing licence, the Commissioner may, notwithstanding the provisions of section one hundred and eighty, grant to such existing operator a road service licence in replacement of the licence which has so expired, and the provisions of subsection (1) shall apply mutatis mutandis to the road service licence so granted.

(4) The provisions of paragraphs (c), (d), (e) and (f) of subsection (5) of section one hundred and fifty-five shall not apply to an application for a licence to be granted under the provisions of subsection (3).

(5) Where for the purposes of this section or of section one hundred and eighty a concession holder is empowered to give any consent, such consent may be given absolutely or for a limited period only.

(6) If any area is excised from any concession (in this subsection referred to as "the existing concession") and a concession (in this subsection referred to as "the new concession") in respect of the whole or any part of the excised area is granted to a local authority, the holder of the existing concession shall-

(a) continue to be entitled under the existing concession to operate services of motor omnibuses along any route through or into the excised area provided that no passenger on any such service shall, without the consent of the holder of the new concession, be taken up at any place within the excised area and on the same journey set down at any other place in that area; and

(b) for the purposes of this section, be deemed to be authorised by a road service licence granted for a period of one year from the date of the grant of the new concession to provide any motor omnibus service which he was at that date providing along any route wholly within the excised area in accordance with the conditions and time-tables subject to which the service was provided immediately before that date or, if different conditions or time-tables applied during different periods in the twelve months preceding that date, then in accordance with the conditions or time-tables applicable during the corresponding period in those twelve months.

(As amended by No. 17 of 1961 and G.N. No. 275 of 1964)
has been revoked and where such order of revocation has not been reversed in any appeal against such order, such existing operator shall forfeit all his rights as such an existing operator in respect of such road service licence and shall not be granted any new road service licence under subsection (3) of section one hundred and eighty-one in substitution for the road service licence so revoked:

Revocation of road service licence held by existing operator

Provided that the foregoing provisions of this section shall not prevent such existing operator from applying for or from being granted a road service licence in accordance with and subject to the provisions of section one hundred and fifty-five or one hundred and eighty or a short-term road service licence in accordance with and subject to the provisions of section one hundred and fifty-six.

(No. 17 of 1961)

183. (1) Where a road service licence is or has been granted authorising a motor omnibus service to provide for the needs of any free road or free area, nothing in this Act contained shall make it unlawful for the holder of such licence to use motor omnibuses for the purposes of such service over so much of any concession road or concession area as the Commissioner may determine to be necessary to enable such service—Termini of non-concession routes

(a) to reach any other part of the said free road or free area; or

(b) to reach the nearest convenient point at which connection can be made with any other motor omnibus service.

(2) No passenger on such service shall be taken up at any point on any concession road or in any concession area and issued with a ticket with the intention that on the same journey he should be set down at any other point on any road or in any area to which the same concession applies, and any person who contravenes the provisions of this subsection shall be guilty of an offence and on conviction for such offence the Commissioner may revoke the determination or the road service licence appertaining to such service.

(As amended by No. 17 of 1961)

184. During the continuance in force of a concession, it shall be the duty of the concession holder to provide such motor omnibus services as will from time to time serve adequately and efficiently the needs in respect of passenger traffic of such concession roads or concession areas along or in which motor omnibus services are from time to time necessary or desirable in the public interest and can be provided by the concession holder safely and, having regard to all the duties of the concession holder under the concession, without wasteful or unjustifiable expense. Duty of concession holder to provide services

185. Such fees as may be prescribed shall be payable in respect of any public service vehicle used for providing any service under a concession granted under this Part.

(As amended by No. 26 of 1959)

186. (1) If it shall appear to the Commissioner from any information given to him by a concession holder under the provisions of section one hundred and seventy-nine or from any representations made to him by any person that—Powers of Commissioner

Prescribed fees
(a) the concession holder has without reasonable cause failed to provide along any concession road or in any concession area such service of motor omnibuses as it is his duty under section one hundred and eighty-four and his concession to provide;

(b) any of the fares charged or proposed to be charged for the carriage of passengers on any service provided or proposed to be provided under or by virtue of any concession is unreasonable;

(c) any road upon which the concession holder is providing or proposing to provide a service under or by virtue of the concession is not suitable for that service or is suitable for that service only subject to conditions as to the type of vehicle used or to be used on that service;

(d) the frequency of any such service is excessive or insufficient having regard to the needs of the route along which the service is or is to be provided and to any other service for the time being provided by the concession holder or by an existing operator along that route or any part thereof;

(e) for the convenience of the public the time-table of any such service requires modification; or

(f) on any such service passengers should not be taken up or set down except at specified points or should not be taken up or set down between specified points;

then, subject to the provisions hereinafter contained, the Commissioner may make any such order as he may consider necessary to secure that the service or proposed service will adequately and efficiently but, having regard to all the duties of the concession holder under the concession, without wasteful or unjustifiable expense, meet the needs of the route along which it is or is proposed to be operated.

(2) Any order made by the Commissioner under subsection (1) may be amended, altered or revoked by any order subsequently so made.

(3) Before making any order under this section, the Commissioner shall give to the concession holder and to any person who has made representations to the Commissioner relating to the subject-matter of the proposed order notice in writing of his intention to consider the making of such an order together with a draft of the proposed order, and shall afford such concession holder or person such opportunity of making representations or objections in respect of the proposed order and submitting evidence, whether orally or in writing, in support of such representations or objections as the concession holder or such person may reasonably require.

(4) If after hearing and considering any objections or representations made and any evidence given in support of such objections or representations, the Commissioner is satisfied that the order proposed to be made is necessary, whether with or without modification, for any of the purposes mentioned in subsection (1), the Commissioner shall make the order subject to such modifications, if any, as he may consider necessary for that purpose and shall forthwith give notice of the making of the order to the concession holder concerned.

(5) Any order made by the Commissioner under this section shall not, without
the consent of the concession holder, come into force until the expiration of
the time prescribed for appealing therefrom and, if an appeal is lodged, until
such appeal is withdrawn or disposed of.

(6) If any concession holder contravenes or fails to comply with the provisions
of any order in force under or by virtue of this section he shall be guilty of
an offence against this Act and, in the case of a conviction for failing to
comply with an order made pursuant to representations under paragraph (a) of
subsection (1), the route or area concerned may be excised from the concession
concerned by order of the Commissioner:

Provided that no such order of excision shall be of any effect unless and until
it shall have been confirmed by the Minister.

(As amended by G.N. No. 275 of 1964)

187. (1) Notwithstanding any other provision of this Act, a concession holder
may, without obtaining a road service licence in respect thereof, carry in, on
or about any motor omnibus used on services provided under or by virtue of his
concession and in any trailer attached to such motor omnibus, mails, parcels,
and passengers' luggage, effects and bicycles. Saving for mails, parcels and
luggage

(2) Nothing in this section shall be construed as authorising a concession
holder to carry goods other than those mentioned in subsection (1), except under
the provisions of a valid road service licence.

188. Where arrangements are made between a concession holder and any other
person operating a motor omnibus service for the interchange or through carriage
of passengers between or over any services provided by any of the parties to
such arrangements, or the through running of the vehicles of any party over the
route or any part of the route of any motor omnibus service provided by any
other such party, a vehicle used under those arrangements as a motor omnibus on
any concession road or in any concession area shall, whilst so used, be deemed
for the purposes of section one hundred and eighty to be so used by the
concession holder: Through running agreements

Provided that where any vehicle is so used, during the whole period of such use
there shall be displayed on the front or on the near side of such motor vehicle
a notice stating that the vehicle is being used under contract with the
concession holder.

189. (1) The President at any time of emergency and when it is necessary in
the public interest may, by written notice addressed to the registered office of
a concession holder, require such concession holder to place at the disposal of
the Government the entire fleet of omnibuses, or any specified part thereof
belonging to the concession holder together with the whole or any specified part
thereof of the staff, plant, workshops and depots of the concession holder, and
such fleet, staff, plant, workshops and depots or any part thereof may be
retained by the Government for the public service for such time as the President
may deem necessary, subject always to the payment to the concession holder
concerned of such compensation as may thereafter be agreed upon between the
concession holder and the Government, and failing such agreement the amount of
compensation payable under this subsection shall be submitted to
arbitration. Undertaking at disposal of Government in emergency

(2) Any notice purporting to be given under the provisions of subsection (1)
and signified under the hand of the Minister shall be conclusive evidence of the existence of the conditions necessary for the issue thereof, and if the concession holder to whom such notice is addressed shall fail to comply with all the terms of such notice within such time as may be specified therein, the President may, notwithstanding any provision of the concession concerned, forthwith revoke the concession.

(As amended by G.N. No. 275 of 1964 and S.I. No. 122 of 1965)

190. Where a concession is not at its expiration renewed, or is renewed in respect of some but not all of the roads or areas over or in which the concession holder is then providing motor omnibus services under or by virtue of the expiration of the concession, then if the concession holder applies before the date of the expiration of the concession for a road service licence to authorise him to continue after that date to provide any service provided by him at any time during the twelve months immediately preceding the expiration of the concession over any road or in any area in respect of which the concession is not to be renewed, the Commissioner shall, notwithstanding the provisions of section one hundred and fifty-five, grant such application and accordingly issue to the concession holder a road service licence authorising him to continue during the normal currency of such licence to provide the service at the times and fares and with the number of motor omnibuses at or with which the service was at any time during the said period of twelve months operated by the concession holder:

Expiration of concession

Provided that, if the Commissioner is satisfied that the concession holder has, during the period aforesaid, failed to operate such service efficiently and that by reason of such failure the application ought in the public interest to be refused or to be granted only subject to conditions for securing the efficient operation of the service, the Commissioner may refuse the application or grant the licence so applied for subject to such conditions as he may consider necessary for that purpose.

191. (1) If by any written law made or enacted after the date of the grant of a concession or by the exercise of any power conferred by any such law such concession be determined or cease to be of effect, the concession holder may, by notice in writing to the Government, require the Government to acquire and the Government shall acquire the undertaking of such concession holder on the terms and otherwise in accordance with the provisions hereinafter set forth:

Determination of concession by legislation

(2) Where the Government acquires any undertaking in accordance with the provisions of subsection (1)—

(a) as consideration for the acquisition the Government shall pay to the concession holder such sum as may be agreed between the Government and the concession holder or, in default of agreement, determined by arbitration to be the fair market value of the undertaking as a going concern without any deduction or diminution by reason of the termination of the concession;

(b) on payment of such consideration by the Government to the concession holder, such estate or interest as the concession holder may at the date of acquisition be entitled to sell and assign in lands or buildings used wholly or mainly by the concession holder for the purposes of or in connection with the carriage of passengers or goods and all vehicles, plant, equipment and stores belonging to the concession holder at the date of acquisition and used wholly or
mainly for those purposes shall be transferred or delivered to the Government;

(c) subject to the provisions of paragraph (d), on payment of such consideration the Government shall, to the exclusion of the concession holder, be subject to all obligations and liabilities whether arising by statute or otherwise howsoever to which the concession holder shall immediately before the date of acquisition have been subject, other than any liabilities of the concession holder in respect of any securities or money issued or borrowed or agreed to be issued or borrowed by the concession holder;

(d) all profits, receipts, outgoings and liabilities in respect of the undertaking which shall have accrued or become payable on or before the date of acquisition shall belong to or be discharged by, as the case may be, the concession holder, and all profits, receipts, outgoings and liabilities in respect of the undertaking which shall accrue or become payable after such date shall belong to or be discharged by, as the case may be, the Government, and, if necessary, any profits, receipts, outgoings and liabilities shall be apportioned as at the said date;

(e) any question, difference or dispute arising between the Government and a concession holder as to any matter which in default of agreement is under this section to be determined by arbitration or as to the lands or buildings or other property which or the estate or interest of the concession holder in which is to be transferred or delivered to the Government pursuant to this subsection shall, in default of agreement, be subject to any provision as to arbitration which may be contained in the grant of the concession.

(As amended by S.I. No. 122 of 1965)

PART XIII

OFFENCES: GENERAL

192. (1) The Minister may, by statutory instrument, make regulations—Speed limits

(a) prescribing the maximum speeds at which vehicles may be driven on roads, and different speeds may be prescribed in respect of different classes or descriptions of vehicles or in respect of different areas or in respect of different roads or portions of roads in any prescribed area or areas;

(b) requiring that there shall be displayed on any vehicle or class or description of vehicle, in such manner and position as may be prescribed, the speed limit applicable to such vehicle.

(2) A local authority may, with the prior approval of the Minister, by Gazette notice, specify the maximum speeds at which vehicles may be driven within the local authority area concerned, and different speeds may be specified in respect of different classes or descriptions of vehicles or in respect of different roads or portions of roads within such area, and where the provisions of any such notice conflict with any regulations relating to speed limits made under the provisions of this Act, the provisions of such notice shall prevail.

(3) Any person who drives a vehicle of any class or description on any road or portion thereof at a speed greater than that prescribed or specified under the foregoing provisions of this section as the maximum speed for such class or description of vehicle on such road or portion thereof shall be guilty of an
offence and shall be liable, in the case of a first conviction, to a fine not exceeding seven hundred and fifty penalty units, and in the case of a second or subsequent conviction, to a fine not exceeding one thousand five hundred penalty units.

(4) No person shall be convicted of an offence under the provisions of subsection (3) merely on the evidence of one witness solely to the effect that, in the opinion of the witness, he was driving a vehicle at a speed greater than the maximum speed prescribed or specified in respect of a vehicle of the class or description to which such vehicle belongs.

(No. 38 of 1960 as amended by G.N. No. 275 of 1964 and Act No. 13 of 1994)

193. Any person who promotes or takes part in any race or trail of speed between motor vehicles on a road save with the consent of and in accordance with any conditions imposed by the Commissioner of Police shall be guilty of an offence and liable upon conviction, in the case of a first offence, to a fine not exceeding one thousand five hundred penalty units, and in the case of a second or subsequent offence, to a fine not exceeding three thousand penalty units.

(As amended by Act No. 13 of 1994)Road racing

194. The provisions of section one hundred and ninety-two and of any other law imposing a speed limit on vehicles shall not apply to any vehicle on an occasion when it is being used for fire brigade, ambulance or police purposes, or by a road traffic inspector in the execution of his duty, if the observance of those provisions would be likely to hinder the use of the vehicle for the purpose for which it is being used on that occasion.Exemption of fire engines, etc., from speed limits

195. (1) If any person drives a motor vehicle on a road without due care and attention or without reasonable consideration for other persons using the road, he shall be guilty of an offence and shall be liable upon conviction, in the case of a first offence, to a fine not exceeding seven hundred and fifty penalty units, and in the case of a second or subsequent offence, to a fine not exceeding one thousand five hundred penalty units.Careless driving

(2) A person may be charged under subsection (1) where the offence does not amount to an offence under section one hundred and ninety-six and, when a person is charged with an offence under the said section one hundred and ninety-six and the court is of opinion that he is not guilty of such offence but that he is guilty of an offence under subsection (1), he may be convicted of an offence under the said subsection although he was not charged with it.

(As amended by No. 38 of 1960 and Act No. 13 of 1994)

196. (1) Any person who drives a motor vehicle upon any road recklessly, or at a speed or in a manner which is dangerous to the public, regard being had to all the circumstances of the case, including the nature, condition and use of the road, and to the amount of traffic which is actually at the time, or which might reasonably be expected to be on the road, shall be guilty of an offence and liable upon conviction to a fine not exceeding fifteen thousand penalty units or to imprisonment for a period not exceeding five years, or to both.Reckless or dangerous driving
(2) Any road traffic inspector in uniform or police officer may arrest without warrant the driver of any motor vehicle who commits or is reasonably suspected of committing an offence under this section within his view if he refuses to give his name and address or if the road traffic inspector in uniform or police officer has reason to believe that the name or address so given is false, or if the motor vehicle does not bear a registration mark.

(As amended by Act No. 35 of 1974 and Act No. 13 of 1994)

197. (1) Any person who, when in charge of a motor vehicle which is on a road, but not driving the vehicle, is under the influence of intoxicating liquor or drugs to such an extent as to be incapable of having proper control of such vehicle, shall be guilty of an offence and liable upon conviction to a fine not exceeding one thousand five hundred penalty units, and in the case of a second or subsequent conviction, to a fine not exceeding three thousand penalty units or to imprisonment for a period not exceeding six months, or to both: Being in charge of motor vehicle when under influence of drink or drugs

Provided that a person shall be deemed, for the purposes of this section, not to have been in charge of a motor vehicle if he proves-

(i) that at the material time the circumstances were such that there was no reasonable likelihood of his driving the vehicle so long as he remained unfit to drive; and

(ii) that between his becoming unfit to drive and the material time he had not driven or attempted to drive the vehicle on a road.

In this subsection, the expression "unfit to drive" means under the influence of intoxicating liquor or drugs to such an extent as to be incapable of having proper control of a motor vehicle.

(2) Any road traffic inspector in uniform or police officer may arrest without warrant any person committing or reasonably suspected of committing an offence under this section.

(As amended by Act No. 35 of 1974 and Act No. 13 of 1994)

198. (1) Any person who, when driving or attempting to drive a motor vehicle on a road, is under the influence of intoxicating liquor or drugs to such an extent as to be incapable of having proper control of such vehicle, shall be guilty of an offence and shall upon conviction be sentenced to either: Driving when under influence of drink or drugs

(a) imprisonment for a period of not less than six months nor more than five years; or

(b) imprisonment to be served during a number of consecutive week-ends, not being less than thirty nor more than fifty-two, in this section referred to as week-end imprisonment;

and may in addition be sentenced to a fine not exceeding fifteen thousand penalty units.
(2) Any road traffic inspector in uniform or police officer may arrest without warrant any person committing or reasonably suspected of committing an offence under this section.

(3) Where a person is sentenced to week-end imprisonment-

(a) the warrant of the court which passed the sentence shall be the authority for such person to be immediately taken to a prison situated as close as possible to such person's usual place of abode;

(b) the officer in charge of the prison to which such person is taken shall record, or cause to be recorded, the relevant particulars of such person and shall give to him a record book in which shall be recorded by the prison authorities the number of week-ends to be served by him in prison and the dates and times of his surrender to and release from prison; on the completion of the recording of these particulars (which shall take no longer than absolutely necessary) the person sentenced to week-end imprisonment shall be then released until he first surrenders himself under paragraph (c);

(c) he shall surrender himself to the prison at 6.30 p.m. each Friday and be released at 6.30 p.m. each Sunday during the continuance of his sentence.

(4) When considering whether to pass a sentence of week-end imprisonment, the court shall ask the person about to be sentenced whether he has any objection to such course being taken and shall record the reasons given for any objection which may be raised.

(5) If a person sentenced to week-end imprisonment fails to surrender himself at the times and place required and as recorded in the book referred to in paragraph (b) of subsection (3), the officer in charge of the prison shall give written notification of the fact to the court which passed the sentence, and the said court shall issue a warrant for the said person to be arrested and brought before it.

(6) Where, under the provisions of subsection (5), a person is brought before the court by which he was sentenced to week-end imprisonment, the court shall, unless it sees fit to order the continuation and completion of the total number of week-ends to be served in prison, cancel its original order and substitute therefor, making due allowance for any week-ends actually served by him, a sentence of imprisonment for a fixed period of not less than six months nor more than five years.

(No. 42 of 1971 and Act No. 13 of 1994)

198A. A person who has been arrested for an offence under section one hundred and ninety-seven or one hundred and ninety-eight may be required by a police officer of or above the rank of Assistant Inspector to subject himself to a medical examination by a medical practitioner for the purpose of ascertaining whether, in the opinion of the said medical practitioner, the said person was, at the time when he was in charge of a motor vehicle on a road or when he was driving or attempting to drive a motor vehicle on a road, as the case may have been, he was under the influence of intoxicating liquor or drugs to such an extent as to have been incapable of having proper control of such vehicle.

(No. 42 of 1971 and No. 35 of 1974)Arrested person to submit to medical examination
198B. (1) For the purposes of this section and of section one hundred and ninety-eight A—

"fail", in relation to providing a specimen, includes refuse and "failure" shall be construed accordingly;

"laboratory test" means the analysis of a specimen provided for the purpose;

"medical practitioner" means a person registered on the register of fully registered, provisionally registered or temporarily registered medical practitioners under the Medical and Allied Professions Act.

Arrested person to provide specimen

Cap. 297

(2) Any person who has been required to submit himself to a medical examination under section one hundred and ninety-eight A shall, if requested to do so by the medical practitioner conducting the examination, provide a specimen of blood or urine for a laboratory test.

(3) A police officer of or above the rank of Assistant Inspector shall—

(a) when requiring a person to subject himself to a medical examination under section one hundred and ninety-eight A; and

(b) when a medical practitioner requests a person to provide a specimen under subsection (2) of this section;

warn such person that failure to submit to medical examination or to provide a specimen, as the case may be, shall make him liable to imprisonment and if such police officer does not do so a court before which such person may be charged with an offence under subsection (4) shall acquit him.

(4) Any person who—

(a) fails to submit himself to a medical examination under section one hundred and ninety-eight A; or

(b) fails to provide a specimen of blood or within one hour a specimen of urine pursuant to a request under subsection (2) of this section;

shall be guilty of an offence and liable on conviction to imprisonment for a period of not less than three months nor more than six months.

(5) For the purposes of this section, the specimen of blood shall be taken from such part of the body as the medical practitioner shall in his professional discretion decide.

(6) For the purposes of this section, the specimen of blood or of urine shall be in such quantity as the medical practitioner shall consider adequate for the purposes of the laboratory test.

(No. 42 of 1971)

199. (1) Any person who causes the death of another person by the driving of a motor vehicle on a road recklessly, or at a speed, or in a manner which is dangerous to the public, having regard to all the circumstances of the case, including the nature, condition and use of the road, and the amount of traffic
which is actually at the time, or which might reasonably be expected to be, on
the road, shall be guilty of an offence and liable upon conviction to a fine not
exceeding fifteen thousand penalty units or to imprisonment for a period not
exceeding five years, or to both. Causing death by reckless or dangerous driving
of motor vehicle

(2) When a person is charged with an offence under subsection (1) and the court
is of opinion that he is not guilty of such offence, but that he is guilty of an
offence under section one hundred and ninety-five or one hundred and ninety-six,
he may be convicted of the offence of which the court is of opinion that he is
guilty notwithstanding that he was not charged therewith and whether or not the
requirements of section two hundred have been satisfied as respects such
offence.

(3) Any road traffic inspector in uniform or police officer may arrest without
warrant any person committing or reasonably suspected of committing an offence
under this section.

(As amended by No. 38 of 1960, Act No. 35 of 1974,
and Act No. 13 of 1994)

200. (1) Where a person is prosecuted for an offence under any of the
provisions of this Part relating respectively to the maximum speed at which
vehicles may be driven, to reckless driving, to dangerous driving, to careless
driving, to failure to obey traffic signs or signals, or to the obstruction of a
road by a vehicle, he shall not be convicted unless—Warning to be given before
prosecution

(a) he was warned at the time the offence was committed that the question of
prosecuting him for an offence under some one or other of the sections aforesaid
would be taken into consideration; or

(b) within fourteen days of the commission of the offence a summons for the
offence was served on him; or

(c) within the said fourteen days a notice of the intended prosecution
specifying the alleged offence and the time and place where it is alleged to
have been committed was served on or sent by registered post to him or to the
person registered as the owner of the vehicle at the time of the commission of
the offence, and the summons was served within twenty-eight days of the
commission of the offence, unless the consent in writing of the Director of
Public Prosecutions is obtained to serve the said summons outside the said
period of twenty-eight days:

Provided that failure to comply with this requirement shall not be a
bar
to the conviction of the accused in any case where the court is satisfied that—

(i) neither the name and address of the accused nor the name and address of
the registered owner of the vehicle could with reasonable diligence have been
ascertained in time for a summons to be served or for a notice to be served or
sent as aforesaid; or

(ii) the accused by his own conduct substantially contributed to the failure.

(2) The requirements of subsection (1) shall be presumed to have been complied
with unless and until the contrary is proved.
201. (1) No person shall use or cause or permit to be used on a road any motor vehicle or trailer which is in such condition or any of the equipment or fittings of which are such that danger is caused, or is likely to be caused, to any person on the vehicle or trailer or on the road, and no person, being the owner of a motor vehicle or trailer, shall permit or cause such motor vehicle or trailer to be so driven. Driving motor vehicle in dangerous condition

(2) Any person contravening any of the provisions of this section shall be guilty of an offence and shall be liable to arrest without warrant by any road traffic inspector in uniform or by any police officer.

(3) Any person convicted of an offence under this section shall be liable, in the case of a first offence, to a fine not exceeding one thousand penalty units, and in the case of a second or subsequent offence, to a fine not exceeding two thousand penalty units.

(4) Notwithstanding anything contained in subsection (3), any motor vehicle or trailer in respect of which an offence is committed under this section may be impounded by any road traffic inspector in uniform or by any police officer.


202. (1) No person shall use or cause or permit to be used on a road any vehicle which causes or is liable to cause danger to any person on the road by the reason of the load or part of the load being insecurely fastened and falling or liable to fall from the vehicle or by reason of the load or part thereof projecting from the vehicle, and the Minister may, by statutory instrument, make such regulations as may appear necessary to minimise such danger. Loads to be secure

(2) Any person contravening the provisions of this section shall be guilty of an offence.

(As amended by No. 26 of 1959, No. 25 of 1963 and G.N. No. 275 of 1964)

203. (1) All vehicles on any road shall give way to any railway locomotive or rolling stock which is approaching or crossing such road by means of a railway line: Vehicles to give way to all locomotives at railway crossings

Provided that this section shall apply only when all reasonable steps have been taken to clearly and properly indicate the railway crossing by means of appropriate traffic signs, and between sunset and sunrise-

(a) in the case of any level crossing specified by the Minister by Gazette notice, when all reasonable steps have been taken to illuminate such level crossing so that rolling stock on such level crossing is clearly visible at a distance of one hundred yards;

(b) in the case of any other level crossing within a local authority area, when all reasonable steps have been taken to indicate such level crossing by luminous signs or other illuminated devices of such type and pattern and in such manner as may be prescribed.

(2) Any person failing to comply with the provisions of subsection (1) shall be
204. Any person who permits any motor vehicle to travel backwards for a greater distance than may be necessary for turning or other reasonable purposes shall be guilty of an offence. Travelling backwards.

205. (1) A driver of any vehicle shall at all times when it is necessary for the safety or convenience of the public give audible and sufficient warning of his approach or position by using such warning device as may be prescribed. When a motor vehicle is stationary on a road, no person shall use or permit to be used in connection therewith any instrument provided for the purpose of giving audible warning, except when such use is necessary on grounds of safety. No such warning device shall in any case be used in such a manner as to be a nuisance to the public.

Sound warnings

(2) The Minister may, notwithstanding anything contained in subsection (1), by regulation lay down that in certain areas or on certain roads the use of sound warnings shall be prohibited either at all times or at certain times, save as may be provided in the regulations.

(3) No motor vehicle, other than an ambulance, a fire engine, or a motor vehicle used solely for ambulance, fire brigade, police or such other purposes as may be prescribed, shall be fitted with a gong, bell or siren:

Provided that the provisions of this subsection shall not apply to any motor omnibus which is fitted with a bell intended solely as a means of communication between the conductor or passengers and the driver.

(4) Any person who fails to comply with the provisions of this section shall be guilty of an offence.

206. (1) The driver of a vehicle shall not drive from such a position that he has not full control of the vehicle and a full view of the road and traffic ahead and to the sides of the vehicle, and shall not permit any person to sit beside him in such a manner as in any way to obstruct his view or hinder him in steering or controlling the vehicle.

Position of driver

(2) Any person contravening any of the provisions of this section shall be guilty of an offence and shall be liable upon conviction to a fine not exceeding seven hundred and fifty penalty units.

207. (1) No person shall use or cause or permit to be used on a road any motor vehicle in which the number of occupants, including the driver, exceeds the seating capacity of such motor vehicle as determined in such manner and by such method as may be prescribed.

Limitation of number of occupants of motor vehicles

(2) In determining the number of occupants in any such motor vehicle, children under the apparent age of four years shall not be counted and two children of or over the apparent age of four years but under the apparent age of eight years...
shall be counted as one occupant.

(3) Any person who contravenes the provisions of subsection (1) shall be guilty of an offence.

(No. 19 of 1966)

208. (1) Where a road traffic inspector in uniform or police officer is for the time being engaged in the regulation of traffic in a road or where any traffic sign for regulating traffic or indicating the route to be followed by traffic has been lawfully placed on or near any road in accordance with the provisions of section twenty-five or twenty-six, any person driving or propelling any vehicle who -Traffic signs and signals to be obeyed

(a) neglects or refuses to stop the vehicle or to make it proceed in or keep to a particular line of traffic when directed to do so by the police officer in the execution of his duty; or

(b) fails to conform to the indication given by any such sign;

shall be guilty of an offence:

Provided that, where a traffic sign and a direction given by a police officer are in conflict, the latter shall prevail.

(2) Whenever any person controlling a body of troops or of labourers engaged on road work or of prisoners or of other persons or of animals shall, within a reasonable time, raise his hand or give such other indication as may be prescribed as a signal to the driver of any vehicle to stop or slow down, the driver of the vehicle shall stop and remain stationary or shall slow down, as the case may be, for as long as may be reasonably necessary, and any driver who fails so to stop and remain stationary or to slow down, as the case may be, shall be guilty of an offence.

(3) Any road traffic inspector in uniform or police officer may arrest without warrant any person who commits an offence under this section.

(As amended by Act 35 of 1974)

209. (1) When a vehicle is approaching a place in a road where children on their way to or from school are crossing or seeking to cross the road, a school crossing patrol wearing a uniform approved by the Minister shall have power, by exhibiting a prescribed sign, to require the person driving or propelling the vehicle to stop it.Stopping of vehicles at school crossings

(2) When a person has been required under subsection (1) to stop a vehicle-

(a) he shall cause the vehicle to stop before reaching the place where the children are crossing or seeking to cross, and so as not to stop or impede their crossing; and

(b) the vehicle shall not be put in motion again so as to reach the place in question so long as the sign continues to be exhibited;

and a person who fails to comply with paragraph (a), or who causes a vehicle to be put in motion in contravention of paragraph (b), shall be guilty of an offence.
In this section—

(a) "prescribed sign" means a sign prescribed by the Minister;

(b) "school crossing patrol" means a person appointed by the Minister to be a school crossing patrol for the purposes of this section.

For the purposes of this section—

(a) where it is proved that a sign was exhibited by a school crossing patrol, it shall be presumed to be of a size, colour and type prescribed, unless the contrary is proved;

(b) where it is proved that a school crossing patrol was wearing uniform, the uniform shall be presumed, unless the contrary is proved, to be a uniform approved by the Minister;

(c) where it is proved that a prescribed sign was exhibited by a school crossing patrol at a place in a road where children were crossing or seeking to cross the road, it shall be presumed, unless the contrary is proved, that those children were on their way to or from school.

(No. 19 of 1966)

210. (1) If the presence of a motor vehicle in any way causes a person to be injured on a road, and if the person in charge of such motor vehicle fails to stop the vehicle or to render reasonable assistance to the injured person, he shall be guilty of an offence and liable upon conviction to a fine not exceeding fifteen thousand penalty units or to imprisonment for a period not exceeding two years, or to both:

Failure of driver of motor vehicle to render assistance to injured person

Provided that it shall be a valid defence to a charge under this section if the driver of the motor vehicle had reason to believe that by stopping after the accident he would be endangering his own safety, or the safety of other occupants of the motor vehicle.

(2) Any road traffic inspector in uniform or police officer may arrest without warrant any person committing or suspected upon reasonable grounds of having committed an offence under this section.


211. (1) If in any case, owing to the presence of a motor vehicle on a road, an accident occurs whereby damage or injury is caused to any person, property or animal, the driver of the motor vehicle shall stop, and, if required so to do by any person having reasonable grounds for so requiring, give his name and address, and also the name and address of the owner, and the registration mark of the vehicle.

Duty to stop in case of accident

Provided that in any case of an accident in which no person is injured, no such
report need be made by a driver who has at the time of the accident given his name and address to any other person owning or in charge of any property or animal injured in such accident.

(3) If any person fails to comply with the provisions of this section, he shall be guilty of an offence and liable upon conviction, in the case of a first offence, to a fine not exceeding one thousand five hundred penalty units or to imprisonment for a period not exceeding three months, and in the case of a second or subsequent offence, to a fine not exceeding three thousand penalty units and to imprisonment as aforesaid:

Provided that it shall be a valid defence to a charge under this section if the driver of the motor vehicle had reason to believe that by stopping after the accident he would be endangering his own safety, or the safety of other occupants of the motor vehicle.

(As amended by Act No. 35 of 1974 and Act No. 13 of 1994)

212. (1) In addition to any other powers conferred by this Act, any police officer or road traffic inspector in uniform may at any time require the driver of any motor vehicle to stop such vehicle, and any such police officer or road traffic inspector in uniform, or who, if not in uniform, produces his identity card, may, at any time—Additional powers of police and others: requirements to be obeyed

(a) require the driver of any motor vehicle to furnish his name and address and give any other particulars required as to his identification;

(b) require any person in any motor vehicle to furnish his name and address and give any other particulars required as to his identification and to give such information as is in his power to give and may lead to identification of the driver or owner of such vehicle;

(c) inspect the brakes or any part of any motor vehicle or trailer or the equipment thereof with a view to ascertaining whether the same complies with the provisions of any regulations made under the provisions of this Act;

(d) ascertain the dimensions of any motor vehicle or trailer or the laden weight, or the axle weights, and for this purpose require any persons or goods to be removed from such motor vehicle or trailer;

(e) direct the reduction or redistribution of the load of any motor vehicle or trailer, the laden weight of which or the weight carried on any axle whereof exceeds the limit specified in any law applicable to the road in question for the time being in force or in any exemption granted in terms of this Act or any regulations made thereunder;

(f) if the condition of a motor vehicle or trailer is such that danger is likely to be caused to the occupants or to members of the public, direct its removal forthwith from the road, and prohibit its use until the defects have been remedied to the satisfaction of a vehicle examiner in accordance with the provisions of section seventy-five or, if the vehicle is one to which Part XI applies, in accordance with the provisions of section one hundred and seventy;

(g) drive any motor vehicle where necessary in the execution of his duties, to investigate whether an offence is being committed under this Act in relation
213. (1) Any police officer or road traffic inspector in uniform may at any time stop any motor vehicle or trailer on which more than one person in addition to the driver of such vehicle is or goods are being conveyed or suspected of being conveyed, for the purpose of ascertaining whether such vehicle is being used for a purpose for which such vehicle is not licensed to be used, and any such police officer or road traffic inspector in uniform, or who, if not in uniform, produces his identity card, may at any time—

(a) require the driver of any such vehicle to furnish his name and address, the name and address of the owner of the vehicle and particulars of the business in connection with which the vehicle is being used;

(b) require any person who is on any vehicle suspected of being used for a purpose for which such vehicle is not licensed to be used or who is suspected of having been on such vehicle recently, to give his full name and address and to state whether or not any remuneration has been or is to be given by him for being conveyed on the said vehicle;

(c) require the driver of, or any such other person in any such vehicle to furnish the name and address of the sender and consignee and the names of the points between which any goods on such vehicle are to be conveyed;

(d) require any other person to give such information as it is in his power to give to assist the police officer or the road traffic inspector to ascertain whether such vehicle is being used for a purpose for which it is not licensed to
be used.

(2) Any person who fails to comply with a requirement or direction lawfully made or given in terms of this section shall be guilty of an offence.

(As amended by No. 25 of 1963)

214. (1) A vehicle when not in motion on a road shall be placed as far as possible to the left-hand side of the carriageway by the driver or other person in charge of such vehicle, and shall not be placed or allowed to remain in any position so as to obstruct or be likely to obstruct other traffic using the road.

Obstruction of roadway by vehicles

(2) Every driver of a vehicle shall obey any instructions as to the placing of the vehicle given by a police officer in uniform or road traffic inspector in uniform or as indicated by any traffic sign lawfully erected.

(3) The provisions of this section (other than those in subsection (2) relating to obeying instructions as to the placing of a vehicle given by a police officer in uniform or road traffic inspector in uniform shall not apply to any vehicle actually engaged in, and at the site of, the construction or maintenance of electricity or water supplies or other similar essential services, nor to any vehicle being used for fire brigade, ambulance or police purposes, or by a road traffic inspector in the execution of his duty, if the observance of the said provisions would be likely to hinder to an unreasonable extent the use of such vehicle for the purposes for which it is being used.

(4) Whenever the driver of a vehicle referred to in subsection (3) does not comply with the provisions of subsections (1) and (2), he shall take such precautions as are necessary and reasonably practicable to warn other traffic of the possible danger arising therefrom.

(5) Any person failing to comply with the provisions of this section shall be guilty of an offence and liable upon conviction to a fine not exceeding three thousand penalty units or to imprisonment for a term not exceeding six months, or to both.


(6) Upon the conviction of any person of an offence under this section, the court may, in addition to the penalty prescribed in subsection (5), order that the vehicle in respect of which the offence was committed be impounded.

(As amended by Act 35 of 1974)

215. (1) If a vehicle is disabled, it shall whenever possible be removed from the carriageway by the driver or other person in charge of such vehicle, or if this is not possible, placed as far to the left-hand side of the carriageway as is possible.

Disabled vehicles

(2) Any person failing to comply with the provisions of this section shall be guilty of an offence and liable upon conviction to a fine not exceeding three thousand penalty units or to imprisonment for a term not exceeding six months, or to both.

(As amended by No. 17 of 1961
and Act No. 13 of 1994)

(3) Upon the conviction of any person of an offence under this section, the court may, in addition to the penalty prescribed in subsection (2), order that the disabled vehicle in respect of which the offence was committed be prohibited from the roads after considering a vehicle examiner's report that such disabled vehicle is no longer roadworthy.

(4) Any disabled vehicle prohibited from the roads under the provisions of subsection (3) shall not be disposed of in any way unless the owner of such vehicle has obtained from the Board a certificate stating that the defects discovered earlier have been properly remedied, and that the vehicle is again fit for use on the roads.

(5) Any person contravening the provisions of subsection (4) shall be guilty of an offence and shall be liable upon conviction to a fine not exceeding three thousand penalty units.

(As amended by Acts No. 35 of 1974 and No. 13 of 1994)

216. (1) The Minister may, by statutory instrument, make regulations for the following purposes:

- Removal of vehicles from roads

(a) to provide for the removal from a road of any vehicle which has broken down, or which has been permitted to remain at rest on a road, in contravention of any lawful prohibition or restriction;

(b) to provide for the removal from a road or road reserve of any vehicle which has been permitted to remain at rest in such a position or in such a condition or in such circumstances as to be likely to cause danger to persons using any road or to cause obstruction to such persons;

(c) to specify the circumstances in which a vehicle shall be deemed to have been abandoned and to provide for the removal of vehicles deemed to have been abandoned;

(d) to provide for the disposal by sale or otherwise of any vehicle referred to in paragraph (c) if it is not claimed within such time and according to such procedure as may be prescribed, or if any expenses incurred in the removal, storage, or in the arrangements for the disposal of the vehicle, are not paid in full;

(e) to provide for the removal of any property carried in or on any vehicle referred to in paragraph (c) and for the disposal by sale or otherwise of any such property or part thereof if it is not claimed by the owner within such time and according to such procedure as may be prescribed, or if any expenses incurred in such removal or in respect of storage or in arranging for the disposal of such property are not paid in full;

(f) to provide for the forfeiture of the proceeds of the disposal of any vehicle or property referred to in this subsection if the said proceeds are not claimed within such period and according to such procedure as may be prescribed;

(g) to provide for the protection against any claim in any legal proceedings or otherwise to be afforded to persons acting under or in pursuance of regulations made under this subsection, and to specify the circumstances in which such protection will be afforded.
(2) Expenses reasonably incurred in the execution of any power or duty imposed by regulations made under subsection (1) shall be recoverable summarily as a civil debt from the owner of the vehicle, and any sum so recovered shall be paid to the authority which lawfully incurred it.

(3) No person or authority who may be authorised to take any action under regulations made under paragraph (a) of subsection (1) shall be liable for any damage caused to any vehicle, or for any damage to or loss of any contents of such vehicle, resulting from any action taken by such person or authority in good faith and without negligence and in intended exercise of any such authorisation.

(As amended by No. 26 of 1959, No. 38 of 1960, No. 25 of 1963 and G.N. No. 275 of 1964)

217. (1) Any person leaving a motor vehicle unattended on a road shall, before doing so, stop the engine and take such steps as are necessary to prevent the vehicle from moving. Engine to be stopped when vehicle unattended

(2) Any person who fails to comply with the provisions of this section shall be guilty of an offence.

(As amended by No. 25 of 1963)

218. (1) No person shall open any door of any motor vehicle or trailer on or near a road without reasonable consideration for the safety of other persons using the road. Opening doors of vehicles

(2) No person in charge of a motor vehicle or trailer shall allow any door of such motor vehicle or trailer while stationary on a road to remain open on the side of such motor vehicle or trailer on which other vehicular traffic is moving, or is likely to move, for a period of time longer than is necessary to load or unload passengers or goods from such motor vehicle or trailer.

(3) The provisions of subsection (2) shall not apply to any motor vehicle or trailer the doors of which when open, or when being opened, do not project beyond the normal width of such motor vehicle or trailer.

(4) No person shall drive a motor vehicle or trailer on a road unless the doors of such motor vehicle or trailer are closed.

(5) Any person who contravenes any of the provisions of this section shall be guilty of an offence.

(No. 19 of 1966)

219. (1) No driver of a motor vehicle shall use a cut-out or otherwise permit the exhaust gases from the engine to escape into the atmosphere otherwise than through an efficient silencer. Silencer

(2) Any person who fails to comply with the provisions of this section shall be guilty of an offence.

220. (1) Proper precautions shall be taken by the owner and driver of any motor vehicle to prevent the unnecessary discharge of fuel, oil or lubricants on any road, and the unnecessary discharge of smoke from any motor
Any person contravening the provisions of this section shall be guilty of an offence.

Notwithstanding anything contained in subsection (2), any motor vehicle excessively discharging fuel, oil or lubricants or smoke on any road may be impounded by any road traffic inspector in uniform or by any police officer:

Provided that no such vehicle shall be impounded if it is merely being tested on the road for the purpose of repairing any fuel, oil or lubricant leakage or, of preventing the unnecessary discharge of smoke or, in the case of a diesel vehicle, if it is discharging smoke as a result of moving under speed restrictions.

(As amended by Act No. 35 of 1974)

221. (1) Any person who shall fill petrol or other inflammable fuel into a motor vehicle while the engine is running or while any light, other than an electric light, is alight on the vehicle, and any person who shall smoke or light a match or introduce any naked light in close proximity while petrol or other inflammable fuel is being filled shall be guilty of an offence.

(2) Any person who shall fill petrol or other inflammable fuel into a public service vehicle while any passenger is within such vehicle shall be guilty of an offence.

222. (1) Subject to the provisions of this section, it shall not be lawful to sell, or to supply, or to offer to sell or supply, a motor vehicle or trailer for delivery in such a condition that the use thereof on a road in that condition would be unlawful by virtue of any provisions of this Act or of the regulations made thereunder as to the construction, weight and equipment thereof or by virtue of any provisions made as respects brakes, steering gear or tyres or in such a condition as respects lighting equipment or reflectors or the maintenance thereof, that it is not capable of being used on a road during lighting-up time without contravention of the requirements imposed by law as to obligatory lamps or reflectors.

(2) If a motor vehicle or trailer is sold, supplied or offered in contravention of the provisions of this section, any person who so sells, supplies or offers it or causes or permits it to be so sold, supplied or offered, shall be guilty of an offence.

(3) A person shall not be convicted for an offence under this section in respect of the sale, supply or offer of a motor vehicle or trailer if he proves that he had reasonable cause to believe that the vehicle or trailer would not be used on a road until it had been put into a condition in which it might lawfully be so used, or, in the case of a vehicle or trailer, the sale, supply or offer of which is alleged to be unlawful by reason of its condition as respects lighting equipment or reflectors or the maintenance thereof, would not be so used during lighting-up time until it had been put into a condition in which it might be so used during that time without contravention of the requirements imposed by law as to obligatory lamps or reflectors.

(4) Nothing in the preceding provisions of this section shall affect the
validity of any contract or any rights arising under a contract.

(5) In this section, "obligatory lamps or reflectors" means, in relation to a motor vehicle or trailer, the lamps or reflectors required by law to be carried thereon while it is on a road during lighting-up time.

(6) The provisions of this section shall not apply to any motor vehicle or trailer sold or supplied or offered for sale or supply solely where it is intended that its subsequent use on a road shall be solely for the purpose of taking it to a place where it is to be broken up or put into a condition in which its use on a road would not be unlawful:

Provided that-

(i) in the case of a motor vehicle, such subsequent use on a road shall not include use under the vehicle's own power;

(ii) nothing in this section shall apply to tractors or trailers used solely for agricultural purposes.

223. (1) Subject to the provisions of this Act and of any regulations made thereunder, no person shall use on any road any vehicle which does not comply with any regulations applicable to the class or description of vehicles to which such vehicle belongs, relating to the construction, equipment and use thereof. Prohibition of use of vehicles not complying with regulations as to construction, etc.

(2) Any person who uses any vehicle, or causes or permits any vehicle to be used, on any road in contravention of the provisions of subsection (1) shall be guilty of an offence.

(No. 38 of 1960)

224. (1) It shall not be lawful for more than one person in addition to the driver to be carried on any two-wheeled motor cycle, nor shall it be lawful for any such one person to be so carried otherwise than sitting astride the cycle on a proper seat securely fixed to the cycle behind the driver's seat and with his feet resting on the foot rests securely fixed to the cycle. Pillion riding on motor cycle

(2) If any person is carried on any such cycle in contravention of the provisions of this section, the driver of the cycle and any person carried thereon shall be guilty of an offence.

(As amended by No. 38 of 1960)

225. (1) The following enactments, that is to say: Application to pedal cyclists of provisions relating to certain driving offences

(a) section one hundred and ninety-five (which penalises careless driving);

(b) section one hundred and ninety-six (which penalises reckless or dangerous driving);

(c) section one hundred and ninety-eight (which penalises driving under the influence of intoxicating liquor or drugs), but with the omission of the reference to attempting to drive;
(d) section one hundred and ninety-nine (which penalises the causing of death by reckless or dangerous driving);

(e) section two hundred (which requires the giving of warning of proposed prosecution) in so far as it relates to offences against the said sections one hundred and ninety-five and one hundred and ninety-six (careless driving and reckless or dangerous driving), but with the omission of reference to registered owners;

(f) section two hundred and ten (failure of a driver to stop and render assistance to an injured person after an accident);

(g) section two hundred and eleven (which requires drivers to stop and give their names and addresses) except so much of subsection (1) thereof as relates to the name and address of the owner and the registration mark of the vehicle;

shall, subject to the provisions of this section, apply to persons riding animals or driving vehicles, not being motor vehicles, as they apply to the drivers of motor vehicles, and references in those enactments to motor vehicles, drivers and driving shall be construed accordingly.

(2) The maximum penalties which may be imposed on a conviction by virtue of this section for an offence under section one hundred and ninety-five, one hundred and ninety-six or one hundred and ninety-eight shall be as follows:

(a) in the case of a conviction under the said section one hundred and ninety-six or one hundred and ninety-eight, a fine of three hundred penalty units, or, if the conviction is a second or subsequent conviction, a fine of three hundred penalty units or imprisonment for a term of three months;

(b) in the case of a conviction under the said section one hundred and ninety-five, a fine of one hundred and fifty penalty units, or, if the conviction is a second or subsequent conviction, three hundred penalty units.

(3) In determining whether a conviction under the said section one hundred and ninety-five, one hundred and ninety-six or one hundred and ninety-eight is a second or subsequent conviction-

(a) where it is a conviction in connection with the driving of a motor vehicle any previous conviction by virtue of this section shall be disregarded;

(b) where it is a conviction by virtue of this section any previous conviction in connection with the driving of a motor vehicle shall be disregarded.

(As amended by No. 25 of 1963 and Act No. 13 of 1994)

226. (1) No person shall ride a bicycle or tricycle on a road unless it complies with any regulations in force governing the construction and equipment of bicycles and tricycles. Brakes, etc., on bicycles and tricycles

(2) Any person contravening the provisions of this section shall be guilty of an offence.

227. (1) No person shall while riding a two-wheeled vehicle carry thereon such
number of persons or load of goods or both as to deprive him of full control of the vehicle or as to hinder him in its control, or as to obstruct his view. Excessive loads on two-wheeled vehicles

(2) Any person who contravenes the provisions of this section shall be guilty of an offence.

228. (1) If any person throws any article at any vehicle on any road or at any person in such vehicle, he shall be guilty of an offence and shall be liable upon conviction to imprisonment for twelve months or to a fine not exceeding three thousand penalty units, or to both. Throwing articles at or from vehicles

(2) If any person throws from any vehicle an article that is in itself dangerous or that in the circumstances of the case causes or is likely to cause danger to other persons, he shall be guilty of an offence.

(As amended by Act No. 13 of 1994)

229. (1) Any person who without the knowledge or consent of the owner of a vehicle other than a motor vehicle rides or drives or takes away such vehicle or in any way interferes with any vehicle or part thereof shall be guilty of an offence. Interference with vehicles

(2) If any person without lawful authority or reasonable cause enters or gets on to a motor vehicle or interferes with or wilfully damages such vehicle or its accessories, he shall be guilty of an offence and liable upon conviction, in the case of a first offence, to a fine not exceeding three thousand penalty units or to a term of imprisonment not exceeding six months, and in the case of a second or subsequent offence, to a fine not exceeding six thousand penalty units or to a term of imprisonment not exceeding twelve months, or to both.

(3) If any person, whether employed by the owner or not, shall take and drive away any motor vehicle without the consent of the owner thereof or other lawful authority, he shall be guilty of an offence and liable upon conviction to the penalties prescribed in subsection (2).

(4) If a court is satisfied that in any offence against subsection (1) or (3) the accused acted in the reasonable belief that he had lawful authority, or that the owner would, in the circumstances of the case, have given his consent if he had been asked therefor, the accused shall not be liable to be convicted of the offence.

(5) If in any prosecution for stealing or attempting to steal a vehicle the court is of opinion that the defendant was not guilty of stealing or attempting to steal the vehicle, but was guilty of an offence under this section, the court may find him guilty of an offence under this section and thereupon he shall be liable to be punished accordingly.

(6) A road traffic inspector in uniform or police officer may arrest without a warrant any person reasonably suspected by him of having committed or of attempting to commit an offence under this section.

(7) In addition to any penalty specified in this section, the court may order that the convicted person shall pay to the owner of the vehicle such sum as may represent fair compensation for any damage sustained by the owner of the vehicle.

230. Any person, other than a road traffic inspector in uniform or police officer acting in the course of his duty, who places any handbill, leaflet or other similar document on or in any motor vehicle without the consent of the owner or person in charge of such motor vehicle shall be guilty of an offence.

(No. 19 of 1966) Placing of handbill, etc. in or on motor vehicle

231. (1) No person shall permit any person to ride, and no person shall ride, on the wings, fenders, luggage grid, roof, running board, drawbar, towing bar or bonnet of a motor vehicle or trailer on any road except for purposes incidental to and necessary for the repair of the vehicle or trailer. Unauthorised use of goods vehicles

(2) A part from the driver and one other representative of the owner or hirer of a goods vehicle, no person shall permit any person to ride, and no person shall ride, on any such goods vehicle:

Provided that the provisions of this subsection shall not apply in any case where-

(i) such goods vehicle is being used in the normal course of the business of such owner or hirer, and the person riding on such vehicle is doing so for any purpose connected with such business; or

(ii) the person riding on such goods vehicle is the owner or hirer thereof or a member of the family of such owner or hirer; or

(iii) the person riding on such goods vehicle is an employee, or a member of the family of an employee, of the owner or hirer of such vehicle; and for the purposes of this paragraph, "employee" shall, in the case of an educational or other institution, include a pupil or other inmate thereof; or

(iv) a person is riding on a goods vehicle in an emergency; or

(v) the road upon which such goods vehicle is being used is not served by a motor omnibus service.

(3) No person shall ride or be permitted to ride on any load in a goods vehicle, unless there is sufficient protection as may be prescribed to prevent persons so carried from falling from the vehicle.

(4) No person shall carry or permit to be carried in any goods vehicle any goods other than goods carried on behalf or with the consent of the owner or hirer of such vehicle.

(5) Any person failing to comply with the provisions of this section shall be guilty of an offence.

(As amended by No. 38 of 1960)

232. If any person without lawful authority or reasonable cause takes or retains hold of or gets on a motor vehicle or trailer while in motion on any road for the purpose of being drawn or carried, he shall be guilty of an offence. Taking hold of or getting on vehicle in motion
233. (1) Any person who for any purpose places or causes to be placed any
rope, wire or other apparatus across a road or any part thereof in such manner
as to be likely to cause danger to persons using the road shall, unless he
proves that he had taken all necessary means to give adequate warning of the
danger, be guilty of an offence, and liable upon conviction, in the case of a
first offence, to a fine not exceeding three thousand penalty units or to
imprisonment for a period not exceeding six months and, in the case of a second
or subsequent offence, to a fine not exceeding six thousand penalty units or to
imprisonment for a period not exceeding twelve months.Stretching rope, etc.,
across road: obstruction of road

(2) No person shall place or abandon or cause to be placed or abandoned upon a
road any object or thing which is capable of causing danger or damage to traffic
on or to such road:

Provided that nothing hereinbefore contained shall apply in respect of any
object or thing placed upon a road by a highway authority road traffic inspector
in uniform or police officer acting under and in terms of any written law.

(3) No person upon a road shall wilfully and without lawful excuse prevent,
hinder or interrupt the free and proper passage of vehicles, persons or animals
thereon.

(4) Any person contravening the provisions of subsection (2) or (3) shall be
guilty of an offence.

(5) A police officer may arrest without warrant any person committing or
suspected on reasonable grounds of having committed an offence under this
section.

(As amended by No. 25 of 1963 and No. 19 of 1966
and Act No. 35 of 1974 and Act No. 13 of 1994)

234. (1) Subject to the provisions of subsection (2), no person shall leave or
permit any horse, cattle, ass, mule, sheep, pig or goat to be on any road which
is fenced or enclosed in any other manner along both sides, and no person shall
leave any such animal in a place from which it may stray on to such
road.Liability for animals on roads

(2) The provisions of subsection (1) shall not apply to-

(a) any animal which is ridden or is being used to draw a vehicle upon a
road; or

(b) any animal which is being moved upon the road from one place to another
(other than for the purpose of grazing on such road) under the immediate control
of a responsible attendant in such a manner as not to constitute a source of
danger or injury to any person or any traffic upon such road.

(3) In any prosecution for a contravention of subsection (1), the owner of the
animal concerned shall be presumed, until the contrary is proved, to have left
or allowed such animal to be on the road concerned, or to have left it in a
place from where it may have strayed on to such road, and a road shall be
regarded as fenced or enclosed along both sides even though there are openings
in the fence or barriers providing access to such road.
(4) No person shall drive any animal referred to in subsection (1) upon a road between sunset and sunrise unless he exhibits a white light visible in clear weather on a straight road for a distance of at least five hundred feet, or, in the case of a flock or herd of more than ten animals, a person carrying a white light as hereinbefore prescribed precedes and another carrying such a light follows such animals.

(5) A person in charge of an animal on a road shall tend it in such a manner as not to constitute an obstruction or danger to other traffic.

(6) Any person failing to comply with the provisions of this section shall be guilty of an offence.

235. (1) Where a road traffic inspector in uniform or police officer in uniform is for the time being engaged in the regulation of vehicular traffic in a road, any person on foot who proceeds across or along the road in contravention of a direction to stop given by the police officer, in the execution of his duty, either to persons on foot or to persons on foot and other traffic, shall be guilty of an offence. Duty of pedestrians to comply with traffic directions given by police

(2) A road traffic inspector in uniform or police officer may require any person committing an offence against subsection (1) to give his name and address, and if that person fails to do so, he shall be guilty of an offence, and may be arrested thereupon without warrant.

(3) Any pedestrian who crosses, or who attempts to cross, any road when prohibited from doing so by a traffic sign shall be guilty of an offence.

236. (1) Any road traffic inspector in uniform or police officer who, if not in uniform, produces his identity card and any other person authorised in writing by the Minister to exercise the powers bestowed by this section who produces such authority may demand: Registration book and licences to be produced to police, etc., on demand

(a) from the owner of any motor vehicle or trailer the registration book and the current licence for the vehicle or trailer in force at the date of such demand, and in the case of a public service vehicle the road service licence authorising the use of that vehicle at that time and place;

(b) from any person driving a motor vehicle on a road his driving licence, or provisional driving licence and, in the case of the latter, the driving licence of the person supervising such driving in terms of proviso (i) to subsection (2) of section one hundred and thirteen.

(2) Any person who fails to produce on demand any document referred to in subsection (1) shall be guilty of an offence unless within seven days thereafter or within such greater period as a road traffic inspector in uniform or police officer or person authorised in writing may specify, he produces or otherwise furnishes such document at such police station as may have been specified by him at the time that its production was required.

(3) In the case of motor vehicles or trailers that are subject to Part XI, a road traffic inspector may exercise all the powers bestowed upon a police officer by this section.

(As amended by No. 17 of 1961)
237. (1) Where any police officer has reason to believe that an offence in connection with a vehicle has been committed, it shall be lawful for him or any other police officer to require the owner of the vehicle to give all information in his possession as to the name, address, description and whereabouts—Duty to give information

(a) of the person driving and the occupants of the vehicle at the time of the alleged offence; or

(b) if no person was driving at the time of the alleged offence, of the last person who drove the vehicle before the alleged offence.

Any person failing to give such information shall be guilty of an offence unless he shows to the satisfaction of the court that he did not have the information and could not with reasonable diligence have obtained it.

(2) It shall also be lawful for a police officer to require any other person to give such information as aforesaid, or any other information which it is in his power to give and which may lead to the identification of any of the persons referred to in paragraph (a) or (b) of subsection (1) and, if such person fails to do so, he shall be guilty of an offence.

(3) In the case of motor vehicles that are subject to Part XI, a road traffic inspector may exercise all the powers bestowed upon a police officer by this section.

(As amended by No. 25 of 1963)

238. If any person in or in connection with an application for a vehicle licence or the registration of a motor vehicle or trailer or a driving or other licence or the endorsement of such a licence or any change or correction in a licence or in the registration of a motor vehicle or trailer or in giving any information lawfully demanded or required under this Act or any regulation made thereunder, makes any statement which to his knowledge is false, or in any material respect misleading, he shall be guilty of an offence and liable upon conviction, in the case of a first offence, to a fine not exceeding seven hundred and fifty penalty units and, in the case of a second or subsequent offence, to a fine not exceeding one thousand five hundred penalty units. Any licence, registration book or other authority acquired as a result of such statement shall be void.

(As amended by No. 25 of 1963 and Act No. 13 of 1994)

239. Whoever without lawful cause or excuse imitates, alters, mutilates, destroys or uses, or without lawful cause or excuse sells, supplies, lends or allows to be used by any other person any registration mark, vehicle licence, registration book, driving licence or any other licence issued or deemed to have been issued under this Act shall be guilty of an offence and liable upon conviction, in the case of a first offence, to a fine not exceeding one thousand five hundred penalty units or to imprisonment for a period not exceeding three months, and in the case of a second or subsequent offence, to a fine not exceeding three thousand penalty units or to imprisonment for a period not exceeding three months.
(As amended by No. 25 of 1963 and No. 13 of 1994) Unlawful imitation, etc., of documents

240. Any person or authority to whom application is made for anything to be done under this Act may require any facts stated in the application to be verified and any other necessary information to be given to his satisfaction. Verification of facts in applications

241. Any person guilty of an offence against this Act for which no special penalty is provided by this Act shall be liable upon conviction, in the case of a first offence, to a fine not exceeding three hundred penalty units and, in the case of a second or subsequent offence, to a fine not exceeding one thousand five hundred penalty units or to imprisonment for a term not exceeding three months, or to both.

(As amended by Act No. 13 of 1994) Penalty

241A. Any registered owner whose motor vehicle or trailer is impounded under any provision of this Act may apply to the Commissioner or his authorised representative for the release of his motor vehicle or trailer after the termination of any criminal proceedings instituted against him, or as the case may be, after due compliance with any provisions of this Act contravened by him and, where necessary, after remedying any mechanical defects required to be remedied in order to render such vehicle or trailer roadworthy.

(As amended by Act No. 35 of 1974) Conditions for release of impounded vehicle or trailer

241B. No police officer or road traffic inspector shall be liable for any damage caused to any motor vehicle or trailer or for any damage to or loss of any contents of such motor vehicle or trailer impounded by him in good faith and without negligence under any provision of this Act.

(As amended by Act No. 35 of 1974) No liability for impoundment

PART XIV

MISCELLANEOUS PROVISIONS

242. Notwithstanding anything contained in any other law, no person shall, save with the consent of the Minister, levy any charge for or in connection with parking on any public street as defined in the Municipal Corporations Act, the Townships Act and the Mine Townships Act or on any public road. Control of parking charges on roads.

Cap. 470,
Cap. 471,
Cap. 472

243. In the case of any public service vehicle or any other vehicle the gross weight of which with any trailer attached thereto exceeds 40,000 pounds, any person who drives or causes or permits any person employed by him or subject to his orders to drive in excess of such hours as may be prescribed by the Minister shall be guilty of an offence: Limitation of time for which drivers of certain vehicles may remain continuously on duty

Provided that the provisions of this section and of any regulations made under this section may be extended to the drivers of such other vehicles or classes of
vehicle as may be specified by the Minister by statutory notice.

(As amended by No. 26 of 1959 and G.N. No. 275 of 1964)

244. (1) The Minister may, by statutory instrument, make regulations—Protective helmets for motor cyclists

(a) making it compulsory for protective helmets to be worn by persons riding on motor-cycles, or in sidecars attached to motor-cycles, of such construction or in such circumstances as may be prescribed;

(b) prescribing the shape, construction or quality of protective helmets.

(2) If any person sells, or offers for sale, any helmet as a helmet for affording protection as aforesaid, and such helmet fails to comply with any requirement prescribed under this section, he shall be guilty of an offence and liable upon conviction, in the case of a first offence, to a fine not exceeding seven hundred and fifty penalty units and, in the case of a second or subsequent offence, to a fine not exceeding one thousand five hundred penalty units, or to imprisonment for a term not exceeding three months.

(3) In this section, "helmet" includes any head-dress, and references in this section to selling or offering for sale include respectively reference to letting on hire and offering to let on hire.


245. The Minister may, after consulting any local authority affected, by statutory instrument, make regulations prescribing the maximum laden weight and the maximum axle weight of any vehicle that may be used on any road, and any person who uses or who causes or permits any other person to use a vehicle in contravention of such regulations shall be guilty of an offence and liable upon conviction to a fine not exceeding seven thousand five hundred penalty units: Maximum weights that may be transmitted to roads

Provided that the Director of Roads may, subject to such conditions as he thinks fit, grant a permit in respect of any vehicle, allowing a higher laden weight or higher maximum axle weight than those fixed by regulation, and where such a permit is given it shall not, so long as the conditions, if any, attached to the permit are complied with, be an offence for such vehicle to be used on that road by reason only that the vehicle does not comply with such regulations as aforesaid.


246. (1) It shall not be lawful for any person to teach for gain the driving of motor vehicles except under the authority of a licence, hereinafter referred to as an instructor's licence, issued by the Commissioner, and no person shall set up or maintain an establishment for teaching for gain the driving of motor vehicles save under the authority of a licence, hereinafter referred to as a driving school licence, issued by the Commissioner. Control of driving schools and of the teaching for gain of driving
(2) Any person who contravenes any of the provisions of this section shall be guilty of an offence.

(As amended by No. 17 of 1961 and No. 25 of 1963)

247. (1) A person applying for an instructor's licence or for a driving school licence or for a variation of any of the conditions of any such licence shall apply on the prescribed form and shall submit to the Commissioner such particulars as may be prescribed. Instructors' licences and driving school licences

(2) On receipt of an application for an instructor's licence, the Commissioner shall cause the applicant's competence to be tested, and may in the case of any application for an instructor's licence or a driving school licence or any variation thereof, if he deems necessary, cause to be verified the facts stated therein, and shall then, if the application is in order, and if all the information that he requires is provided, consider it, and shall, in his discretion, grant or refuse a licence or variation, as the case may be, subject to such conditions as he may impose.

(3) Licences shall be valid for such period as may be prescribed and the prescribed fees shall be payable for them.

248. If the Commissioner refuses an instructor's licence or a driving school licence or a variation of the conditions thereof, the applicant may appeal to the Minister in accordance with such procedure and upon payment of such fees as may be prescribed, and the decision of the Minister shall be final. Appeals concerning driving school licences or instructors' licences

249. An instructor's licence and a driving school licence shall be personal to the person who is teaching the driving of motor vehicles or who is the proprietor of the driving school, as the case may be, and shall not be transferable.

(As amended by No. 25 of 1963) Instructors' licences and driving school licences not transferable

250. The Minister may, by statutory instrument, make regulations-

(a) providing for the inspection of any premises, vehicles, equipment, records or any other place or thing used in connection with the teaching for gain of driving, and for ensuring that the curriculum and, where provided, the accommodation and food supplied to pupils, are suitable, and that the instructors are competent;

(b) providing for the revocation of instructors' licences and of driving school licences, or for the variation of the conditions thereof, and for the making and hearing of appeals in respect of such licences;

(c) containing such other provisions as he may deem necessary for the proper licensing, control, and inspection of the teaching for gain of driving and for ensuring that the terms of any licences relating to such teaching are observed.

(As amended by No. 26 of 1959 and G.N. No. 275 of 1964) Inspection of premises, etc.
251. If in any proceedings under this Act any question arises whether a motor vehicle or trailer does or does not comply with any provision of this Act or any regulation made thereunder, a certificate purporting to be signed by any person appointed by Gazette notice to act as a vehicle examiner for the purposes of this Act, that he has examined the vehicle or trailer and as to the result of his examination, shall be admissible in evidence and shall be prima facie evidence of any fact or opinion stated therein relating to the matter in question without calling as a witness the person who purports to have signed such certificate: Certificate of examination to be admissible in evidence

Provided that any person against whom the evidence of such certificate is sought to be used shall have the right to object to the admissibility of such certificate as evidence unless the person who purports to have signed it is called as a witness.

252. (1) In any proceedings for an offence against this Act a certificate in the prescribed form purporting to be signed by a road traffic inspector or by a police officer of or above the rank of Sub-Inspector and certifying that a person specified in the certificate stated to the road traffic inspector or to the police officer—Admissibility as evidence of certificates relating to ownership or driver of motor vehicles

(a) that a particular motor vehicle was being driven by, or belonged to, that person on a particular occasion; or

(b) that a particular motor vehicle belonged on a particular occasion to a firm in which that person also stated that he was at the time of the statement a partner; or

(c) that a particular motor vehicle belonged on a particular occasion to a corporation of which that person also stated that he was at the time of the statement a director, officer or employee;

shall be admissible as evidence for the purpose of determining by whom the vehicle was being driven, or to whom it belonged, as the case may be, on that occasion.

(2) Nothing in this section shall be deemed to make a certificate admissible as evidence in proceedings for any offence—

(a) unless a copy thereof has, not less than seven days before the hearing or trial, been served on the person charged with the offence; or

(b) if that person, not later than three days before the hearing or trial, or within such further time as the court may in special circumstances allow, serves notice on the prosecutor requiring the attendance at the trial of the person who signed the certificate.

253. (1) Any extract from a register or other records kept in terms of this Act or any regulations made thereunder shall, if it purports to be certified to be a true extract by the officer having custody or control of such register or records, be received in any court on production by any person and without further proof as prima facie evidence of the facts therein stated. Registers, etc., to be accepted as evidence

(2) The registration book of any motor vehicle or trailer shall be received in any court on production by any person and without further proof as prima facie
evidence of the facts therein stated.

254. In case any doubt shall arise as to the use to which any vehicle is put or whether any vehicle or class or type of vehicle falls within any particular class or type of vehicle defined by this Act, the matter shall be referred to the Commissioner, who shall determine within what particular class or type of vehicle defined by this Act such vehicle falls. Doubt concerning classification of vehicles

255. If-

(a) on any road any motor vehicle or trailer is used which does not comply with or contravenes any provision of this Act or of any regulations or order lawfully made thereunder; or

(b) any motor vehicle or trailer is used in such a state or condition or in such a manner as to contravene any such provision; or

(c) anything is done or omitted in connection with a motor vehicle or trailer in contravention of any such provision;

then, unless otherwise expressly provided by this Act-

(i) the driver of the motor vehicle or trailer at the time of the offence shall be guilty of an offence unless the offence was not due to any act, omission, neglect, or default on his part; and

(ii) the owner of the motor vehicle or trailer shall also be guilty of an offence, if present at the time of the offence, or, if absent, unless the offence was committed without his consent and was not due to any act or omission on his part, and he had taken all reasonable precautions to prevent an offence. Liability of driver and owner for offences

256. No person who is empowered under this Act to examine, or to order the examination of, or to issue any other direction concerning any vehicle under this Act, shall be liable for the loss of any such vehicle or the contents thereof or for any damage caused to any such vehicle or the contents thereof, resulting from any action taken by such person in good faith and without negligence and in intended exercise of any such powers. Persons empowered to examine vehicles exempted from liability for damage

257. (1) The Minister may prepare a code, to be known as the Highway Code, containing such directions as appear to him to be proper for the guidance of persons using roads, and may from time to time revise the code by revoking, varying, amending or adding to the directions thereof in such manner as he thinks fit. Highway Code

(2) The Highway Code and any alterations proposed to be made thereto and any revision thereof shall as soon as prepared be laid before the National Assembly, and the Highway Code or the revision thereof, as the case may be, shall not be issued until the said code or proposed alterations or revision have been approved by the Assembly.

(3) Subject to the foregoing provisions of this section, the Minister shall cause the Highway Code and every revised edition thereof to be printed and
issued to the public at such price as may be prescribed.

(4) Failure on the part of any person to observe any provision of the Highway Code shall not of itself render that person liable to criminal proceedings of any kind, but any such failure may in any proceedings (whether civil or criminal and including proceedings for an offence under this Act) be relied upon by any party to the proceedings as tending to establish or to negative any liability which is in question in those proceedings.

(As amended by G.N. No. 275 of 1964)

258. (1) The Minister may, by statutory instrument, make regulations for carrying this Act into effect, and any regulations made under this section or in pursuance of any other power to make regulations conferred by this Act shall be published in the Gazette at least thirty days before the date upon which they shall come into effect.

(2) In particular and without prejudice to the generality of the foregoing power such regulations may be made-

(i) prescribing anything which by this Act may or is to be prescribed;

(ii) governing the construction and upkeep of any road or portion thereof or any bridge, ford, pontoon or culvert thereon;

(iii) prohibiting any practice which may lead to obstruction of or damage to any road;

(iv) declaring any portion of any road to be a footpath or cycle track and regulating traffic on such footpath or cycle track;

(v) providing for the imposition of tolls for special services rendered at any point on any road;

(vi) prescribing the forms to be used;

(vii) prescribing the fees payable for licences and for the various appeals, documents and services specified in this Act where such are not included in the First Schedule; prescribing the circumstances in which fees paid may be refunded either wholly or in part, the allocation of taxes and fees paid, and the rendering of accounts therefor;

(viii) prescribing the form of vehicle and motor vehicle licences, driving licences and renewals thereof and all other licences, registration books, certificates of all kinds, the conditions attaching to them and the conditions precedent to their issue and, where applicable, the periods of their validity, and the manner of displaying such certificates and licences; and regulating the issue of duplicates of licences, registration books, certificates and other documents specified in this Act;

(ix) prescribing measures to prevent a person holding illegally more than one licence, registration book or certificate, and to facilitate the identification of the holders of the same;

(x) regulating the particulars that are to be marked on vehicles, motor vehicles or trailers and the manner in which they are to be displayed or affixed, and prohibiting the display on any motor vehicle or trailer of any
registration or distinguishing mark other than that of the country in which such motor vehicle or trailer is registered and licensed:

Provided that the Minister may delegate to the Commissioner the power to prescribe the letters which shall be used as registration marks on motor vehicles and trailers;

(xi) regulating traffic on any road or portion thereof or on any ford, bridge, pontoon or culvert thereon;

(xii) prescribing the rules of the road, the signals to be given by the drivers of vehicles, and the signals and traffic signs to be observed by such drivers and by pedestrians and for the establishment of crossings on roads for pedestrians;

(xiii) prescribing the maximum speeds permitted for different classes of vehicles in or on different areas and roads or parts thereof;

(xiv) regulating the parking of vehicles, the levy of any charges therefor and the manner in which such charges may be levied; prohibiting the leaving of vehicles at rest in dangerous positions and the abandoning of vehicles and providing for their removal from roads and road reserves and for the recovery of expenses in this regard;

(xv) providing for the detention of any vehicle in respect of any contravention or suspected contravention of this Act or any regulation or notice thereunder; and providing for the sale of any vehicle so detained which is not claimed within a period of thirty days after the date of detention;

(xvi) providing for the detention, inspection and disinfection of any vehicle passing through or out of any area in which tsetse fly exist or are suspected to exist;

(xvii) prohibiting sound warnings on specified roads or in specified areas or parts thereof either at all times or at specified times;

(xviii) requiring information to be furnished as to any road or vehicle;

(xix) prescribing the construction and equipment of vehicles, motor vehicles and trailers and the conditions under which they may be used on roads, including the prohibition of emblems, mascots or other devices that are liable to be a source of danger to any person on the road or of distraction to the driver or to other road users;

(xx) prescribing the width, height, length and other dimensions of vehicles, motor vehicles and trailers, or trains of such and of the loads carried thereby;

(xxi) prescribing the gross weight of vehicles, motor vehicles and trailers and the maximum weight to be transmitted to the road or any specified area thereof by a vehicle, motor vehicle or trailer of any class or description or by any part or parts of such vehicle or trailer in contact with the road; the methods by which such weights shall be determined and the conditions under which they may be required to be tested; and providing for the reduction or redistribution of the load of any motor vehicle or trailer, the laden weight of which or the weight carried on any axle whereof exceeds a prescribed limit;
(xxii) prescribing the number of trailers which may be drawn by a vehicle and the towing of one vehicle by another, and prohibiting the operation of any vehicle which is being used to tow trailers if the combined length of the vehicle and trailers exceeds a prescribed limit;

(xxiii) prescribing the number of persons who may be carried on vehicles or trailers for the purpose of controlling or attending to them;

(xxiv) regulating the number and kinds of lamps and reflectors that are to be carried on vehicles, motor vehicles, trailers and farm implements, prescribing how and when the same shall or shall not be used, prohibiting the use of any lamp or lighting device as may be specified, and prohibiting the sale or letting on hire of bicycles which do not comply with any regulations which may be made regulating the carrying on bicycles of lights, reflectors or other devices to make them conspicuous at night;

(xxv) regulating and prescribing the number and type of brakes, the affixing of efficient brakes and ensuring that brakes, steering gear and other parts of a vehicle are maintained in proper working order;

(xxvi) prohibiting the use of any cut-out, fitting or other apparatus or device rendering it possible to open the exhaust of a motor vehicle; providing for efficient silencers, to minimise noise; prohibiting the unnecessary issue of smoke or fumes, and the unnecessary discharge of fuel, oil, or lubricants; prohibiting nuisances caused by the working of motor vehicles, and prohibiting the use on roads of motor vehicles or trailers which cause excessive noise due to defect, lack of repair, or faulty adjustment or faulty packing of loads on such vehicles or trailers;

(xxvii) regulating the loading of vehicles, motor vehicles and trailers, and the securing of loads so that danger is not caused or is likely to be caused, by reason of the load or part thereof falling, or being liable to fall, from the vehicle or trailer;

(xxviii) prohibiting the use on roads of any motor vehicle which is so constructed or loaded that manual signals given by the driver cannot be readily seen from the rear of such vehicle by a person in line with the offside unless it is fitted with an apparatus to enable the driver thereof efficiently to signal his intention to stop or change direction;

(xxix) prescribing the methods to be used and appliances to be fitted for signalling the approach of a motor vehicle, for enabling the driver of a motor vehicle to become aware of the approach of another motor vehicle from the rear, and for intimating the intended movement of a motor vehicle; securing that such appliances shall be efficient and kept in proper working order;

(pan) providing for the examination on the road or elsewhere, of motor vehicles, either generally or of such classes as may be specified, for the exemption of specified vehicles or classes of vehicle from the need to be examined and for the notification of the result of examinations;

(pani) prescribing those vehicles or motor vehicles that may be exempted from the need to be registered or licensed and under what conditions, and the
conditions on which motor vehicles registered and licensed in any specified
country outside Zambia may be used within Zambia without being registered or
licensed therein or without holding a certificate of fitness; prescribing the
driving licences or permits issued outside Zambia or the military driving
licences, or the equivalents of such licences or permits, that may be deemed to
have effect within Zambia as if issued under section one hundred and eleven or
one hundred and thirteen, and prescribing the conditions to which such driving
licences, permits or their equivalents may be made or may be deemed to be
subject in their application to Zambia;

(xxii) prescribing the procedure to be adopted and the conditions to be
observed in connection with the issue of international certificates for motor
vehicles and international driving permits and in connection with the use of
such certificates and permits issued elsewhere than in Zambia;

(xxivii) exempting, or empowering prescribed officers to exempt, vehicles,
motor vehicles and trailers from compliance with the requirements of this Act
and of the regulations with regard to construction and equipment;

(xxiv) prescribing the circumstances in which public service vehicles or
any
classes thereof shall be exempt from compliance with all or any of the
provisions of Part X, and under what conditions;

(xxv) prescribing the construction and equipment of public service
vehicles,
the method to be adopted to determine the maximum load and/or the number of
passengers that they may carry; prescribing for the safe custody and redelivery
or disposal of any property accidentally left in a public service vehicle, and
fixing the charges to be made in respect thereof; prescribing the circumstances
in which and the conditions upon which vehicles may be substituted for
authorised vehicles, otherwise than in the case of breakdown or unforeseeable
emergency; and prescribing the circumstances in which public service vehicle
services may be temporarily suspended;

(xxvi) prescribing the hours and conditions of service of the drivers of
such classes of motor vehicles as may be specified, regulating the licensing and
conduct of drivers of public service vehicles and of conductors in omnibuses,
prescribing the badges to be worn by such drivers and conductors, and regulating
the conduct of passengers in passenger-carrying public service vehicles;

(xxvii) prescribing the records that are to be kept and the returns that are
to be made by persons holding or applying for licences issued under Part X or
subject to Part XI;

(xxviii) prescribing the manner in which applications for road service
licences, and the grant, revocation or suspension of such licences, or the
variation of their conditions, are to be published;

(xxix) prescribing the means of identifying public service vehicles
authorised to be used under road service licences, the period of validity of
such means of identification, the particulars that they are to contain, the
manner of their display, the fees to be charged therefor, and their custody,
production, return and cancellation on expiration, suspension or revocation;

(xl) prescribing the classes of motor vehicles for which driving licences and
provisional driving licences may be expressed to be valid;
(xli) providing for the confiscation of bicycles and for the custody of such bicycles during the period of their confiscation;

(xlii) providing for the licensing, control and inspection of driving schools and of instructors;

(xliii) prescribing penalties for the breach of any regulation, provided that no such penalty shall exceed a fine of one thousand five hundred penalty units or imprisonment for a period of three months;

(xliv) providing for the form, manner and procedure of any arbitration or appeal authorised under this Act;

(xlv) prescribing the exclusion of specified vehicles from the definition of "motor vehicle" as contained in section two;

(xlvi) providing for the amendment of driving licences where the name or address of the holder has been changed and for the keeping of records and registers of driving licences issued, renewed or extended by endorsement;

(xlvii) providing for the production of prescribed documents and of vehicles to driving examiners for the purpose of driving tests, and the procedure to be followed before, during and after such tests and the examiners who may conduct the same;

(xlviii) to do all such things as may be necessary for the proper carrying out of this Act.


259. Notwithstanding anything contained in this Act, any regulations made under this Act relating to the construction and equipment of vehicles may exempt such vehicles or classes of vehicles as may be specified therein from compliance with all or any of the requirements of such regulations or from all or any of the requirements of this Act relating to the construction and equipment of vehicles, for such period or periods as may be specified and subject to such vehicles complying with the requirements of any Act or regulations, whether repealed or revoked, as may be specified.

(No. 17 of 1961) Exemption of vehicles from compliance with regulations relating to construction and equipment, and exemption from provisions of this Act


Provided that-

(i) all licences, concessions, permits and other documents of authority issued under the said Acts shall, save as otherwise provided by or under the
provisions of this Act, continue to have full force and effect notwithstanding such repeal, and every such licence, concession, permit or other document shall, upon the repeal of the law under which it was issued, be deemed to have been issued under this Act;

(ii) in any concession granted under the Motor Traffic Act, Chapter 172 of the 1960 Edition of the Laws, and existing after the commencement of this Act, any reference to a provision of the said Motor Traffic Act shall, mutatis mutandis, be deemed to be a reference to the equivalent provision in this Act.

(As amended by No. 17 of 1961 and G.N. No. 275 of 1964)

261. The provisions of Parts XIII and XIV shall apply to the State.

(As amended by S.I. No. 122 of 1964)

Application of Parts XIII and XIV to State

FIRST SCHEDULE
(Section 95)

TAXES PAYABLE ON ANNUAL LICENCES

RATE OF TAX

<table>
<thead>
<tr>
<th>Fee units paid</th>
<th>Tax Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Vehicles owned by the Government</td>
<td>Nil</td>
</tr>
<tr>
<td>2. For every hand-cart per wheel</td>
<td>10</td>
</tr>
<tr>
<td>3. For every motor-cycle</td>
<td>50</td>
</tr>
<tr>
<td>4. For every public service vehicle (except a contract car, hire car, taxi cab or trailer) if the manufacturer's permitted gross weight-</td>
<td></td>
</tr>
<tr>
<td>(a) does not exceed 2 tonnes</td>
<td>200</td>
</tr>
<tr>
<td>(b) exceeds 2 tonnes but does not exceed 5 tonnes</td>
<td>300</td>
</tr>
<tr>
<td>(c) exceeds 5 tonnes but does not exceed 8 tonnes</td>
<td>400</td>
</tr>
<tr>
<td>(d) exceeds 8 tonnes but does not exceed 11 tonnes</td>
<td>500</td>
</tr>
<tr>
<td>(e) exceeds 11 tonnes but does not exceed 14 tonnes</td>
<td>600</td>
</tr>
<tr>
<td>(f) exceeds 14 tonnes but does not exceed 17 tonnes</td>
<td>700</td>
</tr>
<tr>
<td>(g) exceeds 17 tonnes but does not exceed 20 tonnes</td>
<td>800</td>
</tr>
<tr>
<td>(h) exceeds 20 tonnes</td>
<td>1000</td>
</tr>
<tr>
<td>5. For every contract car, hire car or taxicab, if the weight-</td>
<td></td>
</tr>
<tr>
<td>(a) does not exceed 800 kg</td>
<td>400</td>
</tr>
<tr>
<td>(b) exceeds 800 kg but does not exceed 1000 kg</td>
<td>500</td>
</tr>
</tbody>
</table>
(c) exceeds 1000 kg but does not exceed 1200 kg 600
(d) exceeds 1200 kg but does not exceed 1400 kg 700
(e) exceeds 1400 kg but does not exceed 1600 kg 800
(f) exceeds 1600 kg 1000

6. For every private motor car, if the net weight-
   (a) does not exceed 800 kg  200
   (b) exceeds 800 kg but does not exceed 1000 kg  250
   (c) exceeds 1000 kg but does not exceed 1200 kg  300
   (d) exceeds 1200 kg but does not exceed 1400 kg  350
   (e) exceeds 1400 kg but does not exceed 1600 kg  400
   (f) exceeds 1600 kg 500

7. For every other motor vehicle (except a farm tractor) if the net weight-
   (a) does not exceed 800 kg  200
   (b) exceeds 800 kg but does not exceed 1200 kg  250
   (c) exceeds 1200 kg but does not exceed 2000 kg  300
   (d) exceeds 2000 kg but does not exceed 4000 kg  350
   (e) exceeds 4000 kg but does not exceed 6500 kg  400
   (f) exceeds 6500 kg but does not exceed 9000 kg  450
   (g) exceeds 9000 kg 500

8. For every trailer, if the manufacturers permitted gross weight-
   (a) does not exceed 2 tonnes  200
   (b) exceeds 2 tonnes but does not exceed 4 tonnes  300
   (c) exceeds 4 tonnes but does not exceed 6 tonnes  400
   (d) exceeds 6 tonnes but does not exceed 9 tonnes  500
   (e) exceeds 9 tonnes but does not exceed 12 tonnes  600
   (f) exceeds 12 tonnes but does not exceed 15 tonnes  700
   (g) exceeds 15 tonnes 800

9. For each motor dealer's vehicle licence  1000
10. For each identification number included in a motor dealer's vehicle licence 600

11. For every farm vehicle licence 100

12. For every farm tractor used on a road otherwise than in accordance with a farm vehicle licence 250

NOTE:

Where any licence is issued in respect of the period 1st July to 31st December, half the above mentioned taxes shall be payable.

(As amended by Act No. 13 of 1994)

SECOND SCHEDULE

(Section 122)

CANCELLATION, SUSPENSION AND ENDORSEMENT OF DRIVING LICENCES

Schedule showing where it is obligatory, and where it is permissible to-

(a) cancel a driving licence and disqualify the holder from obtaining another for a stated period—section 122(1) (a); or

(b) suspend a driving licence for a stated period—section 122(1) (a); or

(c) endorse a driving licence—section 122(1) (b).

NOTE 1.—The cancellation or the suspension of a driving licence must be endorsed on that licence.

<table>
<thead>
<tr>
<th>First second, subsequent offence</th>
<th>Cancellation with Disqualification</th>
<th>Suspension</th>
<th>Endorsement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Section</td>
<td>Offence</td>
<td>Obligatory</td>
<td>Permissible</td>
</tr>
<tr>
<td>77</td>
<td>Notes test certificate</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>83</td>
<td>No motor vehicle or trailer licence</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>110</td>
<td>Driving with no driving licence</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>113 (3)</td>
<td>Passenger in public service vehicle</td>
<td>No</td>
<td>Yes</td>
</tr>
</tbody>
</table>

SECOND SCHEDULE—continued

First second, subsequent offence Cancellation with Disqualification Suspension Endorsement Remarks

<table>
<thead>
<tr>
<th>First second, subsequent offence</th>
<th>Cancellation with Disqualification</th>
<th>Suspension</th>
<th>Endorsement Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>77</td>
<td>Notes test certificate</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>83</td>
<td>No motor vehicle or trailer licence</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>110</td>
<td>Driving with no driving licence</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>113 (3)</td>
<td>Passenger in public service vehicle</td>
<td>No</td>
<td>Yes</td>
</tr>
</tbody>
</table>

128 Fraudulent application for driving licence, or driving when subsequent Yes No Yes Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No Yes No No
Using vehicle without certificate of fitness, or when use is prohibited

Exceeding speed limit

Careless driving

Reckless or dangerous driving

Intoxicated when in charge of motor vehicle

Intoxicated when driving

Causing death by reckless or dangerous driving

Driving motor vehicle or trailer in dangerous condition

Failure to stop or render assistance

Failure to stop in case of accident

Carrying passengers or goods without authority of owner

<table>
<thead>
<tr>
<th>Section</th>
<th>Offence</th>
<th>Obligatory</th>
<th>Permissible</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>197</td>
<td>Intoxicated when in charge of motor vehicle</td>
<td>No</td>
<td>No</td>
<td>Yes<em>Yes</em>If licence is suspended, vide Note 1 above.</td>
</tr>
<tr>
<td>198</td>
<td>Intoxicated when driving</td>
<td>No</td>
<td>YesYesYes</td>
<td>NoYesNoMinimum period - twelve months.</td>
</tr>
<tr>
<td>199</td>
<td>Causing death by reckless or dangerous driving</td>
<td>NoYesYesNo</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>200</td>
<td>Driving motor vehicle or trailer in dangerous condition</td>
<td>NoNoNoYes</td>
<td>NoNoNoYes</td>
<td>No</td>
</tr>
<tr>
<td>201</td>
<td>Failure to stop or render assistance</td>
<td>NoNoNoNo</td>
<td>YesYesNo</td>
<td>No</td>
</tr>
<tr>
<td>202</td>
<td>Failure to stop in case of accident</td>
<td>NoNoNoNo</td>
<td>YesYesNo</td>
<td>No</td>
</tr>
<tr>
<td>203</td>
<td>Carrying passengers or goods without authority of owner</td>
<td>NoYesYesNo</td>
<td>NoYesYesNoNo</td>
<td>No</td>
</tr>
</tbody>
</table>

(As amended by No. 17 of 1961, No. 25 of 1963 and No. 19 of 1966)
THIRD SCHEDULE  
(Section 119)  

PRESCRIBED FEE UNITS  

DRIVING LICENCE . . . . 60
CENTRAL AND SOUTHERN AFRICA TRANSPORT CONFERENCE, 1950

HEAD No. 4: ROADS AND ROAD TRAFFIC

SECTION B: EXISTING INTERNATIONAL OR INTER-TERRITORIAL ROADS

Country	Road	Route	From	To
Zambia 1. Zimbabwe
2. Zimbabwe
3. Kapiri Mposhi
4. Lusaka
5. Chingola

Kafue River Bridge (joins 2)

Tanzania

Lubumbashi (Congo)

Malawi

Angola

Victoria Falls-Livingstone-Kafue River Bridge

Chirundu-Kafue Bridge-Lusaka-Tunduma

Via Ndola, Kitwe and Chingola

Via Chipata

North-west via Solwezi-Mwinilunga

(As amended by Act No. 13 of 1994)

SUBSIDIARY LEGISLATION

ROADS AND ROAD TRAFFIC

SECTION 4-DESIGNATION OF TERRITORIAL MAIN ROADS

Notice by the Minister Statutory Instrument 37 of 1971

TERRITORIAL MAIN ROADS

The letters and figures T1, T2, T3, T4 and T5 used herein refer to inter-territorial Main Roads Nos. 1, 2, 3, 4 and 5 respectively, specified in the Appendix to the Act.

<table>
<thead>
<tr>
<th>Serial</th>
<th>Length</th>
<th>Province</th>
</tr>
</thead>
<tbody>
<tr>
<td>Approx.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>No.</td>
<td>Name</td>
<td>Province</td>
</tr>
<tr>
<td></td>
<td>Kilometres</td>
<td></td>
</tr>
<tr>
<td>Road</td>
<td>Description</td>
<td>Location</td>
</tr>
<tr>
<td>--------</td>
<td>-------------------------------------------------------</td>
<td>----------------</td>
</tr>
<tr>
<td>M1</td>
<td>Road T2 near Mpika-Kasama-Mbala town boundary</td>
<td>Northern</td>
</tr>
<tr>
<td>M2</td>
<td>Road M1 near Mbala-Mpulungu</td>
<td>Northern</td>
</tr>
<tr>
<td>M3</td>
<td>Road M1 at Kasama-Mansa-Luapula River near Chembe</td>
<td>Northern and Luapula</td>
</tr>
<tr>
<td>M4</td>
<td>Road T3 near Ndola-Mufulira-Road T3 near Mwambashi</td>
<td>Copperbelt</td>
</tr>
<tr>
<td>M5</td>
<td>Road M4 at Mufulira-Zaie border near Mokambo</td>
<td>Copperbelt</td>
</tr>
<tr>
<td>M6</td>
<td>Road T3 near Kafulafuta-Road T3 at Fisenge-Luanshya</td>
<td>Copperbelt</td>
</tr>
<tr>
<td>M7</td>
<td>Road T3 at Kitwe-Kalulushi</td>
<td>Copperbelt</td>
</tr>
<tr>
<td>M8</td>
<td>Road T5 near Mutanda Mission-Kabompo-Zambezi</td>
<td>North-Western</td>
</tr>
<tr>
<td>M9</td>
<td>Road T2 at Lusaka-Kafue Hook-Mongu</td>
<td>Central and Western</td>
</tr>
<tr>
<td>M10</td>
<td>Livingstone Municipal boundary-Mambova-Sesheke-Mongu</td>
<td>Southern and Western</td>
</tr>
<tr>
<td>M11</td>
<td>Road T1 at Choma-Namwala</td>
<td>Southern</td>
</tr>
<tr>
<td>M12</td>
<td>Road T4 near Chipata-Lundazi</td>
<td>Eastern</td>
</tr>
<tr>
<td>M13</td>
<td>Road M3 at Mun'anga-Mwenda-Kawambwa</td>
<td>Luapula</td>
</tr>
<tr>
<td>M14</td>
<td>Road T2 near Nakonde-Fort Hill-Malawi border at Chire River but excluding portions in Malawi</td>
<td>Northern</td>
</tr>
<tr>
<td>M15</td>
<td>Road T2-Kariba Dam</td>
<td>Southern</td>
</tr>
<tr>
<td>M16</td>
<td>Road M7 near Kalulushi-Road T3 near Mwambashi Bridge</td>
<td>Copperbelt</td>
</tr>
</tbody>
</table>
M17 (Deleted)

M18 Road M7-Luwanyama River-Ingwe-Road M8. .. .. Copperbelt and North-Western .. 256.5

M19 Road M10-Kazungula Pontoon .. .. .. .. Southern .. .. .. 2.9

M20 Road T2 at Landless Corner-Mumbwa .. .. .. Central .. .. .. 114.6

SECTION 5(1)-THE ROADS AND ROAD TRAFFIC (DISTRICT ROADS) (ALTERATION OF PARTICULARS AND APPOINTMENT OF HIGHWAY AUTHORITIES) ORDER

Notices by the Minister Statutory Instruments
122 of 1973
79 of 1975
5 of 1989

1. This Order may be cited as the Roads and Road Traffic (District Roads) (Alteration of Particulars and Appointment of Highway Authorities) Order.

2. The particulars of all roads designated as district roads under section five of the Roads and Road Traffic Act shall be as set out in relation thereto in the Schedule hereto.

3. In respect of all roads in the Schedule bearing the prefix "D" the Director of Roads is hereby appointed a highway authority and in respect of all roads in the Schedule bearing the prefix letters "RD" the rural council concerned is hereby appointed a highway authority.

Appointment of highway authority

SCHEDULE

SECTION 5-DESIGNATION OF DISTRICT ROADS

Notice by the Minister

DISTRICT ROADS

The letters and figures T1, T2, T3, T4 and T5 used herein refer to Inter-territorial Main Roads Nos 1, 2, 3, 4 and 5 respectively, specified in the Appendix to the Act.

<table>
<thead>
<tr>
<th>Serial No.</th>
<th>Name</th>
<th>Province</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Approx. Length

Kilometres
D1 Road T2 near Nakonde-Road M1 near Mbala .. Mbala and Isoka ..
172.2
RD2 Road M1 near Mbala-Kamboli Mission .. Mbala .. ..
.. 80.6
D3 Road M1-Kayambi-Road D1 .. Kasama, Mbala and Isoka
162.8
RD4 Road D1-Road D3 near Kayambi .. Mbala and Kasama..
.. 68.1
RD5 Road RD4-near Mambwe Mission-Nsokolo .. Mbala .. .. ..
14.6
RD6 Road RD4-Mpande .. Mbala .. .. ..
9.3
D7 Mbala Town Boundary-Tanzania Border on Samfu River Mbala .. .. .. 22.5
D8 Mbala Town Boundary-Kawimbe Mission-Tanzania Border Mbala .. .. .. 31.7
.. 32.2
RD9 Road D7 near Mbala-Kalambo Falls Mbala .. ..
.. 4.8
RD10 Mbala Town Boundary-Insanya Mbala .. ..
D11 (Deleted)
RD12 Road D1-Mambwa .. Mbala .. .. ..
38.8
RD13 Road M2-Kasakalabwe Mbala .. .. ..
7.2
RD14 Road M1-Chinakila .. Mbala .. ..
.. 36.4
RD15 Road M1-Moses-Chambeshi River Mbala .. ..
22.5
RD16 Road RD15 at Moses-Maule Mbala .. ..
.. 8.0
D17 (Deleted)
D18 Road T2 near Isoka-Mbesuma Ranch-Kasama Town Boundary Kasama, Chinsali, Isoka ..
173.0
D19 Road M1 near Senga Hill-Mporokoso-
<table>
<thead>
<tr>
<th>Approx.</th>
<th>Serial</th>
<th>Length</th>
<th>No.</th>
<th>Name</th>
<th>Province</th>
</tr>
</thead>
<tbody>
<tr>
<td>D20 Road M3 near Chilubula Mission-Road</td>
<td>72.1</td>
<td></td>
<td>Kawambwa, Mbala, Mporokoso</td>
<td>292.8</td>
<td></td>
</tr>
<tr>
<td>D19 near Kapatu Mission</td>
<td>71.1</td>
<td></td>
<td>Kawambwa, Mbala, Mporokoso</td>
<td></td>
<td></td>
</tr>
<tr>
<td>RD21 Road D3-Chitimukulu-Road D18 near Malole Mission</td>
<td>29.9</td>
<td></td>
<td>Kasama</td>
<td>.. ..</td>
<td></td>
</tr>
<tr>
<td>RD22 (Deleted)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>RD23 Road D3-Makasa</td>
<td>5.6</td>
<td></td>
<td>Kasama</td>
<td>.. ..</td>
<td></td>
</tr>
<tr>
<td>RD24 Road D18-Ndasa</td>
<td>19.6</td>
<td></td>
<td>Kasama</td>
<td>.. ..</td>
<td></td>
</tr>
<tr>
<td>RD25 Road D18-Mulema</td>
<td>46.2</td>
<td></td>
<td>Kasama</td>
<td>.. ..</td>
<td></td>
</tr>
<tr>
<td>RD26 Road M1-Ngulula</td>
<td>10.5</td>
<td></td>
<td>Kasama</td>
<td>.. ..</td>
<td></td>
</tr>
<tr>
<td>RD27 Road D3-Chimbola-Rosa Mission-Road M1</td>
<td>72.1</td>
<td></td>
<td>Kasama, Mbala</td>
<td>.. ..</td>
<td></td>
</tr>
<tr>
<td>RD28 Road M1-Misamfu</td>
<td>2.4</td>
<td></td>
<td>Kasama</td>
<td>.. ..</td>
<td></td>
</tr>
<tr>
<td>RD29 Road M1-Mulanshi</td>
<td>10.9</td>
<td></td>
<td>Kasama</td>
<td>.. ..</td>
<td></td>
</tr>
<tr>
<td>RD30 Road M3 near Kasama-Mwamba</td>
<td>20.3</td>
<td></td>
<td>Kasama</td>
<td>.. ..</td>
<td></td>
</tr>
<tr>
<td>RD31 Road RD30-Lukupa</td>
<td>2.4</td>
<td></td>
<td>Kasama</td>
<td>.. ..</td>
<td></td>
</tr>
<tr>
<td>RD32 Road M3-Mulobola Mission</td>
<td>46.0</td>
<td></td>
<td>Kasama</td>
<td>.. ..</td>
<td></td>
</tr>
<tr>
<td>RD33 Road M3-Munkonge</td>
<td>3.1</td>
<td></td>
<td>Kasama</td>
<td>.. ..</td>
<td></td>
</tr>
<tr>
<td>RD34 Road M3-Lubushi Mission</td>
<td>2.1</td>
<td></td>
<td>Kasama</td>
<td>.. ..</td>
<td></td>
</tr>
<tr>
<td>Road</td>
<td>Description</td>
<td>Distance</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>--------</td>
<td>-----------------------------------------------------------------------------</td>
<td>----------</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>D36</td>
<td>Road D19 near Mukunsa-Junction roads D76 and D77 at Mununga, Kawambwa</td>
<td>85.1</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Mporokoso</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>D37</td>
<td>Road D19 at Mporokoso-Bulaya</td>
<td>128.7</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Mporokoso</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>RD37</td>
<td>Road D37 at Bulaya-Road D36 at Nkasha</td>
<td>145.6</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Mporokoso</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>D38</td>
<td>Road D37 at Bulaya-Sumbu</td>
<td>43.1</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Mporokoso</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>D39</td>
<td>Road M3-Chitoshi-Road D19</td>
<td>93.0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Mporokoso</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>RD40</td>
<td>Mporokoso-Kashinda Mission</td>
<td>3.9</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Mporokoso</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>RD41</td>
<td>Road D19-Kalabwe Mission-Luangwa River</td>
<td>19.3</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Mporokoso</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>RD42</td>
<td>Road D36-Mukupa Katandula</td>
<td>26.6</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Mporokoso</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>RD43</td>
<td>Luwingu-Lake Bangweulu near Nsombo</td>
<td>68.7</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Luwingu</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>RD44</td>
<td>(Part) Road D43-Luwingu/Chilubi District Boundary</td>
<td>34.0 km</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Luwingu</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>RD44</td>
<td>(Part) Luwingu/Chilubi District Boundary-RD45</td>
<td>10.2 km</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Chilubi</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>RD45</td>
<td>Road RD44-Chaba</td>
<td>24.9 km</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Chilubi</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>RD46</td>
<td>Luwingu-Ipusukilo Mission</td>
<td>15.3</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Luwingu</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>RD47</td>
<td>Road T2-Livingstone Memorial</td>
<td>99.8</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Serenje and Mpika</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>RD48</td>
<td>Road RD47-Chiundaponde</td>
<td>36.7</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Mpika</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>RD49</td>
<td>Road T2-Muchinga Escarpment</td>
<td>44.1</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Mpika</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Route Number</td>
<td>Description</td>
<td>Distance (km)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>--------------</td>
<td>----------------------------------------------------------</td>
<td>---------------</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>RD50</td>
<td>Road T2-Mpika Boma</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>RD51</td>
<td>Road M1-Kopa</td>
<td>1.5</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>RD52</td>
<td>Road M1-Chalabesa Mission</td>
<td>79.0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>D53</td>
<td>Road T2-Shiwa Ngandu-Road M1</td>
<td>33.0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>RD54</td>
<td>Road T2-Katibunga Mission-Road T2</td>
<td>76.1</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>RD55</td>
<td>Road T2-Chinsali</td>
<td>62.4</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>D56</td>
<td>Road M1 near Safwa Rapids-Chinsali</td>
<td>13.4</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>RD57</td>
<td>Road T2-Mulanga Mission</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>RD58</td>
<td>Road T2-Road D56 near Lubwa Mission</td>
<td>122.3</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>RD59</td>
<td>(Deleted)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>RD60</td>
<td>Road D56 near Lubwa Mission-Mwika</td>
<td>64.7</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>RD61</td>
<td>Chinsali-Chinsali Aerodrome</td>
<td>14.0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>RD62</td>
<td>Chinsali-Chinsali Seed Farm</td>
<td>20.3</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>RD63</td>
<td>Road T2-Road RD56 near Luvu River</td>
<td>36.7</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>RD64</td>
<td>Road RD56-Mwalule</td>
<td>16.1</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>RD65</td>
<td>Road RD56-Mulilansolo Mission</td>
<td>1.6</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>RD66</td>
<td>Road T2-Road D18 north of Mulilansolo Mission</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>RD67</td>
<td>Mwika</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Serial No.</td>
<td>Name</td>
<td>Province</td>
<td>Kilometres</td>
<td></td>
<td></td>
</tr>
<tr>
<td>-----------</td>
<td>------</td>
<td>-------------------</td>
<td>------------</td>
<td></td>
<td></td>
</tr>
<tr>
<td>D70</td>
<td>(Deleted)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>RD71</td>
<td>Road D1-Mwenzo Mission</td>
<td>Isoka</td>
<td>2.1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>RD72</td>
<td>Road T2-near Isoka-Luangwa River</td>
<td>Isoka</td>
<td>58.3</td>
<td></td>
<td></td>
</tr>
<tr>
<td>RD73</td>
<td>Isoka-Kanteshya Mission</td>
<td>Isoka</td>
<td>12.1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>D74</td>
<td>Kawambwa-Mushota</td>
<td>Kawambwa and Luwingu</td>
<td>33.8</td>
<td></td>
<td></td>
</tr>
<tr>
<td>RD74</td>
<td>Road D74 at Mushota-Road M3</td>
<td>Kawambwa and Luwingu</td>
<td>84.8</td>
<td></td>
<td></td>
</tr>
<tr>
<td>RD75</td>
<td>Road RD74-Chama</td>
<td>Kawambwa</td>
<td>38.0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>D76</td>
<td>Road D19 near Kawambwa-Mulwe-Junction</td>
<td>Kawambwa</td>
<td>124.5</td>
<td></td>
<td></td>
</tr>
<tr>
<td>D77</td>
<td>Junction roads D36 and D76 at Mununga-Chiengi</td>
<td>Kawambwa</td>
<td>47.8</td>
<td></td>
<td></td>
</tr>
<tr>
<td>D78</td>
<td>(Deleted)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>RD79</td>
<td>Road D76 at Mulwe-Mbereshi-Junction roads</td>
<td>Kawambwa</td>
<td>131.6</td>
<td></td>
<td></td>
</tr>
<tr>
<td>D80</td>
<td>Kawambwa-Kazembe</td>
<td>Kawambwa</td>
<td>28.4</td>
<td></td>
<td></td>
</tr>
<tr>
<td>D81</td>
<td>Road M3-Lower Luongo Pontoon-Junction</td>
<td>Mansa and Kawambwa</td>
<td>76.3</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
D82 Junction roads D79 and D85 at Kashiba-Kasenga Pontoon .. .. .. .. Kawambwa .. .. 6.8

RD83 Road D81-Chibonda Mission .. .. .. Kawambwa .. .. ..

7.1

D84 (Deleted)

D85 Road M13 near Mwenda-Junction roads D79 and D81 near Kashiba .. .. .. Kawambwa .. .. 62.3

RD86 Road D81-Chisunka .. .. .. .. Mansa .. .. ..

14.5

RD87 Road D81-Malapula .. .. .. .. Mansa .. .. ..

7.1

D88 Road M3-Road D96 near Mwewa .. .. Mansa .. .. ..

88.6

RD89 Road D88-Kalaba Mission .. .. .. Mansa .. .. ..

9.3

D90 Road D88-Lubwe Mission .. .. .. Mansa .. .. ..

20.1

D91 (Deleted)

D92 (Deleted)

RD93 Mansa Town Boundary-Kabunda Mission .. Mansa .. .. ..

9.5

D94 Mansa Town Boundary-Samfya .. .. .. Mansa and Samfya ..

79.6

D95 Road D94-Mwamfuli .. .. .. Mansa .. .. ..

1.6

D96 Road D94-Ndoba-Mwewa-Kasaba .. .. Mansa .. .. ..

79.5

RD97 Road D94-Chama .. .. .. Mansa .. .. ..

11.7

RD98 Road D94-Kasamika .. .. .. Mansa .. .. ..

19.8

RD99 Road D94-Monga .. .. .. Mansa .. .. ..

9.2

D100 Road M3-Kapalala .. .. .. Mansa .. .. ..

176.7

D101 Road D100-Mapula Mission-Milambo .. .. Mansa .. ..
<table>
<thead>
<tr>
<th>Road</th>
<th>Description</th>
<th>Miles</th>
</tr>
</thead>
<tbody>
<tr>
<td>D102</td>
<td>Road M3-Matanda near Mansa</td>
<td>29.0</td>
</tr>
<tr>
<td>D103</td>
<td>Lundazi-Chama near Lundazi</td>
<td>141.6</td>
</tr>
<tr>
<td>D104</td>
<td>Road M12 near Chipata-Luambe-Road M12 near Lundazi near Chipata and Lundazi</td>
<td>310.4</td>
</tr>
<tr>
<td>RD105</td>
<td>Road D104-Road D103 at Chama near Lundazi</td>
<td>196.3</td>
</tr>
<tr>
<td>RD106</td>
<td>Road D103 near Manda Hill-Road D105 near Tembwe near Lundazi</td>
<td>64.4</td>
</tr>
<tr>
<td>RD107</td>
<td>Road D103-Road RD105 at Chikwa near Lundazi</td>
<td>63.2</td>
</tr>
<tr>
<td>RD108</td>
<td>Road D104-Road RD105 near Lundazi River near Lundazi</td>
<td>75.6</td>
</tr>
<tr>
<td>D109</td>
<td>Lundazi-Malawi Border near Lundazi</td>
<td>16.1</td>
</tr>
<tr>
<td>RD110</td>
<td>Road M12 near Lundazi-Mwase Lundazi-Road D109 near Lundazi</td>
<td>52.5</td>
</tr>
<tr>
<td>RD111</td>
<td>Near Ndunda Hill-Malawi Border near Lundazi</td>
<td>16.1</td>
</tr>
<tr>
<td>D112</td>
<td>(Deleted)</td>
<td></td>
</tr>
<tr>
<td>RD113</td>
<td>Road D791 at Jumbe-Chikowa Mission near Chipata</td>
<td>16.1</td>
</tr>
<tr>
<td>D114</td>
<td>(Deleted)</td>
<td></td>
</tr>
<tr>
<td>RD115</td>
<td>Road M12-Kalikali Dam near Chipata</td>
<td>26.1</td>
</tr>
<tr>
<td>RD116</td>
<td>Road M12-Chitandika-Undi-Road D104 near Chipata</td>
<td>48.8</td>
</tr>
<tr>
<td>RD117</td>
<td>Road RD116-at Chitandika-Chinunda near Chipata</td>
<td>21.9</td>
</tr>
</tbody>
</table>

Approx.
<table>
<thead>
<tr>
<th>Serial No.</th>
<th>Name</th>
<th>Kilometres</th>
<th>Province</th>
</tr>
</thead>
<tbody>
<tr>
<td>RD118</td>
<td>Road M12-Tamanda Mission</td>
<td>6.4</td>
<td>Chipata</td>
</tr>
<tr>
<td>RD119</td>
<td>Road M12-Jembe</td>
<td>12.2</td>
<td>Chipata</td>
</tr>
<tr>
<td>RD120</td>
<td>Road M12-Kapatamoyo</td>
<td>7.2</td>
<td>Chipata</td>
</tr>
<tr>
<td>RD121</td>
<td>Road D104-Chiparamba-Road D104</td>
<td>13.8</td>
<td>Chipata</td>
</tr>
<tr>
<td>D122</td>
<td>Road T4-Chipata Estate</td>
<td>2.6</td>
<td>Chipata</td>
</tr>
<tr>
<td>D123</td>
<td>Road T4-Kaunga River-Road D598 near Msoro Mission</td>
<td>77.7</td>
<td>Chipata</td>
</tr>
<tr>
<td>RD124</td>
<td>Road T4-Road D123</td>
<td>38.9</td>
<td>Chipata</td>
</tr>
<tr>
<td>D125</td>
<td>Road T4-Kazimuli-Katete Boma-Road T4 at Katete Trading Centre</td>
<td>57.0</td>
<td>Chipata</td>
</tr>
<tr>
<td>D126</td>
<td>Road T4-Road D125</td>
<td>5.5</td>
<td>Chipata</td>
</tr>
<tr>
<td>D127</td>
<td>Road D125 near Kazimuli-Katiula River</td>
<td>29.8</td>
<td>Chipata</td>
</tr>
<tr>
<td>D128</td>
<td>Road T4-Road D127 near Nsadzu Mission</td>
<td>69.7</td>
<td>Chipata</td>
</tr>
<tr>
<td>D129</td>
<td>Road T4 near Malawi Border-Mozambique Border</td>
<td>18.3</td>
<td>Chipata</td>
</tr>
<tr>
<td>D130</td>
<td>Road T4 near Mchinje-Road D129</td>
<td>38.9</td>
<td>Chipata</td>
</tr>
<tr>
<td>D131</td>
<td>Road T4-Magwero Mission</td>
<td>14.6</td>
<td>Chipata</td>
</tr>
<tr>
<td>Road Code</td>
<td>Description</td>
<td>Distance</td>
<td>Location</td>
</tr>
<tr>
<td>-----------</td>
<td>-------------</td>
<td>----------</td>
<td>----------</td>
</tr>
<tr>
<td>D132</td>
<td>Chipata Town Boundary-Road D128</td>
<td>4.0</td>
<td>Chipata</td>
</tr>
<tr>
<td>D133</td>
<td>Road T4-Mwami Mission</td>
<td>8.0</td>
<td>Chipata</td>
</tr>
<tr>
<td>D134</td>
<td>Road T4-Chilongozi Game Camp</td>
<td>97.5</td>
<td>Chipata and Petauke</td>
</tr>
<tr>
<td>RD135</td>
<td>Road D134-Sasare Mine</td>
<td>38.0</td>
<td>Chipata and Petauke</td>
</tr>
<tr>
<td>D136</td>
<td>Road T4-Nyanje Mission</td>
<td>20.9</td>
<td>Petauke</td>
</tr>
<tr>
<td>RD136</td>
<td>Road D136 at Nyanje Mission-Mozambique Border</td>
<td>12.9</td>
<td>Petauke</td>
</tr>
<tr>
<td>D137</td>
<td>Road T4-Kalindawalo</td>
<td>5.6</td>
<td>Petauke</td>
</tr>
<tr>
<td>D138</td>
<td>Road T4-Petauke</td>
<td>5.8</td>
<td>Petauke</td>
</tr>
<tr>
<td>RD139</td>
<td>Petauke-Road RD135</td>
<td>29.0</td>
<td>Petauke</td>
</tr>
<tr>
<td>D140</td>
<td>Petauke-Petauke Aerodrome</td>
<td>12.9</td>
<td>Petauke</td>
</tr>
<tr>
<td>RD140</td>
<td>Road D140 at Petauke Aerodrome-Old Petauke-Mwape</td>
<td>55.0</td>
<td>Petauke</td>
</tr>
<tr>
<td>D141</td>
<td>Road T4-Merwe Mission</td>
<td>4.0</td>
<td>Petauke</td>
</tr>
<tr>
<td>RD142</td>
<td>Road T4-Minga Mission</td>
<td>4.0</td>
<td>Petauke</td>
</tr>
<tr>
<td>RD143</td>
<td>Nyimba-Luangwa Valley</td>
<td>48.3</td>
<td>Petauke</td>
</tr>
<tr>
<td>RD144</td>
<td>Road T4-Hofmeyr Mission</td>
<td>9.3</td>
<td>Petauke</td>
</tr>
<tr>
<td>D145</td>
<td>Road T4-Feira</td>
<td>93.5</td>
<td>Lusaka and Feira</td>
</tr>
<tr>
<td>RD146</td>
<td>Road T4-Lunsemfwu River</td>
<td>41.8</td>
<td>Lusaka</td>
</tr>
<tr>
<td>RD147</td>
<td>Road T4-Chagwenga Mine</td>
<td>Lusaka</td>
<td></td>
</tr>
<tr>
<td>-------</td>
<td>-------------------------</td>
<td>-------</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>67.6</td>
</tr>
<tr>
<td>RD148</td>
<td>Road T4-Chiyota</td>
<td>Lusaka</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>RD149</td>
<td>Road T4-Chalimbana</td>
<td>Lusaka</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>D150</td>
<td>Road T4-Chalimbana via Farm 87a</td>
<td>Lusaka</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>RD151</td>
<td>Chalimbana-Road D152</td>
<td>Lusaka</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>D152</td>
<td>Kabulonga Township Boundary-Road</td>
<td>Lusaka</td>
<td>57.8</td>
</tr>
<tr>
<td>RD151</td>
<td>Leopards Hill Road</td>
<td>Lusaka</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>D153</td>
<td>Road T4-Farm 306a</td>
<td>Lusaka</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>D154</td>
<td>Road D152-Road D153 via Farm 1198</td>
<td>Lusaka</td>
<td>6.9</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>D155</td>
<td>Road D152-Mwambula School</td>
<td>Lusaka</td>
<td>4.8</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>RD155</td>
<td>Road D155 at Mwambula School-Muyoma</td>
<td>Lusaka</td>
<td>11.3</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>D156</td>
<td>Road D152-Road D153 via Farm 28a</td>
<td>Lusaka</td>
<td>11.7</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>D157</td>
<td>(Deleted)</td>
<td></td>
<td>0.6</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>D158</td>
<td>Road T2 near Kafue Township-Road T2 near Chilanga</td>
<td>Lusaka</td>
<td>24.6</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>RD159</td>
<td>Road D158 at Chipongwe-Chipapa</td>
<td>Lusaka</td>
<td>6.0</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>D160</td>
<td>Road T2-Mimosa Township</td>
<td>Lusaka</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Serial</td>
<td>Length</td>
<td>Name</td>
<td>Province</td>
</tr>
<tr>
<td>--------</td>
<td>--------</td>
<td>-------------------------------------------</td>
<td>---------------------------</td>
</tr>
<tr>
<td>D161</td>
<td>3.9</td>
<td>Road T2-Lilayi</td>
<td>Lusaka</td>
</tr>
<tr>
<td>D162</td>
<td>41.2</td>
<td>Road T2-Farm 1015-Kafue Township Boundary</td>
<td>Lusaka</td>
</tr>
<tr>
<td>D163</td>
<td>1.3</td>
<td>Road D162-Buckley Farm</td>
<td>Lusaka</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Approx.</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Serial</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Length</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>No.</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Name</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Province</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Kilometres</td>
<td></td>
</tr>
<tr>
<td>D164</td>
<td>36.7</td>
<td>Road T2 near Lusaka-Road D168 near Sanje Hill</td>
<td>Lusaka</td>
</tr>
<tr>
<td>D165</td>
<td>4.7</td>
<td>Road T2-Road D164</td>
<td>Lusaka</td>
</tr>
<tr>
<td>D166</td>
<td>22.6</td>
<td>Road D808-Nambala Mission-Road D180</td>
<td>Mumbwa</td>
</tr>
<tr>
<td></td>
<td></td>
<td>RD166 (Deleted)</td>
<td></td>
</tr>
<tr>
<td>D167</td>
<td>10.3</td>
<td>Road M9-Road D164 via Farm 24a</td>
<td>Lusaka</td>
</tr>
<tr>
<td>D168</td>
<td>34.4</td>
<td>Road M9-Farm 681-Road D169</td>
<td>Lusaka and Mumbwa</td>
</tr>
<tr>
<td>D169</td>
<td>22.0</td>
<td>Road M9-Farm 519-Nampundwe Mine</td>
<td>Lusaka and Mumbwa</td>
</tr>
<tr>
<td>D170</td>
<td>42.3</td>
<td>Lusaka City Boundary-Road M9</td>
<td>Lusaka</td>
</tr>
<tr>
<td>D171</td>
<td>5.8</td>
<td>Road D170 Sub. N of Farm 691</td>
<td>Lusaka</td>
</tr>
<tr>
<td>D172</td>
<td>6.3</td>
<td>Road T2-Namando Stream</td>
<td>Lusaka</td>
</tr>
<tr>
<td>Road Number</td>
<td>Description</td>
<td>Distance</td>
<td>Location</td>
</tr>
<tr>
<td>-------------</td>
<td>-----------------------------------------------------------------------------</td>
<td>----------</td>
<td>-----------------------------------------------</td>
</tr>
<tr>
<td>D173</td>
<td>Road T2-Hillcrest</td>
<td>5.8</td>
<td>Lusaka</td>
</tr>
<tr>
<td>D174</td>
<td>Road T2-Foxdale</td>
<td>1.1</td>
<td>Lusaka</td>
</tr>
<tr>
<td>D175</td>
<td>Road T4-Kabulonga Township Boundary</td>
<td>3.5</td>
<td>Lusaka</td>
</tr>
<tr>
<td>D176</td>
<td>Road T2-Ngwerere-Chisamba-Road T2</td>
<td>85.6</td>
<td>Lusaka and Kabwe</td>
</tr>
<tr>
<td>D177</td>
<td>Road T2-Karubwe Siding</td>
<td>19.3</td>
<td>Lusaka and Kabwe</td>
</tr>
<tr>
<td>D178</td>
<td>Road D176-Road D177 at Karubwe Siding</td>
<td>10.8</td>
<td>Lusaka</td>
</tr>
<tr>
<td>D179</td>
<td>Road D178-Road D176</td>
<td>21.7</td>
<td>Lusaka and Kabwe</td>
</tr>
<tr>
<td>D180</td>
<td>Road M9 near Mumbwa-Namwala</td>
<td>127.9</td>
<td>Mumbwa and Namwala</td>
</tr>
<tr>
<td>D181</td>
<td>Road D810 near Mumbwa-Kasempa-Road M8</td>
<td>322.6</td>
<td>Mumbwa and Kasempa</td>
</tr>
<tr>
<td>D182</td>
<td>Road M9 at Chisaka-Road M20 at Kasalu</td>
<td>20.9</td>
<td>Mumbwa</td>
</tr>
<tr>
<td>D183</td>
<td>Road D166-Mpamba-Muchabi-Blue Lagoon Ranch</td>
<td>79.8</td>
<td>Mumbwa</td>
</tr>
<tr>
<td>D184</td>
<td>Road D808 near Kasalu-Road D183 at Muchabi</td>
<td>37.3</td>
<td>Mumbwa</td>
</tr>
<tr>
<td>D185</td>
<td>Mumbwa-Kasonkomona</td>
<td></td>
<td>Mumbwa</td>
</tr>
<tr>
<td>D186</td>
<td>Road D181-Kaindu School</td>
<td>27.4</td>
<td>Mumbwa</td>
</tr>
<tr>
<td>D187</td>
<td>Road D176-Boundary of Reserve No. V</td>
<td>6.4</td>
<td>Kabwe</td>
</tr>
<tr>
<td>D188</td>
<td>Road T2-Road M20</td>
<td>24.1</td>
<td>Kabwe</td>
</tr>
<tr>
<td>Road Reference</td>
<td>Description</td>
<td>Distance</td>
<td>Location</td>
</tr>
<tr>
<td>----------------</td>
<td>-------------</td>
<td>----------</td>
<td>----------</td>
</tr>
<tr>
<td>D189</td>
<td>Road D188-Kalola Stream Kabwe</td>
<td>15.0</td>
<td></td>
</tr>
<tr>
<td>D190</td>
<td>Road T2-Farm 1598-Road D188 Kabwe</td>
<td>30.7</td>
<td></td>
</tr>
<tr>
<td>D191</td>
<td>Road D176 near Chisamba-Nyama Siding Road T2 Kabwe</td>
<td>57.6</td>
<td></td>
</tr>
<tr>
<td>D192</td>
<td>Road D176-Road D191 Kabwe</td>
<td>17.4</td>
<td></td>
</tr>
<tr>
<td>D193</td>
<td>Road T2-Chisamba Forest Reserve Kabwe</td>
<td>9.3</td>
<td></td>
</tr>
<tr>
<td>D194</td>
<td>Broken Hill Mine Township Boundary-Farm</td>
<td>12.9</td>
<td></td>
</tr>
<tr>
<td>D195</td>
<td>Broken Hill Mine Township Boundary-Farm</td>
<td>16.6</td>
<td></td>
</tr>
<tr>
<td>D196</td>
<td>Kabwe Municipal Boundary-Chankwakwa Siding Kabwe</td>
<td>6.8</td>
<td></td>
</tr>
<tr>
<td>D197</td>
<td>Bwacha Suburb-Road D195 near Kabwe Hospital Kabwe</td>
<td>1.6</td>
<td></td>
</tr>
<tr>
<td>D198</td>
<td>Road T2-King George VI Memorial Camp Kabwe</td>
<td>1.6</td>
<td></td>
</tr>
<tr>
<td>D199</td>
<td>Road T2-Kangomba Siding Kabwe</td>
<td>4.3</td>
<td></td>
</tr>
<tr>
<td>D200</td>
<td>Kabwe Town Boundary-Old Mkushi Kabwe and Mkushi</td>
<td>112.1</td>
<td></td>
</tr>
<tr>
<td>D201</td>
<td>Road T3-near Kapiri Mposhi-Tug Argan Cantonment-Road T3 Kabwe, Mkushi and Ndola</td>
<td>113.1</td>
<td></td>
</tr>
<tr>
<td>D202</td>
<td>Road D200-Kampumba Mine Mkushi</td>
<td>23.2</td>
<td></td>
</tr>
<tr>
<td>D203</td>
<td>Road D200-Kakweiesa Mkushi</td>
<td>6.4</td>
<td></td>
</tr>
<tr>
<td>RD204</td>
<td>Road D200-Lunsemfwa Power Station (East) Mkushi</td>
<td>33.8</td>
<td></td>
</tr>
<tr>
<td>RD205</td>
<td>Road RD204-Bell Point Mkushi</td>
<td>35.4</td>
<td></td>
</tr>
</tbody>
</table>
RD206 Road D207-Chingombe Mission .. .. .. Mkushi .. .. .. 93.3
D207 Road T2-Road D208 at Picadilly Circus-Road D200 near Old Mkushi .. .. .. Mkushi .. .. .. .. 104.6
D208 Lunsemfwa River (East Bank)-Road D207 at Picadilly Circus .. .. .. .. Mkushi .. .. .. .. 30.6
RD208 Road D208 at Picadilly Circus-Fiwila Mission .. Mkushi .. .. .. 26.4
D209 Road T2-Lunsemfwa River (West Bank) near Mtuga .. .. .. .. Mkushi .. .. .. .. 26.4

Approx.
Serial
Length
No. Name Province
Kilometres
RD210 Road T2-Lunchu .. .. .. Mkushi .. .. .. 14.5
RD211 Road T2-Road D201 .. .. .. Mkushi .. .. .. 17.4
D212 Road T2-Musofu Mission .. .. Mkushi .. .. .. 30.1
RD212 Road D212 at Musofu Mission-Road D201 .. Mkushi and Ndola 28.5
.. D213 Road T2-Road D208 .. .. .. Mkushi .. .. .. 39.6
.. D214 Road T2-Road D207 .. .. .. Mkushi .. .. .. 19.0
.. D215 Road D207-Road D214 .. .. .. Mkushi .. .. .. 13.8
.. D216 Road D207-Farm MK21 .. .. .. Mkushi .. .. .. 4.3
.. D217 Road T2-Mkushi State Ranch .. .. .. Mkushi .. .. ..
.. 9.5
D218  Road T2-Farm MK1  ..  ..  ..  ..  Mkushi  ..  .. ..

3.5
D219  Road T2-Mkushi Boma  ..  ..  ..  ..  Mkushi  ..  ..

.. 1.6
RD219  Road D219 at Mkushi Boma-Gurney's Mine  ..  Mkushi  ..  ..

.. 35.7
RD220  Road T2-Chiwale  ..  ..  ..  ..  Serenje  ..  ..

46.7
RD221  Road T2-Road D220  ..  ..  ..  ..  Serenje  ..

.. 19.3
RD222  Road RD221-Mulembo Farms  ..  ..  ..  Serenje  ..

.. 3.2
RD223  Road T2-Chisomo  ..  ..  ..  ..  Serenje  ..

75.6
D224  Road T2-Kundalila Falls  ..  ..  ..  ..  Serenje  ..

.. 12.9
D225  Road T2-Musoko-Lushiwashi Power Station  ..  Serenje  ..

.. 82.1
RD226  Road RD225-Lake Lushiwashi  ..  ..  ..  Serenje ..

.. 11.7
RD227  Road RD225-Kaombe Farm  ..  ..  ..  Serenje  ..

14.5
RD228  Road T2-Mulokoso  ..  ..  ..  ..  Serenje  ..

46.7
D229  (Deleted)

RD230  Road RD228-Sasa Farms  ..  ..  ..  Serenje  ..

9.7
D231  Road T2-Serenje  ..  ..  ..  ..  Serenje  ..
<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
<th>Distance</th>
</tr>
</thead>
<tbody>
<tr>
<td>RD232</td>
<td>Serenje-Road RD228</td>
<td>17.7</td>
</tr>
<tr>
<td>RD233</td>
<td>Serenje-Area School</td>
<td>3.2</td>
</tr>
<tr>
<td>D234</td>
<td>(Deleted)</td>
<td></td>
</tr>
<tr>
<td>D235</td>
<td>Road T2-Mukuku</td>
<td></td>
</tr>
<tr>
<td>RD236</td>
<td>Road D235-Kafinda</td>
<td>9.7</td>
</tr>
<tr>
<td>RD237</td>
<td>Road RD47-Road D235</td>
<td>8.0</td>
</tr>
<tr>
<td>RD238</td>
<td>Road RD47-Nsalu Caves</td>
<td></td>
</tr>
<tr>
<td>RD239</td>
<td>Road T2-Chitambo Mission</td>
<td></td>
</tr>
<tr>
<td>D240</td>
<td>Ndola City Boundary-Road M6</td>
<td>20.3</td>
</tr>
<tr>
<td>D241</td>
<td>Road T3 at Bwana Mkubwa-Road D240</td>
<td>15.0</td>
</tr>
<tr>
<td>D242</td>
<td>Road D241-Blind School-Road D241</td>
<td>5.1</td>
</tr>
<tr>
<td>D243</td>
<td>Road T3-Lake Cherengwa</td>
<td></td>
</tr>
<tr>
<td>D244</td>
<td>Ndola City Boundary-Misundu</td>
<td>12.1</td>
</tr>
<tr>
<td>D245</td>
<td>Road M4-Congo Border near Sakania</td>
<td>1.0</td>
</tr>
<tr>
<td>D246</td>
<td>Road T3-Kasongo Siding</td>
<td></td>
</tr>
<tr>
<td>D247</td>
<td>Road T3-Baluba River River Smallholdings</td>
<td></td>
</tr>
<tr>
<td>D248</td>
<td>Road T3-Ndola West Smallholdings</td>
<td></td>
</tr>
<tr>
<td>No.</td>
<td>Serial Number</td>
<td>Road Name</td>
</tr>
<tr>
<td>-----</td>
<td>---------------</td>
<td>-----------</td>
</tr>
<tr>
<td>D249</td>
<td></td>
<td>Road T3-Road M4</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>D250</td>
<td></td>
<td>Road M6-Fisenge Township-Road M6</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>D251</td>
<td></td>
<td>Road D469-Roan Antelope Mine Suburb</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>D252</td>
<td></td>
<td>Road T3-Farm 1948</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>D253</td>
<td></td>
<td>Road T3-Northern Boundary of Zambia Railways Reserve near Beacon 1447</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>D254</td>
<td></td>
<td>Road T3-Southdowns Smallholdings</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>D255</td>
<td></td>
<td>Road M18-Lufwanyama River</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>D256</td>
<td></td>
<td>Road M18-Chibuluma Township Boundary</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>D257</td>
<td></td>
<td>Road T3-Garneton Township Boundary</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>D258</td>
<td></td>
<td>Road T3-Mwambashi Smallholdings-Beacon HT797</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>D259</td>
<td></td>
<td>Road D258-Beacon HT874</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>D260</td>
<td></td>
<td>Road D258-Mwambashi River-Beacon HT707</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>D261</td>
<td></td>
<td>Road M4-Kafue River</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Approx.
Serial
Length
No. | Name | Province
Kilometres
D262 | Road M4-South Mutundu Smallholdings | Mufulira | . . . .
     |       |            |               | 7.2
D263 | (Deleted) |            |               |
<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
<th>Distance</th>
</tr>
</thead>
<tbody>
<tr>
<td>D264</td>
<td>(Deleted)</td>
<td></td>
</tr>
<tr>
<td>D265</td>
<td>Chingola Municipal Boundary-Kasompe Township Boundary</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>D266</td>
<td>Road T3-Farm 2345U</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>D267</td>
<td>(Deleted)</td>
<td></td>
</tr>
<tr>
<td>D268</td>
<td>(Deleted)</td>
<td></td>
</tr>
<tr>
<td>D269</td>
<td>Road T5-Farm 2050U</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.8</td>
<td></td>
<td></td>
</tr>
<tr>
<td>D270</td>
<td>Road T3-Congo Border near Tsinsenda</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>D271</td>
<td>Road T5-Kansanshi Mine-Congo Border near Kipushi</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5.3</td>
<td></td>
<td></td>
</tr>
<tr>
<td>D272</td>
<td>Road T5-Road D271</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>D273</td>
<td>Road T5-Kabompo Gorge Road</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>D274</td>
<td>Road T5-Ntambu-Kashambila</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>D275</td>
<td>Road D274-Farm 1077-Mulimbeji Mission</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.8</td>
<td></td>
<td></td>
</tr>
<tr>
<td>D276</td>
<td>Road T5-Kakoma-Congo Border near Beacon BP38</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>110.9</td>
<td></td>
<td></td>
</tr>
<tr>
<td>D277</td>
<td>Road T5-Road RD276</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>50.7</td>
<td></td>
<td></td>
</tr>
<tr>
<td>D278</td>
<td>Road RD277-Lake Chibesha</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>16.1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>D279</td>
<td>Road T5-Mwinilunga Aerodrome</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>D280</td>
<td>Road T5-Zambezi River Source</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>D281</td>
<td>Road T5-Hillwood-Sakeji School</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8.5</td>
<td></td>
<td></td>
</tr>
<tr>
<td>D282</td>
<td>Road T5-Congo Border near Beacon BP44</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>25.4</td>
<td></td>
<td></td>
</tr>
<tr>
<td>RD283</td>
<td>Road D282-Samahima</td>
<td>..</td>
</tr>
<tr>
<td>RD284</td>
<td>Road T5-Mwinimilamba</td>
<td>..</td>
</tr>
<tr>
<td>RD285</td>
<td>Road T5-Salujinga</td>
<td>..</td>
</tr>
<tr>
<td>RD286</td>
<td>Mwinilunga-Road M8</td>
<td>..</td>
</tr>
<tr>
<td>RD287</td>
<td>Road D286-Matonchi Mission-Kanongesha</td>
<td>..</td>
</tr>
<tr>
<td>RD288</td>
<td>Road D286-Kampanda Mission</td>
<td>..</td>
</tr>
<tr>
<td>RD289</td>
<td>Road RD287-Road RD288</td>
<td>..</td>
</tr>
<tr>
<td>RD290</td>
<td>Road D286-Lyale</td>
<td>..</td>
</tr>
<tr>
<td>RD291</td>
<td>Road D286-Kayombo</td>
<td>..</td>
</tr>
<tr>
<td>RD292</td>
<td>Road M8-Kabulamema Mission</td>
<td>..</td>
</tr>
<tr>
<td>RD293</td>
<td>Zambezi-Chavuma Mission</td>
<td>..</td>
</tr>
<tr>
<td>RD294</td>
<td>Road D293-Nyakulenga</td>
<td>..</td>
</tr>
<tr>
<td>RD295</td>
<td>Road RD294-Muhalabi River</td>
<td>..</td>
</tr>
<tr>
<td>RD296</td>
<td>Zambezi-Chinyama Litapi</td>
<td>..</td>
</tr>
<tr>
<td>RD297</td>
<td>Road RD296 near Zambezi-Kucheka</td>
<td>..</td>
</tr>
<tr>
<td>D298</td>
<td>Zambezi-Chitokoloki</td>
<td>..</td>
</tr>
<tr>
<td>RD298</td>
<td>Road D298 at Chitokoloki-Kakona</td>
<td>..</td>
</tr>
<tr>
<td>Serial No.</td>
<td>Name</td>
<td>Province</td>
</tr>
<tr>
<td>-----------</td>
<td>-------------------------------</td>
<td>-----------------------------------</td>
</tr>
<tr>
<td>D299</td>
<td>Road M8-Road D298</td>
<td>Zambezi</td>
</tr>
<tr>
<td>D300</td>
<td></td>
<td>(Deleted)</td>
</tr>
<tr>
<td>D301</td>
<td>Kasempa-Road M9 near Kaoma</td>
<td>Kasempa and Kaoma</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>D302</td>
<td>Kasempa-Kasempa Aerodrome</td>
<td>Kasempa</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>RD303</td>
<td>Road D181 near Kasempa-Mukinge Mission</td>
<td>Kasempa</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>RD304</td>
<td>Road D181-Mpungu State Farm</td>
<td>Kasempa</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>RD305</td>
<td>Road M9-Road D309 near Luampa Mission-Road M10 at Namashakende</td>
<td>Kaoma, Senanga and Mongu</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>RD306</td>
<td></td>
<td>(Deleted)</td>
</tr>
<tr>
<td>RD307</td>
<td></td>
<td>(Deleted)</td>
</tr>
<tr>
<td>RD308</td>
<td>Road RD793-Kabanga's Kuta (Dongwe)</td>
<td>Kaoma</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Approx.

<table>
<thead>
<tr>
<th>Serial No.</th>
<th>Name</th>
<th>Province</th>
<th>Kilometres</th>
</tr>
</thead>
<tbody>
<tr>
<td>D309</td>
<td>Road M9-Road D787 near Machile</td>
<td>Kaoma and Sesheke</td>
<td>263.9</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>RD309</td>
<td>Road M9-Road RD794 at Sikelenge</td>
<td>Kaoma</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>11.3</td>
</tr>
</tbody>
</table>
RD310 Road RD794 at Sikelenge-Kasabi
.. .. Kaoma .. .. 78.8

D311 (Deleted)

RD312 Road RD794-Sitoya (Sititi Pan)
.. .. .. Mongu .. 70.8

.. 27.4

RD313 Road M9-Road RD305 near Lui Bridge
.. .. Mongu ..

.. 30.1

RD314 Road M9-Nomai School-Road M10 near Sefula
.. Mongu ..

D315 Road M9-Limulunga
.. .. .. Mongu ..

14.5

RD315 Road D315 at Limulunga-Ushaa
.. .. Mongu .. 35.4

D316 Kalabo-Sikongo
.. .. .. .. Kalabo ..

.. 50.0

RD316 Limulunga-Libonda Pontoon-Kalabo
.. .. Mongu and Kalabo 70.0

.. 12.9

RD317 Mongu-Socha
.. .. .. .. Mongu ..

1.6

RD318 Road RD819-Matongo
.. .. .. Mongu ..

D319 Road D316 at Kalabo-Road M10 at Kalangola
Kalabo and Senanga 180.2

RD320 Road D319-Sihole-Mabua-Kalabo/Senanga
District Boundary .. .. .. Kalabo .. 154.5

RD321 Senanga-Lui Kuta .. .. .. Senanga ..

48.3

RD322 Road M10 at Nangweshi-Road R96
.. .. Senanga ..

32.2

RD323 Road M10 near Sioma Mission-Sinjembele
.. Senanga ..

96.5

RD324 Road M10-Imusho
.. .. .. Sesheke ..

106.2
RD325 Road M10 near Sesheke-Lusu-Nawinda-Road
RD309 at Linguliangulia .. .. .. Sesheke .. .. 225.3

D326 (Deleted)

D327 (Deleted)

D328 Livingstone Municipal Boundary-Road M10 .. Livingstone .. 8.5

D329 Road D328-near Beacon F236 (Farm 722) .. Livingstone .. 1.9

D330 Livingstone Municipal Boundary-Road M10
and Livingstone Municipal Boundary
(Riverside Drive) .. .. .. .. Livingstone .. .. 12.4

D331 (Deleted)

D332 Hubert Young Drive .. .. .. .. Livingstone .. 20.6

D333 Livingstone Municipal Boundary-Road D335 .. Livingstone .. 27.0

D334 Livingstone Municipal Boundary-Road T1 .. Livingstone .. 49.1

D335 Road T1 near Senkobo-Road D334 .. .. Livingstone .. 9.7

D336 Zimba-Zimba Station .. .. .. .. Kalomo .. .. 1.3

D337 Road T1-Farm 1913-Kalomo River .. .. Kalomo .. .. 21.6

D338 Road T1-Farm 1897-Road D337 .. .. .. Kalomo .. .. 36.0

D339 Road T1-Farm 2321-Road D338 .. .. .. Kalomo .. .. 8.5

D340 Road T1-Farm 2754-Road D338 .. .. .. Kalomo .. .. 11.6

D341 Road T1 near Kalomo Bridge-Chileshe-
Bowwood Farm 807-Road T1 .. .. Kalomo .. .. 31.4

D342 Road T1-Road D341 near Bowwood .. .. Kalomo .. .. 8.0
<table>
<thead>
<tr>
<th>Serial No.</th>
<th>Name</th>
<th>Province</th>
<th>Approx. Length</th>
</tr>
</thead>
<tbody>
<tr>
<td>D343</td>
<td>Road D341 at Bowwood-Road R207 at Ngwezi River</td>
<td>Kalomo</td>
<td>13.4</td>
</tr>
<tr>
<td>D344</td>
<td>Kalomo Township Boundary-Farm 70a-Road</td>
<td>Kalomo</td>
<td>22.7</td>
</tr>
<tr>
<td>D345</td>
<td>Road D344-Farm 1767-Road D344 at Mwezi River</td>
<td>Kalomo</td>
<td>17.9</td>
</tr>
<tr>
<td>D346</td>
<td>Road D344-Farm 625-Reserve Boundary on Farm 626</td>
<td>Kalomo</td>
<td>9.8</td>
</tr>
<tr>
<td>D347</td>
<td>Road T1-Kabanga Mission</td>
<td>Kalomo</td>
<td>71.6</td>
</tr>
<tr>
<td>D348</td>
<td>Road D347-Kala Ranch</td>
<td>Kalomo</td>
<td>29.0</td>
</tr>
<tr>
<td>D349</td>
<td>Road T1-Mukwela Siding-Road T1</td>
<td>Kalomo</td>
<td>10.3</td>
</tr>
<tr>
<td>D350</td>
<td>Road T1-Tara Siding</td>
<td>Choma</td>
<td>2.6</td>
</tr>
<tr>
<td>D351</td>
<td>Road T1-Farm 27a-Road T1</td>
<td>Choma</td>
<td>29.6</td>
</tr>
<tr>
<td>D352</td>
<td>Road T1-Road D354 near Sibanyati Siding</td>
<td>Choma</td>
<td>9.2</td>
</tr>
<tr>
<td>D353</td>
<td>Choma Township Boundary-Choma West Forest Reserve-Road T1</td>
<td>Choma</td>
<td>6.4</td>
</tr>
<tr>
<td>D354</td>
<td>Road T1-Sibanyati Siding</td>
<td>Choma</td>
<td>13.5</td>
</tr>
<tr>
<td>D355</td>
<td>Sibanyati Siding-Nanzila River on Farm 1635</td>
<td>Choma</td>
<td>12.4</td>
</tr>
<tr>
<td>D356</td>
<td>Choma Township Boundary-Masuku Mission</td>
<td>Choma</td>
<td>55.7</td>
</tr>
</tbody>
</table>
D358 Road D776-Sikalongo Mission .. .. .. Choma .. 11.3
D360 Road T1-Farm 62a Demo-Road T1 .. .. Choma .. .. 43.4
D361 Pemba Township Boundary-Road M11 near Mapanza Mission .. .. .. Choma .. .. 61.5
D362 Road M11-Road D361 near Mutama River .. Choma .. .. 26.5
D363 Road T1 near Muzoka Siding-Road D375 at Chisekesi .. .. .. .. Choma and Mazabuka 51.8
D364 Pemba Township Boundary-Road D363-Jembo Mission .. .. .. .. Choma .. .. 20.0
D365 Road T1 near Monze-Bwenga River-Road M11 near Chitongo .. .. .. Namwala and Mazabuka .. 74.8
D366 Road M11 near Kabulamwanda-Masla Namwala Namwala .. .. 61.1
D367 Namwala-Ngoma .. .. .. .. Namwala .. .. 64.4
D368 Road D361 near Pemba-Farm 261a-Road T1 at Chisekesi .. .. .. .. Mazabuka .. .. 30.7
D369 Road D368-Siatontola .. .. .. .. Mazabuka .. .. 8.2
D370 Road D530-Road D368 .. .. .. .. Mazabuka .. .. 17.2
D371 Road T1-Road D370 .. .. .. .. Mazabuka .. .. 3.6
D372 Road D365 at Nteme-Banakaila .. .. .. Mazabuka .. .. 19.1
D373 Road D365-Lochinvar .. .. .. .. Mazabuka .. .. 17.9
D374 Road T1-Farm 2855-Boundary of Reserve No. XIII |Ila Tonga' .. .. .. Mazabuka .. .. 8.0
<table>
<thead>
<tr>
<th>Route</th>
<th>Description</th>
<th>Miles</th>
</tr>
</thead>
<tbody>
<tr>
<td>D375</td>
<td>Road T1 at Chisekeshi-Gwembe-Chipepo Harbour</td>
<td>72.4</td>
</tr>
<tr>
<td>D376</td>
<td>D375 near Chisekeshi-Chikuni Mission-Road</td>
<td>37.8</td>
</tr>
<tr>
<td>D377</td>
<td>Road D375-Road D376 near Chikuni Mission</td>
<td>6.0</td>
</tr>
<tr>
<td>D378</td>
<td>Road T1-Rusangu Mission</td>
<td>4.8</td>
</tr>
<tr>
<td>D379</td>
<td>Monze Township boundary-Chivuna Mission</td>
<td>42.6</td>
</tr>
<tr>
<td>D380</td>
<td>Road D379-Monze Agricultural Training School</td>
<td>2.4</td>
</tr>
<tr>
<td>D381</td>
<td>(Deleted)</td>
<td></td>
</tr>
<tr>
<td>D382</td>
<td>Road T1-Farm 2156-Road D384</td>
<td>26.2</td>
</tr>
<tr>
<td>D383</td>
<td>Road D382-Tambero Siding</td>
<td>2.4</td>
</tr>
<tr>
<td>D384</td>
<td>Road T1 near Magoye Siding-Sianjalika-Road</td>
<td>32.7</td>
</tr>
<tr>
<td>D385</td>
<td>Road T1-Ngwesi River-Road D384</td>
<td>26.2</td>
</tr>
<tr>
<td>D386</td>
<td>Road T1-Farm 241a-Farm 858-Boundary of Reserve No. XI</td>
<td>41.7</td>
</tr>
<tr>
<td>D387</td>
<td>Road T1-Changa</td>
<td>65.0</td>
</tr>
<tr>
<td>D388</td>
<td>Road D387 near Farm 132a-Road D386 near Farm 221a</td>
<td>8.2</td>
</tr>
<tr>
<td>D389</td>
<td>Road D387 near Farm 169A-Road D386 near Farm 2822</td>
<td>10.1</td>
</tr>
<tr>
<td>D390</td>
<td>Road D387-Chikankata Mission Hospital</td>
<td>6.9</td>
</tr>
<tr>
<td>D391</td>
<td>Mazabuka Township boundary-Lubombo-Road T1 near Farm 106a</td>
<td>46.6</td>
</tr>
<tr>
<td>D392</td>
<td>Boundary of Nakambala Estate-Nega Nega Siding-Road D391</td>
<td>39.4</td>
</tr>
<tr>
<td>Serial No.</td>
<td>Name</td>
<td>Province</td>
</tr>
<tr>
<td>-----------</td>
<td>------</td>
<td>----------</td>
</tr>
<tr>
<td>RD400</td>
<td>Road D124-Mtetezi Dam</td>
<td>Chipata</td>
</tr>
<tr>
<td></td>
<td>15.3</td>
<td></td>
</tr>
<tr>
<td>RD401</td>
<td>Road T4-Madzimawe-Road D124</td>
<td>Chipata</td>
</tr>
<tr>
<td></td>
<td>15.6</td>
<td></td>
</tr>
<tr>
<td>RD402</td>
<td>Road D128-Farm 22 near Kanyanga River</td>
<td>Chipata</td>
</tr>
<tr>
<td></td>
<td>13.7</td>
<td></td>
</tr>
<tr>
<td>RD403</td>
<td>Road D128-Road D804 near Feni Ngoni</td>
<td>Chipata</td>
</tr>
<tr>
<td></td>
<td>5.6</td>
<td></td>
</tr>
<tr>
<td>D404</td>
<td>Road D125 at Kazimuli-Road D128</td>
<td>Chipata</td>
</tr>
<tr>
<td></td>
<td>17.1</td>
<td></td>
</tr>
<tr>
<td>D405</td>
<td>Road D128-Mwangla</td>
<td>Chipata</td>
</tr>
<tr>
<td></td>
<td>46.2</td>
<td></td>
</tr>
<tr>
<td>D406</td>
<td>Road D130-Vubwe Mission-Road D405</td>
<td>Chipata</td>
</tr>
<tr>
<td></td>
<td>61.9</td>
<td></td>
</tr>
<tr>
<td>D407</td>
<td>Road D128-Chadiza-Road D405</td>
<td>Chipata</td>
</tr>
<tr>
<td></td>
<td>10.3</td>
<td></td>
</tr>
<tr>
<td>RD408</td>
<td>Road D405-Mlolo</td>
<td>Chipata</td>
</tr>
<tr>
<td></td>
<td>10.5</td>
<td></td>
</tr>
</tbody>
</table>
.. 12.1
D409 Road D127 at Katiuli River-Road D584 .. .. Chipata ..
.. .. 11.4
RD409 Road D409 at Road D584-Road D514 .. .. Chipata ..
.. 51.5
RD410 Road T4-Chisale School .. .. .. Chipata ..
.. 4.0
RD411 Road T4-Choma .. .. .. .. Chipata ..
29.6
RD412 Road T4 near Sinda-Adoni .. .. .. Chipata ..
.. 21.9
RD413 Road T4-Chataika .. .. .. .. Petauke ..
10.1
D414 Road T4-Mumbi .. .. .. .. .. Petauke ..
20.9
RD414 Road D414 at Mumbi-Manyani-Matonge-
Road T4 .. .. .. .. .. Petauke .. .. 21.9
RD415 Road T4-Road D414 .. .. .. .. Petauke ..
16.9
RD416 Road D414-Mwanjawanthu .. .. .. Petauke ..
22.4
RD417 Road RD414-Zumaile .. .. .. .. Petauke ..
8.2
RD418 Road T4-Vizimomba Camp .. .. .. Petauke ..
9.5
RD419 Road T4-Matonje .. .. .. .. Petauke ..
17.5
D420 Road T3-Mindola Suburb (18 metres in width) .. Kitwe ..
.. .. 1.3
D421 Broken Hill Mine Township-Mulungushi Dam road turn-off .. .. .. .. Kabwe .. 53.9
RD422 Road M1-Mbala Suburb .. .. .. .. Mbala ..
.. 1.6
D423 Road M10-Katombora .. .. .. .. Kalomo .. .. .. 7.2
RD424 Road RD42-Road R3 .. .. .. .. Mporokosoro .. .. 45.9
D425 (Deleted)
RD426 Road RD52 at Chalabesa Mission-Mayuku .. Mpika .. .. 41.8
RD427 Road RD52 at Chalabesa Mission-Road RD51 at Kopa .. .. .. .. Mpika .. .. .. 59.5
D428 Road M1 near Chambeshi River-Mbati .. .. Mpika .. .. 42.8
RD429 Road RD46 near Ipusukilo Mission-Road R6 .. Luwingu .. 26.5
RD430 Road M3-Road RD44 at Luena Mission .. .. Kasama and Luwingu .. 61.1
D431 (Deleted)
RD432 Road RD433 at Chisanga-Mpondela .. .. Mbala .. .. 4.0
RD433 Road RD432 at Chisanza-Isoka .. .. .. Mbala .. .. 17.7
RD434 Road RD2 at Chitimbwa-Road R54 .. .. Mbala .. .. 30.6
RD435 Road RD2 at Kambole Mission-Ngozye .. .. Mbala .. .. 8.5
RD436 Road RD34-Yendwe Valley .. .. Mbala .. .. 38.6
RD437 Road D1-Nsokolo .. .. .. Mbala .. .. 11.4
RD438 Road D1-Mpande .. .. .. Mbala .. .. 34.8
RD439 Road RD66-Road RD73 at Kanteshya Mission .. Isoka .. .. 19.6
D440 Road D77 at Chiengi-Luchinda .. .. Kawambwa .. 29.4
RD441 Road D77-Kalobwa Fishing Camp .. .. Kawambwa .. .. 3.2
<table>
<thead>
<tr>
<th>Serial No.</th>
<th>Name</th>
<th>Kilometres</th>
<th>Province</th>
</tr>
</thead>
<tbody>
<tr>
<td>D448</td>
<td>(Deleted)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>D449</td>
<td>Samfya-Road D450</td>
<td>..</td>
<td>Samfya</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>RD449 Road D450</td>
<td>..</td>
<td>Samfya</td>
</tr>
<tr>
<td></td>
<td>Chimembe School</td>
<td>..</td>
<td>Samfya</td>
</tr>
<tr>
<td></td>
<td>Twingi Mission</td>
<td>..</td>
<td>Samfya</td>
</tr>
<tr>
<td></td>
<td>Mutoni School</td>
<td>..</td>
<td>Samfya</td>
</tr>
<tr>
<td></td>
<td>Kaminsa School</td>
<td>..</td>
<td>Samfya</td>
</tr>
<tr>
<td></td>
<td></td>
<td>48.9</td>
<td></td>
</tr>
<tr>
<td>D450</td>
<td>Road D449-Mpanta Point</td>
<td>..</td>
<td>Samfya</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>D450</td>
<td>10.9</td>
<td></td>
</tr>
<tr>
<td></td>
<td>near Samfya-Road D100</td>
<td>..</td>
<td>Samfya</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>and Mansa</td>
</tr>
<tr>
<td></td>
<td></td>
<td>30.9</td>
<td></td>
</tr>
<tr>
<td>D452</td>
<td>Road D100-Kalasa Mukoso</td>
<td>..</td>
<td>Samfya</td>
</tr>
<tr>
<td></td>
<td></td>
<td>12.4</td>
<td></td>
</tr>
<tr>
<td>D453</td>
<td>(Deleted)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>D454</td>
<td>(Deleted)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>RD455</td>
<td>Road M10 at Namushakende-Maalo</td>
<td>..</td>
<td>Mongu</td>
</tr>
<tr>
<td></td>
<td></td>
<td>12.9</td>
<td></td>
</tr>
<tr>
<td>RD456</td>
<td>Road RD312 at Sitoya-Road RD315 at Ushaa</td>
<td>..</td>
<td>Mongu</td>
</tr>
<tr>
<td>Route</td>
<td>Distance</td>
<td>Description</td>
<td></td>
</tr>
<tr>
<td>-------</td>
<td>----------</td>
<td>-------------</td>
<td></td>
</tr>
<tr>
<td>RD457</td>
<td>(Deleted)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>RD458</td>
<td>41.8</td>
<td>Road D319-Road RD320 near Sihole Mission  Kalabo</td>
<td></td>
</tr>
<tr>
<td>RD459</td>
<td>24.1</td>
<td>Kalabo-Angola Border near Beacon 15  Kalabo</td>
<td></td>
</tr>
<tr>
<td>RD460</td>
<td>128.7</td>
<td>Road RD316 at Liumba Hill Mission-Mwanwawa Kalabo</td>
<td></td>
</tr>
<tr>
<td>RD461</td>
<td>96.5</td>
<td>Road RD316 at Sikongo-Road RD320 at Mavua  Kalabo</td>
<td></td>
</tr>
<tr>
<td>RD462</td>
<td>57.9</td>
<td>Road RD320 at Kalabo/Senanga Boundary- Shangombe Lupuka-Sinjembele-Road  Senanga and Sesheke</td>
<td></td>
</tr>
<tr>
<td>RD463</td>
<td>154.5</td>
<td>Road M10-Road RD462 at Shangombe  Senanga</td>
<td></td>
</tr>
<tr>
<td>RD464</td>
<td>48.3</td>
<td>Road RD323-Road RD462  Senanga</td>
<td></td>
</tr>
<tr>
<td>RD465</td>
<td>94.9</td>
<td>Road RD794 near Lukute Stream-Road RD310 at Kasabi  Kaoma</td>
<td></td>
</tr>
<tr>
<td>RD466</td>
<td>(Deleted)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>RD467</td>
<td>5.6</td>
<td>Kaoma-Naliele  Kaoma</td>
<td></td>
</tr>
<tr>
<td>RD468</td>
<td>94.9</td>
<td>Road T3-Road R114  Ndola</td>
<td></td>
</tr>
<tr>
<td>RD469</td>
<td>29.3</td>
<td>Road R114-Kafue River  Ndola</td>
<td></td>
</tr>
<tr>
<td>RD470</td>
<td>32.2</td>
<td>Road M6-Road D469 near Masaiti  Ndola</td>
<td></td>
</tr>
<tr>
<td>RD471</td>
<td>16.1</td>
<td>Road T3-Chondwe-Road D201  Ndola</td>
<td></td>
</tr>
<tr>
<td>RD472</td>
<td>8.0</td>
<td>Road D469 at Masaiti-Kafufuta Mission  Ndola</td>
<td></td>
</tr>
</tbody>
</table>
RD473 Road M18-Mwelushi Mission-Lumpuma .. Ndola .. 35.4
RD474 Road M18-Chief Nkana's Court .. Ndola .. 12.9
RD475 Road M18-Shibichinga-St Mary's Mission .. Ndola .. 37.5
D476 Road D261-Copperbelt Experimental Farms .. Kalulushi .. 1.9
D477 Road T3-Chambeshi Railway Siding .. Kalulushi .. 0.5
D478 Road T3-Farm 2125U .. Kalulushi .. 2.1
D479 (Deleted)
RD480 Road T4-Allies Mine-Kantantapa Stream .. Lusaka .. 18.3
RD481 Road D152-Chiawa .. Lusaka .. 53.7
D482 Road T2-Kafue River-Road R119-Road RD481 at Chiawa .. Lusaka .. 46.0
RD483 Road T4-Mandebele Settlement .. Lusaka .. 8.0
RD484 Road D158-near Shimabala-Kafue Gorge .. Lusaka .. 22.5
RD485 Lusaka City Boundary-Chantumba .. Lusaka .. 12.9
D486 (Deleted)
RD487 Road RD159 at Chipapa-Nankanga .. Lusaka .. 29.0
RD488 Road RD186 at Kaindu School-Kafue River at Chimachabo Ferry .. Mumbwa .. 25.7
RD489 Road D808-Sichanzu-Road D183 .. Mumbwa .. 37.3
RD490 Road D808 near Nabulwe-Road RD184-Road
<table>
<thead>
<tr>
<th>Approx.</th>
<th>Serial</th>
<th>Length</th>
<th>No.</th>
<th>Name</th>
<th>Province</th>
</tr>
</thead>
<tbody>
<tr>
<td>RD495</td>
<td>Road D356 at Musuku Mission-Road D775 at Mamba</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>...</td>
</tr>
<tr>
<td>D496</td>
<td>(Deleted)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>D497</td>
<td>Road D775-Siatwinda</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>...</td>
</tr>
<tr>
<td>RD498</td>
<td>Road D497 at Siatwinda- Ndengeza- Molola River</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>...</td>
</tr>
<tr>
<td>D499</td>
<td>Road D775-Sinamalima-Dinde-Road D375</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>...</td>
</tr>
<tr>
<td>D500</td>
<td>Road D387 at Changa-Road D375 at Munyambwe</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>...</td>
</tr>
<tr>
<td>D501</td>
<td>Road D387 at Changa-Road M15 near Sigongo</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>...</td>
</tr>
<tr>
<td>RD502</td>
<td>Road D501-Road M15 near Simamba</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>...</td>
</tr>
<tr>
<td>RD503</td>
<td>Road D500-Siambalangwe-Road RD502</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>...</td>
</tr>
<tr>
<td>RD504</td>
<td>Road M15-Zambezi River (Lusitu Resettlement Area)</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>...</td>
</tr>
<tr>
<td>Road No</td>
<td>Road Name 1</td>
<td>Road Name 2</td>
<td>Distance</td>
<td></td>
<td></td>
</tr>
<tr>
<td>--------</td>
<td>-------------</td>
<td>-------------</td>
<td>----------</td>
<td></td>
<td></td>
</tr>
<tr>
<td>RD505</td>
<td>M11-Simaubi-Chubo</td>
<td>Choma</td>
<td>29.3</td>
<td></td>
<td></td>
</tr>
<tr>
<td>RD506</td>
<td>RD367-Luchena</td>
<td>Namwala</td>
<td>25.7</td>
<td></td>
<td></td>
</tr>
<tr>
<td>RD507</td>
<td>T4-Chimtanda</td>
<td>Petauke</td>
<td>10.0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>RD508</td>
<td>RD137 at Kalindawalo</td>
<td>Road RD416 at Mwanjawanthu</td>
<td>Petauke</td>
<td>35.9</td>
<td></td>
</tr>
<tr>
<td>RD509</td>
<td>RD508-Road R12 at Mtukuzi</td>
<td>Petauke</td>
<td>14.5</td>
<td></td>
<td></td>
</tr>
<tr>
<td>RD510</td>
<td>RD414 at Manyani</td>
<td>Road RD419 at Matonje</td>
<td>Petauke</td>
<td>12.9</td>
<td></td>
</tr>
<tr>
<td>RD511</td>
<td>RD418-Chimpanje</td>
<td>Petauke</td>
<td>11.1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>RD512</td>
<td>D418-Mchenga</td>
<td>Petauke</td>
<td>11.4</td>
<td></td>
<td></td>
</tr>
<tr>
<td>RD513</td>
<td>D134 near Makali</td>
<td>Road RD135</td>
<td>Petauke</td>
<td>12.9</td>
<td></td>
</tr>
<tr>
<td>RD514</td>
<td>D136-Road RD409 at Chipata/Petauke Boundary</td>
<td>Petauke</td>
<td>11.9</td>
<td></td>
<td></td>
</tr>
<tr>
<td>RD515</td>
<td>T5-Road RD561</td>
<td>Solwezi</td>
<td>31.4</td>
<td></td>
<td></td>
</tr>
<tr>
<td>RD516</td>
<td>D181-Ntemwa</td>
<td>Kasempa</td>
<td>12.9</td>
<td></td>
<td></td>
</tr>
<tr>
<td>RD517</td>
<td>D255-Nyoko-Road RD304</td>
<td>Kasempa</td>
<td>88.5</td>
<td></td>
<td></td>
</tr>
<tr>
<td>RD518</td>
<td>D811 near Lutale River</td>
<td>D180</td>
<td>Mumbwa</td>
<td>10.5</td>
<td></td>
</tr>
<tr>
<td>RD519</td>
<td>RD558-Road RD291</td>
<td>Kabompo</td>
<td>24.1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>RD520</td>
<td>M8-Nkulwashi-Road M8</td>
<td>Kabompo</td>
<td>3.2</td>
<td></td>
<td></td>
</tr>
<tr>
<td>RD521</td>
<td>RD291 at Kayombo</td>
<td>Road RD295 at Muhalbi River</td>
<td>Kabompo</td>
<td>27.4</td>
<td></td>
</tr>
</tbody>
</table>
RD522 Road RD296-Chinyingi Mission .. .. .. Zambezi .. 29.0

D523 Road D405 at Mwangala-Welele-Road D406 .. Chipata .. .. 27.9

D524 Choma Township Boundary-Farm 1632 .. .. Choma .. 11.1

D525 Road T1-Farm 1619 .. .. .. Choma .. .. 5.6

RD526 Road T1-Sindi Mission .. .. .. .. Kalomo .. .. 8.4

RD527 Road T1 at Sibanyati Siding-Musokotwane-Road RD526 at Sinde Mission .. .. Livingstone and Kalomo .. 10.9

D528 Road T1-Farm 1764-Mwemba River .. .. Kalomo .. .. 13.5

D529 (Deleted)

D530 Monze Township Boundary-Kasungula River .. Mazabuka .. 18.5

D531 (Deleted)

D532 Road T1-Kaleya River-Farm 1433 .. .. Mazabuka .. .. 9.0

RD533 Road M3 near Luwingu-Chipalo .. .. Luwingu .. 5.5

D534 Road D169-Road D183 on Farm 570 (Blue Lagoon) .. .. .. .. Lusaka and Mumbwa .. 70.5

D535 Road M9-Mukalaikwa .. .. .. .. Kabwe and Mumbwa .. 3.7

RD536 Road D534-Mukalaikwa .. .. .. .. Mumbwa .. .. 20.1

D537 Road M11 near Ngonga River-Road D538-Macha Mission .. .. .. .. Choma .. .. 17.4

D538 Road M11-Road D537-Macha Maize Depot .. Choma .. .. 15.1
<table>
<thead>
<tr>
<th>Serial No.</th>
<th>Name</th>
<th>Province</th>
<th>Kilometres</th>
</tr>
</thead>
<tbody>
<tr>
<td>RD541</td>
<td>Road D293-Zambezi River near Chinyingi Mission</td>
<td>Zambezi</td>
<td>8.0</td>
</tr>
<tr>
<td>D542</td>
<td>Road D293 at Chavuma Mission-Angola Border</td>
<td>Zambezi</td>
<td>11.4</td>
</tr>
<tr>
<td>D543</td>
<td>Road D368-Reserve Boundary at Farm 8a</td>
<td>Mazabuka</td>
<td>10.6</td>
</tr>
<tr>
<td>D544</td>
<td>(Deleted)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>D545</td>
<td>Road D81-Musonda Falls Hydro-Electric Scheme</td>
<td>Mansa</td>
<td>16.1</td>
</tr>
<tr>
<td>D546</td>
<td>Road M3-Luwingu-Road M3</td>
<td>Luwingu</td>
<td>6.0</td>
</tr>
<tr>
<td>D547</td>
<td>Road D20-Kasama Hydro-Electric Scheme Power Station</td>
<td>Kasama</td>
<td>3.1</td>
</tr>
<tr>
<td>D548</td>
<td>Road D547-Kasama Hydro-Electric Scheme Diversion Weir</td>
<td>Kasama</td>
<td>1.1</td>
</tr>
<tr>
<td>D549</td>
<td>Road M2-Road RD2 near Lunzua River</td>
<td>Mbala</td>
<td>9.4</td>
</tr>
<tr>
<td>D550</td>
<td>(Deleted)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>D551</td>
<td>Road D549-Mbala Hydro-Electric Scheme Diversion Weir</td>
<td>Mbala</td>
<td>0.6</td>
</tr>
<tr>
<td>RD552</td>
<td>Road M9 near Mumbwa-Road M17</td>
<td>Mumbwa</td>
<td>12.9</td>
</tr>
<tr>
<td>RD553</td>
<td>Road D534-Chabota</td>
<td>Mumbwa</td>
<td>10.1</td>
</tr>
<tr>
<td>RD554</td>
<td>Road D534-Chasinka-Mukalaikwa</td>
<td>Mumbwa</td>
<td></td>
</tr>
</tbody>
</table>
13.8

RD555 Road D534-Hambalu Inlet (Kafue River) .. .. Mumbwa .. ..
.. 29.4

D556 Road M10 near Farm 188-Road D568 .. .. Lusaka .. ..
.. 2.4

RD556 Road D568-Road D169-Sokola .. .. .. Lusaka and Mumbwa
.. 41.5

D557 Road M8-Kabompo River at Watopa-Road
D792 at Lukulu .. .. .. Kabompo and Mongu .. 93.3

RD558 Road M8 near Kabompo-Road RD519 .. .. Kabompo .. ..

19.3

D559 (Deleted)

RD560 Road RD520-Kabompo River .. .. .. Kabompo .. ..

3.2

RD561 Road RD515-St Francis Mission .. .. .. Solwezi ..
.. .. 3.2

D562 (Deleted)

D563 (Deleted)

D564 Road T4-Farm 32a-Road D176 .. .. .. Lusaka ..
.. 8.5

D565 Road T4-Farm 382a .. .. .. .. Lusaka .. ..

2.1

D566 Road T4-Road D153 .. .. .. .. Lusaka .. ..

4.5

D567 Road D153-Kasikiri Stream on Farm 353a .. .. Lusaka ..
.. .. 6.0

D568 Road D556-Farm 2000 .. .. .. .. Lusaka ..
.. .. 11.7

D569 Road M9-Farm 279a .. .. .. .. Lusaka .. ..

7.2
<table>
<thead>
<tr>
<th>Road No.</th>
<th>Description</th>
<th>Distance</th>
<th>Location</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>D570</td>
<td>Road D170–Farm 1960</td>
<td>..</td>
<td>..</td>
<td>..</td>
</tr>
<tr>
<td></td>
<td></td>
<td>.. 8.7</td>
<td></td>
<td></td>
</tr>
<tr>
<td>D571</td>
<td>Road D170–Road D171</td>
<td>..</td>
<td>..</td>
<td>..</td>
</tr>
<tr>
<td></td>
<td></td>
<td>.. 5.0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>D572</td>
<td>Road D171 on Sub. N of Farm 691–Maiyukuyoko Stream</td>
<td>..</td>
<td>..</td>
<td>..</td>
</tr>
<tr>
<td>D573</td>
<td>(Deleted)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>D574</td>
<td>Road D161 at Lilayi-Chilanga</td>
<td>..</td>
<td>..</td>
<td>..</td>
</tr>
<tr>
<td></td>
<td></td>
<td>.. 5.3</td>
<td></td>
<td></td>
</tr>
<tr>
<td>D575</td>
<td>Road T2–Road D162</td>
<td>..</td>
<td>..</td>
<td>..</td>
</tr>
<tr>
<td></td>
<td></td>
<td>15.2</td>
<td></td>
<td></td>
</tr>
<tr>
<td>D576</td>
<td>Road T2–Farm 44a</td>
<td>..</td>
<td>..</td>
<td>..</td>
</tr>
<tr>
<td></td>
<td></td>
<td>6.4</td>
<td></td>
<td></td>
</tr>
<tr>
<td>D577</td>
<td>(Deleted)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>D578</td>
<td>Road D104–Mzoole</td>
<td>..</td>
<td>..</td>
<td>..</td>
</tr>
<tr>
<td></td>
<td></td>
<td>.. 9.7</td>
<td></td>
<td></td>
</tr>
<tr>
<td>D579</td>
<td>Road T4 on Farm 37–Road D123</td>
<td>..</td>
<td>..</td>
<td>..</td>
</tr>
<tr>
<td></td>
<td></td>
<td>.. 8.4</td>
<td></td>
<td></td>
</tr>
<tr>
<td>RD580</td>
<td>Road D130–Vubwe River</td>
<td>..</td>
<td>..</td>
<td>..</td>
</tr>
<tr>
<td></td>
<td></td>
<td>.. 11.3</td>
<td></td>
<td></td>
</tr>
<tr>
<td>D581</td>
<td>Road D125–Farm 151–Road D127</td>
<td>..</td>
<td>..</td>
<td>..</td>
</tr>
<tr>
<td></td>
<td></td>
<td>.. 8.4</td>
<td></td>
<td></td>
</tr>
<tr>
<td>RD582</td>
<td>Road D134–Ukwima</td>
<td>..</td>
<td>..</td>
<td>..</td>
</tr>
<tr>
<td></td>
<td></td>
<td>23.0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>D583</td>
<td>Road D125–Road RD409</td>
<td>..</td>
<td>..</td>
<td>..</td>
</tr>
<tr>
<td></td>
<td></td>
<td>21.7</td>
<td></td>
<td></td>
</tr>
<tr>
<td>D584</td>
<td>Road RD409–Road D583</td>
<td>..</td>
<td>..</td>
<td>..</td>
</tr>
<tr>
<td></td>
<td></td>
<td>17.7</td>
<td></td>
<td></td>
</tr>
<tr>
<td>RD585</td>
<td>Road D583–Kalambana</td>
<td>..</td>
<td>..</td>
<td>..</td>
</tr>
<tr>
<td></td>
<td></td>
<td>.. 16.9</td>
<td></td>
<td></td>
</tr>
<tr>
<td>D586</td>
<td>Road T4–Farm 586–Road D125</td>
<td>..</td>
<td>..</td>
<td>..</td>
</tr>
<tr>
<td></td>
<td></td>
<td>.. 7.9</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Serial</td>
<td>Length</td>
<td>Name</td>
<td>Province</td>
<td></td>
</tr>
<tr>
<td>--------</td>
<td>--------</td>
<td>---------------------------</td>
<td>----------</td>
<td></td>
</tr>
<tr>
<td>No.</td>
<td>Kilometres</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>D587</td>
<td>18.7</td>
<td>Road D125-Farm 202-Road D127</td>
<td>Chipata</td>
<td></td>
</tr>
<tr>
<td>D588</td>
<td>18.5</td>
<td>Road D125-Farm 56-Farm 204</td>
<td>Chipata</td>
<td></td>
</tr>
<tr>
<td>RD589</td>
<td>1.5</td>
<td>Road D128-Nsadzu Mission</td>
<td>Chipata</td>
<td></td>
</tr>
<tr>
<td>D590</td>
<td>1.6</td>
<td>Road T4-Farm 21</td>
<td>Chipata</td>
<td></td>
</tr>
<tr>
<td>D591</td>
<td>4.7</td>
<td>Road D588-Farm 159</td>
<td>Chipata</td>
<td></td>
</tr>
<tr>
<td>RD592</td>
<td>18.3</td>
<td>Road RD412-Vulamkoko</td>
<td>Chipata</td>
<td></td>
</tr>
<tr>
<td>RD593</td>
<td>23.5</td>
<td>Road D407 at Chadiza-Mlolo</td>
<td>Chipata</td>
<td></td>
</tr>
<tr>
<td>RD594</td>
<td>18.7</td>
<td>Road T4-Nzamane-Road D125 at Kazimuli</td>
<td>Chipata</td>
<td></td>
</tr>
<tr>
<td>RD595</td>
<td>24.8</td>
<td>Road D128-Road RD595</td>
<td>Chipata</td>
<td></td>
</tr>
<tr>
<td>D597</td>
<td></td>
<td>(Deleted)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>D598</td>
<td>50.7</td>
<td>Road T4 near Farm 169-Msoro Mission</td>
<td>Chipata</td>
<td></td>
</tr>
<tr>
<td>RD599</td>
<td></td>
<td>Chipata Township Boundary-Farm 39-Sopa Township Boundary</td>
<td>Chipata</td>
<td></td>
</tr>
<tr>
<td>RD600</td>
<td></td>
<td>Road D103-Road RD111</td>
<td>Lundazi</td>
<td></td>
</tr>
</tbody>
</table>
64.4

D601 Road D176-Chipembi Mission-Road R132 .. Kabwe .. ..

14.3

D602 Road D191-Farm 1838 .. .. .. .. Kabwe .. ..

7.2

D603 Road T2-Farm 2563 .. .. .. .. Kabwe .. ..

6.8

D604 Road T2-Farm 2150 .. .. .. .. Kabwe .. ..

6.3

D605 Road D189-Farm 1605 .. .. .. .. Kabwe .. ..

9.5

D606 Road T1-Farm 542-Road D387 .. .. .. Mazabuka .. ..

11.6

D607 Road T1-Farm 129a-Road D386 .. .. .. Mazabuka ..

.. 10.9

D608 Road T1-Farm 236a-Road D391 near Lubombo .. Mazabuka ..

.. 10.5

D609 Road T1-Road D368 on Farm 264a .. .. Mazabuka .. ..

11.1

D610 Kalomo Township Boundary-Farm 1850 .. .. Kalomo .. ..

.. 9.7

D611 (Deleted)

D612 Road D349-Farm 1756-Sichikwenkwe River .. Kalomo .. ..

.. 12.9

D613 Road T1-Farm 1763-Mwemba River .. .. Kalomo .. ..

.. 10.0

D614 (Deleted)

RD615 Road D538 at Macha-Road RD505 at Chubo .. Choma ..

.. 14.3

RD616 Road RD505 at Kabanze-Mubola .. .. Choma .. ..

8.5

RD617 Road RD505 at Simaubi-Mpinda Maize Depot .. Choma ..
RD618 Road M11-Masonsa Maize Depot .. .. Choma .. ..

4.5

RD619 Road D361-Ngolwe Maize Depot .. .. Choma .. ..

14.2

RD620 Road D361-Siamkumchale Maize Depot .. .. Choma ..

27.2

RD621 Road M11-Mapanza Agricultural Station .. .. Choma

2.4

RD622 Road M11-Sedumbwe Maize Depot .. .. Choma .. ..

11.6

D623 Road D195-Road D196 at Chankwakwa Siding .. Kabwe ..

12.1

D624 Road T2-Road D623 at Chankwakwa Siding .. Kabwe ..

4.8

D625 Road D195-Farm 384a-Kabwe Urban/Rural Boundary .. .. .. .. .. Kabwe .. .. 12.9

D626 Road D195 on Farm 1533-Farm 2446 .. .. Kabwe ..

20.1

D627 Road D195 on Farm 1533-Farm 2447 .. .. Kabwe ..

10.9

D628 Road T2-Farm 1822-Road D194 on Farm 1819 Kabwe ..

18.3

D629 Road T2-Farm 1809 .. .. .. .. Kabwe .. ..

3.2

D630 Road D199 at Kangomba Siding-Farm 1828 .. Kabwe ..

8.5

D631 Road D630 at Kangomba Siding-Farm 2086 .. Kabwe ..

12.2

D632 Road D191-Farm 1834 .. .. .. .. Kabwe .. ..

10.3

D633 Road T2-Road D191 near Nyama Siding .. Kabwe .. ..

12.6

RD634 Road M9-Road RD467 at Naliele .. .. Kaoma .. ..

3.2

D635 Road D610-Farm 250 .. .. .. .. Kalomo .. ..

1.3
RD636 Road D387 at Mwenda-Namembe  ..  ..  Mazabuka  ..  ..  11.6
RD637 Road D386-Farm 656-Road D387  ..  ..  Mazabuka  ..  ..  12.6
RD638 Road D379-Nkomkola Maize Depot  ..  ..  Mazabuka  ..  ..  8.0
RD639 Road D379-Choma Maize Depot-Nampeyo  ..  Mazabuka  ..  ..  16.1
RD640 Road D376-Road D639  ..  ..  ..  ..  Mazabuka  ..  ..  4.5
RD641 Road RD639-Njola  ..  ..  ..  ..  Mazabuka  ..  ..  13.6
RD642 Road D641-Malobi Mission  ..  ..  ..  Mazabuka  ..  ..  17.4
RD643 Road RD641-Nabukuyu Mission  ..  ..  ..  ..  Mazabuka  ..  ..  1.9

Approx.
Serial
Length
No.    Name      Province
Kilometres
RD644 Road T1-Chalimbana  ..  ..  ..  ..  Mazabuka  ..  ..  8.0
RD645 Road RD644-Kalomo School  ..  ..  ..  Mazabuka  ..  ..  10.3
D646 Road D372-Mpongo Maize Depot  ..  ..  Mazabuka  ..  ..  4.8
RD646 Mpongo Maize Depot-Road D374  ..  ..  Mazabuka  ..  ..  13.5
RD647 Road D372 at Banakaila-Lochinvar Ranch Boundary  ..  ..  ..  ..  ..  Mazabuka  ..  ..  16.1
RD648 Road D530-Nalutanda Maize Depot  ..  ..  Mazabuka  ..  ..  31.9
RD649 Road RD648 at Siamasanka Maize Depot - Siamanansa Maize Depot... Mazabuka... 11.3
RD650 Road D369 at Siatontola-Road RD620 at Siamkumchale Maize Depot... Mazabuka... 13.2
D651 (Deleted)
RD652 Road T5-Road RD281... Mwinilunga... 4.8
RD653 Road T5-Kalene Hill Mission-Road RD654... Mwinilunga... 1.6
RD654 Road T5-Road RD284 at Mwinimilambo... Mwinilunga... 9.5
RD655 Road RD287-Matonchi Mission... Mwinilunga... 4.8
D656 (Deleted)
D657 Road D273 at Kabombo Gorge-Road D274 at Kashambila... Mwinilunga... 23.0
D658 (Deleted)
D659 (Deleted)
D660 Road T2-Farm 2923... Mkushi... 8.2
D661 Road T2-Farm 2914-Road D213... Mkushi... 5.5
D662 Road T2-Farm 2900-Road D214... Mkushi... 17.4
D663 Road D662-Farm 2905... Mkushi... 5.6
D664 Road D10-Mansa River (south bank)... Mansa... 11.3
RD665 Road D94-Lake Bangweulu Holiday Camp... Samfya... 3.2
D666 Road D190-Farm 1601-Farm 1603... Kabwe... 9.7
RD667 Road M10 at Mambova-Sekute Fishing Camp... Kalomo...
<table>
<thead>
<tr>
<th>Road Code</th>
<th>Description</th>
<th>Length</th>
</tr>
</thead>
<tbody>
<tr>
<td>D668</td>
<td>Road D258 near Beacon HT797-Mwambashi Farms</td>
<td>10.5</td>
</tr>
<tr>
<td></td>
<td>Kitwe City Boundary</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Kitwe</td>
<td></td>
</tr>
<tr>
<td></td>
<td>10.5</td>
<td></td>
</tr>
<tr>
<td>D669</td>
<td>Road D243-Lake Ishiku Reserve</td>
<td>3.7</td>
</tr>
<tr>
<td></td>
<td>Ndola</td>
<td></td>
</tr>
<tr>
<td></td>
<td>3.7</td>
<td></td>
</tr>
<tr>
<td>D670</td>
<td>(Deleted)</td>
<td></td>
</tr>
<tr>
<td>D671</td>
<td>(Deleted)</td>
<td></td>
</tr>
<tr>
<td>RD672</td>
<td>Road T3-Kafuafu Siding</td>
<td>7.7</td>
</tr>
<tr>
<td></td>
<td>Ndola</td>
<td></td>
</tr>
<tr>
<td></td>
<td>7.7</td>
<td></td>
</tr>
<tr>
<td>D673</td>
<td>Road T3-Walamba Siding-Road D201</td>
<td>14.6</td>
</tr>
<tr>
<td></td>
<td>Ndola</td>
<td></td>
</tr>
<tr>
<td></td>
<td>14.6</td>
<td></td>
</tr>
<tr>
<td>RD674</td>
<td>Road T3-Kashita Siding</td>
<td>3.7</td>
</tr>
<tr>
<td></td>
<td>Ndola</td>
<td></td>
</tr>
<tr>
<td></td>
<td>3.7</td>
<td></td>
</tr>
<tr>
<td>RD675</td>
<td>Road D363-Sikatumba</td>
<td>10.0</td>
</tr>
<tr>
<td></td>
<td>Choma</td>
<td></td>
</tr>
<tr>
<td></td>
<td>10.0</td>
<td></td>
</tr>
<tr>
<td>D676</td>
<td>Road D386-Road T1-Trust Land No. 1 near Farm</td>
<td>12.9</td>
</tr>
<tr>
<td></td>
<td>1433</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Mazabuka</td>
<td></td>
</tr>
<tr>
<td></td>
<td>36.5</td>
<td></td>
</tr>
<tr>
<td>D677</td>
<td>Road D386-Farm 220A-Road D676</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Mazabuka</td>
<td></td>
</tr>
<tr>
<td></td>
<td>36.5</td>
<td></td>
</tr>
<tr>
<td>D678</td>
<td>Road T1 near Farm 232A-Road D677-Road D385</td>
<td>23.8</td>
</tr>
<tr>
<td></td>
<td>Mazabuka</td>
<td></td>
</tr>
<tr>
<td></td>
<td>23.8</td>
<td></td>
</tr>
<tr>
<td>D679</td>
<td>(Deleted)</td>
<td></td>
</tr>
<tr>
<td>D680</td>
<td>Road D386-Farm 223A</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Mazabuka</td>
<td></td>
</tr>
<tr>
<td></td>
<td>7.2</td>
<td></td>
</tr>
<tr>
<td>D681</td>
<td>Road D392 at Nega Nega-Kafue River</td>
<td>9.7</td>
</tr>
<tr>
<td></td>
<td>Mazabuka</td>
<td></td>
</tr>
<tr>
<td></td>
<td>9.7</td>
<td></td>
</tr>
<tr>
<td>D682</td>
<td>Mazabuka Town Boundary-Road D608</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Mazabuka</td>
<td></td>
</tr>
<tr>
<td></td>
<td>6.8</td>
<td></td>
</tr>
<tr>
<td>D683</td>
<td>Road D364-Road D363 near Farm 501</td>
<td>7.1</td>
</tr>
<tr>
<td></td>
<td>Choma</td>
<td></td>
</tr>
<tr>
<td></td>
<td>7.1</td>
<td></td>
</tr>
<tr>
<td>D684</td>
<td>(Deleted)</td>
<td></td>
</tr>
<tr>
<td>D685</td>
<td>(Deleted)</td>
<td></td>
</tr>
<tr>
<td>RD686</td>
<td>Road D293-Chavuma Sub-Boma</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Zambezi</td>
<td></td>
</tr>
<tr>
<td></td>
<td>1.6</td>
<td></td>
</tr>
<tr>
<td>RD687 Road RD411-Mnyamadzi River</td>
<td>..</td>
<td>..</td>
</tr>
<tr>
<td>----------------------------------</td>
<td>----</td>
<td>----</td>
</tr>
<tr>
<td>D688 Road D213-Farm 2969</td>
<td>..</td>
<td>..</td>
</tr>
<tr>
<td>D689 Road D213-Farm 2984</td>
<td>..</td>
<td>..</td>
</tr>
<tr>
<td>D690 Road T3-Sub. H of Farm 842</td>
<td>..</td>
<td>..</td>
</tr>
<tr>
<td>RD691 Road D103 at Choma-Kalinku</td>
<td>..</td>
<td>..</td>
</tr>
<tr>
<td>RD692 Road M12-Chikemeni-Mwanya-Road D104</td>
<td>..</td>
<td>Lundazi</td>
</tr>
</tbody>
</table>

**Approx.**  

<table>
<thead>
<tr>
<th>Serial</th>
<th>Length</th>
<th>No.</th>
<th>Name</th>
<th>Province</th>
</tr>
</thead>
<tbody>
<tr>
<td>RD693</td>
<td>Road RD115-Mwandauka (Tsetse Perimeter Road)</td>
<td>..</td>
<td>..</td>
<td>..</td>
</tr>
<tr>
<td>RD694</td>
<td>Road M12-Nkota Hill-Road RD115 at Kali Kali Dam</td>
<td>..</td>
<td>..</td>
<td>..</td>
</tr>
<tr>
<td>RD695</td>
<td>Road M12-Vutawanjou Hill-Road M12</td>
<td>..</td>
<td>..</td>
<td>..</td>
</tr>
<tr>
<td>RD696</td>
<td>Road RD694 near Nkota Hill-Road RD695</td>
<td>..</td>
<td>..</td>
<td>..</td>
</tr>
<tr>
<td>RD697</td>
<td>Road M12-Road RD695</td>
<td>..</td>
<td>..</td>
<td>..</td>
</tr>
<tr>
<td>RD698</td>
<td>Road M12-Mpala Dam</td>
<td>..</td>
<td>..</td>
<td>..</td>
</tr>
<tr>
<td>RD699</td>
<td>Road T4-Chiluzi-Kasopa Farm</td>
<td>..</td>
<td>..</td>
<td>..</td>
</tr>
<tr>
<td>RD700</td>
<td>Road RD699-Sinda Farms</td>
<td>..</td>
<td>..</td>
<td>..</td>
</tr>
<tr>
<td>Road ID</td>
<td>Description</td>
<td>Distance</td>
<td></td>
<td></td>
</tr>
<tr>
<td>---------</td>
<td>-------------</td>
<td>----------</td>
<td></td>
<td></td>
</tr>
<tr>
<td>RD701</td>
<td>Road T4-Chimputi Farms</td>
<td>7.4</td>
<td></td>
<td></td>
</tr>
<tr>
<td>RD703</td>
<td>Road D134-Kambadya Farms</td>
<td>2.3</td>
<td></td>
<td></td>
</tr>
<tr>
<td>RD704</td>
<td>Road D134-Kakumbi Farms</td>
<td>4.5</td>
<td></td>
<td></td>
</tr>
<tr>
<td>RD705</td>
<td>Road D134-Kapangili Farms</td>
<td>3.7</td>
<td></td>
<td></td>
</tr>
<tr>
<td>RD706</td>
<td>Road D104-Road D578</td>
<td>3.4</td>
<td></td>
<td></td>
</tr>
<tr>
<td>RD707</td>
<td>Road RD706-Chingoma River</td>
<td>1.6</td>
<td></td>
<td></td>
</tr>
<tr>
<td>RD709</td>
<td>Road D104-Chiwayu-Road RD710</td>
<td>14.2</td>
<td></td>
<td></td>
</tr>
<tr>
<td>RD710</td>
<td>Road D104-Kadende..</td>
<td>7.9</td>
<td></td>
<td></td>
</tr>
<tr>
<td>RD711</td>
<td>Road D104-Kamtunda</td>
<td>8.7</td>
<td></td>
<td></td>
</tr>
<tr>
<td>RD712</td>
<td>Road RD711-Mtambe ..</td>
<td>0.5</td>
<td></td>
<td></td>
</tr>
<tr>
<td>D713</td>
<td>Road D332-Mukuui's Village</td>
<td>7.2</td>
<td></td>
<td></td>
</tr>
<tr>
<td>D714</td>
<td>Road D344-Dundumwense-Barotse Cattle Cordon</td>
<td>100.4</td>
<td></td>
<td></td>
</tr>
<tr>
<td>D715</td>
<td>Road D370-Fort Monze</td>
<td>3.6</td>
<td></td>
<td></td>
</tr>
<tr>
<td>D716</td>
<td>Road D329-Sinde Plots</td>
<td>2.4</td>
<td></td>
<td></td>
</tr>
<tr>
<td>D718</td>
<td>Mazabuka Township boundary-Veterinary</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Research Station .. Mazabuka .. 2.7

D719 (Deleted)

D720 Road D660 at Farm 2923-Farm 2974 Mkushi .. 4.5

D721 Road D191-Farm 1842 Kabwe .. 2.4

D722 Road D347-Kalomo Forest Reserve-Road D610 Kalomo .. 10.6

D723 (Deleted)

D724 Road D191-Mulamba River Kabwe .. 8.0

D725 Road D368-Reserve, Chief Monze's Area Mazabuka .. 4.8

D726 (Deleted)

RD727 Road RD759-Road D79 at Lukwesa Kawambwa .. 44.1

RD728 Road D100-Maba School Samfya .. 19.8

D729 Fisenge Township-Road M6 Luanshya .. 2.7

D730 Road T2-Iolanda Tea Garden Road Lusaka .. 1.6

RD731 Road M3-Matanda Mansa .. 37.8

D732 Road T2-Subdivisions A-E of Farm 2344 Lusaka .. 3.7

RD733 Road T2-Chiundaponde Mpika .. 70.6

D734 (Deleted)

D735 Road D240-Kafubu River Ndola .. 2.3
<table>
<thead>
<tr>
<th>Serial No.</th>
<th>Name</th>
<th>Province</th>
<th>Kilometres</th>
</tr>
</thead>
<tbody>
<tr>
<td>D736</td>
<td>Road T3-Kavu Plots (South)</td>
<td>Ndola</td>
<td>0.6</td>
</tr>
<tr>
<td>D737</td>
<td>Road T3-Kavu Plots (North)</td>
<td>Ndola</td>
<td>1.1</td>
</tr>
<tr>
<td>D738</td>
<td>Road 269-Beacon PT39</td>
<td>Chingola</td>
<td>6.4</td>
</tr>
<tr>
<td>D739</td>
<td>Road T2-Zambia Police Station, Mpika</td>
<td>Mpika</td>
<td>1.0</td>
</tr>
<tr>
<td>D740</td>
<td>Road T1-Mayoba Road Depot</td>
<td>Kalomo</td>
<td>0.5</td>
</tr>
<tr>
<td>D741</td>
<td>Road D164-Road D162</td>
<td>Lusaka</td>
<td>6.9</td>
</tr>
<tr>
<td>D742</td>
<td>Road D170-Road D172</td>
<td>Lusaka</td>
<td>3.9</td>
</tr>
<tr>
<td>D743</td>
<td>Road M15-Siavonga</td>
<td>Gwembe</td>
<td>4.0</td>
</tr>
<tr>
<td>D744</td>
<td>Road M2-Mbala Airport</td>
<td>Mbala</td>
<td>0.5</td>
</tr>
<tr>
<td>D745</td>
<td>Road M3-Kasama Airport</td>
<td>Kasama</td>
<td>0.6</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Serial No.</th>
<th>Name</th>
<th>Province</th>
<th>Kilometres</th>
</tr>
</thead>
<tbody>
<tr>
<td>D746</td>
<td>Road M6-Kamitendo-Road M6</td>
<td>Luanshya</td>
<td>4.8</td>
</tr>
<tr>
<td>D747</td>
<td>(Deleted)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>D748</td>
<td>Road D207-Road D213</td>
<td>Mkushi</td>
<td>29.9</td>
</tr>
<tr>
<td>D749</td>
<td>Road D748-Farm 68</td>
<td>Mkushi</td>
<td>9.3</td>
</tr>
<tr>
<td>Road ID</td>
<td>Description 1</td>
<td>Description 2</td>
<td>Description 3</td>
</tr>
<tr>
<td>---------</td>
<td>---------------</td>
<td>---------------</td>
<td>---------------</td>
</tr>
<tr>
<td>D750</td>
<td>Road D213-Road D748</td>
<td>.. .. .. ..</td>
<td>Mkushi</td>
</tr>
<tr>
<td>D751</td>
<td>Road D209-Road D689</td>
<td>.. .. .. ..</td>
<td>Mkushi</td>
</tr>
<tr>
<td>D752</td>
<td>Road D208-Farm 79</td>
<td>.. .. .. ..</td>
<td>Mkushi</td>
</tr>
<tr>
<td>D753</td>
<td>Road T4-Kasisi Mission Boundary-Road D176</td>
<td>Lusaka</td>
<td>.. ..</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>RD754</td>
<td>(Deleted)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>D755</td>
<td>Road D748-Road D749</td>
<td>.. .. .. ..</td>
<td>Mkushi</td>
</tr>
<tr>
<td>D756</td>
<td>Road D750-Road D752</td>
<td>.. .. .. ..</td>
<td>Mkushi</td>
</tr>
<tr>
<td>RD757</td>
<td>Road M8-Mujimanzovu</td>
<td>.. .. .. ..</td>
<td>Solwezi</td>
</tr>
<tr>
<td>D758</td>
<td>Road T2-Kabwe Rural Boma</td>
<td>.. .. ..</td>
<td>Kabwe</td>
</tr>
<tr>
<td>RD759</td>
<td>Road M13 near Kawambwa-Road D85</td>
<td>.. ..</td>
<td>Kawambwa</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>RD760</td>
<td>Road R232 at Sitwe School-Isoka/Lundazi Boundary</td>
<td>.. .. .. ..</td>
<td>Lundazi</td>
</tr>
<tr>
<td>D761</td>
<td>Road D382 Reserve XI Tonga</td>
<td>.. .. ..</td>
<td>Mazabuka</td>
</tr>
<tr>
<td>D762</td>
<td>Road D194-Farm 2446 near Beacon SE58</td>
<td>..</td>
<td>Kabwe</td>
</tr>
<tr>
<td>D763</td>
<td>Road M4-Hammarskjoeld Memorial</td>
<td>.. ..</td>
<td>Ndola</td>
</tr>
<tr>
<td>D764</td>
<td>Road D200-Mukonshi Tobacco Scheme</td>
<td>.. ..</td>
<td>Mkushi</td>
</tr>
<tr>
<td>D765</td>
<td>Road D166-Chomba Cotton Scheme-Road</td>
<td>.. .. .. ..</td>
<td>Mumbwa</td>
</tr>
</tbody>
</table>
RD766 Road D80-Luapula Leprosy Settlement .. .. Kawambwa .. ..
1.5

D767 Road D80-Road D79 at Mbereshi Mission .. .. Kawambwa .. ..
9.2

RD768 Road D79 near Lufubi Mission Road D80 .. .. Kawambwa .. ..
12.4

D769 Road M9-Kafue River at Iteshi-Teshi .. .. Namwala and Mumbwa .. .. 110.3

D770 Luanshya Municipal Boundary-Kafubu Block-Road M6 .. .. .. Luanshya .. .. 14.3

D771 Kasompe Township-Mimbula .. .. .. Chingola .. ..
3.9

D772 (Deleted)

D773 Road M8-Kalengwa Mine .. .. .. Kasempa .. ..
40.2

D774 Road D762-Waya Village .. .. .. Kabwe .. ..
28.8

D775 Road T1 at Batoka-Siankandobo Mine .. .. Gwembe and Choma .. 89.5

D776 Choma Township Boundary-Road D775 .. .. Choma .. .. 34.8

RD777 Road D775 at kilometre peg 19-Road D776 .. Choma .. ..
10.0

RD778 Road D775 at kilometre peg 22.5-Siamakube Village .. .. .. .. Choma .. ..
12.2

D779 Road D775-Nkandabwe Mine .. .. .. Gwembe .. ..
4.3

RD780 Road D775 at kilometre peg 48-foot of Escarpment .. .. .. .. Gwembe .. ..
3.1

RD781 Road D396-Energoprojekt Camp No. II .. .. Mazabuka ..
10.6

D782 Road T4-Rufunsa .. .. .. Lusaka .. ..
1.1

D783 Road T1 near Junction with Road D332-
<table>
<thead>
<tr>
<th>Serial No.</th>
<th>Name</th>
<th>Province</th>
<th>Kilometres</th>
</tr>
</thead>
<tbody>
<tr>
<td>D784</td>
<td>Zambezi River Bank: Zambezi River Scenic Drive</td>
<td>Livingstone</td>
<td>1.8</td>
</tr>
<tr>
<td>D785</td>
<td>Road D775-Sinazongwe Boma and Harbour</td>
<td>Gwembe</td>
<td>18.2</td>
</tr>
<tr>
<td>D786</td>
<td>Road D775 at kilometre peg 66-Road D785</td>
<td>Gwembe</td>
<td>13.7</td>
</tr>
<tr>
<td>D787</td>
<td>Road M10-Mulobezi</td>
<td>Sesheke and Kalomo</td>
<td>92.2</td>
</tr>
<tr>
<td>D788</td>
<td>Road M19-Mambova</td>
<td>Kalomo</td>
<td>12.1</td>
</tr>
<tr>
<td>D789</td>
<td>Road M10-Mwandi Kuta</td>
<td>Sesheke</td>
<td>3.2</td>
</tr>
<tr>
<td>D790</td>
<td>Isoka-Road M14</td>
<td>Isoka</td>
<td>112.0</td>
</tr>
<tr>
<td>D791</td>
<td>Road D104-Jumbe-Masumba-Luangwa River at Kakumbi</td>
<td>Chipata</td>
<td>68.1</td>
</tr>
<tr>
<td>D792</td>
<td>Road M9 near Kaoma-Sitaka-Road D557</td>
<td>Kaoma and Mongu</td>
<td>197.9</td>
</tr>
<tr>
<td>RD793</td>
<td>Road D792 at Sitaka-Road D557 at Watopa</td>
<td>Kaoma and Mongu</td>
<td>67.6</td>
</tr>
<tr>
<td>RD794</td>
<td>Road D792-Sikalenge-Road M9</td>
<td>Kaoma and Mongu</td>
<td>157.9</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Serial No.</th>
<th>Name</th>
<th>Province</th>
<th>Kilometres</th>
</tr>
</thead>
<tbody>
<tr>
<td>D795</td>
<td>Senanga-Lumbe River</td>
<td>Senanga</td>
<td>75.6</td>
</tr>
<tr>
<td>D796</td>
<td>Road D421-Road D204 at Lunsemfwa</td>
<td>Mkushi</td>
<td>41.2</td>
</tr>
</tbody>
</table>
D797  Road D421-Mulungushi Power Station .. Mkushi .. .. 10.6
D798  Road D797-Mulungushi Township .. Mkushi .. .. 3.1
D799  (Reserved)
D800  Road D254-Kafue River .. .. .. Ndola .. .. 7.9
D801  Road D800-Zambia Youth Service .. .. Ndola .. .. 3.2
D802  Road M18-Chapula Irrigation Scheme-Chief
      Nkana's Court-Road M18 .. .. Ndola .. .. .. 24.3
D803  (Deleted)
D804  Road T4-Vubwe .. .. Chipata .. .. 45.1
D805  Road D139 at Nyanje-Kondwelani-Chimvila-
      Kameta .. .. .. Petauke and Chipata .. 35.7
D806  Road D409-Road D805 at Chimvila .. Chipata .. .. 3.2
D807  Road M9-Kabile-Road M9 .. .. Kabwe and Mumbwa .. 47.2
D808  Road M9-Dunrobin-Road M9 .. Mumbwa .. .. 35.0
D809  Road M9-Mumbwa (direct access) .. Mumbwa .. .. 3.9
D810  Road M9-Mumbwa .. Mumbwa .. .. 7.4
D811  Road M9-Mulumbika River-Road M9 .. Mumbwa .. .. 11.4
D812  Road M9-Mukela .. .. Kaoma .. .. 12.3
D813  Road M9-Shishombwa-Manjolo-Road M9 .. Kaoma .. .. 31.2
D814  Road D301 at Kaoma-Kaoma West .. Kaoma .. ..
3.5

D815  Road D301 at Kaoma-Kaoma East  ..  ..  Kaoma  ..  ..

4.3

D816  Road T2-Isoka  ..  ..  ..  ..  ..  Isoka  ..  ..

4.1

D817  Road D626-Lukanga Ferry-Mukubwe-Kafue River-Ngabwe  ..  ..  ..  ..  Kabwe  ..  ..  140.0

D818  Lusaka City Boundary-Lilayi Aerodrome  ..  ..  ..  Lusaka  ..  ..  7.0

RD819  Mongu-Lealui  ..  ..  ..  ..  ..  Mongu  ..  ..  15.0
SECTION 5 (2)-HIGHWAY AUTHORITIES-DISTRICT ROADS

Notice by the Minister Statutory Instrument
173 of 1970

The following are hereby appointed highway authorities:

(1) the director of roads in respect of the district roads designated under section five (1) of the act bearing the prefix letter "D";

(2) the rural council concerned in respect of the district roads designated under section five (1) of the act bearing the prefix letters "RD".

SECTION 6 (1)-DESIGNATION OF BRANCH ROADS

Notices by the Minister Statutory Instruments
205 of 1972
4 of 1973
153 of 1974
79 of 1975

BRANCH ROADS

The letters and figures T1, T2, T3, T4 and T5 used herein refer to Inter-territorial Main Roads Nos. 1, 2, 3, 4 and 5 respectively, specified in the Appendix to the Act.

<table>
<thead>
<tr>
<th>Approx. Serial Length No.</th>
<th>Name</th>
<th>Province</th>
<th>Kilometres</th>
</tr>
</thead>
<tbody>
<tr>
<td>B1</td>
<td>Road M1-Chibutubutu</td>
<td>Kasama</td>
<td>4.2</td>
</tr>
<tr>
<td>B2</td>
<td>Road T3-Venture Farm Turn-off</td>
<td>Luanshya</td>
<td>4.2</td>
</tr>
<tr>
<td>B3</td>
<td>Road D539-Farm MK1672</td>
<td>Mkushi</td>
<td>3.4</td>
</tr>
<tr>
<td>B4</td>
<td>Road T2-Norrhodia Estates</td>
<td>Mkushi</td>
<td>0.5</td>
</tr>
<tr>
<td>B5</td>
<td>Road T2-Road D194</td>
<td>Kabwe</td>
<td>4.8</td>
</tr>
<tr>
<td>Road Number</td>
<td>Road Details</td>
<td>Length (m)</td>
<td>Location</td>
</tr>
<tr>
<td>-------------</td>
<td>--------------</td>
<td>------------</td>
<td>----------</td>
</tr>
<tr>
<td>B6</td>
<td>Road D194-Road D629</td>
<td>4.0</td>
<td>Kabwe</td>
</tr>
<tr>
<td>B7</td>
<td>Road D629-Plot 1807</td>
<td>2.4</td>
<td>Kabwe</td>
</tr>
<tr>
<td>B8</td>
<td>Road B6-Plot 1801</td>
<td>2.9</td>
<td>Kabwe</td>
</tr>
<tr>
<td>B9</td>
<td>Road B6-Plot 1800</td>
<td>3.2</td>
<td>Kabwe</td>
</tr>
<tr>
<td>B10</td>
<td>(Deleted)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>B11</td>
<td>Road D192-Farm 2143</td>
<td>5.6</td>
<td>Kabwe</td>
</tr>
<tr>
<td>B12</td>
<td>Road D192-Farm 2141</td>
<td>6.4</td>
<td>Kabwe</td>
</tr>
<tr>
<td>B13</td>
<td>Road D170-Lilanda Township</td>
<td>0.3</td>
<td>Lusaka</td>
</tr>
<tr>
<td>B14</td>
<td>Road M9-Sub 1 of Sub C of Farm 175a</td>
<td>1.6</td>
<td>Lusaka</td>
</tr>
<tr>
<td>B15</td>
<td>Road M9-Farm 739-Road D170</td>
<td>11.3</td>
<td>Lusaka</td>
</tr>
<tr>
<td>B16</td>
<td>Road M9-Farm 1956-Road D170</td>
<td>6.4</td>
<td>Lusaka</td>
</tr>
<tr>
<td>B17</td>
<td>Road D167-Sub B of Farm 677 (15 metres wide Road Reserve)</td>
<td>1.1</td>
<td>Lusaka</td>
</tr>
<tr>
<td>B18</td>
<td>Road D162-Farm 44a-Road D576</td>
<td>6.5</td>
<td>Lusaka</td>
</tr>
<tr>
<td>B19</td>
<td>Road D566-Road D567</td>
<td>2.4</td>
<td>Lusaka</td>
</tr>
<tr>
<td>B20</td>
<td>Road T2-Farm 85A/B</td>
<td>1.1</td>
<td>Mazabuka</td>
</tr>
<tr>
<td>B21</td>
<td>Road T1-Farm 137a-Road D391</td>
<td>12.2</td>
<td>Mazabuka</td>
</tr>
</tbody>
</table>
B22  Road D200-Mita Hills Dam  ..  ..  ..  ..  Mkushi  ..  ..  6.4
B23  (Deleted)
B24  Road D360-Mutama River  ..  ..  ..  ..  Choma  ..  ..  11.7
B25  (Deleted)
B26  Road D360-Farm 2590  ..  ..  ..  ..  Choma  ..  ..  2.1
B27  Sibanyati Siding-Farm 179a  ..  ..  ..  ..  Choma  ..  ..  2.4
B28  Road D104-Luona  ..  ..  ..  ..  Chipata  ..  ..  2.6
B29  Road D104-Chiewe  ..  ..  ..  ..  Chipata  ..  ..  3.2
B30  Road T4-Kanzu  ..  ..  ..  ..  Chipata  ..  ..  2.5
B31  Road D132-Kamanda Farm  ..  ..  ..  ..  Chipata  ..  ..  8.0
B32  Road D128-Farm D34A  ..  ..  ..  ..  Chipata  ..  ..  0.8
B33  Road M10-Farm 749  ..  ..  ..  ..  Livingstone  ..  ..  5.6
B34  (Deleted)
B35  Road M1-Chambeshi Memorial.  ..  ..  ..  Kasama  ..  ..  8.2
B36  Road M1-Chambeshi River (South Bank)  ..  ..  Kasama  ..  ..  0.2
B37  Road D128-Road R274 at boundary of Reserve
No. II Ngoni.  ..  ..  ..  ..  Chipata  ..  ..  7.2
B38  Road D580-Road R276 at boundary of Reserve
No. III Chewa.  ..  ..  ..  ..  Chipata  ..  ..  5.5
B39  Road T1 near Kaleya-Farm 234a-Road D678.  ..  Mazabuka  ..
<table>
<thead>
<tr>
<th>Serial No.</th>
<th>Name</th>
<th>Kilometres</th>
<th>Province</th>
</tr>
</thead>
<tbody>
<tr>
<td>B40</td>
<td>Road D177 at Karubwe-Farm 1153-Mutoyo Siding</td>
<td>10.6</td>
<td>Lusaka and Kabwe</td>
</tr>
<tr>
<td>B41</td>
<td>Road D610-Mwemba River on Farm 1851</td>
<td>12.9</td>
<td>Kalomo</td>
</tr>
<tr>
<td>B42</td>
<td>Road D610-Farm 66A</td>
<td>7.9</td>
<td>Kalomo</td>
</tr>
<tr>
<td>B43</td>
<td>Road D343-Farm BW7</td>
<td>2.9</td>
<td>Kalomo</td>
</tr>
</tbody>
</table>

**Approx. Serial Length No. Name Province Kilometres**

| B44       | Road D349-Farm A34 | 7.4       | Kalomo |
| B45       | Road D340-Farm 1856 | 1.9       | Kalomo |
| B46       | Road B48-Farm 1906 | 2.4       | Kalomo |
| B47       | Road T1-Nabuyani River | 4.2       | Kalomo |
| B48       | Road D338-Loop Road | 3.5       | Kalomo |
| B49       | Road D341-Farm 82A | 9.3       | Kalomo |
| B50       | Road D345-Farm 1768 | 5.1       | Kalomo |
| B51       | Road D176-Farm 2031 | 4.5       | Kabwe |
| B52       | Road T2 on Farm 1889-Farm 1890-Farm 1886 | 4.5       | Kabwe |
B53 Road D190-Farms Nos. 2105 and 2270  ..  ..  ..  Kabwe  ..  7.2
B54 Farm 629-Road T2-Farm 2625 (9 metres in width)  ..  Kabwe  ..  3.2
B55 Road B11-Mulumbo River  ..  ..  ..  ..  Kabwe  ..  ..  7.2
B56 Road D676 along the northern boundary of Farm 1433-Magoye River  ..  ..  ..  ..  Mazabuka  ..  ..  4.0
B57 Road T3-Musenga Smallholdings-Road T3  ..  ..  ..  Chingola  ..  ..  8.9
B58 Road T2-Farm 1818  ..  ..  ..  ..  Kabwe  ..  ..  3.4
B59 D129 Chiwaula-Kachile Village  ..  ..  ..  ..  Chipata  ..  ..  6.8
B60 Farm D171-Mbinga School  ..  ..  ..  ..  Chipata  ..  ..  6.3
B61 Siantontola Maize Depot-Katimba Court  ..  ..  ..  Mazabuka  ..  ..  6.0
B62 Plot Sub.B4 Farm 487a-Road D152  ..  ..  ..  Lusaka  ..  ..  0.5
B63 Road D189-Farm 876  ..  ..  ..  ..  Kabwe  ..  ..  4.0
B64 Road D597-Road D123  ..  ..  ..  ..  Chipata  ..  ..  28.3
B65 Road D123-Road D400  ..  ..  ..  ..  Chipata  ..  ..  27.2
B66 Road D124-Road B65  ..  ..  ..  ..  Chipata  ..  ..  8.9
B67 Road T2-Mulungushi School  ..  ..  ..  ..  Kabwe  ..  ..  9.8
B68 Road T1-Boundary of Reserve No. XX Tonga (Magoye) near Farm 582  ..  ..  ..  Mazabuka  ..  ..  8.0
B69 Road M3-Lukwena Mine  ..  ..  ..  ..  Mansa  ..  ..  ..
12.2

B70  Road D91-Katakwa Mine  ..  ..  ..  ..  Mansa  ..  ..  ..
2.5

B71  Road T3-Southern boundary Chambeshi Township  ..  Kalulushi  ..
..  0.3

B72  Road T3-Miengwe Siding  ..  ..  ..  ..  Ndola  ..  ..  ..
10.9

B73  Road T1-Farm 436a  ..  ..  ..  ..  Livingstone ..
..  2.5

B74  Road D262-North Mutundu Small-holdings  ..  ..  Mufulira  ..
..  ..  6.4

B75  Road D170-Farm 282a  ..  ..  ..  ..  Lusaka  .. ..
..  3.5

B76  Mazabuka Township Boundary-Boundary of Nakambala Sugar Estate  ..  ..  ..  ..  Mazabuka  ..  ..  12.1

B77  Road D265-"Newtown"  ..  ..  ..  ..  Chingola  .. ..
2.7

B78  (Deleted)

B79  Road T1 Kaleya River  ..  ..  ..  ..  ..  Mazabuka  ..
..  5.0

B80  Road T1 Kaleya River near Farm 1343  ..  ..  ..  Mazabuka  ..
..  7.2

SECTION 6 (3)-HIGHWAY AUTHORITIES-BRANCH ROADS

Notices by the Minister Statutory Instruments 41 of 1971
67 of 1971

The authorities set out in column 1 of the Schedule are hereby appointed highway authorities in respect of the branch roads set out in column 2 thereof.

SCHEDULE

<table>
<thead>
<tr>
<th>Column 1</th>
<th>Column 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Manager, Nakambala Estate Limited.</td>
<td>.. .. .. ..</td>
</tr>
<tr>
<td>B76</td>
<td></td>
</tr>
</tbody>
</table>

General Manager (Chingola Division), Nchanga Consolidated Copper Mines Limited.

.. B77

General Manager (Rokana Division), Nchanga Consolidated Copper Mines Limited.

..
### SECTION 7-DESIGNATION OF RURAL ROADS

Notice by the Minister

The letters and figures T1, T2, T3, T4 and T5 used herein refer to Inter-territorial Main Roads Nos. 1, 2, 3, 4 and 5 respectively, specified in the Appendix to the Act. Statutory Instruments 204 of 1972, 115 of 1981

**RURAL ROADS**

<table>
<thead>
<tr>
<th>Serial</th>
<th>No.</th>
<th>Name</th>
<th>Province</th>
<th>Length (Kilometres)</th>
</tr>
</thead>
<tbody>
<tr>
<td>R1</td>
<td>7.9</td>
<td>Road D20-Misengo</td>
<td>Kasama</td>
<td>7.9</td>
</tr>
<tr>
<td>R2</td>
<td>19.3</td>
<td>Road D37-Kampinda</td>
<td>Mporokoso</td>
<td>19.3</td>
</tr>
<tr>
<td>R3</td>
<td>22.0</td>
<td>Road D37-Lake Chishi</td>
<td>Mporokoso</td>
<td>22.0</td>
</tr>
<tr>
<td>R4</td>
<td>3.5</td>
<td>Road D39-Mukupa Kaoma</td>
<td>Mporokoso</td>
<td>3.5</td>
</tr>
<tr>
<td>R5</td>
<td>31.7</td>
<td>Road M3-Mucheleka</td>
<td>Luwingu</td>
<td>31.7</td>
</tr>
<tr>
<td>R6</td>
<td>38.5</td>
<td>Road M3-Chungu</td>
<td>Luwingu</td>
<td>38.5</td>
</tr>
<tr>
<td>R7</td>
<td>2.7</td>
<td>Road D77-Kafulwe Mission</td>
<td>Kawambwa</td>
<td>2.7</td>
</tr>
<tr>
<td>R8</td>
<td></td>
<td>(Deleted)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>R9</td>
<td>8.0</td>
<td>Road M3-Kalundu Mission</td>
<td>Kawambwa</td>
<td>8.0</td>
</tr>
<tr>
<td>R10</td>
<td></td>
<td>Road D96 at Mwewe-Shikamushili-Road D88 at Mwewe</td>
<td>Mansa</td>
<td>22.5</td>
</tr>
<tr>
<td>R11</td>
<td>2.6</td>
<td>Road M3-Chimese</td>
<td>Mansa</td>
<td>2.6</td>
</tr>
<tr>
<td>Road</td>
<td>Distance</td>
<td>Notes</td>
<td></td>
<td></td>
</tr>
<tr>
<td>------</td>
<td>----------</td>
<td>-------</td>
<td></td>
<td></td>
</tr>
<tr>
<td>R12</td>
<td>Road D136-Mtukuzi</td>
<td>Petauke</td>
<td></td>
<td></td>
</tr>
<tr>
<td>R13</td>
<td>Road T4-Road R12</td>
<td>Petauke</td>
<td></td>
<td></td>
</tr>
<tr>
<td>R14</td>
<td>Road T4-Nyalugwe</td>
<td>Petauke</td>
<td></td>
<td></td>
</tr>
<tr>
<td>R15</td>
<td>Road D319-Shekela Kuta</td>
<td>Senanga</td>
<td></td>
<td></td>
</tr>
<tr>
<td>R16</td>
<td>Road D325 at Nawinda-Sonso River (Nangoma)</td>
<td>Sesheke</td>
<td></td>
<td></td>
</tr>
<tr>
<td>R17</td>
<td>Road D325-Road R16</td>
<td>Sesheke</td>
<td></td>
<td></td>
</tr>
<tr>
<td>R18</td>
<td>Road M3-Chikwekwe</td>
<td>Mporokoso</td>
<td></td>
<td></td>
</tr>
<tr>
<td>R19</td>
<td>Road D19-Kaliminwa-Road D20 near Kapatu Mission</td>
<td>Mporokoso</td>
<td></td>
<td></td>
</tr>
<tr>
<td>R20</td>
<td>Road D36-Kandabwika Falls</td>
<td>Mporokoso</td>
<td></td>
<td></td>
</tr>
<tr>
<td>R21</td>
<td>Road D39-Vincent Bulaya</td>
<td>Mporokoso</td>
<td></td>
<td></td>
</tr>
<tr>
<td>R22</td>
<td>Road M1-Mpepo School</td>
<td>Mpika</td>
<td></td>
<td></td>
</tr>
<tr>
<td>R23</td>
<td>Road T2-Mpumba</td>
<td>Mpika</td>
<td></td>
<td></td>
</tr>
<tr>
<td>R24</td>
<td>Road D48 at Chiundaponde-Chimasula</td>
<td>Mpika</td>
<td></td>
<td></td>
</tr>
<tr>
<td>R25</td>
<td>Road T2-Chikwanda</td>
<td>Mpika</td>
<td></td>
<td></td>
</tr>
<tr>
<td>R26</td>
<td>Road D47-Mabeti</td>
<td>Serenje and Mpika</td>
<td></td>
<td></td>
</tr>
<tr>
<td>R27</td>
<td>Road D56-Julius Malekani</td>
<td>Chinsali</td>
<td></td>
<td></td>
</tr>
<tr>
<td>R28</td>
<td>Road D56-Charles Pambalashi</td>
<td>Chinsali</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Road</td>
<td>Description</td>
<td>Distance</td>
<td></td>
<td></td>
</tr>
<tr>
<td>--------</td>
<td>----------------------------------</td>
<td>----------</td>
<td></td>
<td></td>
</tr>
<tr>
<td>R29</td>
<td>Road T2-Mukwikile</td>
<td>1.8</td>
<td></td>
<td></td>
</tr>
<tr>
<td>R30</td>
<td>Road D56-Nkula-Road D60</td>
<td>9.7</td>
<td></td>
<td></td>
</tr>
<tr>
<td>R31</td>
<td>Road D60-Posta</td>
<td>16.1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>R32</td>
<td>Road D53-Lukaka Lwenshi</td>
<td>2.4</td>
<td></td>
<td></td>
</tr>
<tr>
<td>R33</td>
<td>Chinsali-Chintankwa</td>
<td>28.0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>R34</td>
<td>Road T2-Musonko</td>
<td>8.0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>R35</td>
<td>Road D18 at Mbesuma Ranch-Kalisha</td>
<td>8.0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>R36</td>
<td>Road T2-Musunsu</td>
<td>4.8</td>
<td></td>
<td></td>
</tr>
<tr>
<td>R37</td>
<td>Road D57-Kalende</td>
<td>9.7</td>
<td></td>
<td></td>
</tr>
<tr>
<td>R38</td>
<td>Road T2-Chinkumba</td>
<td>1.6</td>
<td></td>
<td></td>
</tr>
<tr>
<td>R39</td>
<td>Road T2-Kasanfala</td>
<td>1.6</td>
<td></td>
<td></td>
</tr>
<tr>
<td>R40</td>
<td>Road D57 at Mulango Mission-Chamasenga River</td>
<td>8.0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>R41</td>
<td>Road D44-Nakulu Bwalya</td>
<td>33.3</td>
<td></td>
<td></td>
</tr>
<tr>
<td>R42</td>
<td>Road D96 at Kasaba Mission-Lupososhi Causeway-Road R6 at Chungu</td>
<td>30.0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>R43</td>
<td>Road D88-Katuta</td>
<td>50.5</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Road</td>
<td>From</td>
<td>To</td>
<td>Distance</td>
<td></td>
</tr>
<tr>
<td>--------</td>
<td>-------------------------------------------</td>
<td>---------------------------------</td>
<td>----------</td>
<td></td>
</tr>
<tr>
<td>R44</td>
<td>Road M3-Kasande</td>
<td>Kasama</td>
<td>4.8</td>
<td></td>
</tr>
<tr>
<td>R45</td>
<td>Road M3-Road D30 at Mwamba</td>
<td>Kasama</td>
<td>12.1</td>
<td></td>
</tr>
<tr>
<td>R46</td>
<td>Road D8 at Kawimbe Mission-Timothy School</td>
<td>Mbala</td>
<td>8.0</td>
<td></td>
</tr>
<tr>
<td>R47</td>
<td>Road D7-Chilwa</td>
<td>Mbala</td>
<td>11.9</td>
<td></td>
</tr>
<tr>
<td>R48</td>
<td>Road D10 at Isanya-Isoka-Road M2</td>
<td>Mbala</td>
<td>22.7</td>
<td></td>
</tr>
<tr>
<td>R49</td>
<td>Road D433 at Isoka-Niamukolo</td>
<td>Mbala</td>
<td>8.4</td>
<td></td>
</tr>
<tr>
<td>R50</td>
<td>Road M2-Katula</td>
<td>Mbala</td>
<td>5.6</td>
<td></td>
</tr>
<tr>
<td>R51</td>
<td>Road D2-Road D14 at Chinakila</td>
<td>Mbala</td>
<td>53.8</td>
<td></td>
</tr>
<tr>
<td>R52</td>
<td>Road D2-Chamazambi</td>
<td>Mbala</td>
<td>6.9</td>
<td></td>
</tr>
<tr>
<td>R53</td>
<td>Road D2-Road D434</td>
<td>Mbala</td>
<td>10.5</td>
<td></td>
</tr>
<tr>
<td>R54</td>
<td>Road D434-Chisongo</td>
<td>Mbala</td>
<td>11.6</td>
<td></td>
</tr>
<tr>
<td>R55</td>
<td>Road D438-Sementi</td>
<td>Mbala</td>
<td>11.7</td>
<td></td>
</tr>
<tr>
<td>R56</td>
<td>Road D4 near Mambwe Mission-Road D438.</td>
<td>Mbala</td>
<td>14.6</td>
<td></td>
</tr>
<tr>
<td>R57</td>
<td>Road D438-Chindo</td>
<td>Mbala</td>
<td>12.6</td>
<td></td>
</tr>
<tr>
<td>R58</td>
<td>(Deleted)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>R59</td>
<td>Road D1-Sikatendela</td>
<td>Mbala</td>
<td>5.0</td>
<td></td>
</tr>
<tr>
<td>R60</td>
<td>Road D1-Mutitinya</td>
<td>Mbala</td>
<td>9.7</td>
<td></td>
</tr>
<tr>
<td>R61</td>
<td>Road D1-Chozi River Chisesa-Road D4</td>
<td>Mbala</td>
<td>49.9</td>
<td></td>
</tr>
<tr>
<td>R62</td>
<td>Road R61 at Chisesa-Tanzuka</td>
<td>Mbala</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Road No.</td>
<td>Description</td>
<td>Distance (km)</td>
<td>Location</td>
<td></td>
</tr>
<tr>
<td>---------</td>
<td>--------------------------------------------------</td>
<td>---------------</td>
<td>-------------------</td>
<td></td>
</tr>
<tr>
<td>R63</td>
<td>Road D76-Kabuta Fishing Camp</td>
<td>6.0</td>
<td>Kawambwa</td>
<td></td>
</tr>
<tr>
<td>R64</td>
<td>Road D76-Ntoto Fishing Camp</td>
<td>0.2</td>
<td>Kawambwa</td>
<td></td>
</tr>
<tr>
<td>R65</td>
<td>Road D76-Kasikisi Fishing Camp</td>
<td>0.6</td>
<td>Kawambwa</td>
<td></td>
</tr>
<tr>
<td>R66</td>
<td>Road D78-Lunde Graves</td>
<td>15.3</td>
<td>Kawambwa</td>
<td></td>
</tr>
<tr>
<td>R67</td>
<td>(Deleted)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>R68</td>
<td>Road D79-Lufubu Mission</td>
<td>0.8</td>
<td>Kawambwa</td>
<td></td>
</tr>
<tr>
<td>R69</td>
<td>Road D79-Mulele Farms</td>
<td>7.1</td>
<td>Kawambwa</td>
<td></td>
</tr>
<tr>
<td>R70</td>
<td>Road D79-Kanshimba Farms</td>
<td>11.1</td>
<td>Kawambwa</td>
<td></td>
</tr>
<tr>
<td>R71</td>
<td>Road D79-Chibongo Farms</td>
<td>2.7</td>
<td>Kawambwa</td>
<td></td>
</tr>
<tr>
<td>R72</td>
<td>Road D74-Luena Farms</td>
<td>3.2</td>
<td>Kawambwa</td>
<td></td>
</tr>
<tr>
<td>R73</td>
<td>Road D74 at Mushota-Pambashe Ferry</td>
<td>2.4</td>
<td>Kawambwa</td>
<td></td>
</tr>
<tr>
<td>R74</td>
<td>Road D19 near Chimpempe Mission-Kabanda-Road D74</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>R75</td>
<td>Road D75-Chitendwe</td>
<td>1.6</td>
<td>Kawambwa</td>
<td></td>
</tr>
<tr>
<td>R76</td>
<td>Road D75-Chibote Mission-Mambwe</td>
<td>26.6</td>
<td>Kawambwa</td>
<td></td>
</tr>
<tr>
<td>R77</td>
<td>Road D75 at Chama-Mpoposhi</td>
<td>15.4</td>
<td>Kawambwa</td>
<td></td>
</tr>
<tr>
<td>R78</td>
<td>(Deleted)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>R79</td>
<td>(Deleted)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>R80</td>
<td>Road M3-Mutipula</td>
<td>30.7</td>
<td>Kawambwa</td>
<td></td>
</tr>
<tr>
<td>Road Code</td>
<td>Description</td>
<td>Distance</td>
<td>Location</td>
<td></td>
</tr>
<tr>
<td>-----------</td>
<td>--------------------------------------------------</td>
<td>----------</td>
<td>-----------</td>
<td></td>
</tr>
<tr>
<td>R81</td>
<td>Road D86 at Chisunka-Mutwewankoko</td>
<td>16.1</td>
<td>Mansa</td>
<td></td>
</tr>
<tr>
<td>R82</td>
<td>Road D96-Nsono</td>
<td></td>
<td>Samfya</td>
<td></td>
</tr>
<tr>
<td>R83</td>
<td>Road D96-Kasuba</td>
<td></td>
<td>Samfya</td>
<td></td>
</tr>
<tr>
<td>R84</td>
<td>Road D90-Chibyesi</td>
<td></td>
<td>Samfya</td>
<td></td>
</tr>
<tr>
<td>R85</td>
<td>Road D90-Road D96 at Chitembo</td>
<td></td>
<td>Samfya</td>
<td></td>
</tr>
<tr>
<td>R86</td>
<td>Road M3-Kalasa Lukangaba</td>
<td>4.0</td>
<td>Mansa</td>
<td></td>
</tr>
<tr>
<td>R87</td>
<td>Road M3-Road D101 at Milambo</td>
<td>44.3</td>
<td>Mansa</td>
<td></td>
</tr>
<tr>
<td>R88</td>
<td>Road D100-Sokontwe School</td>
<td>17.7</td>
<td>Mansa</td>
<td></td>
</tr>
<tr>
<td>R89</td>
<td>Road D305-Nbekise-Nalikwanda Dispensary-Road D305</td>
<td></td>
<td>Mongu</td>
<td></td>
</tr>
<tr>
<td>R90</td>
<td>Road D316-Lwatile Mission</td>
<td></td>
<td>Mongu</td>
<td></td>
</tr>
<tr>
<td>R91</td>
<td>Road D316 at Lealui-Road D454-Road D315 at Limulunga</td>
<td></td>
<td>Mongu</td>
<td></td>
</tr>
<tr>
<td>R92</td>
<td>Road RD794-Road RD305</td>
<td></td>
<td>Mongu</td>
<td></td>
</tr>
<tr>
<td>R93</td>
<td>Road D792 at Chotela-Lukau Muteto</td>
<td>19.3</td>
<td>Mongu</td>
<td></td>
</tr>
<tr>
<td>R94</td>
<td>Kalabo-Libonda</td>
<td></td>
<td>Kalabo</td>
<td></td>
</tr>
<tr>
<td>R95</td>
<td>Kalabo-Sishekano</td>
<td></td>
<td>Kalabo</td>
<td></td>
</tr>
<tr>
<td>R96</td>
<td>Road D322-Mulele Kuta</td>
<td></td>
<td>Senangau</td>
<td></td>
</tr>
</tbody>
</table>

20.1
14.9
11.4
8.6
<table>
<thead>
<tr>
<th>Road Code</th>
<th>Road Name</th>
<th>Distance</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>R97</td>
<td>Road D463-Mulonga Kuta</td>
<td>14.5</td>
<td>Senangau</td>
</tr>
<tr>
<td>R98</td>
<td>Road D321-Lui Kuta</td>
<td>3.2</td>
<td>Senangau</td>
</tr>
<tr>
<td>R99</td>
<td>Road M9-Ituta</td>
<td>4.8</td>
<td>Senangau</td>
</tr>
<tr>
<td>R100</td>
<td>Road M9-Kasibi</td>
<td>14.5</td>
<td>Senangau</td>
</tr>
<tr>
<td>R101</td>
<td>Senanga-Lui River</td>
<td>24.1</td>
<td>Senangau</td>
</tr>
<tr>
<td>R102</td>
<td>Road M9-Loanja Kuta</td>
<td>12.9</td>
<td>Sesheke</td>
</tr>
<tr>
<td>R103</td>
<td>Road M9 at Kamwandampandwe-Naliele</td>
<td>9.7</td>
<td>Kaoma</td>
</tr>
<tr>
<td>R104</td>
<td>Road D301 near Kaoma-Mutondo Kuta-Road D306</td>
<td>28.2</td>
<td>Kaoma</td>
</tr>
<tr>
<td>R105</td>
<td>Road D309-Afumba</td>
<td>8.0</td>
<td>Kaoma</td>
</tr>
<tr>
<td>R106</td>
<td>Road D309-Mululimi</td>
<td>8.0</td>
<td>Kaoma</td>
</tr>
<tr>
<td>R107</td>
<td>Road M9-Kakumba</td>
<td>6.4</td>
<td>Kaoma</td>
</tr>
<tr>
<td>R108</td>
<td>Road M9-Kahare</td>
<td>22.5</td>
<td>Kaoma</td>
</tr>
<tr>
<td>R109</td>
<td>Road D468-Chisuwa School-Mwinuna</td>
<td>77.9</td>
<td>Ndola</td>
</tr>
<tr>
<td>R110</td>
<td>Road T3-Katanino Siding</td>
<td>10.9</td>
<td>Ndola</td>
</tr>
<tr>
<td>R111</td>
<td>Road T3-Chileshe School</td>
<td>5.6</td>
<td>Ndola</td>
</tr>
<tr>
<td>R112</td>
<td>Road D468 at Mpongwe Mission-Katanga Ferry</td>
<td>22.5</td>
<td>Ndola</td>
</tr>
<tr>
<td>R113</td>
<td>Road D468-Ndubeni-Misangwa Mission</td>
<td>12.9</td>
<td>Ndola</td>
</tr>
<tr>
<td>Road ID</td>
<td>Description</td>
<td>Distance (Km)</td>
<td>Location</td>
</tr>
<tr>
<td>--------</td>
<td>--------------------------------------------------</td>
<td>---------------</td>
<td>---------------------------------</td>
</tr>
<tr>
<td>R114</td>
<td>Road D468-Mukumwe-Iwonde School</td>
<td>..</td>
<td>Ndola and Kabwe</td>
</tr>
<tr>
<td></td>
<td></td>
<td>70.8</td>
<td></td>
</tr>
<tr>
<td>R115</td>
<td>Road T4-Mpanshya</td>
<td>..</td>
<td>Lusaka</td>
</tr>
<tr>
<td></td>
<td></td>
<td>8.0</td>
<td></td>
</tr>
<tr>
<td>R116</td>
<td>Road T4-Kasisi Mission</td>
<td>..</td>
<td>Lusaka</td>
</tr>
<tr>
<td></td>
<td></td>
<td>16.1</td>
<td></td>
</tr>
<tr>
<td>R117</td>
<td>Road D481 at Chiowa Mushongentende</td>
<td>..</td>
<td>Lusaka</td>
</tr>
<tr>
<td></td>
<td></td>
<td>16.1</td>
<td></td>
</tr>
<tr>
<td>R118</td>
<td>Road D155-Shikoswe</td>
<td>..</td>
<td>Lusaka</td>
</tr>
<tr>
<td></td>
<td></td>
<td>19.3</td>
<td></td>
</tr>
<tr>
<td>R119</td>
<td>Road D481-Road D482 at Chisakila</td>
<td>..</td>
<td>Lusaka</td>
</tr>
<tr>
<td></td>
<td></td>
<td>25.7</td>
<td></td>
</tr>
<tr>
<td>R120</td>
<td>Road T4-Mwenshangombo</td>
<td>..</td>
<td>Lusaka</td>
</tr>
<tr>
<td></td>
<td></td>
<td>32.2</td>
<td></td>
</tr>
<tr>
<td>R121</td>
<td>Road D488-Kafue River at Chinachabo</td>
<td>..</td>
<td>Mumbwa</td>
</tr>
<tr>
<td></td>
<td></td>
<td>12.1</td>
<td></td>
</tr>
<tr>
<td>R122</td>
<td>Road M9 near Lutale River-Road M9</td>
<td>..</td>
<td>Mumbwa</td>
</tr>
<tr>
<td></td>
<td></td>
<td>9.7</td>
<td></td>
</tr>
<tr>
<td>R123</td>
<td>Road D180-Road D183</td>
<td>..</td>
<td>Mumbwa</td>
</tr>
<tr>
<td></td>
<td></td>
<td>12.9</td>
<td></td>
</tr>
<tr>
<td>R124</td>
<td>Road D166-Kabulwebulwe-Road D166</td>
<td>..</td>
<td>Mumbwa</td>
</tr>
<tr>
<td></td>
<td></td>
<td>13.7</td>
<td></td>
</tr>
<tr>
<td>R125</td>
<td>Road M9-Sichanzu-Road M9 near Nabuiwe.</td>
<td>..</td>
<td>Mumbwa</td>
</tr>
<tr>
<td></td>
<td></td>
<td>35.1</td>
<td></td>
</tr>
<tr>
<td>R126</td>
<td>Mumbwa-Chief Mumbwa's Village</td>
<td>..</td>
<td>Mumbwa</td>
</tr>
<tr>
<td></td>
<td></td>
<td>5.6</td>
<td></td>
</tr>
<tr>
<td>R127</td>
<td>Road M20-Malambanyama School-Road D185 at Kasankomona</td>
<td>..</td>
<td>Kabwe</td>
</tr>
<tr>
<td></td>
<td></td>
<td>77.2</td>
<td></td>
</tr>
<tr>
<td>R128</td>
<td>Road T2-Muchenje-Road M20</td>
<td>..</td>
<td>Kabwe</td>
</tr>
<tr>
<td></td>
<td></td>
<td>75.6</td>
<td></td>
</tr>
<tr>
<td>R129</td>
<td>Road R128-Chunga Dipping Tank</td>
<td>..</td>
<td>Kabwe</td>
</tr>
<tr>
<td>Road</td>
<td>Length (Km)</td>
<td>Details</td>
<td></td>
</tr>
<tr>
<td>--------</td>
<td>-------------</td>
<td>----------------------------------------</td>
<td></td>
</tr>
<tr>
<td>R130</td>
<td>3.2</td>
<td>Road T2-Chikankoto to Kabwe</td>
<td></td>
</tr>
<tr>
<td>R131</td>
<td>12.9</td>
<td>Road D421-Mswishi Agricultural Station to Kabwe</td>
<td></td>
</tr>
<tr>
<td>R132</td>
<td>54.7</td>
<td>Road D421-Chamuka-Farm 696 to Kabwe</td>
<td></td>
</tr>
<tr>
<td>R133</td>
<td>5.5</td>
<td>Road T2-Chibombo to Kabwe</td>
<td></td>
</tr>
<tr>
<td>R134</td>
<td>48.0</td>
<td>Road R127 at Malambanyama School Nchewa-Shimukuni-Road D133 at Chibombo to Kabwe</td>
<td></td>
</tr>
<tr>
<td>R135</td>
<td></td>
<td>Road M20-Road R134 at Shimukuni to Kabwe</td>
<td></td>
</tr>
<tr>
<td>R136</td>
<td>9.7</td>
<td>Road T2-Chibimbo (South Approach) to Kabwe</td>
<td></td>
</tr>
<tr>
<td>R137</td>
<td>3.2</td>
<td>Road D235-Muchinka to Serenje</td>
<td></td>
</tr>
<tr>
<td>R138</td>
<td></td>
<td>Road D226-Mailo to Serenje</td>
<td></td>
</tr>
<tr>
<td>R139</td>
<td></td>
<td>Serenje-Nganswa to Serenje</td>
<td></td>
</tr>
<tr>
<td>R140</td>
<td>4.8</td>
<td>Road T2-Kabamba to Serenje</td>
<td></td>
</tr>
<tr>
<td>R141</td>
<td>19.3</td>
<td>Road D220-Mukopa to Serenje</td>
<td></td>
</tr>
<tr>
<td>R142</td>
<td>16.3</td>
<td>Road T2-Road D504 to Gwembe</td>
<td></td>
</tr>
<tr>
<td>R143</td>
<td>9.8</td>
<td>Road D504-Lusita River to Gwembe</td>
<td></td>
</tr>
<tr>
<td>R144</td>
<td>17.1</td>
<td>Road M15-Road D504-Road R143 to Gwembe</td>
<td></td>
</tr>
<tr>
<td>R145</td>
<td>12.7</td>
<td>Road D502-Lake Kariba to Gwembe</td>
<td></td>
</tr>
<tr>
<td>Route</td>
<td>Description</td>
<td>Distance</td>
<td></td>
</tr>
<tr>
<td>--------</td>
<td>-----------------------------------------------------</td>
<td>-----------</td>
<td></td>
</tr>
<tr>
<td>R146</td>
<td>Road D503-Sinadambwe-Lufua River</td>
<td>14.0</td>
<td></td>
</tr>
<tr>
<td>R147</td>
<td>Road D500-Monga School</td>
<td>6.4</td>
<td></td>
</tr>
<tr>
<td>R148</td>
<td>Road D500-Bondo School</td>
<td>11.4</td>
<td></td>
</tr>
<tr>
<td>R149</td>
<td>Road D375-Sompani</td>
<td>14.5</td>
<td></td>
</tr>
<tr>
<td>R150</td>
<td>Road D375-Chipepo</td>
<td>4.8</td>
<td></td>
</tr>
<tr>
<td>R151</td>
<td>(Deleted)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>R152</td>
<td>Road D497 at Siatwinda-Sulwe Gonde-Road D495 at Mamba</td>
<td>37.0</td>
<td></td>
</tr>
<tr>
<td>R153</td>
<td>Road M10-Sekute-Makunka</td>
<td>33.8</td>
<td></td>
</tr>
<tr>
<td>R154</td>
<td>Road R153 at Sekute-Mapanda</td>
<td>32.2</td>
<td></td>
</tr>
<tr>
<td>R155</td>
<td>Senkobo Siding-Simango</td>
<td>24.1</td>
<td></td>
</tr>
<tr>
<td>R156</td>
<td>Road D347-Sipatunyana</td>
<td>8.0</td>
<td></td>
</tr>
<tr>
<td>R157</td>
<td>Road D505 at Chuba-Chikanta</td>
<td>9.2</td>
<td></td>
</tr>
<tr>
<td>R158</td>
<td>Petauke-Chimtowe</td>
<td>5.5</td>
<td></td>
</tr>
<tr>
<td>R159</td>
<td>Road T4-Kaselo</td>
<td>9.8</td>
<td></td>
</tr>
<tr>
<td>R160</td>
<td>Road D140-Mkaka</td>
<td>7.9</td>
<td></td>
</tr>
<tr>
<td>R161</td>
<td>Road D415-Kasonde</td>
<td>4.3</td>
<td></td>
</tr>
<tr>
<td>R162</td>
<td>Road T4-Ndale-Road D419</td>
<td>23.0</td>
<td></td>
</tr>
<tr>
<td>Road Name</td>
<td>Distance</td>
<td>Location</td>
<td></td>
</tr>
<tr>
<td>-------------------------------</td>
<td>----------</td>
<td>-----------</td>
<td></td>
</tr>
<tr>
<td>R163 Road T4-Kasusu</td>
<td>3.2</td>
<td>Petauke</td>
<td></td>
</tr>
<tr>
<td>R164 Road D140 at Nyamphande-Chilondo</td>
<td>19.3</td>
<td>Petauke</td>
<td></td>
</tr>
<tr>
<td>R165 Road T4-Road D140 at Nyamphande</td>
<td>11.6</td>
<td>Petauke</td>
<td></td>
</tr>
<tr>
<td>R166 Road D140 at Mwape-Road D143 at Luangwa River</td>
<td>55.7</td>
<td>Petauke</td>
<td></td>
</tr>
<tr>
<td>R167 Road D301-Kasompe River</td>
<td>40.2</td>
<td>Kasempa</td>
<td></td>
</tr>
<tr>
<td>R168 Road D301-Munte</td>
<td>12.9</td>
<td>Kasempa</td>
<td></td>
</tr>
<tr>
<td>R169 Road D301-Kamalondo</td>
<td>8.0</td>
<td>Kasempa</td>
<td></td>
</tr>
<tr>
<td>R170 Road M8-Shitobo River</td>
<td>48.3</td>
<td>Kasempa</td>
<td></td>
</tr>
<tr>
<td>R171 Road D293 at Chiyeka-Road D542 at Chingi.</td>
<td>10.6</td>
<td>Zambezi</td>
<td></td>
</tr>
<tr>
<td>R172 Road D293-Nyakovula</td>
<td>19.3</td>
<td>Zambezi</td>
<td></td>
</tr>
<tr>
<td>R173 Road D293-Road D294</td>
<td>12.9</td>
<td>Zambezi</td>
<td></td>
</tr>
<tr>
<td>R174 Road D298-Kakona-Mpidi</td>
<td>19.3</td>
<td>Zambezi</td>
<td></td>
</tr>
<tr>
<td>R175 Road D296-Samwangi</td>
<td>38.6</td>
<td>Zambezi</td>
<td></td>
</tr>
<tr>
<td>R176 Road M9-Chabota</td>
<td>19.9</td>
<td>Mumbwa</td>
<td></td>
</tr>
<tr>
<td>R177 Road D536-Katinti</td>
<td>4.3</td>
<td>Mumbwa</td>
<td></td>
</tr>
<tr>
<td>R178 Road D291-Mukosho School</td>
<td>14.5</td>
<td>Kabompo</td>
<td></td>
</tr>
<tr>
<td>Road No.</td>
<td>Description</td>
<td>Distance</td>
<td></td>
</tr>
<tr>
<td>---------</td>
<td>--------------------------------------</td>
<td>----------</td>
<td></td>
</tr>
<tr>
<td>R179</td>
<td>Road D291-Chikenge</td>
<td>33.8</td>
<td></td>
</tr>
<tr>
<td>R180</td>
<td>Road R179-Kanguya</td>
<td>12.9</td>
<td></td>
</tr>
<tr>
<td>R181</td>
<td>Road D290-Chitebe</td>
<td>1.6</td>
<td></td>
</tr>
<tr>
<td>R182</td>
<td>Road D559-Loloma School</td>
<td>1.6</td>
<td></td>
</tr>
<tr>
<td>R183</td>
<td>Road M8-Manyinga R.L.A./H.Q.-Road M8.</td>
<td>4.8</td>
<td></td>
</tr>
<tr>
<td>R184</td>
<td>Road T5-Lamba Central School</td>
<td>6.0</td>
<td></td>
</tr>
<tr>
<td>R185</td>
<td>Road T5-Chovwe School</td>
<td>61.5</td>
<td></td>
</tr>
<tr>
<td>R186</td>
<td>Road D271-Chafukuma</td>
<td>8.5</td>
<td></td>
</tr>
<tr>
<td>R187</td>
<td>Road T5-Solwezi R.L.A./H.Q.-Road T5</td>
<td>6.4</td>
<td></td>
</tr>
<tr>
<td>R188</td>
<td>(Deleted)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>R189</td>
<td>Road M8-Matebo</td>
<td>24.1</td>
<td></td>
</tr>
<tr>
<td>R190</td>
<td>Road T5-Sandangombe School</td>
<td>18.2</td>
<td></td>
</tr>
<tr>
<td>R191</td>
<td>Road T5-Mukumbi Lubinga</td>
<td>17.9</td>
<td></td>
</tr>
<tr>
<td>R192</td>
<td>Road T5-Shilenda School</td>
<td>17.7</td>
<td></td>
</tr>
<tr>
<td>R193</td>
<td>Road D272-Kaliele</td>
<td>4.8</td>
<td></td>
</tr>
<tr>
<td>R194</td>
<td>Road T5-Mulonga</td>
<td>8.0</td>
<td></td>
</tr>
<tr>
<td>Route</td>
<td>Description</td>
<td>Distance</td>
<td></td>
</tr>
<tr>
<td>-------</td>
<td>-------------</td>
<td>----------</td>
<td></td>
</tr>
<tr>
<td>R195</td>
<td>Road D271-Chikola</td>
<td>Solwezi</td>
<td>21.4</td>
</tr>
<tr>
<td>R196</td>
<td>Road D271-Musaka</td>
<td>Solwezi</td>
<td>11.3</td>
</tr>
<tr>
<td>R197</td>
<td>Road T5-Kafue River</td>
<td>Solwezi</td>
<td>20.3</td>
</tr>
<tr>
<td>R198</td>
<td>Road D201-Muteteshi</td>
<td>Ndola</td>
<td>8.0</td>
</tr>
<tr>
<td>R199</td>
<td>Road D243-Chiwalu Old Court-Lupiya School</td>
<td>Ndola</td>
<td>13.2</td>
</tr>
<tr>
<td>R200</td>
<td>Road D243-Chatyola School</td>
<td>Ndola</td>
<td>14.5</td>
</tr>
<tr>
<td>R201</td>
<td>Boundary of Reserve No. XXV Baleya-Mukuni</td>
<td>Kalomo</td>
<td>1.6</td>
</tr>
<tr>
<td>R202</td>
<td>Boundary of Reserve No. XXV Baleya-near Farm</td>
<td>Kalomo</td>
<td>9.7</td>
</tr>
<tr>
<td>R203</td>
<td>Road D526 at Sinde Mission-Mukunka</td>
<td>Kalomo</td>
<td>29.0</td>
</tr>
<tr>
<td>R204</td>
<td>Road D348-Dimbwe Mission</td>
<td>Kalomo</td>
<td>21.2</td>
</tr>
<tr>
<td>R205</td>
<td>Road D346-Sinyangwamunda</td>
<td>Kalomo</td>
<td>32.2</td>
</tr>
<tr>
<td>R206</td>
<td>Ngwezi River near Farm 1928-Nyawa</td>
<td>Kalomo</td>
<td>40.2</td>
</tr>
<tr>
<td>R207</td>
<td>Kabwe Rural/Urban District Boundary near Farm</td>
<td>Kabwe</td>
<td>61.6</td>
</tr>
<tr>
<td>R208</td>
<td>Road D625-Road R208 at Chipepo School</td>
<td>Kabwe</td>
<td>38.9</td>
</tr>
<tr>
<td>R209</td>
<td>Kabwe Rural/Urban District Boundary near Farm</td>
<td>Kabwe</td>
<td>9.7</td>
</tr>
<tr>
<td>R210</td>
<td>Road D560 at Kabompo River-Road R170 at</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Route</td>
<td>Description</td>
<td>Distance (km)</td>
<td></td>
</tr>
<tr>
<td>-------</td>
<td>-------------</td>
<td>---------------</td>
<td></td>
</tr>
<tr>
<td>R212</td>
<td>Road D283-Muzenzi to Mwinilunga</td>
<td>4.8</td>
<td></td>
</tr>
<tr>
<td>R213</td>
<td>Road T5-Mwilombi to Mwinilunga</td>
<td>14.5</td>
<td></td>
</tr>
<tr>
<td>R214</td>
<td>Road D285-Muzeya to Mwinilunga</td>
<td>4.5</td>
<td></td>
</tr>
<tr>
<td>R215</td>
<td>Road D145-Chiwera to Feira</td>
<td>12.2</td>
<td></td>
</tr>
<tr>
<td>R216</td>
<td>Road D145-Road R215 to Feira</td>
<td>14.3</td>
<td></td>
</tr>
<tr>
<td>R217</td>
<td>Road D145-Murumba R.L.A./H.Q. to Feira</td>
<td>3.5</td>
<td></td>
</tr>
<tr>
<td>R218</td>
<td>Road D145-Kapoche Mission to Feira</td>
<td>3.2</td>
<td></td>
</tr>
<tr>
<td>R219</td>
<td>Road D145-Mpuka to Feira</td>
<td>1.6</td>
<td></td>
</tr>
<tr>
<td>R220</td>
<td>Feira-Kavalamanja to Feira</td>
<td>18.5</td>
<td></td>
</tr>
<tr>
<td>R221</td>
<td>Pemba Township Boundary-Road D361 near Kasiya Mission to Choma</td>
<td>14.0</td>
<td></td>
</tr>
<tr>
<td>R222</td>
<td>Road D301-Namimbwe Stream to Kaoma</td>
<td>15.3</td>
<td></td>
</tr>
<tr>
<td>R223</td>
<td>Road D310-Lingwaya to Kaoma</td>
<td>8.0</td>
<td></td>
</tr>
<tr>
<td>R224</td>
<td>Road D305-Puka to Kaoma</td>
<td>16.9</td>
<td></td>
</tr>
<tr>
<td>R225</td>
<td>Road D309-Afumba School to Kaoma</td>
<td>8.0</td>
<td></td>
</tr>
<tr>
<td>R226</td>
<td>Road D325-Mwanza-Ntese to Sesheke</td>
<td>64.4</td>
<td></td>
</tr>
<tr>
<td>R227</td>
<td>Road D293-Zambezi River at Kakanga to Zambezi</td>
<td>3.2</td>
<td></td>
</tr>
<tr>
<td>R228</td>
<td>Road D293-Kangungu to Zambezi</td>
<td>16.1</td>
<td></td>
</tr>
</tbody>
</table>
R229 Chiwale-Musieta Chimera .. .. .. .. Lundazi .. .. 48.3
R230 Road D600-Mulilo .. .. .. .. Lundazi .. .. 25.7
R231 Road R37-Lundu .. .. .. .. Lundazi .. .. 38.6
R232 Road D691 at Kalinko-Road D600 at Sitwe .. .. Lundazi .. .. 56.3
R233 Road R691-Katangalika .. .. .. .. Lundazi .. .. 29.0
R234 Road D105-Kapichilu .. .. .. .. Lundazi .. .. 19.3
R235 Road D105 at Chikwa-Chimpamba .. .. Lundazi .. .. 19.3
R236 Road D105 at Chifunda-Kanusga .. .. Lundazi .. .. 40.2
R237 Road D107 at Chasefu-Road D103 .. .. .. Lundazi .. .. 9.7
R238 Road D103-Mtwalo .. .. .. .. Lundazi .. .. 14.5
R239 Road D107 at Magodi-Road D103 .. .. .. Lundazi .. .. 11.3
R240 Road D103-Kamzuole .. .. .. .. Lundazi .. .. 16.1
R241 Road D103-Munyukwa .. .. .. .. Lundazi .. .. 25.7
R242 Road D103-Boyole .. .. .. .. Lundazi .. .. 9.7
R243 Road D104-Limbalimbu .. .. .. .. Lundazi .. ..
25.7
R244  Road D103-Kapakesa  ..  ..  ..  ..  Lundazi  ..  ..
6.4
R245  Road D103 at Mayandika-Pikamalaza  ..  ..  Lundazi  ..  ..
6.4
R246  Road D103 at Chikwanda-Pikamalaza  ..  ..  Lundazi  ..  ..
6.4
R247  Road R245 at Pikamalaza-Malawi Border.  ..  ..  Lundazi  .. ..  9.7
R248  Road D109-Lusuntha  ..  ..  ..  ..  Lundazi  ..  ..  4.8
R249  Kanyunya-Malawi Border  ..  ..  ..  ..  Lundazi  ..  ..  3.2
14.5
R250  Road D110 at Chewa-Hanock  ..  ..  ..  ..  Lundazi  ..  ..
R251  Road D110 at Chewa-Mugwanta  ..  ..  ..  ..  Lundazi  ..  ..
25.7
R252  Road D110 at Chewa-Chinemule  ..  ..  ..  ..  Lundazi  ..  ..
8.0
R253  Road D110 at Chewa-Kachinda  ..  ..  ..  ..  Lundazi  ..  ..
25.7
R254  Road D110-Kapongula  ..  ..  ..  ..  Lundazi  ..  ..
35.4
R255  Road D110-Chinjala  ..  ..  ..  ..  ..  Lundazi  ..  ..
6.4
R256  Road M12-Zumwanda  ..  ..  ..  ..  Lundazi  ..  ..
11.3
R257  Road D104-Chiwande  ..  ..  ..  ..  Lundazi  ..  ..
24.1
<table>
<thead>
<tr>
<th>Road No.</th>
<th>Description</th>
<th>Distance</th>
</tr>
</thead>
<tbody>
<tr>
<td>R258</td>
<td>Road D598-Road D259 at Mkanya</td>
<td>48.1</td>
</tr>
<tr>
<td>R259</td>
<td>Road D114 at Musumba-Chief Kakumbi's Court-Kakumbi Game Park Road</td>
<td>31.4</td>
</tr>
<tr>
<td>R260</td>
<td>Road R259-Kakumbi Village</td>
<td>2.7</td>
</tr>
<tr>
<td>R261</td>
<td>Road D114 at Masumba-Chilongozi Nsefu Game Park Road</td>
<td>13.4</td>
</tr>
<tr>
<td>R262</td>
<td>Road R261-Chief Nsefu</td>
<td>2.7</td>
</tr>
<tr>
<td>R263</td>
<td>Road D104 at Ligomo-Road D113 near Jumbe</td>
<td>12.2</td>
</tr>
<tr>
<td>R264</td>
<td>Road D117 at Chinunda-Chikwende</td>
<td>8.7</td>
</tr>
<tr>
<td>R265</td>
<td>Road D116-Road D117</td>
<td>7.2</td>
</tr>
<tr>
<td>R266</td>
<td>Road M12-Road D116 at Mafuta</td>
<td>13.2</td>
</tr>
<tr>
<td>R267</td>
<td>Road D116 at Mukwa-Road D120 at Kapatamoyo</td>
<td>6.9</td>
</tr>
<tr>
<td>R268</td>
<td>Road M12-Mkanda-Road M12</td>
<td>12.4</td>
</tr>
<tr>
<td>R269</td>
<td>Road D118 at Tamanda-Road R268 at Mkanda</td>
<td>7.4</td>
</tr>
<tr>
<td>R270</td>
<td>Road R268-Mgwaza</td>
<td>3.2</td>
</tr>
<tr>
<td>R271</td>
<td>Road M12-Nshawa</td>
<td>4.3</td>
</tr>
<tr>
<td>R272</td>
<td>Road D121-Road D708</td>
<td>3.2</td>
</tr>
<tr>
<td>Route</td>
<td>Details</td>
<td>Distance</td>
</tr>
<tr>
<td>-------</td>
<td>---------</td>
<td>----------</td>
</tr>
<tr>
<td>273</td>
<td>Road D121-Mshoro to Chipata</td>
<td>6.6</td>
</tr>
<tr>
<td>274</td>
<td>Road D403-Road B37 to Chipata</td>
<td>5.0</td>
</tr>
<tr>
<td>275</td>
<td>Road D403-Chief Mpezeni to Chipata</td>
<td>0.6</td>
</tr>
<tr>
<td>276</td>
<td>Road D406-Road B38 to Chipata</td>
<td>9.5</td>
</tr>
<tr>
<td>277</td>
<td>Road D406-Pembamoyo Court to Chipata</td>
<td>4.3</td>
</tr>
<tr>
<td>278</td>
<td>Road D406-Mzewe Peasant Farms to Chipata</td>
<td>3.5</td>
</tr>
<tr>
<td>279</td>
<td>Road D406-Mkande School to Chipata</td>
<td>4.0</td>
</tr>
<tr>
<td>280</td>
<td>Road T4-Road D595 to Chipata</td>
<td>3.7</td>
</tr>
<tr>
<td>281</td>
<td>Road D407 near Chadiza-Chamchengu Dam to Chipata</td>
<td>3.0</td>
</tr>
<tr>
<td>282</td>
<td>Road D407 at Chadiza-Road D405 to Chipata</td>
<td>8.0</td>
</tr>
<tr>
<td>283</td>
<td>Road D589 at Nsadzu Mission-Road D593 to Chipata</td>
<td>5.8</td>
</tr>
<tr>
<td>284</td>
<td>Road D405-Malemya School to Chipata</td>
<td>3.2</td>
</tr>
<tr>
<td>285</td>
<td>Road D405-Nunda School to Chipata</td>
<td>5.5</td>
</tr>
<tr>
<td>286</td>
<td>Road D408-Thanilu School to Chipata</td>
<td>0.8</td>
</tr>
<tr>
<td>Route</td>
<td>Description</td>
<td>Distance</td>
</tr>
<tr>
<td>-------</td>
<td>-------------</td>
<td>----------</td>
</tr>
<tr>
<td>R287</td>
<td>Road D405-Mantawa</td>
<td>7.6</td>
</tr>
<tr>
<td>R288</td>
<td>Road D405-Nyamane School</td>
<td>2.7</td>
</tr>
<tr>
<td>R289</td>
<td>Road D408 at Mlolo-Chisadzi School</td>
<td>1.9</td>
</tr>
<tr>
<td>R290</td>
<td>Road D409-Songwe</td>
<td>7.2</td>
</tr>
<tr>
<td>R291</td>
<td>Road D409-Mthipa-Road R290</td>
<td>24.6</td>
</tr>
<tr>
<td>R292</td>
<td>Road D409-Road R291</td>
<td>5.1</td>
</tr>
<tr>
<td>R293</td>
<td>Road D409 at Kagoro-Road D409 Mtandaza</td>
<td>15.6</td>
</tr>
<tr>
<td>R294</td>
<td>Road D409-Road R293</td>
<td>8.2</td>
</tr>
<tr>
<td>R295</td>
<td>Road D583-Mtelemuka</td>
<td>6.4</td>
</tr>
<tr>
<td>R296</td>
<td>Road T4-Mkaika Court</td>
<td>4.0</td>
</tr>
<tr>
<td>R297</td>
<td>Road D598-Ngombeyela School</td>
<td>9.2</td>
</tr>
<tr>
<td>R298</td>
<td>Road D409-Kondwerani School</td>
<td>3.5</td>
</tr>
<tr>
<td>R299</td>
<td>Road T4-Nyamaolu</td>
<td>9.0</td>
</tr>
<tr>
<td>R300</td>
<td>Road T4-Road D592-Road D411-Road T4</td>
<td>20.8</td>
</tr>
<tr>
<td>R301</td>
<td>Road D410 at Chisale School-Road D411</td>
<td></td>
</tr>
</tbody>
</table>
R302  Road R301-Road R300  Chipata
R303  Road D411-Simalambo School Chipata
R304  Road D411-Lupande River Chipata
R305  Road D412-Dambo Chipata
R306  Road D134-Kambauwa Chipata
R307  Road D134-Chiguya Chipata
R308  Road T4-Chimunsi-Road D134 Chipata
R309  Road T2-Road D71 at Mwenzo Mission Isoka
R310  Road T2-Waitwika-Road D1 Isoka
R311  Road T2-Road M14 near Shem Isoka
R312  Road D72-Mwine Mirongo School Isoka
R313  Road R312-Nansala Peasant Farms Isoka
R314  Road D72-Mpandwe Peasant Farms Isoka
R315  Road D72-Mweniwisi Isoka
R316  Road R315-Katiyetye Isoka
R317  Road M14-Mwine Kaseya School Isoka
<table>
<thead>
<tr>
<th>Road No.</th>
<th>Description</th>
<th>Distance</th>
<th>End Points</th>
</tr>
</thead>
<tbody>
<tr>
<td>R318</td>
<td>Road M14-Mpemba School</td>
<td>24.1</td>
<td>Isoka</td>
</tr>
<tr>
<td>R319</td>
<td>Road D66 on Chunga Farm-Winambo Farm</td>
<td>10.5</td>
<td>Chinsali</td>
</tr>
<tr>
<td>R320</td>
<td>Road D18-Kalosa</td>
<td>12.9</td>
<td>Chinsali</td>
</tr>
<tr>
<td>R321</td>
<td>Road D54-Filamba Village</td>
<td>12.9</td>
<td>Chinsali</td>
</tr>
<tr>
<td>R322</td>
<td>Road D56-Kabanda Village</td>
<td>1.0</td>
<td>Chinsali</td>
</tr>
<tr>
<td>R323</td>
<td>Road D56-Bwalya Chokwe School</td>
<td>3.2</td>
<td>Chinsali</td>
</tr>
<tr>
<td>R324</td>
<td>Road D18-Mungwi Weir</td>
<td>8.0</td>
<td>Kasama</td>
</tr>
<tr>
<td>R325</td>
<td>Road D18-Mungwi Rural Township</td>
<td>7.1</td>
<td>Kasama</td>
</tr>
<tr>
<td>R326</td>
<td>Muchinshi-Kawena (Chilubi Island)</td>
<td>19.3</td>
<td>Luwingu</td>
</tr>
<tr>
<td>R327</td>
<td>Chipelembe-Mwanakasabi (Nsumbu Island)</td>
<td>8.0</td>
<td>Luwingu</td>
</tr>
<tr>
<td>R328</td>
<td>Road R326-Santa Maria Mission Road R326 (Chilubi Island)</td>
<td>19.3</td>
<td>Luwingu</td>
</tr>
<tr>
<td>R329</td>
<td>Road D45 at Chaba-Kawasa</td>
<td>8.0</td>
<td>Luwingu</td>
</tr>
<tr>
<td>R330</td>
<td>Road D45 at Chaba-Luangalala</td>
<td>12.9</td>
<td>Luwingu</td>
</tr>
<tr>
<td>R331</td>
<td>Road D43 at Chibiliti-Chabukasanshyka</td>
<td>9.7</td>
<td>Luwingu</td>
</tr>
<tr>
<td>R332</td>
<td>Road R331 at Chabukasanshya-Chitunkubwe.</td>
<td>6.4</td>
<td>Luwingu</td>
</tr>
<tr>
<td>Road Code</td>
<td>Description</td>
<td>Distance</td>
<td></td>
</tr>
<tr>
<td>-----------</td>
<td>------------------------------------------------</td>
<td>----------</td>
<td></td>
</tr>
<tr>
<td>R333</td>
<td>Road D44-Ndela Plain</td>
<td>25.7</td>
<td></td>
</tr>
<tr>
<td>R334</td>
<td>Road D43 at Nsomba-Lupepe</td>
<td>4.8</td>
<td></td>
</tr>
<tr>
<td>R335</td>
<td>Road D43 at Nsomba-Musumba</td>
<td>8.0</td>
<td></td>
</tr>
<tr>
<td>R336</td>
<td>Road R335-Mutipula</td>
<td>25.7</td>
<td></td>
</tr>
<tr>
<td>R337</td>
<td>Road R5 at Mucheleka-Road R41</td>
<td>46.7</td>
<td></td>
</tr>
<tr>
<td>R338</td>
<td>Road M3-Chief Chipalo's Court</td>
<td>4.0</td>
<td></td>
</tr>
<tr>
<td>R339</td>
<td>Road D43-Tungati-Road D43</td>
<td>3.2</td>
<td></td>
</tr>
<tr>
<td>R340</td>
<td>Road D43-Mwanampinda-Road R337</td>
<td>35.4</td>
<td></td>
</tr>
<tr>
<td>R341</td>
<td>Road D44-Chisasala</td>
<td>29.0</td>
<td></td>
</tr>
<tr>
<td>R342</td>
<td>Road D51-Mulonga Village-Road D427</td>
<td>29.0</td>
<td></td>
</tr>
<tr>
<td>R343</td>
<td>Road M1-Chikalala</td>
<td>6.1</td>
<td></td>
</tr>
<tr>
<td>R344</td>
<td>Road D54 at Katibunga-Mukungale</td>
<td>19.3</td>
<td></td>
</tr>
<tr>
<td>R345</td>
<td>Road D116 at Chief Mnukwa's Court-Tambala School.</td>
<td>3.2</td>
<td></td>
</tr>
<tr>
<td>R346</td>
<td>Road M12-Nguluwe School</td>
<td>9.7</td>
<td></td>
</tr>
<tr>
<td>R347</td>
<td>Road D401-Chief Madwimawa's Court</td>
<td>4.8</td>
<td></td>
</tr>
<tr>
<td>R348</td>
<td>Road D128 at Jerusalem School-Maguya's Court</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Road No.</td>
<td>Description</td>
<td>Distance</td>
<td>Destination</td>
</tr>
<tr>
<td>---------</td>
<td>-----------------------------------------------------------------------------</td>
<td>----------</td>
<td>--------------</td>
</tr>
<tr>
<td>D596</td>
<td>.. .. .. .. .. Chipata</td>
<td>5.0</td>
<td>..</td>
</tr>
<tr>
<td>R349</td>
<td>Road D133-Chief Mpezeni's Village</td>
<td>3.5</td>
<td>Chipata</td>
</tr>
<tr>
<td>R350</td>
<td>Kafue Pontoon-Meshi Teshi</td>
<td>45.5</td>
<td>Namwala</td>
</tr>
<tr>
<td>R351</td>
<td>Road D180 at Baceele-Itumbi</td>
<td>40.2</td>
<td>Namwala</td>
</tr>
<tr>
<td>R352</td>
<td>Road D366 at Baambwe-Road M11-Ngabo-Mbuzu.</td>
<td>28.0</td>
<td>Namwala</td>
</tr>
<tr>
<td>R353</td>
<td>Road D180 at Kasaka Village-Banamwaze</td>
<td>57.9</td>
<td>Namwala</td>
</tr>
<tr>
<td>R354</td>
<td>Road M11-Nsanti-Moobala</td>
<td>57.2</td>
<td>Namwala</td>
</tr>
<tr>
<td>R355</td>
<td>Road M11 at Namusonde-Maala</td>
<td>19.3</td>
<td>Namwala</td>
</tr>
<tr>
<td>R356</td>
<td>Road D180 at Jacob's Gate-Kabulungwe</td>
<td>57.9</td>
<td>Namwala</td>
</tr>
<tr>
<td>R357</td>
<td>Road D37-Mikose on shore of Lake Mweru Wantipa</td>
<td>10.5</td>
<td>Mporokoso</td>
</tr>
<tr>
<td>R358</td>
<td>Chiundaponde-Ngungwa</td>
<td>32.2</td>
<td>Mpika</td>
</tr>
<tr>
<td>R359</td>
<td>(Deleted)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>R360</td>
<td>Road T2-Kafue River</td>
<td>12.9</td>
<td>Gwembe</td>
</tr>
<tr>
<td>R361</td>
<td>Road T2-Ibwe Munyama</td>
<td>17.7</td>
<td>Gwembe</td>
</tr>
<tr>
<td>R362</td>
<td>Road M15-Kayuni Farms</td>
<td>6.4</td>
<td>Gwembe</td>
</tr>
<tr>
<td>R363</td>
<td>Road D397-Lukonde</td>
<td>3.4</td>
<td>Gwembe</td>
</tr>
<tr>
<td>R364</td>
<td>Road D397-Jongola</td>
<td>4.8</td>
<td>Gwembe</td>
</tr>
</tbody>
</table>
R365 Road D397-Chibuwe .. .. .. .. .. Gwembe .. .. 8.0

R366 Road D500-Kutwa .. .. .. .. .. Gwembe .. .. 14.5

R367 Road D398-Road D500 .. .. .. .. .. Gwembe .. .. 54.4

R368 Road D499-Chiyabi .. .. .. .. .. Gwembe .. .. 4.8

R369 Road RD498-Sianvwemu .. .. .. .. .. Gwembe .. .. 6.0

R370 Road D785-Sinantandanale .. .. .. .. .. Gwembe .. .. 4.8

R371 Road D786-Sinazongwe .. .. .. .. .. Gwembe .. .. 8.0

R372 Road D775-Lake Kariba .. .. .. .. .. Gwembe .. .. 11.3

R373 Road RD37 at Chinkubala Village-Road D38 at Mutundugame Guard Camp .. .. .. .. Kaputa .. .. .. 29.0

SECTION 14-THE ROADS AND ROAD TRAFFIC (CONTROL OF ACCESS, STRUCTURES AND WORKS) RULES

Rules by the Minister Government Notices
328 of 1960
344 of 1963
422 of 1964
Statutory Instruments
400 of 1965
405 of 1966
64 of 1972
88 of 1972
Act No.
13 of 1994

1. These Rules may be cited as the Roads and Road Traffic (Control of Access, Structures and Works) Rules. Title

2. (1) No person shall, except with the prior written consent of the appropriate highway authority and under such conditions as it may impose-Control of points of access

(a) open a new point of access; or

(b) alter the character of an existing point of access; or
(c) reopen any point of access which has been effectively closed for the preceding period of twelve months or more; on to any main or district road.

(2) Any person who contravenes the provisions of this rule shall be guilty of an offence.

3. (1) Subject to the provisions of rule 4, no person shall erect or modify any structure or carry out any works on or under any land within 90 metres of the centre line of any road or portion of road described in the Schedule except with the prior written consent of the appropriate highway authority and under such conditions as it may impose. Control of structures and works

(2) Any person who contravenes the provisions of this rule shall be guilty of an offence.

(As amended by No. 64 of 1972)

4. The provisions of rule 3 shall not apply to any land reserved for railway purposes and purposes ancillary thereto or to any land within a local authority area. Exceptions

5. (1) If any person contravenes rule 2 or 3, the appropriate highway authority may, by notice in writing, direct the person responsible to effect at his own expense such alterations as may be specified in such notice within the period specified in such notice. Alterations

(2) If such person fails within the period specified under such notice to comply with the directions given therein he shall be guilty of an offence.

6. Any person guilty of an offence against these Rules shall be liable upon conviction to a fine not exceeding five hundred penalty units or to imprisonment for a period not exceeding three months, or to both.

(As amended by Act No. 13 of 1994) Penalty

SCHEDULE
(Rule 3)

The letters and figures T1, T2, T3, T4 and T5 used herein refer to Inter-territorial Main Roads Nos. 1, 2, 3, 4 and 5 respectively, specified in the Appendix to the Act.

<table>
<thead>
<tr>
<th>Road Classification</th>
<th>Serial No.</th>
<th>Portion of road affected</th>
</tr>
</thead>
<tbody>
<tr>
<td>Main T1</td>
<td></td>
<td>The whole (excluding any portion within a Local Authority area)</td>
</tr>
<tr>
<td>Main T2</td>
<td></td>
<td>The whole (excluding any portion within a Local Authority area)</td>
</tr>
<tr>
<td>Main T3</td>
<td></td>
<td>The whole (excluding any portion within a Local Authority area)</td>
</tr>
<tr>
<td>Main T4</td>
<td></td>
<td>The whole (excluding any portion within a Local Authority area)</td>
</tr>
<tr>
<td>Main T5</td>
<td></td>
<td>The whole (excluding any portion within a Local Authority area)</td>
</tr>
</tbody>
</table>
SECTION 46—THE ROADS AND ROAD TRAFFIC
(CATTLE GRID) RULES

Rules by the Minister Government Notice
37 of 1962

1. These Rules may be cited as the Roads and Road Traffic (Cattle Grid) Rules.

2. In these Rules, unless the context otherwise requires—Interpretation
"the appropriate highway authority" means the authority responsible for the construction, care and maintenance of the road which is the subject of an application for the erection or alteration of a cattle grid;

"cattle grid" means a framework of parallel bars of iron or other material constructed on a road with the object of allowing the passage of vehicles and preventing the passage of livestock;

"road" means a district road as defined in section five of the Act.

3. (1) Save as provided in these Rules, no person shall construct or alter a cattle grid on any road without the permission in writing of the highway authority responsible for the construction, care and maintenance of such road.

Prohibition on construction and alteration of cattle grids

(2) Any person who contravenes the provisions of subrule (1) shall be guilty of an offence.

4. (1) Any person wishing to construct or alter a cattle grid on any road may apply in writing for permission to the appropriate highway authority.

Application for permission to construct or alter a cattle grid

(2) The highway authority may on such application grant permission in writing to construct or alter a cattle grid and may attach to such permission such conditions (if any) as it considers desirable.

(3) Any person who contravenes or fails to comply with any condition attached under the provisions of sub-rule (2) shall be guilty of an offence.

5. (1) Any person may apply in writing to the appropriate highway authority for the construction or alteration by such authority of a cattle grid on a road.

Application for construction or alteration by highway authority of a cattle grid

(2) Where the highway authority constructs a cattle grid in accordance with an application made under sub-rule (1), it may recover the full cost of such cattle grid from the applicant:

Provided that in the case of a cattle grid constructed on the line of a farm boundary fence the amount recoverable by the highway authority from the applicant shall be the standard charge.

(3) The highway authority may, before beginning the construction of a cattle grid in accordance with an application under sub-rule (1), require the applicant to deposit with it-

(a) in the case of a cattle grid on the line of a farm boundary fence, the standard charge; and

(b) in any other case, the full cost of the cattle grid as estimated by the highway authority.

(4) Any highway authority making an alteration in accordance with an application made under this rule may recover the cost of such alteration from the applicant and may before beginning such alteration require the applicant to deposit with it such sum as appears to the highway authority to be the likely cost.
The Director of Roads, the highway authority responsible for district roads, has notified that the standard charge in respect of district roads shall be 1,500 fee units. (G.N. No. 80 of 1962.) *(5) For the purposes of this rule, the "standard charge" means the sum for the time being notified in the Gazette by the appropriate highway authority as the standard charge.

6. The design and specification for any cattle grid constructed under these Rules shall be determined by the highway authority responsible for the construction, care and maintenance of the road upon which such cattle grid is to be constructed. Design and specification

7. The cost of maintaining any cattle grid constructed under these Rules shall be borne by the highway authority responsible for the construction, care and maintenance of the road upon which such cattle grid is constructed. Cost of maintenance

8. (1) Any person aggrieved by—Appeal

(a) the refusal of a highway authority to construct or alter a cattle grid; or

(b) the refusal by a highway authority of permission to construct or alter a cattle grid; or

(c) the imposition of any condition under rule 4; may appeal to the Minister.

(2) On any such appeal the Minister may reject the appeal or, as is appropriate, may direct the highway authority to construct or alter the cattle grid or to grant permission to construct or alter the cattle grid or to vary or remove any condition imposed.

(3) Any direction given by the Minister under this rule shall be binding on the highway authority.

(4) The decision of the Minister on any appeal shall be final.

*The Director of Roads, the highway authority responsible for district roads, has notified that the standard charge in respect of district roads shall be 1,500 fee units. (G.N. No. 80 of 1962.)

THE TEST CERTIFICATES REGULATIONS

ARRANGEMENT OF REGULATIONS

Regulation
1. Title
2. Interpretation
3. Prescribed forms
4. Prescribed fees
5. Requirements for examinations
6. Applications for examinations; production of registration book
7. Requirements as to vehicles submitted for examinations
8. Results of examinations
9. Refusal of test certificate where braking test cannot be carried out
10. Appeal on refusal of test certificate
11. Removal of vehicles submitted for examination
12. Duplicate test certificates
13. Display of test certificate
14. Test certificate to be produced before issue of licence
15. Application
16. Commencement

FIRST SCHEDULE—Prescribed forms

SECOND SCHEDULE—Prescribed fees

SECTIONS 76, 77 AND 258—THE TEST CERTIFICATES REGULATIONS

Regulations by the Minister

Government Notices
124 of 1962
251 of 1963

Statutory Instrument
52 of 1982
20 of 1988
135 of 1989
12 of 1991
35 of 1989
35 of 1992
22 of 1993
10 of 1994
49 of 1996

Act No.
13 of 1994

1. These Regulations may be cited as the Test Certificates Regulations.
2. In these Regulations, unless the context otherwise requires—Interpretation

"construction vehicle" means—

(a) a motor vehicle which is a tracked tractor;

(b) a motor vehicle or a trailer incorporating machinery, plant or equipment of the following nature:

(i) bitumen or tar heaters;

(ii) bitumen, tar or water sprayers or distributors;

(iii) continuous belt or bucket loaders or conveyors;

(iv) crushers;

(v) paving machines;

(vi) road sweepers or power brooms;

(vii) soil, concrete, tar or bitumen mixers;

(viii) welding units;

(ix) drilling and boring machinery;

(x) cranes (excluding breakdown trucks);

(xi) graders;

(xii) scrapers;

(xiii) pipelayers;

(xiv) cablelayers;

(xv) cement, lime or stone spreaders;

(xvi) excavators;

(xvii) trenchers;

(xviii) front-end loading shovels;

(xix) rollers and compactors;

(xx) stabilisers;

(xxI) concrete spreaders and tampers;

(xxII) road watering bowsers;

(xxIII) powered mowers;

(xxIV) extending towers and ladders;
(xxv) compressors;
(stone driers and heaters;
(xxvii) pumps;
(rooters and scarifiers;)
(xxix) ploughs and harrows;
"examination" means an examination of a motor vehicle for the purposes of section seventy-six of the Act;
"the prescribed statutory requirements" means-
(a) in the case of motor vehicles first registered in this or any other territory before the 1st July, 1952, the requirements of Part II of the Roads and Road Traffic (Construction, Equipment and Use) Regulations; and
(b) in the case of motor vehicles first registered in this or any other territory on or after the 1st July, 1952, the requirements of regulations 19, 20, 21, 23, 24, 34, 41, 43, 45 and 47 of the Roads and Road Traffic (Construction, Equipment and Use) Regulations.
3. The forms set out in the First Schedule are hereby prescribed and shall be used in all cases to which they are respectively applicable in carrying out the provisions of the Act and these Regulations.
4. (1) The fees specified in the second column of the Second Schedule are hereby prescribed and shall be charged in respect of the matters set out in the first column of the said Schedule.
(2) In any case where an appeal to the Commissioner in accordance with the provisions of subsection (4) of section seventy-six of the Act is successful the whole of the fee paid, or such other portion of it as the Commissioner may direct, shall be refunded to the appellant.
5. (1) Subject to the provisions of these Regulations, every motor vehicle to which these Regulations apply submitted for examination in accordance with these Regulations shall be examined for the purpose of ascertaining whether the prescribed statutory requirements are at the date of the examination complied with in relation to that vehicle.
(2) In any case where in the course of an examination the vehicle examiner observes other respects in which the vehicle does not comply with the requirements of the Act or of any regulations made thereunder with regard to the construction or equipment of motor vehicles, he shall inform the vehicle owner in writing of the same.
6. (1) Any person wishing to have an examination of a motor vehicle to which these Regulations apply carried out may make application for that purpose to a vehicle examiner either orally or in writing.
(2) At every examination of a motor vehicle to which these Regulations apply, the registration book (Form R.L.4 of the First Schedule to the Roads and Road...
Traffic (Registration and Licensing) Regulations) shall be produced to the vehicle examiner.

7. A vehicle examiner shall not be under any obligation to carry out an examination of a motor vehicle in any of the following cases, that is to say:

(a) where on the submission of a vehicle for an examination the applicant for the examination does not produce the registration book referred to in subregulation (2) of regulation 6;

(b) where the vehicle or any part thereof or any of its equipment is, in the opinion of the vehicle examiner, in such a dirty condition as to make it unreasonably difficult for the examination to be carried out in accordance with the provisions of these Regulations;

(c) where before the carrying out of an examination of a motor vehicle all or any goods or other things which are on the vehicle and are not part of its equipment or accessories are required to be removed from the vehicle or to be secured in such manner as the examiner may think necessary and the goods or things are not removed or secured accordingly.

Requirements as to vehicles submitted for examinations

8. (1) Subject to the provisions of these Regulations, vehicle examiners after an examination of a vehicle is completed shall—Results of examinations

(a) where it is found on the examination that the prescribed statutory requirements are complied with in relation to the vehicle, issue a test certificate in the prescribed form; or

(b) where it is not so found on the examination, issue a notification of the refusal of a test certificate in the prescribed form.

(2) Upon the issue of a test certificate the vehicle examiner shall issue a test certificate record card in the prescribed form or, if such a card has already been issued in respect of the vehicle, he shall make an appropriate entry therein.

9. (1) Where in the course of an examination of a motor vehicle carried out by a vehicle examiner it is found that there are such defects in the construction or condition of the vehicle or its equipment or accessories that to carry out a braking test of the vehicle, either by the vehicle being driven on a road or in any other way in which that test can be carried out by that examiner with the facilities and apparatus available to him, would be likely to cause danger to any person or damage to the vehicle or any other property, the examiner shall not be under any obligation to carry out the braking test but shall complete the rest of the examination in accordance with the provisions of these Regulations.

Refusal of test certificate where braking test cannot be carried out

(2) Where in any such case as is mentioned in sub-regulation (1) an examiner does not carry out a braking test of a vehicle, he shall issue a notification of the refusal of a test certificate specifying as the grounds of such refusal that the examiner could not safely carry out a full examination of its braking system or systems and any other ground there may be for such refusal and the said notification shall be in the form in, and contain the particulars required by, Form T.C.4 of the First Schedule.

10. (1) Any person appealing to the Commissioner in accordance with the
provisions of subsection (4) of section seventy-six of the Act shall do so in writing and shall send with his appeal the prescribed fee. Appeal on refusal of test certificate

(2) As soon as reasonably practicable after the date of receipt of the appeal as aforesaid, the Commissioner shall send to the appellant a notice stating where and when an examination for the purposes of the appeal is to take place addressed to the appellant at the address of the appellant stated in his appeal.

(3) The vehicle shall be submitted for examination at the place and time specified in the notice sent to the appellant under sub-regulation (2) unless arrangements are made with the agreement of the Commissioner for the carrying out of the examination at some other place and time.

(4) On the submission of the motor vehicle for an examination for the purposes of an appeal the person submitting the vehicle for an examination shall-

(a) produce to the vehicle examiner appointed by the Commissioner to carry out the examination-

(i) the notification of the refusal of a test certificate issued as a result of the examination in connection with which the appeal is made; and

(ii) the registration book relating to the vehicle; and

(b) give to the aforesaid examiner such information as he may reasonably require in connection with the carrying out of the examination relating to any alteration made or repairs carried out, or any accident or other event occurring, since the date of the said notification, which may have affected the vehicle or its equipment or accessories;

and the said examiner shall not be required to carry out the examination unless the said notification and registration book are produced and such other information as aforesaid is given.

(5) Subject to the following provisions of this regulation, upon completion of the said examination the said examiner shall on behalf of the Commissioner either issue a test certificate or a notification of the refusal of a test certificate stating the grounds thereof.

(6) The provisions of paragraphs (b) and (c) of regulation 7 and regulation 9 shall apply in relation to an examination for the purposes of an appeal as they apply in relation to other examinations.

(7) Test certificates and notifications of the refusal of a test certificate issued under the foregoing provisions of this regulation shall be signed on behalf of the Commissioner by the examiner carrying out the examination for the purposes of the appeal.

11. Where a motor vehicle has been submitted for an examination to a vehicle examiner, the person by whom the vehicle has been so submitted shall cause it to be removed from the custody of the examiner before the end of the second day after the day on which the person submitting the vehicle for examination receives notice (whether in writing or not)–

(a) that the examination has been carried out; or
(b) in a case where the examination is not carried out by reason of any of the provisions of regulation 7, that he is to remove the vehicle from the custody of the examiner.

Removal of vehicles submitted for examination

12. If a test certificate or test certificate record card has been lost or defaced, an application for the issue of a duplicate of the original certificate or card may be made to the Commissioner who shall, after making such inquiries and being supplied with such information as he may think necessary and on being paid the appropriate fee specified in the second column of the Second Schedule, cause such a duplicate to be issued which shall be marked "Duplicate" and the duplicate so issued shall have the same effect as the original test certificate or card:

Duplicate test certificates

Provided that no such duplicate need be issued if the applicant does not supply with his application such information as the Commissioner may reasonably require to enable him to trace the original certificate or card issued.

13. (1) No person shall use and no person being the owner shall cause or permit to be used upon a road any motor vehicle to which these Regulations apply unless there is displayed on the said vehicle in a conspicuous position so as to be visible from the front or left front of the said vehicle an effective test certificate issued in respect of the said vehicle in accordance with the provisions of these Regulations:

Display of test certificate

(2) Any person who fails to comply with the provisions of sub-regulation (1) shall be guilty of an offence and liable on conviction to a fine not exceeding three hundred penalty units.

(As amended by Act No. 13 of 1994)

14. No licensing officer shall issue a licence as required by section eighty-three of the Act in respect of any motor vehicle to which these Regulations apply unless there is produced to him a test certificate in respect of the said vehicle issued within the period of twelve months before the day from which the licence will take effect:

Test certificate to be produced before issue of licence

Provided that in lieu of a test certificate there may be produced to a licensing officer the test certificate record card in respect of the said vehicle containing an entry to establish that a test certificate has been issued in respect thereof within a period of twelve months from the date from which the licence will take effect.

15. These Regulations shall apply to such motor vehicles as may be determined by the Minister from time to time in pursuance of the provisions of subsection (2) of section seventy-seven of the Act.

(No. 251 of 1963) Application


Commencement

FIRST SCHEDULE

(Regulation 3)

PRESCRIBED FORMS
FORM T.C. 1
(Regulation 8)

THE ROADS AND ROAD TRAFFIC ACT

THE TEST CERTIFICATES REGULATIONS

TEST CERTIFICATE

No

Registration mark of motor vehicle

The above motor vehicle, having been examined under section seventy-six of the Roads and Road Traffic Act, it is hereby certified that at the date of the examination thereof the prescribed statutory requirements were complied with in relation to the vehicle.

This certificate is effective until

Signature of Examiner

Date of issue
FORM T.C. 2
(Regulation 8)

THE ROADS AND ROAD TRAFFIC ACT

THE TEST CERTIFICATES REGULATIONS

TEST CERTIFICATE RECORD CARD

No

Registration mark of motor vehicle

Name of owner

Address of owner

Record of Test Certificates issued:

Signature and Date of Effective official stamp of Number Issue until vehicle examiner
FORM T.C. 3
(Regulation 8)

THE ROADS AND ROAD TRAFFIC ACT

THE TEST CERTIFICATES REGULATIONS

NOTIFICATION OF REFUSAL OF A TEST CERTIFICATE

No

Registration mark of motor vehicle

The above motor vehicle, having been examined under section seventy-six of the Roads and Road Traffic Act, it is hereby notified that a test certificate in respect of the vehicle is refused on the grounds that at the date of the examination the prescribed statutory requirements were NOT COMPLIED WITH as respects its (delete as appropriate) BRAKING SYSTEM OR SYSTEMS/STEERING GEAR/TYRES/LIGHTING EQUIPMENT AND REFLECTORS for the following reasons (complete as appropriate):

Braking system or systems

Steering gear

Tyres

Lighting equipment and reflectors

Signature of Examiner

Date of issue
FORM T.C. 4
(Regulation 9)

THE ROADS AND ROAD TRAFFIC ACT

THE TEST CERTIFICATES REGULATIONS

NOTIFICATION OF REFUSAL OF A TEST CERTIFICATE

No

Registration mark of motor vehicle

The above motor vehicle, having been examined under section seventy-six of the Roads and Road Traffic Act, it is hereby notified that a test certificate in respect of the vehicle is refused-

(1) on the grounds that a full examination of its BRAKING SYSTEM or SYSTEMS could not safely be carried out because at the date of the examination there were the following defects in the construction or condition of the vehicle:

(2) *and on the grounds also that in so far as the examination of the vehicle was carried out it was found that at the said date the prescribed statutory requirements were NOT COMPLIED WITH as respects its *BRAKING SYSTEM OR SYSTEMS/*STEERING GEAR/*TYRES/*LIGHTING EQUIPMENT AND REFLECTORS for the following reasons*:

Braking system or systems

*Delete or complete as appropriate.

Steering gear

Tyres

Lighting equipment and reflectors
Signature of Examiner

Date of issue
FORM T.C. 5  
(Regulation 5 (2))

THE ROADS AND ROAD TRAFFIC ACT

THE TEST CERTIFICATES REGULATIONS

NOTIFICATION OF DEFECTS

No

To:

The Owner of Motor Vehicle No

Please take notice that in the course of the examination of the above motor vehicle for the purposes of section seventy-six of the Roads and Road Traffic Act the following defects, which are not included in the prescribed statutory requirements, were observed:

1. 
2. 
3. 
4. 
5. 
6. 
7. 
8. 
9. 
10. 

Signature of Examiner

Dated
SECOND SCHEDULE
(Regulation 4)

PRESCRIBED FEES

Fee units

1. Appeal to the Commissioner  200

2. Duplicate test certificate or test certificate record card  60

3. Vehicle Examination 120


SECTION 77—OBLIGATORY TEST CERTIFICATE NOTICE

Notice by the Minister Statutory Instrument 173 of 1978

1. This Notice may be cited as the Roads and Road Traffic (Obligatory Test Certificates) Notice, and shall come into operation upon the expiration of a period of thirty days from the date on which it is published in the Gazette. Title and commencement

2. (1) It is hereby notified that section seventy-seven of the Act shall, subject to the provisions of this paragraph, apply to the motor vehicles specified in the first column of the Schedule hereto, from the dates specified in the second column of the said Schedule. Obligatory test certificates

(2) This paragraph shall not apply to construction vehicles, invalid carriages, motor cycles, vehicles to which Part XI of the Act applies or to vehicles registered and licensed elsewhere than in Zambia and used in Zambia by visitors.

SCHEDULE
(Paragraph 2)

Motor vehicles in respect of which the under-mentioned period has elapsed since the date of first registration

<table>
<thead>
<tr>
<th>Period</th>
<th>Date of Application</th>
</tr>
</thead>
<tbody>
<tr>
<td>7 years and 6 months or more</td>
<td>31st March, 1979</td>
</tr>
<tr>
<td>7 years or more</td>
<td>30th June, 1979</td>
</tr>
<tr>
<td>6 years and 6 months or more</td>
<td>30th September, 1979</td>
</tr>
<tr>
<td>6 years or more</td>
<td>31st December, 1979</td>
</tr>
<tr>
<td>5 years and 6 months or more</td>
<td>31st March, 1980</td>
</tr>
<tr>
<td>5 years or more</td>
<td>30th June, 1980</td>
</tr>
</tbody>
</table>
SECTION 77 (4)-ROADS AND ROAD TRAFFIC (OBLIGATORY TEST CERTIFICATE NOTICE) EXEMPTION REGULATIONS

Regulations by the Minister Statutory Instrument 61 of 1989

1. (1) These Regulations may be cited as the Roads and Road Traffic (Obligatory Test Certificate Notice) Exemption Regulations. Title and commencement

(2) These Regulations shall come into effect on the expiration of a period of thirty days after the date on which they are published in the Gazette.

2. Reconditioned motor vehicles may, on an application by an importer, dealer or manufacturer, be exempted from obtaining obligatory test certificates for such periods and on such conditions as the Minister may determine. Exemption

SECTION 192-THE ROADS AND ROAD TRAFFIC (SPEED LIMITS) REGULATIONS

Regulations by the Minister

Government Notices
126 of 1962
330 of 1964
497 of 1964
Statutory Instruments
346 of 1969
245 of 1971
59 of 1972
103 of 1972

1. These Regulations may be cited as the Roads and Road Traffic (Speed Limits) Regulations. Title

2. In these Regulations, unless the context otherwise requires- Interpretation

"articulated goods vehicle" means an articulated vehicle constructed or adapted for use primarily for the carriage of goods;

"articulated passenger vehicle" means an articulated vehicle constructed or adapted for use primarily for the carriage of passengers;

"articulated vehicle" means a motor vehicle with a trailer so attached to the drawing vehicle that part of the trailer is superimposed upon the drawing vehicle and when the trailer is uniformly loaded not less than twenty per centum of the load is borne by the drawing vehicle;

"caravan" means a trailer constructed or adapted for living purposes;

"construction trailer" means a trailer incorporating water boring machinery or construction machinery of the nature of a crane, grader, shovel, scraper, pipelayer, cablelayer, compressor, or a trailer incorporating plant or equipment of the following nature: bitumen or tar heaters, bitumen, tar or water sprayers or distributors, crushers, extending towers or ladders, rippers or rooters, road sweepers or power brooms, rollers, sand and stone driers, soil, concrete, tar or bitumen mixers, stone spreaders or distributors, water pumps, water tankers,
welding units;

"high speed trailer" means a trailer-

(a) which has not more than one axle, which shall not be positioned further towards the front of such vehicle than the centre of the body thereof; and

(b) which together with any load thereon does not exceed a width of 1,375 millimetres; and

(c) which together with any load thereon does not exceed a height greater than an equivalent of its wheel track; and

(d) which together with any load thereon does not exceed a length of 3,700 millimetres, measured from the rearmost point of the drawing vehicle to the rearmost point of the trailer or any load thereon, whichever is the greater;

Provided that at no time shall any load extend further back than 610 millimetres beyond the rearmost point of the trailer; and

(e) which has overrun or driver-operated brakes; and

(f) which is connected to the drawing vehicle by means of a hitch or coupling device which is so clamped that when in use it minimises the possibility of the hitch or coupling device becoming uncoupled; and

(g) which is fitted with a safety chain or cable coupled between such trailer and the drawing vehicle, in such a manner as to prevent the drawbar from dropping to the ground if the hitch or coupling device fails; and

(h) which has a laden weight not exceeding 460 kilograms.

For the purpose of paragraph (d) above, the rearmost point of the drawing vehicle shall not include any portion of the hitch or coupling device referred to in paragraph (f) above.

(As amended by No. 330 of 1964 and No. 59 of 1972)

3. Construction machinery of the following nature:

(a) bitumen or tar heaters;

(b) bitumen or tar or water sprayers or distributors;

(c) continuous bucket loaders;

(d) crushers;

(e) extending towers or ladders;

(f) paving machines;

(g) road sweepers or power brooms;

(h) soil, concrete, tar or bitumen mixers;

(i) welding units;
is hereby prescribed for the purposes of the definition of "construction vehicle" in section two of the Act.

Nature of construction machinery

4. (1) The maximum speed on roads within the areas specified at the headings of columns 2 and 3 of the First Schedule for vehicles of the class or description set forth in column 1 of such Schedule shall be as set forth respectively opposite thereto in such columns 2 and 3.

Speed limits

(2) The maximum speed on roads within the areas specified at the headings of columns 2 and 3 of the Second Schedule, not being roads within the areas set forth in column 4 of such Schedule, for vehicles of the class or description set forth in column 1 of such Schedule shall be as set forth respectively opposite thereto in such columns 2 and 3.

FIRST SCHEDULE
(Regulation 4(1))

SPEED LIMITS

<table>
<thead>
<tr>
<th>1</th>
<th>2</th>
<th>3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Within the area of a local authority in Zambia</td>
<td>Kilometres per hour</td>
<td>Kilometres per hour</td>
</tr>
</tbody>
</table>

1. Construction vehicle .. .. .. 30 30

2. Motor vehicle drawing a construction trailer .. 30 30

3. Tractor, other than a tractor designed to form part of an articulated vehicle .. .. .. 40 40

4. (a) A motor vehicle, the net weight of which is 3,632 kilograms or more, drawing a trailer other than a light trailer .. .. .. 40 50

   (b) an articulated goods vehicle the net weight of which is 3,632 kilograms or more .. .. 40 50

   (c) an articulated goods vehicle whatever its net weight when drawing a trailer .. .. 40 50

5. A motor vehicle the net weight of which is 3,632 kilograms or more whether drawing a light trailer or not .. .. .. 40 50

6. (a) A motor vehicle the net weight of which exceeds 2,275 kilograms but is less than 3,632 kilograms whether drawing a trailer or not 40 55

   (b) an articulated goods vehicle the net weight of which is less than 3,632 kilograms .. .. 40 55

   (c) a tractor designed to form part of an articulated vehicle .. .. .. 40 55
7. A motor vehicle, the net weight of which does not exceed 2,275 kilograms, drawing-
   (a) a caravan .. .. .. 40 70
   (b) any other trailer not being a high speed trailer .. 40 55

8. (a) A motor omnibus, whatever its net weight .. 50 65
    (b) an articulated passenger vehicle, whatever its net weight .. .. .. 50 65
    (c) a motor vehicle having seating accommodation for more than twelve passengers .. .. 50 65

9. A motor vehicle, other than a motor omnibus or an articulated passenger vehicle, designed solely or principally for the carriage of passengers exceeding seven but not exceeding twelve in number, whether drawing a high speed trailer or not .. .. 50 80

9A. A taxicab .. .. .. 50 80

10. Any motor vehicle which is not included in classes 1 to 8 above and which is drawing a high speed trailer 50 80

11. Any motor vehicle which is not included in the preceding classes on any road not having a bituminous surface of 6.1 metres or more in width 50 80

(As amended by No. 330 of 1964, No. 245 of 1971 and Nos. 59 and 103 of 1972)

SECOND SCHEDULE
(Regulation 4(2))

SPEED LIMITS

<table>
<thead>
<tr>
<th></th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Within the area of a local authority, Zambia</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td>In any other part of Zambia description</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td>Kilometres per hour</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td>Kilometres per hour</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Any motor vehicle which is not included in classes 1 to 10 in the First Schedule on any road having a bituminous surface coat of 6.1 metres or more in width. 50 100

(As amended by No. 346 of 1969 and Nos. 59 and 103 of 1972)

SECTION 209-THE ROADS AND ROAD TRAFFIC SIGNS
(SCHOOL CROSSING PATROLS) REGULATIONS

Regulations by the Minister Statutory Instruments
406 of 1969
5 of 1973

1. These Regulations may be cited as the Roads and Road Traffic Signs (School Crossing Patrols) Regulations.

2. In these Regulations, unless the context otherwise requires—

"school crossing patrol" means a person appointed by the Minister to be a school crossing patrol for the purpose of section two hundred and nine of the Act.

3. Except where the Minister authorises the use of signs of another description, every sign which is exhibited by a school crossing patrol for the purpose of stopping any vehicle or vehicles in accordance with section two hundred and nine of the Act shall be of the size, colour and type shown in the diagram in the Schedule, subject however to the provisions of regulation

4. Dimensions and shape of sign

4. (1) Any variation in a dimension (other than as to the height of a letter) specified in the diagram in the Schedule shall be treated as permitted by these Regulations if the variation conforms with the provisions of regulations 13 to 20 of the Roads and Road Traffic (Traffic Signs) Regulations.

(2) Any variation in a dimension as to the height and the shape of a letter specified in the diagram in the Schedule shall be treated as permitted by these Regulations if the variation is made in accordance with details and dimensions set out in Part II of the Second Schedule to the Roads and Road Traffic (Traffic Signs) Regulations.

SCHEDULE
(Regulation 3)

DIMENSION AND SHAPE OF SIGN

Black letters and bar on yellow fluorescent background with red fluorescent border

(No. 5 of 1973)
THE ROADS AND ROAD TRAFFIC (REMOVAL OF VEHICLES) REGULATIONS

ARRANGEMENT OF REGULATIONS

PART I

PRELIMINARY

Regulation

1. Title

2. Interpretation

PART II

REMOVAL OF VEHICLES FROM ROADS

3. Power to require removal of vehicle

4. Power to remove or direct removal of vehicle

PART III

DISPOSAL OF VEHICLES ABANDONED ON ROADS

5. Deeming vehicle to have been abandoned

6. Tracing owner of vehicle

7. Giving notice to owner of vehicle with registration mark

8. Inquiry as to owner of vehicle without registration mark

9. Further inquiry as to owner of vehicle

10. Where inquiry is successful

11. When inquiry is not necessary

12. Sale of unclaimed or unredeemed vehicle

13. Expenses incurred for removal and storage

SCHEDULE-Prescribed fees

SECTIONS 216 AND 258—THE ROADS AND ROAD TRAFFIC (REMOVAL OF VEHICLES) REGULATIONS

Regulations by the Minister

Statutory Instrument
159 of 1970
13 of 1991
PART I

PRELIMINARY

1. These Regulations may be cited as the Roads and Road Traffic (Removal of Vehicles) Regulations.

2. In these Regulations, unless the context otherwise requires—

"appropriate authority" means the Commissioner of Police, the Deputy Commissioner of Works, the Road Traffic Commissioner, and any municipal council as defined in the Local Government Act; Cap. 281

"authorised officer" means—

(a) any police officer, road traffic inspector or other person authorised by the Minister or by any person acting on his behalf;

(b) in the case of any road within the area of a municipal council, any person authorised in writing by such council;

"place of safety" means any car park, road traffic depot, police station yard, Government workshop yard, or any other place considered to be such by an authorised officer.

PART II

REMOVAL OF VEHICLES FROM ROADS

3. (1) Where a vehicle—

(a) has broken down or been permitted to remain at rest on a road in contravention of any lawful prohibition or restriction;

(b) has been permitted to remain at rest on a road or road reserve in such a position or in such a condition or in such circumstances as to appear to an authorised officer to be likely to cause danger to persons using any road or to cause obstruction to such persons;

any authorised officer may require the owner, driver or other person in control or in charge of the vehicle to move it or cause it to be moved, and any such requirement may include a requirement that the vehicle shall not be moved to any such road or to any such position on a road as may be specified by the authorised officer.

(2) For the purposes of sub-regulation (1) (a), a vehicle which has broken down and has remained at rest for any period in any position on a road shall be treated as if it had been permitted to remain at rest in that position throughout that period.
(3) Any person who fails to comply as soon as practicable with any requirement given under this regulation shall be guilty of an offence.

4. Where such vehicle as is referred to in regulation 3 cannot be moved under its own power by reason of the driver not being present, or because of a mechanical failure in some part of it, or for any other reason, any authorised officer may remove the vehicle, or arrange for its removal, from that road or road reserve to a place of safety.

PART III

DISPOSAL OF VEHICLES ABANDONED ON ROADS

5. Where a vehicle—

(a) appears to have been left in the same spot on a road for a continuous period of seven days or more;

(b) which, after being examined by a vehicle examiner, is not taken away by the owner from the place where it was examined within seven days of the said examination; or

(c) which, after having been taken to a place of safety in accordance with regulation 4, is not collected by or on behalf of the owner within seven days of its being taken to the place of safety;

the said vehicle may, for the purposes of these Regulations, be deemed by the appropriate authority to have been abandoned by the owner thereof and may be sold or otherwise disposed of by that authority:

Provided that the power of disposal conferred by this regulation shall not be exercisable in the case of a vehicle unless there have been taken by the appropriate authority such of the following steps as are applicable to the vehicle and there has elapsed a period of six weeks beginning with the taking of the first of those steps.

6. (1) Subject to the provisions of regulation 11, where a vehicle carries a registration mark issued under the Act—

(a) in a case where the appropriate authority, being a municipal council, is the council with which that vehicle is registered under the Act, it shall ascertain from its records the name and address of the person who it appears is the owner of that vehicle;

(b) in any other case, the appropriate authority shall apply in writing to the council with which it has reason to believe the vehicle was last registered inquiring who it appears may be the owner of the vehicle and the address of that person.

(2) Where an appropriate authority acts under this regulation, the first step for the purposes of regulations 5 and 7 shall be taken to be the sending of the notice mentioned in regulation 7.

7. An appropriate authority shall, where the authority is by virtue of regulation 6 aware of the name and address of a person who it appears may be the owner of the vehicle, send a notice to that person at that address stating that
it is the intention of the appropriate authority to sell or otherwise dispose of the vehicle (which shall be sufficiently described in the notice) on or after a specified date (which shall not be less than two weeks from the date of the notice and in any event not earlier than six weeks from the date of the first step taken by the appropriate authority under this Part) unless it is in the meantime removed by or on behalf of that person from the place of safety specified in the notice or from such other place as may be subsequently notified in writing by the authority to that person. Giving notice to owner of vehicle with registration mark

8. Subject to the provisions of regulation 11, where a vehicle does not carry a registration mark issued under the Act, the first step to be taken shall be, if the appropriate authority is the Commissioner of Police, the Deputy Commissioner of Works, or the Road Traffic Commissioner, to apply in writing to the local authority in whose area is the place from which the vehicle has been, or could at any time be, removed in pursuance of these Regulations, inquiring of the local authority who they consider is the owner of the vehicle and the address of that person or, if the appropriate authority is a municipal council, to apply in writing to the Commanding Officer of Police in whose area is such place, inquiring who that officer considers is the owner of the vehicle and the address of that person. Inquiry as to owner of vehicle without registration mark

9. If, after steps have been taken under the foregoing provisions of this Part, a vehicle is not claimed, the appropriate authority shall make such further inquiries (if any) as the authority considers reasonable as to who may be the owner of the vehicle and the address of that person. Further inquiry as to owner of vehicle

10. Where by virtue of regulation 8 or 9 an appropriate authority is informed of the name and address of the person who the authority considers may be the owner of the vehicle, regulation 7 as respects the sending of notices shall apply in relation to that person at that address as it applies in relation to the person mentioned in the said regulation 7. Where inquiry is successful

11. Nothing in the foregoing provisions of this Part shall require an appropriate authority to take any step as is therein mentioned for the purpose of inquiring who is the owner of a vehicle to which regulation 5 applies, if the authority has found a person who satisfies the authority that he is in fact the owner of that vehicle and the authority has sent him at his address a notice containing the particulars specified in regulation 7, the sending of the notice being treated as the first step for the purposes of that regulation, and of the said regulation 5. When inquiry is not necessary

12. (1) If no person has satisfactorily established his ownership of the vehicle or if, having established his ownership, he has not paid in full the expenses incurred in moving and storing the vehicle and of the notice referred to in regulation 7 and of any other expenses necessarily incurred, the appropriate authority may offer the vehicle for sale by public auction and the proceeds of such sale shall be applied in the first instance to the cost of removal of the vehicle, the storage of the vehicle, the notice referred to in regulation 7 and the reimbursement of any other expenses necessarily incurred, and the balance shall be payable within a period of one year from the date of the sale of the vehicle to any person to whom, but for such vehicle having been deemed to have been abandoned in terms of these Regulations, the vehicle would have belonged, and in so far as any such sums are not claimed within the said period, they shall be applied by the authority to any of the purposes of the Act for which such authority is responsible. Sale of unclaimed or unredeemed vehicle
(2) If any vehicle having been offered for sale by public auction as aforesaid is not sold, the appropriate authority may dispose of it as the authority thinks fit, and any proceeds of such disposal shall be dealt with a prescribed by sub-regulation (1).

13. An owner of a vehicle which has been removed, or arrangements have been made for its removal, by an authorised officer, shall pay the expenses incurred in storing the vehicle as specified in the Schedule. Expenses incurred for removal and storage

SCHEDULE
(Regulation 13)

PRESCRIBED FEES

Fee Units

1. Motor vehicle moved:
   (a) Heavy vehicles per day 1,400
   (b) Any other vehicle 700

2. Motor vehicle stored:
   (a) Heavy vehicle per day 300
   (b) Any other vehicles per day 150


THE RULES OF THE ROAD REGULATIONS

ARRANGEMENT OF REGULATIONS

PART I

PRELIMINARY

Regulation
   1. Title
   2. Interpretation

PART II

GENERAL PROVISIONS

3. Removal of vehicles causing obstruction or danger
4. Passing vehicles
5. Overtaking
6. Stopping and parking of vehicles
7. Right of way for fire-fighting vehicles, etc.
8. Exemption of certain vehicles
9. Drivers to give warning signals
10. Drivers to give way to traffic approaching from their right
11. Bicycles and cycle tracks
12. Animal-drawn traffic
13. Pedestrians

PART III
LOCAL AUTHORITY AREAS: MISCELLANEOUS PROVISIONS
14. Application of Part III
15. Loading and unloading
16. Stopping of buses: boarding and alighting therefrom
17. Traffic on tarmacadamised roads
18. Prohibited driving
19. Penalties

SECTIONS 216 AND 258-THE RULES OF THE ROAD REGULATIONS

Regulations by the Minister

Government Notice
489 of 1964
Statutory Instrument
60 of 1972
100 of 1995
Act No.
13 of 1994

PART I
PRELIMINARY
1. These Regulations may be cited as the Rules of the Road Regulations.

2. In these Regulations, unless the context otherwise requires-
   "bus stop" means a place or area in a road reserved for motor omnibuses to stop
   for the purpose of allowing persons to board or alight therefrom;

   "contravene" includes, in relation to any provision, a failure to comply with
   that provision and "contravention" shall be construed accordingly;
"guide line" means a line described in regulation 45 of the Roads and Road Traffic (Traffic Signs) Regulations;

"longitudinal prohibition line" means a line described in regulation 41 of the Roads and Road Traffic (Traffic Signs) Regulations;

"one-way street" means a road or, where a road is divided into two or more carriageways, carriageway along which traffic is permitted to travel in one direction only;

"overtake" means to pass any other vehicle proceeding in the same direction along a road;

"pavement" means that part of a road in a local authority area used, or intended to be used, solely by pedestrians;

"pedestrian crossing" means a crossing described in regulation 48 or 49 of the Roads and Road Traffic (Traffic Signs) Regulations;

"road junction", in relation to two intersecting or meeting roads, means that area contained within the prolongation of the lateral boundary of the carriageway of each such road;

"robot" means an automatic light signal giving the directions to traffic mentioned in regulation 35 of the Roads and Road Traffic (Traffic Signs) Regulations;

"service lane" means any land designated as a service lane under any approved development plan in force in the local authority area concerned or access road at the rear or side of any premises used for business, commercial or industrial purposes, and which lane or access road is constructed, laid out, or provided primarily for use as vehicular access to such premises for the loading or off-loading of goods or the removal of refuse, or for the purposes of parking of vehicles on such premises, providing access to or from authorised parking places or areas adjacent to such lane or gaining access to places of residence;

"unloading zone" means a place or area in a road reserved for the use of motor vehicles when loading or unloading goods.

PART II

GENERAL PROVISIONS

3. (1) Where any vehicle has been permitted to remain at rest on any road in contravention of any lawful prohibition or restriction, or where any vehicle has been left on any road in such position, circumstances or condition as may, in the opinion of an officer, obstruct any traffic on, or cause danger to any users of any road, such officer may remove or cause to be removed such vehicle to any place off such road or to any place on the same or another road. Removal of vehicles causing obstruction or danger

(2) For the purposes of this regulation, "officer" means a person authorised in writing by the highway authority of the road concerned to exercise the powers conferred by this regulation, and any police officer or road traffic inspector.

4. (1) Every vehicle shall, while passing traffic travelling in the opposite direction on a road, be so driven that every part of the vehicle and of its
load, if any, is to the left-hand side of the centre line of the carriageway of such road. Passing vehicles

(2) Wherever a longitudinal prohibition line or a guide line is marked on or near to the centre line of a carriageway, the centre line of such line shall be deemed to be the centre line of such carriageway.

(3) Any person who drives a vehicle in contravention of the provisions of sub-regulation (1) shall be guilty of an offence.

5. (1) When one vehicle is overtaking or attempting to overtake another vehicle—Overtaking

(a) the overtaking vehicle shall be driven so as to pass the overtaken vehicle on the right, or off, side of such overtaking vehicle:

   Provided that an overtaken vehicle may be passed on its left or near side—

   (i) when its driver has signalled his intention to turn to his right;

   (ii) where the road is divided into traffic lanes by lines marked thereon and the overtaking vehicle is conforming to the indication given by such lines;

   (iii) on a one-way street of a width sufficient for two or more lines of moving traffic; or

   (iv) if the overtaken vehicle is a bicycle or an animal-drawn vehicle or a vehicle referred to in regulation 8 and is being driven on the right-hand side of such road;

(b) the overtaking vehicle shall be so driven as to maintain at all times a safe distance from the overtaken vehicle;

(c) the driver of the overtaken vehicle shall not increase the speed of his vehicle until the overtaking operation is completed and—

   (i) if being overtaken on his off side, shall drive his vehicle as near to his left-hand side of the road as is consistent with safety; or

   (ii) if being overtaken on his near side, shall not alter the course of his vehicle so as to endanger the overtaking vehicle.

(2) No vehicle shall be so driven on a road as to overtake or attempt to overtake any other vehicle—

(a) on the near side of the overtaken vehicle unless the driver of the overtaking vehicle has a clear and unobstructed view of the road ahead; or

(b) on the off side of the overtaken vehicle unless the driver of the overtaking vehicle can see that the road ahead is clear for such a distance as will enable him to overtake and to return his own vehicle to his proper side of the road before meeting any traffic coming in the opposite direction; or

(c) where, owing to the condition of the road or because of other traffic thereon, the overtaken vehicle cannot be driven sufficiently near to the left-hand side of the road so that it and its load are wholly within the
left-hand half of the carriageway:

Provided that this paragraph shall not apply in the case of a one-way street;

(d) when outside a local authority area and approaching a visible or sign-posted road junction, within such a distance of such junction that he is not able to overtake and return his own vehicle to his proper side of the road before it reaches the said junction:

Provided that this paragraph shall not apply to overtaking on the left as permitted by regulation 5 (1)(a)(i).

(3) Any person who drives a vehicle in contravention of the provisions of this regulation shall be guilty of an offence.

6. (1) The driver of a vehicle shall not stop such vehicle on a road, otherwise than in an authorised parking place—Stopping and parking of vehicles

(a) within any tunnel or subway, or on any bridge or causeway, or within 8 metres of the entrance to any tunnel, subway, bridge or causeway;

(b) alongside any vehicle, or, where the normal width of the road has for any reason been constricted to such an extent that the normal flow of traffic is impeded, within 8 metres of the beginning or end of such constriction or within such constriction, except for the purpose of setting down or picking up, but not waiting for, passengers other than passengers in any motor omnibus or private motor omnibus;

(c) forming part of a roundabout;

(d) within 8 metres of a road junction;

(e) in any place outside a local authority area where the vehicle cannot be seen by drivers of approaching vehicles for at least 90 metres in both directions;

(f) in any place where the stopping of such vehicle would constitute or would be liable to constitute either an obstruction or danger to other traffic:

Provided that this sub-regulation shall not apply in any case where a vehicle is stopped to avoid an accident, or to comply with a traffic sign or with a direction lawfully given by some person, or due to some cause beyond the control of the driver.

(2) No person shall park a vehicle on a road, otherwise than in an authorised parking place—

(a) within 8 metres of his approach side of a pedestrian crossing;

(b) upon or over the actuating mechanism of a traffic-controlled robot;

(c) within 14 metres on either side of the central point of a bus stop, or on either side of a fire hydrant, the existence of which is clearly indicated on or near to the road;

(d) in such a manner as to encroach upon a pavement;
(e) across or opposite any entrance for vehicular traffic to public or private property in such a manner as to obstruct such entrance;

(f) within 45 metres of a railway level crossing;

(g) in a position which would obscure any traffic sign from drivers of vehicles using the road.

(3) Any person who contravenes any of the provisions of this regulation shall be guilty of an offence.

(As amended by No. 60 of 1972)

7. (1) The driver of a vehicle on a road shall take such steps as are necessary to afford the clear passage along such road of any vehicle used for fire brigade, ambulance or police purposes which is sounding its warning bell or siren. Right of way for fire-fighting vehicles, etc.

(2) Any person who contravenes any of the provisions of this regulation shall be guilty of an offence.

8. (1) The provisions of regulations 4, 5 and 6 shall not apply to any vehicle actually engaged in, and at the site of, the construction or maintenance of any road, or the maintenance of electricity or water supplies or other essential services if the observance of the provisions of such regulations would be likely to hinder to an unreasonable extent the use of such vehicle for the purposes for which it is being used on that occasion. Exemption of certain vehicles

(2) The provisions of regulation 6 shall not apply to any vehicle being used for fire brigade, ambulance or police purposes, or by a road traffic inspector in the execution of his duty, if the observance of such provisions would be likely to hinder to an unreasonable extent the use of such vehicle for the purpose for which it is being used on that occasion.

(3) Whenever the driver of a vehicle referred to in this regulation does not comply with the requirements or prohibitions of any of the regulations so referred to, he shall take such precautions as are necessary and reasonably practicable to warn other traffic of the possible danger arising therefrom.

9. Every person driving a vehicle on a road shall, except in cases of emergency when time or circumstances do not permit, give to other traffic timely and clear warning, by mechanical, electrical or manual signal of his intention to turn, slow down or stop and any person who fails to give such warning shall be guilty of an offence and liable to a fine not exceeding three hundred penalty units.

(As amended by Act No. 13 of 1994) Drivers to give warning signals

10. Every driver of a vehicle when approaching a road junction the traffic at which is not controlled for the time being by a member of the police force, or the presence of a compulsory "stop" sign or "give way" sign or robot shall give way to any other vehicle approaching from his right and any person who contravenes the provisions of this regulation shall be guilty of an offence. Drivers to give way to traffic approaching from their right.

11. (1) No person shall ride a bicycle on a road unless he has at least one
hand on the handlebar. Bicycles and cycle tracks

(2) Save when overtaking or passing, no person shall ride a bicycle abreast of more than one other bicycle, and if any person or persons contravene this sub-regulation all such persons other than the two nearest to the left-hand side of the road shall be guilty of an offence.

(3) Any person riding a bicycle along a road on which a cycle track is provided shall ride on such track, and shall pass traffic travelling in the opposite direction on such track on the right or off side of such traffic.

(4) No person shall ride or drive any motor vehicle on a cycle track:

Provided that the provisions of the sub-regulation shall not apply to the crossing of a cycle track where such is necessary to enable the driver of a motor vehicle to reach his destination.

(5) Any person who contravenes any provisions of this regulation shall be guilty of an offence, and in the case of a contravention of any provision of sub-regulation (1), (2) or (3) shall be liable to a fine not exceeding one hundred and fifty penalty units.

(As amended by Act No. 13 of 1994)

12. (1) No vehicle drawn by animals—Animal-drawn traffic

(a) shall be left on any road unless it is in charge of a responsible person;

(b) shall be driven on a road unless such animals are led or are controlled by reins.

(2) Any persons who leaves or drives such a vehicle in contravention of this regulation shall be guilty of an offence.

13. (1) No pedestrian shall enter a pedestrian crossing at which traffic is for the time being controlled by a robot exhibiting a light sequence unless the red light of such robot is prohibiting the movement of traffic across such pedestrian crossing.

Pedestrians

(2) At every pedestrian crossing which is not controlled by a traffic sign or by a police officer the driver of a vehicle shall give right of way to any pedestrian who is in the crossing and on that half of the road along which the vehicle is travelling:

Provided that no pedestrian shall exercise his right of way under this sub-regulation without offering drivers of oncoming vehicles a reasonable opportunity of stopping their vehicles immediately before such crossing.

(3) Any person who fails to yield at a pedestrian crossing in contravention of sub-regulation (1) or who contravenes sub-regulation (2) shall be guilty of an offence and shall be liable to a fine not exceeding three hundred penalty units or to a fine of one thousand penalty units, respectively.

(As amended by S.I. No. 100 of 1995 and Act No. 13 of 1994)

PART III
LOCAL AUTHORITY AREAS: MISCELLANEOUS PROVISIONS

14. The provisions of this Part shall apply to local authority areas only. Application of Part III

15. (1) No person shall cause any vehicle to stand in an unloading zone in such a manner that, unless the size of the vehicle or of its load otherwise requires, any part of it or any of its load extends beyond the demarcated limits of such zone. Loading and unloading

(2) No person shall cause any vehicle to stand in an unloading zone except when actually engaged in loading or unloading goods.

(3) Any person who contravenes any of the provisions of this regulation shall be guilty of an offence.

16. (1) No driver of any motor omnibus shall stop such motor omnibus for the purpose of taking up or setting down passengers except at a bus stop. Stopping of buses: boarding and alighting therefrom

(2) No person shall take hold of, board, enter, climb on or alight from any motor omnibus except when such motor omnibus is stationary at a parking place designated for motor omnibuses or at a bus stop.

(3) No driver or other person in charge of a motor omnibus shall wilfully allow the said omnibus to stop at a bus stop save for the purpose of loading or unloading.

(4) Any person who contravenes any of the provisions of this regulation shall be guilty of an offence.

17. (1) Traffic over tarmacadamised roads shall be confined to - Traffic on tarmacadamised roads

(a) foot passengers;

(b) animals;

(c) any wheeled vehicle having other than pneumatic tyres, with a wheel loading on any wheel not exceeding 70 kilograms;

(d) any wheeled vehicle having pneumatic tyres:

Provided that a local authority may in respect of the area of its jurisdiction grant exemption from the provisions of this regulation.

(2) Any person who, being in charge of any traffic, permits such traffic to use any tarmacadamised road in contravention of the provisions of sub-regulation (1), shall be guilty of an offence.

(As amended by No. 60 of 1972)

18. (1) No person shall - Prohibited driving

(a) drive or ride any vehicle or drive or ride any animal on any pavement;

(b) drive any motor vehicle along a service lane:
Provided that this paragraph shall not apply to persons driving motor vehicles for the purpose of the removal of refuse or for the purpose of delivering to or removing goods from buildings on land which adjoins a service lane, or for the purpose of maintaining essential services in the service lane, or for the purposes of parking, providing access to or from authorised parking places or areas adjacent to such lane, or gaining access to places of residence.

(2) Any person who contravenes any of the provisions of this regulation shall be guilty of an offence.

19. Any person guilty of an offence under these Regulations for which no other penalty is provided shall be liable, in the case of a first offence, to a fine not exceeding three hundred penalty units, and in the case of a second or subsequent offence, to a fine not exceeding one thousand five hundred penalty units or to imprisonment for a period not exceeding three months.

(As amended by Act No. 13 of 1994)

Penalties

SECTION 244—THE ROADS AND ROAD TRAFFIC
(PROTECTIVE HELMETS) REGULATIONS

Regulations by the Minister
Statutory Instrument No. 87 of 1973
Act No. 13 of 1994

1. (1) These Regulations may be cited as the Roads and Road Traffic (Protective Helmets) Regulations.

Title and commencement

(2) These Regulations shall come into operation on the expiration of a period of thirty days after the date on which these Regulations are published in the Gazette.

2. In these Regulations, unless the context otherwise requires—Interpretation

"prescribed helmet" means a helmet prescribed by regulation 5 of these regulations;

"side-car" includes an attachment to a motor-cycle for carriage of a passenger.

3. (1) No person shall ride on a road on a motor-cycle or in a side-car without wearing on his head a protective helmet.

Necessity to wear protective helmet

(2) Any person who contravenes this regulation shall be guilty of an offence and shall be liable on conviction to a fine not exceeding two hundred penalty units or to imprisonment for a term not exceeding three months.

4. Any person who sells, offers for sale, lets on hire or offers to let on hire any head-dress as a protective helmet affording protection to persons on motor-cycles or in side-cars other than a prescribed helmet shall be guilty of an offence and shall be liable on conviction to a fine not exceeding one thousand penalty units or to imprisonment for a term not exceeding three months.

(As amended by Act No. 13 of 1994)
5. Any helmet which in its shape, construction or other qualities complies with one or more of the standards specified in the Schedule hereto is prescribed for the purposes of these Regulations.

Prescribed standards of helmets

SCHEDULE

THE ROADS AND ROAD TRAFFIC ACT

The Roads and Road Traffic (Protective Helmets) Regulations (Regulation 5)

STANDARDS FOR PROTECTIVE HELMETS

<table>
<thead>
<tr>
<th>Certification</th>
<th>Standard</th>
<th>Number</th>
<th>Mark</th>
</tr>
</thead>
<tbody>
<tr>
<td>British Standard</td>
<td>2001: 1956</td>
<td></td>
<td></td>
</tr>
<tr>
<td>South African Bureau of Standards</td>
<td>SABS 397: 1960</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

THE ROADS AND ROADS TRAFFIC (DRIVING INSTRUCTORS AND SCHOOLS) REGULATIONS

ARRANGEMENT OF REGULATIONS

PART I

PRELIMINARY

Regulation

1. Title
2. Interpretation

PART II

PRESCRIBED FORMS AND FEES

3. Prescribed forms
4. Prescribed fees

PART III

INSTRUCTORS' LICENCES

5. Application for instructor's licence
6. Application for variation of instructor's licence
7. Procedure on refusal of licence or variation
8. Period of validity
9. Limit on further applications for instructor's licence

PART IV

DRIVING SCHOOL LICENCES
10. Application for driving school licence
11. Application for variation of driving school licence
12. Procedure on refusal of licence or variation
13. Period of validity
14. Limit on further applications for driving school licence

PART V

REVOCATION OF LICENCES AND VARIATION OF THEIR CONDITIONS: APPEALS

Regulation
15. Revocation of instructor's licence or variation of conditions thereof
16. Revocation of driving school licence or variation of conditions thereof
17. Reasons for revocation or variation to be given
18. Appeals

PART VI

MISCELLANEOUS
19. Inspection of driving schools
20. Records

FIRST SCHEDULE—Prescribed forms
SECOND SCHEDULE—Prescribed fees

SECTIONS 250 AND 258—THE ROADS AND ROAD TRAFFIC (DRIVING INSTRUCTORS AND SCHOOLS) REGULATIONS

Regulations by the Minister

Government Notices
301 of 1961
173 of 1963
Statutory Instrument
56 of 1982
1. These Regulations may be cited as the Roads and Road Traffic (Driving Instructors and Schools) Regulations.Title

2. In these Regulations, unless the context otherwise requires—Interpretation

"identity card" means a document issued by the Commissioner to a road traffic inspector to establish his identity as such;

"medical certificate" means a medical certificate in the Form DSR.9 in the First Schedule.

PART II

PRESCRIBED FORMS AND FEES

3. The forms set forth in the First Schedule shall be used in all cases to which they are respectively applicable in carrying out the provisions of the Act and these Regulations, subject to such variations as may be necessary.Prescribed forms

4. (1) The fees specified in the second column of the Second Schedule shall be charged in respect of the matters set out respectively opposite them in the first column of the said Schedule.Prescribed fees

(2) In any case where an appeal to the Minister, in accordance with the provisions of section two hundred and forty-eight of the Act or of regulation 18 is successful, the whole of the fee paid, or such other portion as the Minister may direct, shall be refunded to the appellant.

(3) The fees hereinbefore specified shall be payable—

(a) in the case of an instructor's licence or a driving school licence, before the licence is issued;

(b) in the case of the variation of an instructor's licence or a driving school licence, before the licence is varied;

(c) in the case of a test of competence for an instructor's licence or the variation thereof, before the test is carried out.

(As amended by No. 173 of 1963)

PART III
INSTRUCTORS' LICENCES

5. An application for an instructor's licence shall be in Form DSR.1 in the First Schedule and shall be submitted to the Commissioner together with the applicant's driving licence, two certified copies of a recent photograph of the applicant and a medical certificate of recent date in Form DSR.9 in the First Schedule duly completed by a medical practitioner.

(As amended by No. 173 of 1963) Application for instructor's licence

6. An application for a variation of an instructor's licence shall be in Form DSR.2 in the First Schedule and shall be submitted to the Commissioner.

(As amended by No. 173 of 1963) Application for variation of instructor's licence

7. Where an application for an instructor's licence or a variation thereof is refused by the Commissioner, or is granted subject to conditions not acceptable to the applicant, the Commissioner shall, if so requested by the applicant, state in writing the reasons for his decision. Procedure on refusal of licence or variation

8. An instructor's licence shall be valid for three years from the date of issue, unless in any particular case the Commissioner sees fit to specify a shorter period. In any such case the fee payable shall be reduced in proportion to the shorter period so specified.

(As amended by No. 173 of 1963) Period of validity

9. No person whose application for an instructor's licence or for a variation thereof has been refused, or whose appeal against any order of the Commissioner has been dismissed, may apply for a further instructor's licence or variation until the expiry of three months from the date of the said refusal, or, in the case of an appeal, from the date of the dismissal thereof.

(No. 173 of 1963) Limit on further applications for instructor's licence

PART IV

DRIVING SCHOOL LICENCES

10. An application for a driving school licence shall be in Form DSR.4 in the First Schedule and shall be submitted to the Commissioner together with the insurance policy referred to therein.

(As amended by No. 173 of 1963) Application for driving school licence

11. An application for a variation of a driving school licence shall be in Form DSR.5 in the First Schedule and shall be submitted to the Commissioner.

(As amended by No. 173 of 1963) Application for variation of driving school licence

12. Where an application for a driving school licence or a variation thereof is refused by the Commissioner, or is granted subject to conditions not acceptable to the applicant, the Commissioner shall, if so requested by the applicant, state in writing the reasons for his decision. Procedure on refusal of
13. A driving school licence shall be valid for a period of three years from the date of issue, unless in any particular case the Commissioner sees fit to specify a shorter period. In any such case the fee payable shall be reduced in proportion to the shorter period so specified.

(As amended by No. 173 of 1963) Period of validity

14. No person whose application for a driving school licence or for a variation thereof has been refused, or whose appeal against any order of the Commissioner has been dismissed, may apply for a further driving school licence or variation until the expiry of three months from the date of the said refusal, or, in the case of an appeal, from the date of the dismissal thereof.

(No. 173 of 1963) Limit on further applications for driving school licence

PART V

REVOCATION OF LICENCES AND VARIATION OF THEIR CONDITIONS: APPEALS

15. (1) The Commissioner may in respect of any instructor's licence where he is satisfied that—Revocation of instructor's licence or variation of conditions thereof

(a) the licence holder thereof is for any reason incapable of giving proper instruction in the driving of vehicles;

(b) the standard or nature of instruction is unsatisfactory;

(c) the fees charged are excessive in relation to the instruction given or to the period of instruction given;

(d) any of the terms of the licence or any of the conditions subject to which it was issued has not been complied with;

revoke such licence or vary the conditions thereof.

(2) Before revoking any instructor's licence or varying the conditions thereof under the powers in sub-regulation (1), the Commissioner shall give reasonable and full opportunity to the licence holder or his representative to make representations concerning the proposed revocation or variation and shall then hear and consider any such representations.

(3) Where it comes to the knowledge of the Commissioner that the holder of any instructor's licence has been convicted of an offence against any sections of the Act specified in the Second Schedule to the Act for which cancellation with disqualification or suspension is either obligatory or permissible, he may revoke the instructor's licence of such holder.

(As amended by No. 173 of 1963)

16. (1) The Commissioner may in respect of any driving school licence where he is satisfied that—Revocation of instructor's licence or variation of conditions thereof
(a) the motor vehicle used for purposes of instruction is not suitable for that purpose; or

(b) the fees charged are excessive in relation to the instruction given or to the period of instruction given; or

(c) the fees charged for accommodation or board are excessive; or

(d) there are too many pupils under instruction in relation to the number of vehicles or instructors available; or

(e) the standard or nature or duration of instruction given is unsatisfactory or insufficient; or

(f) the standard or nature of accommodation or board provided is unsatisfactory; or

(g) any of the terms of the licence or any of the conditions subject to which it was issued has not been complied with;

revoke the licence or vary the conditions thereof.

(2) Before revoking any driving school licence or varying the conditions thereof under the powers in sub-regulation (1), the Commissioner shall give reasonable and full opportunity to the licence holder or his representative to make representations concerning the proposed revocation or variation and shall then hear and consider any such representations.

(As amended by No. 173 of 1963)

17. The Commissioner shall, if so requested by the holder of an instructor's licence or driving school licence which has been revoked or the conditions of which have been varied, state in writing his reasons for revoking or varying the conditions of such licence.Reasons for revocation or variation to be given

18. (1) Where any person has been granted an instructor's or driving school licence containing conditions unacceptable to him, he may appeal to the Minister against the Commissioner's decision.Appeals

(2) Any holder of an instructor's licence or driving school licence aggrieved by the revocation of his licence or the variation of the conditions thereof under regulation 15 or 16 may appeal to the Minister against the Commissioner's decision.

(3) Any appeal made under section two hundred and forty-eight of the Act or sub-regulation (1) or (2) shall be made to the Minister in writing setting out the grounds of appeal signed by the appellant within sixty days of the decision appealed against, and the appropriate fee specified in the Second Schedule shall be sent with the written appeal together with the reasons for the Commissioner's decision.

PART VI

MISCELLANEOUS

19. Any road traffic inspector in uniform or who if not in uniform produces his identity card may during normal hours of tuition inspect any premises,
inspection of driving schools.

20. (1) The holder of an instructor's licence shall keep, or cause to be kept, a record in Form DSR.7 in the First Schedule.

Records

(2) The holder of a driving school licence shall keep, or cause to be kept, a record in Form DSR.8 in the First Schedule.

(3) Any person who contravenes any of the provisions of this regulation shall be guilty of an offence and liable upon conviction to a fine not exceeding three hundred penalty units.

(As amended by Act No. 13 of 1994)

FIRST SCHEDULE
(Regulation 3)

PRESCRIBED FORMS
FORM DSR. 1
(Regulation 5)

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (DRIVING INSTRUCTORS AND SCHOOLS) REGULATIONS

APPLICATION FOR AN INSTRUCTOR'S LICENCE

I hereby apply for an instructor's licence. I certify that the particulars given below are true, that I am not addicted to the use of narcotic drugs or to the excessive use of intoxicating liquor, and that I am not disqualified from holding a driving licence.

Name

Address (postal)

Address (residential)

Number of previous instructor's licence held (if any)

Age last birthday

Office or place from which instruction will be conducted

Languages spoken

Give particulars of experience as a licensed motor driver

Give details of any convictions in connection with the driving of a motor vehicle

Class(es) of vehicle for which it is desired to be an instructor

I enclose herewith my driving licence No.

I enclose two identical copies of a photograph of myself taken (say when)

I enclose a medical certificate in the prescribed form (Form DSR.9) dated
FORM DSR.2
(Regulation 6)

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (DRIVING INSTRUCTORS AND SCHOOLS) REGULATIONS

APPLICATION FOR VARIATION OF INSTRUCTOR'S LICENCE

I hereby apply for my instructor's licence No. to be varied as follows:


Applicant

Date
FORM DSR.3
(Regulation 3)

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (DRIVING INSTRUCTORS AND SCHOOLS) REGULATIONS

INSTRUCTOR'S LICENCE No.

of ..............................................................................................................

holder of driving licence No. is hereby authorised to
act as an instructor of learner drivers of motor vehicles of the classes noted
below.

PHOTOGRAPH  Signature of Instructor

Classes of motor vehicle

Date of expiry

Date of issue

Road Traffic Commissioner
FORM DSR.4
(Regulation 10)

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (DRIVING INSTRUCTORS AND SCHOOLS) REGULATIONS

APPLICATION FOR DRIVING SCHOOL LICENCE

I hereby apply for a driving school licence. I certify that the particulars given below are true. I have held the following driving school licence No.

Date of expiry

Name

Address (postal)

Place where school is/is to be established

Details of accommodation provided: (a) Residential

(b) Class rooms

Number of pupils

Is food/accommodation to be provided?

Give details of curriculum, including periods of instruction

Details of vehicles to be used

Are they available for candidates' driving tests? If so, what charges will be made for this facility?

Give the following information about the insurance policy/policies that cover the use of the vehicles as driving school vehicles. (Please enclose policy/policies for inspection.)

<table>
<thead>
<tr>
<th>Name of Company</th>
<th>No. of Policy</th>
<th>Type of Policy</th>
<th>Date of Expiry</th>
</tr>
</thead>
<tbody>
<tr>
<td>.................</td>
<td>...............</td>
<td>...............</td>
<td>...............</td>
</tr>
<tr>
<td>.................</td>
<td>...............</td>
<td>...............</td>
<td>...............</td>
</tr>
</tbody>
</table>
Give details of instructors who will be employed together with the numbers of their instructors' licences.

<table>
<thead>
<tr>
<th>No. of instructor's</th>
<th>Name</th>
<th>licence</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Length of course

Other facilities offered

Fees to be charged

Applicant

Date

* Delete as applicable.
FORM DSR.5
(Regulation 11)

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (DRIVING INSTRUCTORS AND SCHOOLS) REGULATIONS

APPLICATION FOR VARIATION OF DRIVING SCHOOL LICENCE

I hereby apply for my driving school Licence No. to be varied as follows:

..............................

                      
                      Applicant

Date
FORM DSR.6
(Regulation 3)

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (DRIVING INSTRUCTORS AND SCHOOLS) REGULATIONS

DRIVING SCHOOL LICENCE No.

of

................................................................................

......

is hereby authorised to establish/maintain a driving school in accordance with the following conditions:

Place where school is/is to be* established

Maximum number of students:  (a) Boarders

(b) Day students

Classes of motor vehicle in which instruction may be given

Date of expiry

.................................................................

Road Traffic Commissioner

Date of issue

* Delete as applicable.
FORM DSR.7  
(Regulation 20 (1))

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (DRIVING INSTRUCTORS AND SCHOOLS) REGULATIONS

RECORD TO BE KEPT BY HOLDER OF INSTRUCTOR'S LICENCE

Name of instructor

Number of instructor's licence

Period of instruction

Date

Name of person instructed

From  To

Signature
FORM DSR.8
(Regulation 20 (2))

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (DRIVING INSTRUCTORS AND SCHOOLS) REGULATIONS

RECORD TO BE KEPT BY HOLDER OF DRIVING SCHOOL LICENCE

<table>
<thead>
<tr>
<th>Name of holder of driving school licence</th>
<th>No. of driving school licence</th>
</tr>
</thead>
<tbody>
<tr>
<td>Driving school at</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Date of Classes of motor vehicle</th>
<th>Period of Classes of motor vehicle</th>
<th>Result</th>
<th>Date of Fees</th>
<th>Name of student</th>
<th>Arrival</th>
<th>in which instruction given</th>
<th>instruction in which official test taken</th>
<th>of test</th>
<th>departure</th>
<th>paid</th>
<th>Remarks</th>
</tr>
</thead>
</table>

Signature
THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (DRIVING INSTRUCTORS AND SCHOOLS) REGULATIONS

MEDICAL CERTIFICATE

I CERTIFY that I

of    (address) have today personally

examined    of    (address)

an applicant for an instructor's licence, with the results noted below. I
further certify that I have explained the contents of the subjoined "Declaration
by Applicant" to the applicant, and that his signature/thumb impression thereto
has been affixed in my presence.

(a) Apparent age

(b) Vision without glasses ..  R.  L.

With glasses (if worn) ..  R.  L.

(c) Colour perception:   (1) (State whether normal by ishahara
pseudoisochromatic plate test;

   (2) if not, test for signal red, signal green and amber by a
       suitable

       lantern).

   (1)

   (2)

(d) Hearing

(e) Limbs (state whether unrestricted use of all limbs or otherwise)

(f) Is he free from suspicion of being intemperate or addicted to drugs?

(g) General health (state whether reactions normal, and whether free of
    any disease, temporary

    or otherwise, which would induce faintness or undue
As a result of my examination I am/am not* satisfied that applicant is a medically fit person to hold an instructor's licence.

Registered Medical Practitioner

Date

*Delete whichever is inapplicable.

DECLARATION BY APPLICANT

I declare that I am not subject to epilepsy, and do not suffer from fits; and that my physique, vision, hearing and bodily and mental fitness are such as to warrant the issue to me of an instructor's licence.

I further declare that the answers to the questions put to me by the Medical Examiner are true and complete and I understand that if any statement made by me is to my knowledge false or in any material respect misleading, I am liable to a fine not exceeding seven hundred and fifty penalty units in the case of a first offence and to a fine not exceeding one thousand five hundred penalty units in the case of a second or subsequent offence.

Signed
Applicant

RIGHT THUMB IMPRESSION

Date

(As amended by Act No. 13 of 1994)
SECOND SCHEDULE
(Regulation 4)

PRESCRIBED FEES

Fee units

1. Instructor's licence .. .. .. 300
2. Driving School licence .. .. .. 750
3. Test of competence for instructor's licence or variation thereof .. .. .. 250
4. Variation of licence .. .. .. 250


THE ROADS AND ROAD TRAFFIC (CERTIFICATES OF FITNESS) REGULATIONS

ARRANGEMENT OF REGULATIONS

PART I

PRELIMINARY

Regulation

1. Title
2. Interpretation

PART II

PROCEDURE CONCERNING ISSUE OF CERTIFICATES: PRESCRIBED FORMS: APPEALS: PRESCRIBED FEES

3. Procedure on application for certificate of fitness
4. Action by vehicle examiner
5. Evidence of existence of certificate of fitness or exemption
6. Form of licensing officer's prohibition of use of vehicle
7. Form of notice, prohibition, etc., by vehicle examiner, etc.
8. Appeals
9. Prescribed fees

PART III

CONSTRUCTION AND EQUIPMENT OF VEHICLES TO WHICH
PART XI OF THE ACT APPLIES

10. Application

11. Prerequisite to issue of certificate of fitness

12. Spare wheel and tyre

13. Exhaust pipe and gases

14. Electric cables

15. Fire extinguishers

16. Matters to be inscribed or painted on vehicle

17. First aid kit

18. Suspension

19. Side overhang

20. Fuel tanks, carburettors, etc.

21. Body

22. Destination indicator

23. Height

24. Roof and guard rail

25. Space for goods

26. Vehicle with first and second class compartments

27. Steps and stairs

28. Number and position of entrances and exits

29. Width of entrances and exits

30. Doors

31. Emergency exits

32. Access to exits

33. Width of gangway

34. Head room

35. Seats

36. Guards at windows

37. Internal lighting
38. Passengers' communication with driver
39. Ventilation and protection against rain
40. Luggage racks
41. Drivers' accommodation
42. Requirements for taxicabs, etc.

PART IV
EXEMPTIONS

43. Exemption for vehicles having "foreign certificates of fitness"
44. Exemptions by Commissioner

FIRST SCHEDULE-Prescribed forms
SECOND SCHEDULE-Prescribed fees
THIRD SCHEDULE-First aid kits

SECTION 258-THE ROADS AND ROAD TRAFFIC (CERTIFICATES OF FITNESS) REGULATIONS

Regulations by the Minister

Government Notice
270 of 1962
Statutory Instruments
122 of 1965
140 of 1965
36 of 1969
63 of 1972
10 of 1991
31 of 1992
25 of 1993
14 of 1994
52 of 1996
Act No.
13 of 1994

PART I
PRELIMINARY

1. These Regulations may be cited as the Roads and Road Traffic (Certificate of Fitness) Regulations.

2. In these Regulations, unless the context otherwise requires- Interpretation

"crew" means the driver of a motor vehicle and, where carried, the conductor and one other person authorised by the owner or hirer, as the case may be;
"deck" means a floor or platform upon which seats are provided for the accommodation of passengers;

"double-decked vehicle" means a motor omnibus having two decks, one of which is wholly or partly above the other;

"driving school vehicle" means a motor vehicle which is used for gain for the teaching of driving;

"emergency exit" means an exit which is intended to be used only in case of emergency;

"entrance" means any aperture or space by which passengers are intended to board a vehicle;

"exit" means any aperture or space by which passengers are intended to leave a vehicle;

"gangway" means the space provided for obtaining access from any entrance to the passengers' seats or from any such seat to an exit other than an emergency exit but does not include a staircase or any space in front of a seat or a row of seats which is required only for the use of passengers occupying that seat or that row of seats;

"manufacturer's permitted gross weight" means the weight that the manufacturer of a motor vehicle or trailer or his representative certifies that such vehicle or trailer has been built to carry, and in addition its own weight;

"passenger" does not include a member of the crew of a motor vehicle;

"single-decked vehicle" means a motor omnibus having a deck no part of which is vertically above another deck.

PART II

PROCEDURE CONCERNING ISSUE OF CERTIFICATE OF FITNESS: PRESCRIBED FORMS: APPEALS: PRESCRIBED FEES

3. (1) Application for a certificate of fitness for a vehicle to which Part XI of the Act applies shall be made to a vehicle examiner. At every vehicle's first examination, the vehicle's registration book prescribed in the First Schedule to the Roads and Road Traffic (Registration and Licensing) Regulations, shall be produced. Procedure on application for certificate of fitness

(2) In all cases of first application, or when any material alteration other than by way of replacement of parts is made in the construction or fixed equipment of a vehicle, the applicant shall produce a certificate in Form C.F.1 in the First Schedule, duly completed and signed by the manufacturer of the chassis, or his duly authorised representative. In any case where the manufacturer of the chassis or his duly authorised representative is unable to state the net weight of the complete vehicle, a further certificate in Form C.F.2 duly completed and signed by the maker of the body, or his duly authorised representative, shall also be produced.

(3) Notwithstanding the provisions of sub-regulation (2), the production of the certificate or certificates referred to in the said sub-regulation shall not be necessary in any case where a vehicle has been weighed at a weighbridge and
where evidence of the weight ascertained thereby is produced to the satisfaction of the vehicle examiner.

4. (1) Every certificate of fitness shall be in Form C.F.5 in the First Schedule. In all cases of first application for a certificate of fitness, the vehicle examiner shall complete in respect of the vehicle examined a Certificate of Fitness Record Book as prescribed in Form C.F.4 in the First Schedule, which book the owner of the vehicle shall retain and produce at subsequent examinations. At subsequent examinations the vehicle examiner shall, upon issuing a certificate of fitness, enter in the Certificate of Fitness Record Book the number of the certificate of fitness issued and its expiry date. He shall sign and date each entry.

Action by vehicle examiner

(2) The manufacturer's permitted gross weight shall be considered as the gross weight of the vehicle, and the difference between the gross and net weights shall be the weight of the load (including all passengers, the crew carried, and all goods of any description whatsoever) that may be carried:

Provided that nothing in this sub-regulation contained shall be deemed to permit the use on a road of any vehicle the laden weight of which is in excess of any weight limit duly imposed by the Director of Roads or other competent authority, nor the carrying in a public service vehicle of any load in excess of that permitted by the Commissioner under Part X of the Act.

(3) The weight of each passenger and of each member of the crew shall be deemed to be 64 kilograms.

(4) In computing the number of passengers that may be carried in any vehicle authorised to carry passengers, the vehicle examiner shall allow 380 millimetres of seat for each passenger for whom seating is provided.

(As amended by No. 63 of 1972)

5. (1) When any certificate of fitness is issued the fact shall be recorded on Form C.F.3 in the First Schedule and this record, or the certificate of fitness itself, or an entry in the Certificate of Fitness Record Book of the vehicle, made according to regulation 4 (1), shall be accepted by a licensing officer as evidence of the facts stated therein, concerning the existence of a certificate of fitness, when a motor vehicle or trailer licence is applied for as provided in section one hundred and sixty-seven of the Act.

Evidence of existence of certificate of fitness or exemption

(2) Where a vehicle is exempted under section one hundred and seventy-six of the Act from the need to hold a certificate of fitness, the Commissioner shall issue a certificate of exemption in Form C.F.6 in the First Schedule and shall make an appropriate entry in the Certificate of Fitness Record Book and either the certificate or the entry shall be accepted by a licensing officer as evidence that the vehicle has been so exempted.

6. The prohibition by a licensing officer of the use of a vehicle or trailer as provided for in section one hundred and seventy-one of the Act shall be in Form C.F.7 in the First Schedule.

Form of licensing officer's prohibition of use of vehicle

7. (1) Any notice, prohibition, order or other direction issued by a vehicle examiner or road traffic inspector under section seventy-five (3), (4) or (5) or under Part XI of the Act shall be in Form C.F.8 of the First Schedule.
(2) Any order or direction issued by a police officer or by a road traffic inspector in accordance with section two hundred and twelve (f) of the Act shall be in writing.

(As amended by No. 140 of 1965)

8. (1) Any person who, in accordance with section one hundred and seventy-three of the Act, wishes to have his vehicle or trailer examined by a vehicle examiner other than the one who conducted the earlier examination at which defects were discovered shall set forth the grounds of his appeal in writing to the Commissioner and shall send with the appeal the prescribed fee and any documents as are relevant thereto. The Commissioner may make such inquiries as he may think necessary, and his order shall be binding upon the appellant and upon the vehicle examiner against whose decision the appeal is made.

Appeals

(2) Any appeal made to the Commissioner according to section one hundred and seventy-four of the Act shall be in writing and shall be accompanied by the prescribed fee and such documents as are relevant to the matter under appeal. The Commissioner may make such inquiries and cause such further vehicle examinations to be made as he thinks necessary before deciding the appeal. His decision shall be binding upon the appellant and upon the vehicle examiner or road traffic inspector against whose decision, order, direction or prohibition the appeal is made.

9. (1) The fees specified in the second column of the Second Schedule are hereby prescribed and shall be charged in respect of the matters set out in the first column of the said Schedule.

Prescribed fees

(2) The fee prescribed for the re-examination of a motor vehicle or trailer shall be payable only if the said vehicle or trailer is produced for re-examination by the notified date, as referred to in section one hundred and seventy of the Act. If the said vehicle or trailer is produced after the said date the fee prescribed for an examination shall be payable.

(3) Where the person conducting an examination or re-examination is an officer of the Government, the fee specified in the Second Schedule shall be paid into the general revenues of the Republic. Where the said person is not such an officer, such portion of the fee as the Minister may from time to time direct shall be paid to him and the remainder paid into the general revenues of the Republic. In all cases where fees are paid for an examination or re-examination a receipt shall be issued in Form C.F.3 of the First Schedule.

(4) In any case where an appeal is successful the whole of the fee paid in respect of the appeal or such portion as the Commissioner may direct shall be refunded to the appellant.

(5) No fee shall be payable for any inspection or examination carried out in exercise of the powers bestowed by section two hundred and twelve of the Act.

(As amended by S.I. No. 122 of 1965)

PART III

CONSTRUCTION AND EQUIPMENT OF VEHICLES TO WHICH
PART XI OF THE ACT APPLIES

10. (1) Unless the context otherwise requires and subject to any exemptions duly granted under the Act or these Regulations, the vehicles to which Part XI of the Act applies shall at all times when used on a road comply with the provisions concerning construction and equipment of the following of these Regulations:

<table>
<thead>
<tr>
<th>Vehicle</th>
<th>Regulations</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) A public service vehicle</td>
<td>12, 13, 14, 15, 16.</td>
</tr>
<tr>
<td>being a goods vehicle</td>
<td></td>
</tr>
<tr>
<td>(b) A heavy vehicle being a goods</td>
<td>12, 13, 14, 16.</td>
</tr>
<tr>
<td>vehicle</td>
<td></td>
</tr>
<tr>
<td>(c) A public service vehicle</td>
<td>12, 14, 16.</td>
</tr>
<tr>
<td>being a trailer</td>
<td></td>
</tr>
<tr>
<td>(d) A heavy trailer not being a</td>
<td>12, 14, 16.</td>
</tr>
<tr>
<td>public service vehicle</td>
<td></td>
</tr>
<tr>
<td>(e) A public service vehicle</td>
<td>12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41.</td>
</tr>
<tr>
<td>being a motor omnibus</td>
<td></td>
</tr>
<tr>
<td>(f) A heavy vehicle being a private</td>
<td>12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 23, 27, 28, 29, 30, 31, 32, 33, 36, 37, 38, 39, 40, 41.</td>
</tr>
<tr>
<td>motor omnibus</td>
<td></td>
</tr>
<tr>
<td>(g) A public service vehicle</td>
<td>12, 13, 14, 15, 16, 17, 21, 42.</td>
</tr>
<tr>
<td>being a taxicab</td>
<td></td>
</tr>
<tr>
<td>(h) A public service vehicle</td>
<td>12, 13, 14, 15, 16, 17, 21, 42 (excluding (d)).</td>
</tr>
<tr>
<td>being a hire car</td>
<td></td>
</tr>
<tr>
<td>(i) A contract car</td>
<td>12, 13, 14, 21, 42 (a) and (c).</td>
</tr>
<tr>
<td>(j) A motor vehicle used for gain</td>
<td>12, 13, 14, 15, 17, 18, 19, 20, 28 (1) (c), 28 (2), 30, 31.</td>
</tr>
<tr>
<td>for the teaching of driving, and</td>
<td></td>
</tr>
<tr>
<td>having seating accommodation for</td>
<td></td>
</tr>
<tr>
<td>more than seven persons other than</td>
<td></td>
</tr>
<tr>
<td>the driver</td>
<td></td>
</tr>
<tr>
<td>(k) A motor vehicle used for</td>
<td></td>
</tr>
<tr>
<td>gain for the teaching of driving and</td>
<td></td>
</tr>
<tr>
<td>having seating accommodation for</td>
<td></td>
</tr>
<tr>
<td>not more than seven persons</td>
<td></td>
</tr>
</tbody>
</table>
other than the driver 12, 13, 14, 15, 17, 42 (a) and (c).

Vehicle Regulations

(1) A motor vehicle used for gain for the teaching of driving being a goods vehicle 12, 13, 14, 15, 17.

(m) Any vehicle to which Part XI of the Act applies not otherwise specified in this regulation 12, 13, 14.

(2) In regulations 12 to 42, the expression "vehicle to which this regulation applies" shall be construed with reference to the vehicles set forth in sub-regulation (1).

11. No certificate of fitness shall be issued in respect of any motor vehicle or trailer to which Part XI of the Act applies unless the said vehicle or trailer complies in all respects with such of the requirements of the Act and of any Regulations made thereunder with regard to the construction and equipment of motor vehicles and trailers as are applicable to the said motor vehicle or trailer. Prerequisite to issue of certificate of fitness

12. On every vehicle to which this regulation applies, there shall be carried at least one spare inflated tyre in good serviceable condition affixed to a rim, spare wheel or other device capable of being fitted quickly to a wheel or axle together with apparatus in good working order for so fitting it: Spare wheel and tyre

Provided that this regulation shall not apply to any motor cycle.

13. On every vehicle to which this regulation applies, the exhaust pipe shall be so placed and maintained and the flooring so constructed or covered with material that no exhaust gases are permitted to enter the vehicle, and the exhaust pipe shall be so fitted or shielded that no inflammable material is likely to fall or be thrown upon it from any other part of the vehicle and so that it is not likely to cause a fire through proximity to any inflammable material on the vehicle. Exhaust pipe and gases

14. All electrical leads and cables on every vehicle to which this regulation applies shall be adequately insulated, and, where liable to be affected by exposure to water, petrol or oil, adequately protected. Electric cables

15. (1) Vehicles to which this regulation applies shall be equipped with fire extinguishers as follows: Fire extinguishers

(a) a motor vehicle used for gain for the teaching of driving not being a motor cycle that is carried on two wheels only whether a sidecar is attached or not 1

(b) a public service vehicle authorised to carry not more than twelve passengers 1

(c) a heavy vehicle being a private motor omnibus
(d) a public service vehicle authorised to carry more than twelve passengers
(e) a public service vehicle being a goods vehicle

(2) Each fire extinguisher must be of a type approved by a vehicle examiner as suitable for use on petrol and oil fires, and maintained in proper order and condition. The capacity of each shall not be less than 1 litre, or its approximate equivalent in weight, and each shall be carried in a bracket or other suitable holder in a position on the vehicle as approved by a vehicle examiner so as to be readily available for use at any time.

(As amended by No. 63 of 1972)

16. On every vehicle to which this regulation applies, there shall be inscribed or painted on the near side of the outside of the vehicle in letters and figures at least 35 millimetres high the name and residential or business address of the registered owner, its gross weight, net weight, the weight of its load (including all passengers, crew and goods) and in the case of a vehicle authorised to carry passengers, the number of passengers that may be carried: Matters to be inscribed or painted on vehicle

Provided that if the vehicle is used other than occasionally or temporarily by a person who is not the registered owner, that person's name and address may be inscribed or painted on the vehicle in addition to the registered owner's.

17. (1) Every vehicle to which this regulation applies not being a motor cycle that is carried on two wheels only whether a sidecar is attached or not, shall be equipped with the appropriate first aid kit as specified in the Third Schedule: First aid kit

(2) Every first aid kit shall be contained in a container so designed or adapted that it can be hung up or carried.

(3) The contents of every first aid kit shall be maintained in a clean and hygienic condition.

(4) When a vehicle to which this regulation applies is in use on a road, there shall be displayed conspicuously in the interior thereof a notice indicating where the first aid kit is located, unless the kit itself is so displayed.

18. Every vehicle to which this regulation applies shall be equipped with an efficient suspension system so designed and constructed that, in the opinion of a vehicle examiner, no dangerous body sway is likely to occur when the vehicle is in use: Suspension

19. (1) No part included within the overall width of a vehicle to which this regulation applies shall project laterally more than 150 millimetres beyond the outer face of the outer tyre on the rearmost wheel on the same side of the said vehicle: Side overhang

Provided that in the case of a motor omnibus with a seating capacity for not more than twelve passengers, this regulation shall have effect as if "180 millimetres" were substituted for "150 millimetres".
(2) For the purposes of this regulation, "overall width" shall include all fittings other than any outside rear view mirror and the arm of any direction indicator, provided that such arm when not in use does not project beyond the mirror.

(As amended by No. 63 of 1972)

20. (1) No part of any fuel tank in any vehicle to which this regulation applies shall be placed immediately under any entrance or exit, and no filling point for such a tank shall be under or immediately adjacent to any entrance or exit. Fuel tanks, carburettors, etc.

(2) No part of any fuel tank or apparatus intended to contain fuel shall be placed in the compartments or other spaces provided for the accommodation of the driver or passengers.

(3) All fuel tanks and all apparatus intended to supply fuel to the engine shall be so placed or shielded that no fuel overflowing or leaking therefrom can fall or accumulate upon any woodwork or upon any part or fitting where it is capable of readily being ignited or can fall into any receptacle where it might accumulate.

(4) The filling points for all fuel tanks shall only be accessible from the outside of the vehicle and filler caps shall be so designed and constructed that they cannot be dislodged by accidental operation. The vent hole, if any, shall be protected from danger of penetration by fire and shall be so designed as to prevent fuel from being splashed over.

(5) A device shall be provided by means of which the supply of fuel to any carburettor can readily be cut off and the following requirement shall be complied with in respect thereof:

(a) the means of operation shall at all times be readily accessible and visible from the outside of the vehicle; and

(b) the "off" position of the means of operation thereof shall be clearly marked on the outside of the vehicle.

21. The body of every vehicle to which this regulation applies shall be securely affixed to the chassis. Every such vehicle including all body work, upholstery and fittings shall, in the opinion of a vehicle examiner, be soundly and properly constructed of suitable materials, well finished and in good and serviceable condition and of such design as to be capable of withstanding the loads and stresses likely to be met with in operation.

22. Every vehicle to which this regulation applies shall be equipped at the front and rear with a device whereon the destination of the said vehicle may be displayed.

23. Notwithstanding the provisions of regulation 11 of the Roads and Road Traffic (Construction, Equipment and Use) Regulations, the maximum overall height of every single-decked vehicle to which this regulation applies, measured from the ground to the highest point of the roof immediately over the rear axle, and excluding any structure for carrying luggage, shall not exceed 3,200 millimetres.
24. (1) Every vehicle to which this regulation applies shall be fitted with a rainproof roof of rigid material and construction.

(2) No goods shall be carried on the roof of any vehicle to which this regulation applies unless the roof is provided with guard rails on all sides not less than 230 millimetres high and placed not nearer to the side of the body than 230 millimetres.

25. (1) In the case of any vehicle to which this regulation applies which is authorised to carry goods as well as passengers, a guard rail on the roof, or a space inside the vehicle, shall be provided for the carriage of such goods.

(2) If a space as prescribed in sub-regulation (1) is provided, it shall be a separate compartment of permanent construction with no direct communication with the passenger compartment or compartments:

Provided that a door that effectively closes the entrance to the goods compartment, and that is locked, shall not be regarded as providing direct communication between the goods and passenger compartments.

26. In the case of a vehicle to which this regulation applies which is equipped with first and second class compartments, the compartments shall be divided by a solid partition which may be broken by the gangway of the said vehicle. Each compartment shall have its own entrance and emergency exit, save that where all seats are placed crosswise in relation to the vehicle, any door fitted in the partition in line with the gangway may be considered as an emergency exit for the front compartment. Such door shall have a clear width of not less than 535 millimetres, and a clear height of not less than 1,775 millimetres, provided that where the height of the inside of the vehicle is 1,775 millimetres or less the said door shall be as nearly as practicable the full height of the inside of the vehicle at the centre line of the gangway. The said door shall be hinged and shall open into the rear compartment. The locks and catches shall be in safe and efficient working order and capable of easily being operated from both sides by passengers without assistance from the driver or conductor, and without the use of a detachable key.

27. (1) In every vehicle to which this regulation applies, a step or steps shall be provided at the passenger entrances and exits, other than the emergency exit.

(2) When the vehicle is empty the lowest step shall not be more than 430 millimetres nor less than 250 millimetres from the ground.

(3) All steps, other than the steps of a spiral staircase leading to the upper deck of a double-decked vehicle, shall be at least 405 millimetres wide and 205 millimetres in depth and the riser between steps shall not be more than 230 millimetres:

Provided that steps not less than 230 millimetres in depth may be constructed to have a riser of 265 millimetres.
(4) No portion of a step shall be vertically above the step below it except the portion that may be necessary efficiently to secure the riser which portion shall not exceed 25 millimetres in width.

(5) The riser between the steps shall be closed.

(6) All steps shall be fitted with treads designed to minimise the risk of slipping.

(7) In the case of a double-decked vehicle to which this regulation applies, the steps of a spiral staircase leading to the upper deck may be less than 205 millimetres in depth, provided that the depth at the middle of each step, fixed by measurement along its front edge, shall not be less than 205 millimetres.

(As amended by No. 63 of 1972)

28. (1) The following conditions shall be complied with by every vehicle to which this regulation applies and to which the said conditions respectively relate:

Number and position of entrances and exits

(a) a single-decked vehicle and the lower deck of a double-decked vehicle shall be provided with not less than two exits (one of which may be an emergency exit) which shall not all be situated on the same side of the vehicle;

(b) where access is obtained to the upper deck of a double-decked vehicle by means of an enclosed staircase, an emergency exit which need not be provided with a staircase and shall not be on the near side of the said vehicle shall be provided on the upper deck;

(c) every entrance of every vehicle shall be on the near side;

(d) (i) in the case of a single-decked vehicle there shall be fitted on one side of each entrance or exit, other than an emergency exit, a hand rail that is parallel to the rise of the steps and not less than 760 millimetres vertically above the outer edges of the steps, and on the opposite side of such entrance or exit a vertical hand rail placed towards the outside of the body:

Provided that in the case of a vehicle with seating capacity for not more than twelve passengers or when the doors open inwards, and it is not possible to fit one or other of the hand rails prescribed in this paragraph, hand rails shall be fitted to provide adequate assistance to passengers entering or leaving the vehicle;

(ii) in the case of a double-decked vehicle where the same entrance is used for access to both decks, suitable and sufficient hand rails shall be provided on the sides of the entrance;

(iii) the hand rails mentioned in the last two preceding paragraphs shall not be less than 22 millimetres in diameter and not less than 50 millimetres from the body side. Additional hand rails or grips may be provided for the safety and convenience of the passengers.

(2) It shall be sufficient compliance with paragraphs (a) and (c) of sub-regulation (1) if—
(a) in the case of a double-decked vehicle provided with a rear platform, that platform communicates with the lower deck by means of a doorless opening and has a doorless opening on the near side of the vehicle continuous with one at the rear serving together as a means of both entrance and exit to the vehicle; and

(b) in the case of a vehicle with a seating capacity for not more than twelve passengers, one means of exit and entrance is provided which is behind the rear wheels but not on the off side.

(As amended by No. 63 of 1972)

29. On every vehicle to which this regulation applies every entrance and exit, other than an emergency exit, shall have a clear width of not less than 535 millimetres between the hand rail parallel to the rise of the steps and the vertical hand rail, as prescribed in regulation 28 (1) (d): Width of entrances and exits

Provided that-

(i) where in accordance with the provisions of regulation 28 (2) (a) one exit only is provided, the width of such exit measured along the rear of the vehicle may be less than 535 millimetres but not less than 455 millimetres if the width of the exit to the side of the said vehicle is not less than 535 millimetres;

(ii) where the same entrance is used for both the upper and the lower deck of a double-decked vehicle, no part of the entrance measured along the near side of the said vehicle shall be less than 910 millimetres in width. For the purpose of this proviso, any stanchion may be disregarded.

(As amended by No. 63 of 1972)

30. (1) Except in the case of a vehicle with a seating capacity for not more than twelve passengers, every entrance or exit door of every vehicle to which this regulation applies shall have a clear height of not less than 1,830 millimetres measured vertically from the front edge of the lowest entrance step, and, subject to the provisions of this regulation, the following conditions relating to doors shall be complied with by every such vehicle: Doors

(a) every entrance and exit door shall be capable of readily being opened from inside and outside the vehicle by one operation of the locking mechanism;

(b) the device provided outside the vehicle for operating the locking mechanism of a door (not being an emergency exit on the upper deck of a double-decked vehicle) shall be easily accessible to persons of normal height standing at ground level outside the vehicle;

(c) means shall be provided for holding every entrance and exit door securely in the closed position;

(d) all locks and fastenings fitted to entrance and exit doors shall be so designed and fitted that they cannot readily become dislodged or be operated accidentally;

(e) where any entrances are provided with doors which are intended to remain open when the vehicle is in motion, suitable fastenings shall be provided to hold such doors securely in the open position;
(f) every sliding door and every folding door fitted to an entrance or exit shall be provided with suitable fastenings to prevent it from being closed by the movement of the vehicle;

(g) all doors shall open so as not to obstruct clear access to any entrance or exit either from inside or from outside the vehicle;

(h) in the case of any door which is operated by power, a means by which the door may be opened shall be provided inside the vehicle on or adjacent to the door, and its position shall be clearly marked. The storage and transmission systems of such power shall be such that operation of the doors does not adversely affect the efficient operation of the braking system of the vehicle. The apparatus shall be so designed and constructed that in the event of the system becoming inoperative, the door shall be capable of being operated manually from both inside and outside the vehicle.

(2) A vehicle shall not be deemed to fail to comply with sub-regulation (1) (a) by reason only of the fact that, for the purpose of securing the vehicle when unattended, any entrance or exit door has been fitted with a supplementary lock with or without an actuating mechanism if such lock is so designed and constructed that the door can at all times be opened by a person inside the vehicle by one operation of the ordinary locking mechanism.

(As amended by No. 63 of 1972)

31. (1) Every passenger compartment on each deck of every vehicle to which this regulation applies shall have an emergency exit at the opposite end of the vehicle from the passenger entrance thereof. Such emergency exit may be at the front, off side or rear of the vehicle and may consist of either—Emergency exits

(a) a door or panel which shall be hinged at the side or bottom, and shall open outwards; or

(b) heat treated safety glass (also known as toughened or tempered safety glass)—that is glass which, if fractured, does not readily fly into fragments capable of causing severe cuts or other injuries. Such glass shall be so fixed in rubber, plastic or other suitable material as to be capable of easily being dislodged in an emergency.

(2) The following requirements shall be complied with in the case of every emergency exit:

(a) it shall be so constructed that it can readily be opened or dislodged from inside or outside the vehicle without the use of a detachable key;

(b) in the case of a door or panel it shall be fitted with locks and catches of such design that it cannot inadvertently be opened by a passenger leaning against it, and of such design that the vibrations of the vehicle do not cause it to open:

Provided that for the purpose of securing the vehicle when it is not in use on the road or is left unattended, it shall be permissible to fit to any such emergency exit a lock that cannot be opened from the outside without the use of a detachable key, if such lock is so constructed that the emergency exit can at all times be opened from inside the vehicle without the use of the
detachable key;

(c) any locks and catches thereof shall be in safe and efficient working order, uncovered and free from any obstruction and when any passenger is carried every emergency exit shall be unlocked;

(d) it shall be clearly marked as such inside and outside the vehicle, and on the inside brief instructions for its opening shall be marked in a place readily visible to passengers;

(e) it shall be easily accessible to passengers and, save in the case of emergency exits fitted to the upper deck of a double-decked vehicle or of a motor vehicle used for gain for the teaching of driving and having accommodation for more than seven persons other than the driver, it shall be easily accessible to persons of normal height standing on the ground outside the vehicle;

(f) it shall not be fitted with any system of power operation for opening the door or the panel thereof;

(g) it shall have a clear and unobstructed frame opening not less than 1.830 square metres in area, no side of which shall be less than 455 millimetres in length.

(As amended by No. 63 of 1972)

32. The following conditions shall be complied with by every vehicle to which this regulation applies and to which the said conditions respectively relate:

(a) in every such vehicle there shall be unobstructed access from every seat to at least two exits or to one exit where one exit only is required by these Regulations:

Provided that this condition shall not apply in the case of any seats beside the driver's seat, if there is access to such seats by an entrance other than the driver's entrance;

(b) no seats shall be fitted to any door of any vehicle.Access to exits

33. (1) (a) (i) In every vehicle to which this regulation applies, the gangway shall not be less than 405 millimetres wide below seat level, 355 millimetres wide at seat level and 405 millimetres wide above 760 millimetres from the floor. Any vertical roof supports other than any support attached to the screen or guard prescribed by regulation 35 (6) shall be placed at least 355 millimetres from the centre lines of the gangway.

(ii) In the case of a double-decked vehicle, the distance from the nearest point of the topmost riser to a vertical line passing through the rearmost point of any seat forward of such nearest point and excluding any hand rail that does not project more than 75 millimetres from the seat shall not be less than 660 millimetres.

(iii) In the case of a vehicle with a seating capacity for not more than twelve passengers, any gangway shall not be less than 305 millimetres wide up to 760 millimetres from the floor.Width of gangway

(b) A vertical line projected upwards from the centre line of any gangway at deck level shall, to the height prescribed in regulation 34 as the height of
that gangway, be laterally not less than 155 millimetres from any part of the vehicle other than the roof over the gangway.

(c) No part of any gangway which serves as a joint means of access from any entrance to both the upper and the lower deck of a double-decked vehicle shall be less than 915 millimetres in width.

(2) For the purposes of this regulation, when any space in front of a seat is required for the accommodation of seated passengers, the space within 230 millimetres of the seat shall not be taken into account in measuring the width of a gangway.

(3) In the case of a vehicle with a seating capacity for not more than twelve passengers, sub-regulation (2) shall not apply.

(As amended by No. 63 of 1972)

34. In every vehicle to which this regulation applies, the head room clearance between the floor and the lower edge of any hoop sticks supporting the ceiling and between the floor and the ceiling shall be not less than the following dimensions:

(a) in every place where the carriage of standing passengers is authorised, not less than 1,775 millimetres;

(b) along the longitudinal line of a gangway where the carriage of standing passengers is not authorised, not less than 1,675 millimetres, provided that, in a vehicle with a seating capacity for not more than twelve passengers, the head room clearance shall be not less than 1,425 millimetres except for a horizontal distance of 305 millimetres measured along the middle line of the gangway from each entrance or exit along which distance the clear height shall be not less than 1,220 millimetres.

(As amended by No. 63 of 1972)

35. (1) The supports of all seats in a vehicle to which this regulation applies shall be securely fixed in position.

(2) (a) At least 380 millimetres measured in a straight line lengthwise along the front of each seat shall be allowed for each passenger:

Provided that, in the case of a continuous seat fitted with arms for the purpose of separating the seating spaces, the seat shall be measured for the purposes of this paragraph as though it was not fitted with arms if the arms are so constructed that they can be folded back or otherwise put out of use.

(b) The depth (i.e. distance from the backrest to the front of the seat) of each seat shall not be less than 355 millimetres.

(3) Passenger seats shall be so fitted that-

(a) the distance between any part of the backrest of any seat placed lengthwise and the corresponding part of the backrest of the seat facing it shall not be less than 1,370 millimetres;

(b) there is a clear space of at least 610 millimetres in front of the
(4) There shall be a clear space of at least 480 millimetres between any part of the front edge of any transverse seat and any part of any other seat which faces it.

(5) For the purposes of this regulation, "backrest" includes any part of the vehicle which is available for seated passengers to lean against.

(6) Where any seat is so placed that a passenger seated upon it is liable to be thrown through any exit or entrance or down a stairway, an effective screen or guard shall be placed so as to provide protection for any passenger occupying that seat.

(7) The shortest distance between the edge of any step well and a vertical plane passing through the front edge of a seat shall not be less than 330 millimetres.

(8) All seats shall be so placed and arranged as to afford all passengers reasonable comfort and convenience and so as to give convenient access to all seats, and adequate foot space in front of each seat. All seats shall be free from sharp corners, angles, protrusions or anything that is likely to cause damage to persons or property. No seat shall be placed in such a position as to obstruct any person entering or leaving a vehicle.

(9) Seats in a first class compartment shall be properly upholstered with spring or resilient seats, and with backrests padded. Seats and backrests in a second class compartment, unless complying with the requirements for seats in a first class compartment, shall be padded.

(As amended by No. 63 of 1972)

36. In every vehicle to which this regulation applies—

(a) where windows open downwards to the waist rail, or by sliding the pane horizontally or where no glass is fitted, guards shall be fitted above the waist rail sufficient to prevent passengers sitting with their elbows out of the windows; guards at windows

(b) there shall be fitted at least one window on either side of the vehicle, situated approximately centrally in the passenger compartment, so constructed as to make unnecessary the fitting of guards as prescribed by this regulation, and at such windows no guards shall be fitted.

37. (1) Every vehicle to which this regulation applies shall be fitted on each deck with an efficient internal lighting system with at least one light for every 1,220 millimetres or part thereof of the length of the interior. Internal lighting

(2) At least one light shall be provided as near as is practicable to the top of every staircase leading to an upper deck.

(3) Adequate lighting shall be providing to eliminate any step or platform forming part of any entrance or exit other than an emergency exit.
38. Every vehicle to which this regulation applies, other than a motor omnibus with a seating capacity for not more than twelve passengers, shall be fitted with an efficient bell or other means to enable passengers on any deck to signal to the driver. Passengers' communication with driver

39. In every vehicle to which this regulation applies, there shall be for the comfort of both passengers and driver adequate protection against rain and adequate ventilation without the necessity for opening any main window or windscreen. Ventilation and protection against rain

40. Luggage racks in every vehicle to which this regulation applies shall be so designed and constructed that there is no likelihood that any article thereon which may become dislodged whilst the vehicle is in motion would fall on the driver or interfere with his control of the said vehicle. Luggage racks

41. Every vehicle to which this regulation applies shall comply with the following conditions in respect of the driver's accommodation:

(a) it shall be so designed that the driver can easily reach and quickly operate the controls;

(b) the controls shall be so placed as to allow reasonable access to the driver's seat;

(c) means shall be provided where necessary to prevent light from the interior of the vehicle from incommoding the driver. The means so provided in respect of any window on the off side of the centre line of the vehicle shall be capable of being operated by the driver when occupying his seat;

(d) direct and reasonable access shall be provided to the driver's seat;

(e) where there is a separate and enclosed compartment for the driver and access to the driver's seat is from the off side of the vehicle, an emergency escape window which shall be easily accessible to the driver and shall have a clear opening of not less than 530 millimetres by 450 millimetres shall be provided which shall not be on the off side of the compartment;

(f) there shall not be any seat directly to the right of the driver's seat;

(g) where the driver's seat is continuous with a seat for passengers on the left-hand side of the driver, a space of at least 455 millimetres from the centre of the steering column to the left thereof shall be reserved for the driver and shall be divided off from such passengers by means of a partition at least 230 millimetres high from seat level and extending for the whole depth of the seat.

42. Every vehicle to which this regulation applies shall comply with the following provisions:

(a) (1) A door or doors for the entrance and exit of passengers shall be provided on the near side, which doors shall be capable of readily being opened from inside or outside the vehicle by one operation of the locking mechanism. Means shall be provided for holding every door securely in the closed position.
All locks and fastenings fitted to doors shall be so designed and fitted that they cannot readily become dislodged or be operated accidentally.

(2) An emergency exit shall be provided in the off side or rear of the vehicle and may consist of either - Requirements for taxicabs, etc.

(i) a door or panel which shall open outwards; or

(ii) heat treated safety glass (also known as toughened or tempered safety glass)—that is glass which, if fractured, does not readily fly into fragments capable of causing severe cuts or other injuries. Such glass shall be so fixed in rubber, plastic or other suitable material as to be capable of easily being dislodged in an emergency.

(3) The following requirements shall be complied with in the case of every emergency exit:

(i) it shall be so constructed that it can readily be opened or dislodged from inside or outside the vehicle without the use of a detachable key;

(ii) in the case of a door or panel, it shall be fitted with locks and catches of such design that it cannot inadvertently be opened by a passenger leaning against it, and of such design that the vibrations of the vehicle do not cause it to open:

Provided that for the purpose of securing the vehicle when it is not in use on the road or is left unattended, it shall be permissible to fit to any such emergency exit a lock that cannot be opened from the outside without the use of a detachable key, if such lock is so constructed that the emergency exit can at all times be opened from inside the vehicle without the use of the detachable key;

(iii) any locks and catches thereof shall be in safe and efficient working order, uncovered and free from any obstruction and when any passenger is carried every emergency exit shall be unlocked;

(iv) it shall be clearly marked as such inside and outside the vehicle and on the inside brief instructions for its opening shall be marked in a place readily visible to passengers;

(v) it shall be easily accessible to passengers and to persons of normal height standing on the ground outside the vehicle;

(vi) it shall not be fitted with any system of power operation for opening the door or the panel thereof;

(vii) it shall have a clear and unobstructed frame opening not less than 1.830 square metres in area no side of which shall be less than 455 millimetres in length;

(viii) for the purposes of this paragraph, a door fitted to the off side of a vehicle, other than the door giving direct access to the driver's seat which conforms to paragraph (a) (1), shall be deemed to be an emergency exit.
(b) A roof or hood shall be provided to the satisfaction of a vehicle examiner.

(c) There shall be adequate ventilation for the comfort of the passengers without the necessity for opening any main window or windscreen.

(d) On every taxicab a taximeter in good working order shall be fitted. For the purposes of this paragraph, "taximeter" means an appliance for measuring the time or distance for which a taxicab is used, or for measuring both time and distance, and for indicating the fare chargeable in respect of both such time and distance.

(e) In every taxicab and hire car, other than one to which the provisions of paragraph (a) (3) (viii) apply, a small hand axe shall be carried in such a position as to be readily available for use at any time. The weight of the axe shall not be less than 0.91 kilograms.

(f) On every taxicab there shall be displayed at the front of its roof, or in the case of a taxicab equipped with a hood only, on the top of the windscreen, above the centre of the windscreen and at right-angles to the longitudinal axis of the vehicle, a sign, illuminated by an interior light at night and bearing the word "TAXI" clearly discernible from the front of the taxicab and showing up white both during the day and, when illuminated, during the night. The size and spacing of the letters constituting the word "TAXI" shall be the same as laid down in regulations 10 and 11 of the Roads and Road Traffic (Registration and Licensing) Regulations in respect of letters of registration mark on the plate.

(As amended by No. 140 of 1965 and No. 36 of 1969 and S.I. No. 23 of 1974)

PART IV

EXEMPTIONS

43. (1) Any motor vehicle or trailer registered, licensed and ordinarily kept in any Province of the Republic of South Africa, in Southern Rhodesia, Malawi, Tanzania or Kenya or such other territory as may be notified from time to time by the Minister by statutory notice, in respect of which a valid certificate of fitness, hereinafter in this regulation referred to as a "foreign certificate of fitness", duly issued in such territory is held, is hereby exempted from the need for a certificate of fitness issued under the Act for the period of the validity of the foreign certificate of fitness held. Exemption for vehicles having "foreign certificates of fitness".

(2) The onus of proof of the existence of a valid foreign certificate of fitness as referred to in sub-regulation (1) shall lie upon the user of the said vehicle.

(3) It shall be sufficient compliance with these Regulations in so far as they concern the construction and equipment of motor vehicles and trailers if, in the case of motor vehicles and trailers referred to in sub-regulation (1), they comply with the requirements concerning construction and equipment in force in the territory in which they are registered, licensed and ordinarily kept and in which the valid foreign certificate of fitness was issued.

44. Subject to such conditions as he may deem fit to impose for the safety of members of the public or for any other reason, the Commissioner may grant
exemptions in writing either generally or particularly in whole or in part for such periods as he may specify from any of the provisions of Part III. Exemptions by Commissioner
FIRST SCHEDULE
PRESCRIBED FORMS

FORM C.F.1
(Regulation 3)

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (CERTIFICATES OF FITNESS) REGULATIONS

CERTIFICATE OF CHASSIS MANUFACTURER OR REPRESENTATIVE

To the Vehicle Examiner at

I, as duly authorised representative of (manufacturer)

hereby certify that vehicle (insert registration mark of vehicle) is constructed, warranted and guaranteed by the manufacturer in accordance with the following particulars:

1. Make and type
2. Year of manufacture
3. Weight of chassis and cab (kg.)
4. Net weight (of complete vehicle) (kg.)
5. Manufacturer's permitted gross weight of vehicle (kg.)

Date
Signature
Address

NOTE.-Where the chassis manufacturer or his representative is unable to furnish the particulars for item No. 4 in the above certificate, an additional certificate in Form C.F.2 must be completed by the person or firm who constructed the body, or his representative.
FORM C.F.2
(Regulation 3)

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (CERTIFICATES OF FITNESS) REGULATIONS

CERTIFICATE OF BODYBUILDER (OR HIS REPRESENTATIVE)
OF A MOTOR VEHICLE OR TRAILER

To the Vehicle Examiner at

Registered Number of Motor Vehicle/Trailer

I certify that the body of the above vehicle was constructed by (name of firm)

and that the following particulars in respect of the said body are correct:

1. Type of body

2. Weight of body (kg.)

Date

Signature

Status

Address
FORM C.F.3
(Regulation 9)

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (CERTIFICATES OF FITNESS) REGULATIONS

COMBINED RECEIPT AND EXAMINER'S REPORT

No

Received from

the sum of kwacha (in words)
ngwee (in words)

(in figures) K

on account of

the *examination of motor vehicle/trailer of the following registration

re-examination

mark

In the case of a re-examination quote the number of the Form C.F.3 issued after the examination at which this re-examination was ordered.

Date

Vehicle Examiner

EXAMINER'S REPORT

(Delete as applicable)

A. *The above motor vehicle/trailer was examined at the request of the licensing officer/police according to section 75 or 212 (1) (f) of the Act and was found fit/unfit. (Delete and initial.)

   *No fee was charged because the examination was either an initial one according to section 75 (2) of the Act and no defects were discovered, or an initial one pursuant to a prohibition under section 212 (1) (f).

B. *The above motor vehicle/trailer was examined at the request of the licensing officer according to section 171 of the Act.

   *No defects were discovered, and accordingly no fee was charged.

   *The vehicle was found unfit.

C. *The examination was for a certificate of fitness.

   *The motor vehicle/trailer was found unfit.
*The motor vehicle/trailer was found fit, and certificate of fitness No. valid until was issued.

D. *The motor vehicle/trailer is to be produced for re-examination to on or before (notified date) .........................

Date

Vehicle Examiner

* Delete as applicable.

Original-To vehicle owner.

Duplicate-To Road Traffic Commissioner.

Triplicate-Remains in book.

(As amended by No. 140 of 1965)
FORM C.F.4  
(Regulation 4)  

THE ROADS AND ROAD TRAFFIC ACT  

THE ROADS AND ROAD TRAFFIC (CERTIFICATES OF FITNESS) REGULATIONS  

CERTIFICATE OF FITNESS RECORD BOOK  

Details of Vehicle  

Registration Mark No  

PSV/HV/HT/CC/DSV Registration Mark  

Owner Address  

<table>
<thead>
<tr>
<th>Make</th>
<th>Eng. No</th>
<th>Ch. No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Net Wt</td>
<td>Gross Wt</td>
<td>Auth. Load</td>
</tr>
<tr>
<td>Passengers</td>
<td>Seated</td>
<td>Standing</td>
</tr>
<tr>
<td>Length</td>
<td>Width</td>
<td>Height</td>
</tr>
<tr>
<td>W/Base</td>
<td>O/Hang</td>
<td></td>
</tr>
</tbody>
</table>

Axle loading and tyre sizes:  

Record of Certificates of Fitness Issued  

Name of Signature and C. of F. No. Expiring Examiner Date  

Record of Exemptions Granted
FORM C.F.5
(Regulation 4)

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (CERTIFICATES OF FITNESS) REGULATIONS

CERTIFICATE OF FITNESS

No

Registration Mark of Vehicle

Certified that the above vehicle has this day been examined by me and has been found in all respects fit for the purpose for which it is to be used and to comply with the provisions of the Roads and Road Traffic Act and of the regulations made thereunder in respect of fitness, construction and equipment.

The following limits may not be exceeded:

Gross weight Net weight 500 grams

Weight of goods that may be carried 500 grams

Weight of other load (passengers and crew) that may be carried 500 grams

Maximum number of passengers

Date of expiry

Place Date .................................

Vehicle Examiner
FORM C.F.6  
(Regulation 5)  

THE ROADS AND ROAD TRAFFIC ACT  

THE ROADS AND ROAD TRAFFIC (CERTIFICATES OF FITNESS) REGULATIONS  

No  

CERTIFICATE OF EXEMPTION FROM NEED TO HOLD  
CERTIFICATE OF FITNESS  

This is to certify that motor vehicle No trailer  

has been exempted from the need to hold a certificate of fitness until  

so long as the following conditions are complied with:  

Road Traffic Commissioner  

Date  

Place
FORM C.F.7
(Regulation 6)

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (CERTIFICATES OF FITNESS) REGULATIONS

NOTICE BY LICENSING OFFICER PROHIBITING USE OF VEHICLE UNDER SECTION 171 OF THE
ROADS AND ROAD TRAFFIC ACT

To (Name)

Address

Registration Mark of Vehicle

Make

Please note that the vehicle bearing the registration mark quoted above was not produced for examination by the vehicle examiner at

on the .................................. day of .................................................., 19 ............
at ................................... .o'clock as ordered by

on the .................................. day of .................................................., 19 ............

You are hereby prohibited from using the said vehicle on any road until it has been produced for examination by the vehicle examiner at

This prohibition does not apply to the use of the said vehicle on a road solely for the purpose of going to the vehicle examiner.

Place

Date

Licensing Officer

NOTE.–A copy of this notice has been forwarded to the police.
FORM C.F.8
(Regulation 7)

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (CERTIFICATES OF FITNESS) REGULATIONS

DEFECTS LIST/ORDER PROHIBITING THE USE OF MOTOR
VEHICLE OR TRAILER

No

To

Registration Mark of Vehicle   Make ...........................

The above vehicle was examined/inspected by me at

or between and ..............................................................

on   (date) and the following defects were found:

In consequence of the above I hereby order as follows:

1. Please have the above defects remedied and produce the vehicle to
    at ..............................................................
    on   (notified date) for re-examination.

*2. The use of the above vehicle on a road is prohibited until the above
    defects have been remedied to the satisfaction of the aforesaid examiner.

*3. Despite the above prohibition the vehicle may be used on a road for
the purposes of being taken to on or before for the purpose of having the above defects remedied and may be used on a road for the purpose of bringing the vehicle to the place specified in 1 above for re-examination.

A copy of this order has been sent to the police.

Date

Road
Traffic Inspector

Vehicle Examiner

* Delete as applicable.

NOTE.—In lieu of an order prohibiting the use of a vehicle or trailer a road traffic inspector or a vehicle examiner may issue such directions restricting the use of the vehicle or trailer as he may think necessary. This should be done overleaf.
SECOND SCHEDULE
(Regulation 4)

PRESCRIBED FEES

Fee units

1. Examination of motor vehicle  120
2. Examination of trailer  120
3. Re-examination of motor vehicle 120
4. Re-examination of trailer 120
5. Duplicate of any document prescribed in these Regulations  60
6. Appeals to the Commissioner  200

NOTES:

(1) No fee is payable for an examination under section 171 of the Act if no defect is discovered, nor for examination under section 172.

(2) Refer to Regulation 9 for detailed provisions.

THIRD SCHEDULE
(Regulation 17)

FIRST AID KITS

LIST A

First aid kit required on-
a public service vehicle being a motor omnibus; a heavy vehicle being a private motor omnibus:

12 triangular bandages. 1 packet of safety pins.
12 small wound dressings. 1 pair of scissors.
12 medium wound dressings. 1 set of splints in sections.
12 large wound dressings. 1 pair of tweezers.
12 x 30 g. cotton wool.

LIST B

First aid kit required on-
a public service vehicle being a taxicab; a public service vehicle being a hire car; a motor vehicle used for gain for the teaching of driving:

4 triangular bandages. 4 x 30 g. cotton wool.
4 small wound dressings. 1 packet of safety pins.
4 medium wound dressings. 1 pair of scissors.
4 large wound dressings. 1 pair of tweezers.

(As amended by No. 63 of 1972)
SECTION 258-THE ROADS AND ROAD TRAFFIC
(BUS AND TAXICAB DRIVERS UNIFORM) REGULATIONS

Regulations by the Minister

Statutory Instrument
79 of 1982
88 of 1990
Act No.
13 of 1994

1. (1) These Regulations may be cited as the Roads and Road Traffic (Bus and Taxicab Drivers Uniform) Regulations.

Title and commencement

(2) These Regulations shall come into effect on the expiration of a period of thirty days after the date on which they are published in the Gazette.

Application

2. These Regulations shall apply to-

(a) members of the United Transport and Taxi Association;
(b) employees of Zambia Tours and Lodges Company Limited.
(c) Road Passenger Transporters Co-operative Society Limited;
(d) employees of the Post Bus for the Posts and Telecommunications Corporation Limited;
(e) employees of the Mulungushi Traveller Buses for the Zambia Consolidated Copper Mines Limited.

3. Each organisation to which these Regulations apply shall recommend for the approval of the Road Traffic Commissioner uniforms to be worn by the drivers of its buses or taxicabs as the case may be.

Approval of uniforms

4. Every driver to whom these Regulations apply shall, unless exempted under regulation 5, while driving a bus or a taxicab, wear the appropriate uniform as approved by the Road Traffic Commissioner.

Wearing of uniforms

5. The Road Traffic Commissioner may exempt any organisation to which these regulations apply or any driver for any such organisation for such period as he may consider reasonable having regard to the availability of the uniforms and public interest.

Exemptions

6. Any person who contravenes the provisions of Regulation 4 shall be guilty of an offence and shall be liable upon conviction to a fine not exceeding one hundred and twenty five penalty units or imprisonment not exceeding three months.

(As amended by Act No. 13 of 1994)

Offences

THE ROADS AND ROAD TRAFFIC (CONSTRUCTION, EQUIPMENT AND USE) REGULATIONS
ARRANGEMENT OF REGULATIONS

PART I

PRELIMINARY

Regulation

1. Title
2. Application
3. Interpretation

PART II

APPLICABLE ONLY TO CERTAIN MOTOR VEHICLES REGISTERED BEFORE 1ST JULY, 1952

5. Brakes and braking system
6. Steering gear
7. Tyres
8. Lighting equipment and reflectors

PART III

ALL VEHICLES: OVERALL DIMENSIONS: MAXIMUM LADEN WEIGHT

9. Length of vehicles or of combinations thereof
10. Width of vehicles
11. Height of vehicles
12. Maximum laden weight and axle weight of vehicles
13. Weighing of vehicles
14. Seating capacity of vehicles

PART IV

MOTOR VEHICLES AND TRAILERS: GENERAL PROVISIONS

15. Overhang of motor vehicles or trailers
16. Weight distribution
17. Wings
18. Springs
19. Steering

19A. Revoked by S.I. No. 68 of 1996

20. Parking brakes

21. Service brakes on motor vehicles

22. Service brakes on trailers

23. Brakes: general requirements

24. Brake mechanisms, steering mechanisms and axle-spring attachments

25. Safety of fuel tanks, etc.

26. Warning device

27. Safety glass

28. Windscreen wiper

29. Mirrors

30. View of driver

31. Speed indicator

32. Crash bars on motor cycles

33. Signalling devices

PART V

MOTOR VEHICLES AND TRAILERS: LIGHTS AND REFLECTORS

34. Lamps to be fitted to motor vehicles and trailers

35. Use of lights on vehicles

36. Lamps on vehicles with projecting loads

37. Spot lamps

38. Fog lamps

39. Reversing lamps

40. Saving for interior lamps

41. Reflectors at front and back of motor vehicles and trailers

42. Reflectors at sides of motor vehicles and trailers

43. General requirements concerning reflectors
44. Reflective "T" to be fitted on trailers
45. Combined lamps and reflectors
46. Warning devices
46A. Turret lights and sirens

PART VI

VEHICLES, MOTOR VEHICLES AND TRAILERS:
MISCELLANEOUS PROVISIONS: EXEMPTIONS

47. Wheels and tyres
48. Backward propulsion
49. Motor vehicle drawing other vehicles
50. Projecting loads and loading of vehicles
51. Load on roof of double-decked motor vehicle prohibited
52. Safety of persons carried
53. Prohibition of nuisances
54. General requirements for bicycles
55. Lamps and reflectors on bicycles
56. Requirements for animal-drawn vehicles
57. Requirements for other vehicles
58. Exemptions
59. Penalties

SCHEDULE—Certificate of weight

SECTION 258—THE ROADS AND ROAD TRAFFIC
(CONSTRUCTION, EQUIPMENT AND USE) REGULATIONS

Regulations by the Minister

Government Notices
125 of 1962
497 of 1964
Statutory Instruments
34 of 1964
92 of 1965
200 of 1966
330 of 1966
116 of 1967
50 of 1968
436 of 1969
PART I

PRELIMINARY

1. These Regulations may be cited as the Roads and Road Traffic (Construction, Equipment and Use) Regulations.

2. (1) Part II shall apply only to such motor vehicles as were registered in this or any other territory before the 1st July, 1952, and are not construction vehicles, invalid carriages, motor cycles or vehicles to which Part XI of the Act applies.

(2) Regulations 19, 20, 21 (3), 21 (4), 23, 24, 34 (1), 34 (2), 34 (4), 34 (5), 34 (7), 34 (8), 34 (9), 41 (1) (c) (i), 41 (1) (c) (ii), 41 (1) (g), 43, 47 (1) and 47 (2) shall not apply to any motor vehicle to which Part II applies.

3. In these Regulations, unless the context otherwise requires—

"Army Commander" has the meaning assigned to it by the Defence Act; Cap. 106

"articulated vehicle" means a motor vehicle with a trailer so attached to the drawing vehicle that part of the trailer is superimposed upon the drawing vehicle and when the trailer is uniformly loaded not less than twenty per centum of the load is borne by the drawing vehicle;

"Defence Force vehicle" means a vehicle, including a trailer, which belongs to or is under the control of the Army;

"double-decked motor vehicle" means a motor vehicle having two decks one of which is wholly or partly above the other;

"farm implement" means any implement or machinery used in connection with agriculture, grass cutting, forestry, land levelling, dredging or similar operations that is not constructed or adapted for the conveyance of goods or burden of any description;

"farm tractor" means a tractor of the type commonly used for agricultural purposes;

"manufacturer's permitted gross weight" means the weight that the manufacturer of a motor vehicle or trailer or his representative certifies that such vehicle or trailer has been built to carry, and in addition its own weight;

"Priority Vehicle" means any fire engine or hospital ambulance or any vehicle
belonging to the Zambia Police Force, the Military Police, the Road Traffic Commissioner or the Recovery Units of the Mechanical Services Branch;

"reflective material" means material specially designed to reflect light back to the source of such light;

"reflex reflector" means a reflector of glass specially designed to reflect light back to the source of such light, or other reflective material the reflective capacity of which remains unimpaired when the material is wet;

"Vehicle of abnormal size" means any vehicle the dimensions whereof exceed the dimensions specified in regulation 9 or 10 or 11.

(As amended by No. 50 of 1968 and 115 of 1974)

4. (1) A tracked tractor is hereby declared to be a construction vehicle. Construction vehicle and nature of construction machinery: construction trailer

(2) Construction machinery of the following nature is hereby prescribed for the purposes of the definition of "construction vehicle" in section two of the Act, and "construction trailer" means a trailer incorporating construction machinery of the following nature:

(i) bitumen or tar heaters;
(ii) bitumen, tar or water sprayers or distributors;
(iii) continuous belt or bucket loaders or conveyors;
(iv) crushers;
(v) paving machines;
(vi) road sweepers or power brooms;
(vii) soil, concrete, tar or bitumen mixers;
(viii) welding units;
(ix) drilling and boring machinery;
(x) cranes (excluding breakdown trucks);
(xi) graders;
(xii) scrapers;
(xiii) pipelayers;
(xiv) cablelayers;
(xv) cement, lime or stone spreaders;
(xvi) excavators;
(xvii) trenchers;
(xviii) front end loading shovels;
(xix) rollers and compactors;
(xx) stabilisers;
(xxi) concrete spreaders and tampers;
(xxii) road watering bowsers;
(xxiii) powered mowers;
(xxiv) extending towers and ladders;
(xxv) compressors;
(xxvi) stone driers and heaters;
(xxvii) pumps;
(xxviii) rooters and scarifiers;
(xxix) ploughs and harrows.

PART II

APPLICABLE ONLY TO CERTAIN MOTOR VEHICLES
REGISTERED BEFORE 1ST JULY, 1952

5. (1) Every motor vehicle shall be equipped with a braking system (which may be one of the braking systems prescribed in sub-regulation (2)) so designed and constructed that it can at all times be set so as effectually to prevent two at least, or in the case of a vehicle with only three wheels one at least, of the wheels from revolving when the vehicle is not being driven or is left unattended. Brakes and braking system

(2) Every motor vehicle shall be equipped either with an efficient braking system having two means of operation or with two efficient braking systems each having a separate means of operation.

(3) The braking system or systems of every motor vehicle shall be so designed and constructed that notwithstanding the failure of any part (other than a fixed member or a brake shoe anchor pin) through or by means of which the force necessary to apply the brakes is transmitted, there shall still be available for application by the driver to not less than half the number of the wheels of the vehicle, brakes sufficient to bring the vehicle safely to rest within a reasonable distance:

Provided that in the event of such failure as aforesaid it shall not be necessary for brakes to be available for application by the driver, in the case of a motor vehicle having less than four wheels, to more than one wheel.

(4) (a) Every part of the braking system or braking systems and of the means of operation thereof fitted to a motor vehicle shall be maintained in good and efficient working order and be properly adjusted.
(b) The braking system or braking systems of every motor vehicle shall be of such efficiency as to bring the vehicle safely to rest within a reasonable distance.

6. The steering gear of every motor vehicle shall be maintained in good and efficient working order and be properly adjusted and shall be such that the amount of movement which the steering wheel makes before the steering gear becomes effective in changing the direction of the motor vehicle from the left to the right, or from the right to the left, shall not be more than one-eighth of the outside circumference of the steering wheel, that is to say forty-five degrees. Steering gear

7. The tyres of every motor vehicle shall be pneumatic or made of some soft and elastic material and shall be maintained in such condition as to be free from any defect which might in any way cause damage to the surface of the road or danger to persons on or in the vehicle or to other persons using the road. Tyres

8. (1) Every motor vehicle shall be equipped with Lighting equipment and reflectors

(a) at least two fixed lamps, one on each side of the motor vehicle, each capable of showing to the front a white light visible during the hours of darkness in clear weather at a reasonable distance;

(b) two fixed lamps one on each side of the motor vehicle, each capable of showing to the rear a red light visible during the hours of darkness in clear weather at a reasonable distance;

(c) a lamp fixed at the rear of the motor vehicle and capable of illuminating with a white light the registration mark required to be displayed at the rear of the said motor vehicle so that the said mark is clearly visible during the hours of darkness in clear weather at a reasonable distance;

(d) two red reflex reflectors fixed one on each side of the rear of the motor vehicle, each showing to the rear;

(e) two white reflex reflectors fixed one on each side of the front of the motor vehicle, each showing to the front:

Provided that in the case of a farm tractor the lamps prescribed by paragraphs (a) and (c) shall be required only if the said tractor is used on a road during lighting-up time and it shall be sufficient compliance with paragraph (b) if, instead of two fixed lamps, one such lamp is provided on the off side of the said tractor capable of showing to the rear a red light visible during the hours of darkness in clear weather at a reasonable distance.

(2) Every reflex reflector required to be fitted under the provisions of sub-regulation (1) shall have a minimum diameter of 40 millimetres and shall be fixed so that the face of the reflex reflector is at an angle of ninety degrees to the horizontal and facing squarely to the front or rear, as the case may be. Every such reflex reflector shall be kept unobscured and reasonably clean.

(3) Every headlamp fitted to the front of a motor vehicle shall be so fitted and maintained that the beam of light emitted therefrom-

(a) is permanently deflected downwards to such an extent that it is at all
times incapable of dazzling any person standing on the same horizontal plane as the vehicle at a greater distance that 7.75 metres from the lamp whose eye-level is not less than 1.065 metres above that plane; or

(b) can be deflected downwards or both downwards and to the left at the will of the driver in such manner as to render it incapable of dazzling any such person in the circumstances aforesaid; or

(c) can be extinguished by the operation of a device which at the same time causes a beam of light to be emitted from the lamp which complies with paragraph (a); or

(d) can be extinguished by the operation of a device which at the same time either deflects the beam of light from another lamp downwards or both downwards and to the left in such manner as to render it incapable of dazzling any such person in the circumstances aforesaid, or brings into or leaves in operation a lamp or lamps which complies or comply with paragraph (a).

(As amended by No. 65 of 1972)

PART III

ALL VEHICLES: OVERALL DIMENSIONS: MAXIMUM LADEN WEIGHT

9. (1) The overall length of a vehicle, other than an articulated vehicle, construction vehicle or construction trailer, shall not exceed 12.500 metres.Length of vehicles or of combinations thereof

(2) The overall length of an articulated vehicle shall not exceed 15.500 metres.

(3) The overall length of any combination of vehicles, including their loads, shall not exceed 22 metres.

(4) No person shall use on any road any motor vehicle which is drawing more than two trailers.

(5) For the purposes of this regulation, overall length shall includes any tailboard if it is constructed to carry goods, and in the case of a trailer any drawbar, but it shall not include any starting handle or any ladder permanently fixed to the rear of a vehicle for gaining access to the roof, or any compartment designed specifically to house the motive power and transmission unit of a rear-engined vehicle, which if included would increase the overall length by not more than 460 millimetres.

(As amended by No. 65 of 1972 and No. 84 of 1990)

10. (1) The overall width of a vehicle, including any load carried thereon, other than a construction vehicle or construction trailer, shall not exceed 2.6 metres.Width of vehicles

(2) For the purposes of sub-regulation (1), overall width shall include all fittings other than any outside rear-view mirror and the arm of any direction indicator that is fitted, provided that such arm, when not in use, does not project beyond the mirror.

(As amended by No. 65 of 1972)
11. The overall height of a vehicle, whether laden or unladen, measured from the plane on which such vehicle stands to the highest projecting point of the vehicle, or of its load, whichever is the higher, shall not exceed 4.80 metres or, in the case of a double-decked motor vehicle, 4.58 metres.

(As amended by No. 65 of 1972 and No. 85 of 1990) Height of vehicles

12. (1) (a) The maximum laden weight of a vehicle or trailer shall not exceed the manufacturer's permitted gross weight of such vehicle or trailer or 6,500 kilograms, whichever is less. Maximum laden weight and axle weight of vehicles

(b) The maximum weight carried on any axle of a vehicle or trailer shall not exceed the manufacturer's permitted axle weight or 4,500 kilograms, whichever is less.

(2) Any exemption granted in terms of regulation 58 shall be produced for inspection on demand being made by the Director of Roads or any public officer duly authorised by him in writing, or by any police officer or road traffic inspector.

(3) Any person who fails to produce any exemption granted in terms of regulation 58 shall be guilty of an offence and liable on conviction to a fine not exceeding three hundred penalty units unless, within seven days thereafter or within such longer period as the officer requiring him to produce the exemption may specify, he produces the exemption to the officer who demanded its production or at such police station as may have been specified by such person at the time its production was required.

(4) Any person who contravenes any of the provisions of sub-regulation (1) shall be guilty of an offence and liable on conviction to a fine not exceeding one thousand five hundred penalty units or to imprisonment for a period not exceeding three months.


13. (1) Every person driving a truck which has laden weight of 5,000 kilograms and above shall have the truck weighed at a weighbridge. Weighing of vehicles

(2) Upon the vehicle or trailer being weighed or tested as aforesaid, and upon it being found that the laden weight and the weight carried on any axle do not exceed the limits specified in any law applicable to the road in question for the time being in force or in any exemption granted in terms of regulation 58, or upon the load being reduced or re-distributed in terms of sub-regulation (3), there shall be given to the person in charge thereof a certificate of weight in the form set out in the Schedule.

(3) If, upon a vehicle or trailer being weighed or tested as aforesaid, it is found that the laden weight of such vehicle or trailer or the weight carried on any axle thereof exceeds the limit specified in any law applicable to the road in question for the time being in force or in any exemption granted in terms of regulation 58, a police officer or road traffic inspector may direct that the load be reduced or re-distributed, as the case may be, so as to comply with such law or such exemption, and may detain such vehicle or trailer until the person in charge thereof has complied with such direction.
Any person who fails to comply with a requirement or direction lawfully made in terms of this regulation, or who resists or obstructs any person duly making such a requirement or direction, shall be guilty of any offence and liable on conviction to a fine not exceeding one thousand five hundred penalty units or to imprisonment for a period not exceeding three months.

If, when the vehicle or trailer is weighed, it is found to have a laden weight exceeding the maximum permitted weight, a fine of five penalty units per kilogram above the maximum permitted weight shall be paid.

The method of determining the seating capacity of any motor vehicle for the purposes of section two hundred and seven of the Act shall be as follows:

Each seat shall be measured along its rear length in inches and the figure obtained by such measurement shall be divided by 15. The nearest whole number to the quotient obtained by such division shall be the capacity of each seat and the sum of the capacities of each seat shall be the seating capacity of the motor vehicle.

PART IV

MOTOR VEHICLES AND TRAILERS: GENERAL PROVISIONS

15. (1) The overhang of a motor vehicle or trailer shall not exceed:

(a) in the case of a motor vehicle constructed primarily for the carriage of passengers-

(i) if the overall width does not exceed 2.13 metres; or

(ii) if the overall width exceeds 2.13 metres and the vehicle is fitted with more than one rear axle; seven-tenths of the wheelbase; or

(b) in the case of any other motor vehicle or a trailer, six-tenths of the wheelbase.

(2) For the purposes of this regulation, "wheelbase" means the distance measured horizontally between the vertical plane at right angles to the longitudinal axis of the motor vehicle or trailer which passes through the centre or centres of the front wheel or wheels and the foremost vertical plane from which the overhang is measured.

(3) For the purposes of this regulation, "overhang" means distance measured horizontally, and parallel to the longitudinal axis of the vehicle, between two vertical planes at right angles to such axis passing through the points specified in paragraphs (a) and (b) of this definition:

(a) the rearmost point of the vehicle exclusive of-

(i) any ladder permanently attached for gaining access to the roof, or any
drawbar attachment for towing; and

(ii) any luggage carrier fitted to a motor vehicle constructed solely for the carriage of passengers and their effects and adapted to carry not more than seven passengers exclusive of the driver;

(b) (i) in the case of a motor vehicle or trailer having two axles, one of which is not a steering axle, the centre point of that axle;

(ii) in the case of a motor vehicle or trailer having three axles where the front axle is the only steering axle, the point 100 millimetres in rear of the middle of a straight line joining the centre points of the rear and middle axles;

(iii) in the case of a motor vehicle or trailer having three axles, the front two of which are steering axles, the centre point of the rear axle;

(iv) in the case of a motor vehicle or trailer having four axles, the front two of which are steering axles, the point 100 millimetres in rear of the middle of a straight line joining the centre points of the third and fourth axles; or

(v) in any other case, the point approved by a vehicle examiner, and laid down in writing.

(4) The provisions of this regulation shall not apply to construction vehicles or construction trailers.


16. No motor vehicle or trailer, other than a construction vehicle or construction trailer, shall be so constructed that with a full equally distributed load-

(a) less than twenty per centum of the laden weight is carried on any one axle if such vehicle has two or three axles; or

(b) less than thirty per centum of the laden weight is carried on any one pair of axles if the vehicle has four axles. Weight distribution

17. (1) Every motor vehicle, other than a construction vehicle or a farm tractor, shall be equipped with wings or other similar fittings to catch, so far as practicable, mud, water or other substance thrown up by the rotation of the wheels, unless the body of the motor vehicle performs such functions: Wings

Provided that this sub-regulation shall not apply in the case of a motor vehicle in an unfinished condition proceeding to a works for completion.

(2) The rear wheels, or in the case of a two-wheeled trailer the wheels, of every trailer, other than a construction trailer, shall be equipped with wings or other similar fittings to catch, as far as practicable, mud, water or other substance thrown up by the rotation of the wheels, unless the body of the trailer performs such functions:

Provided that this sub-regulation shall not apply in the case of a trailer in an unfinished condition proceeding to a works for completion, nor in the case of trailer pumps used for fire brigade purposes.
18. Every motor vehicle and trailer shall be equipped with suitable and sufficient springs or other suspension system between each wheel and the frame of the motor vehicle or trailer:

Provided that this regulation shall not apply to-

(i) an invalid carriage;

(ii) an auto-cycle;

(iii) a motor cycle;

(iv) a construction vehicle or construction trailer; or

(v) a farm tractor if all unsprung wheels of such tractors are equipped with pneumatic tyres.

19. The steering gear of every motor vehicle shall be kept in a sound and safe mechanical condition and in proper adjustment, and, in the case of a motor vehicle other than an invalid carriage, an auto-cycle, a motor cycle or a construction vehicle, shall be so constructed or adjusted that the amount of movement which the steering wheel makes before the steering gear becomes effective in changing the direction of the motor vehicle from the left to the right, or from the right to the left, shall not be more than one-eighth of the outside circumference of the steering wheel, that is to say, forty-five degrees.

19A. Revoked by S.I. No. 68 of 1996.

20. Every motor vehicle and trailer, other than a light trailer that is carried on not more than two wheels, shall be equipped with a braking system (which may be one of the braking systems hereinafter prescribed) so designed and constructed that it can at all times be set so as effectually to prevent two at least, or in the case of a vehicle with only three wheels one, of the wheels from revolving when the vehicle is not being driven or is left unattended:

Provided that this regulation shall not apply to-

(i) an invalid carriage;

(ii) an auto-cycle; or

(iii) a motor cycle that is carried on two wheels only whether with or without a sidecar attached.

21. (1) Every invalid carriage shall be equipped with an efficient braking system, the brakes of which shall act on at least two wheels of the invalid carriage, and such braking system shall be so designed and constructed that the application of the brakes shall bring the invalid carriage safely to rest within a reasonable distance.

(2) Every construction vehicle shall be equipped with an efficient braking system so designed and constructed that the application of the brakes shall
bring the vehicle safely to rest within a reasonable distance.

(3) Every motor vehicle, other than an invalid carriage or a construction vehicle, shall be equipped either with an efficient braking system having two means of operation or with two efficient braking systems each having a separate means of operation.

(4) The braking system or braking systems of every motor vehicle to which sub-regulation (3) applies shall be sufficient to bring the said vehicle safely to rest within a reasonable distance.

22. (1) Every trailer, other than a light trailer that is carried on not more than two wheels and a construction trailer, shall be equipped with an efficient braking system the brakes of which are capable of being applied when it is being drawn—Service brakes on trailers

(a) to at least two wheels in the case of a trailer having not more than four wheels; and

(b) to at least half the number of wheels in the case of a trailer having more than four wheels.

(2) Every braking system required by sub-regulation (1) shall be so constructed that the brakes can be applied either by the driver of the drawing vehicle or by some other person on such vehicle or on the trailer:

Provided that this sub-regulation shall not apply in the case of a trailer, including a caravan, fitted for domestic or dwelling purposes, the gross weight of which does not exceed 1,820 kilograms if the brakes of the trailer or caravan automatically come into operation on the over-run of the said trailer or caravan.

(3) Every trailer, other than a light trailer that is carried on not more than two wheels and a construction trailer, shall be fitted with a device capable of automatically stopping the trailer if it becomes detached from its drawing vehicle whilst in motion:

Provided that this sub-regulation shall not apply to a light trailer if it is equipped in addition to the main attachment to the drawing vehicle with a secondary attachment which may be a chain or wire rope, nor to any trailer forming part of an articulated vehicle.

(As amended by No. 65 of 1972)

23. (1) The following requirements shall apply mutatis mutandis to all braking systems required by the foregoing regulations:

Brakes: general requirements

(a) Where two braking systems are required by the above regulations—

(i) they must be so constructed that failure on the part of either shall not affect the effectiveness of the other;

(ii) one of the said systems shall be operated by direct mechanical action without the intervention of any hydraulic, electric or pneumatic device;

(iii) the same brake shoes operating within or upon the drums of the motor vehicle may be used for operating the two braking systems; and
one at least of the said systems shall be capable of acting on braking surfaces directly attached to the wheels of the motor vehicle or attached through parts not liable to failure.

(b) Except in the case of an air brake system, the pedal, lever or pull rod, as the case may be, by which the system is operated shall have a reserve of at least one-third of its designed distance of travel when the brakes are fully applied.

(c) Except in the case of a motor cycle with sidecar, every braking system shall act with approximately equal intensity on wheels or a wheel symmetrically placed in relation to the longitudinal centre line of the motor vehicle or trailer.

(d) Every motor vehicle or trailer which is fitted with a braking system which embodies a vacuum or pressure reservoir or reservoirs shall be provided with a warning device so placed as to be readily visible to the driver of the vehicle when in the driving seat in order to indicate any impending failure or deficiency in the vacuum or pressure system:

Provided that in the case of a motor vehicle other than a heavy motor vehicle which is propelled by an internal combustion engine and fitted with a braking system embodying a vacuum reservoir or reservoirs, the vacuum therein being derived directly from the induction system of the engine, it shall not be necessary to provide such a warning device if, in the event of a failure or deficiency in the vacuum system, the brakes of that braking system are sufficient to bring the vehicle safely to rest within a reasonable distance.

(e) The braking system fitted to every motor vehicle or trailer shall be so constructed that it is not rendered immediately ineffective by the non-rotation of the engine of the motor vehicle or, in the case of a trailer, the engine of the motor vehicle to which it is attached at the time.

(2) In the case of a motor vehicle propelled by steam or electricity the engine or motor, as the case may be, shall be deemed to be an efficient braking system with one means of operation if such engine or motor is capable of being reversed and is incapable of being disconnected from any driving wheels of the vehicle except by the sustained effort of the driver.

(3) In testing the braking system on a combination of vehicles, trailer brakes may be applied at the same time as the brakes of the drawing vehicle.

24. (1) All brake mechanisms, steering mechanisms and axle-spring attachments on every motor vehicle and trailer shall be safely secured and permanently and efficiently retained in position. Where brakes and steering connections are secured with bolts or pins, the bolts or pins shall be effectively locked. All connections made with bolts or pins shall be such that when they are in any position other than horizontal the head of the bolt or pin shall be uppermost. Brake mechanisms, steering mechanisms and axle-spring attachments

(2) The steering mechanism of every vehicle shall be so constructed or arranged that no overlock shall be possible and that the wheels shall not in any circumstances foul any part of the vehicle.

(3) Dust-excluding covers fitted to any joint or connection of the steering mechanism shall be capable of being easily removed to facilitate inspection.
25. The fuel tank, fuel containers and pipes of every motor vehicle shall be maintained in a sound condition and free from leaks, and the filling orifice of any fuel tank shall be fitted with a cap that effectively covers it. Safety of fuel tanks, etc.

26. (1) Every motor vehicle, other than a construction vehicle, shall be equipped with an instrument capable of giving audible and sufficient warning of its approach or position. Warning device

(2) For the purposes of subsection (3) of section two hundred and five of the Act, it is hereby prescribed that a motor vehicle used by a road traffic inspector in the execution of his duty may be fitted with a gong, bell or siren.

27. (1) The windscreen of every motor vehicle shall— Safety glass

(a) if of glass, consist wholly of safety glass manufactured from either clear plate glass or float glass, that is, a transparent glass, the surfaces of which are flat and parallel so that they provide clear undistorted vision and reflection either by grinding and polishing on both sides or by production by the float process; and

(b) be so constructed that if it is damaged in any manner it will remain sufficiently transparent to ensure a safe degree of visibility for the driver of such motor vehicle.

(2) All other glass fitted to windows and partitions shall be safety glass.

(3) For the purposes of this regulation, "safety glass" means glass so manufactured or treated that if fractured it does not fly into fragments capable of causing severe cuts or other injuries.

(As amended by S.I. No. 34 of 1964)

28. Every motor vehicle, other than a construction vehicle or a motor cycle which is not fitted with a cab, which is equipped with a windscreen, shall be equipped with a windscreen wiper capable of operation by other than manual means in good and efficient working order, fitted directly in front of the driver. Windscreen wiper

29. (1) Every motor vehicle shall be equipped internally or externally or both internally and externally with a mirror or mirrors so constructed and fitted to the motor vehicle and so maintained as to enable the driver to be or become aware of the presence of traffic to the rear. Mirrors

(2) In any case where a motor vehicle is so constructed that the driver does not have either directly or by means of the mirror or mirrors prescribed in sub-regulation (1) a full view of the traffic abreast on both sides, and on both sides rearwards, a further mirror or mirrors shall be so fitted and maintained on the motor vehicle that he may be or become aware of such traffic.

(3) The provisions of this regulation shall not apply to—

(a) an auto-cycle;

(b) a motor cycle that is carried on two wheels only with or without a sidecar attached; or
30.  (1) Every motor vehicle shall be so designed, constructed and loaded that
the driver thereof while controlling the motor vehicle has directly a full view
of the road and traffic ahead and, either directly or by means of the mirrors
prescribed in the preceding regulation, a full view of the traffic abreast, on
both sides, on both sides rearwards and to the rear.

(2) Whenever the vision of the driver of a motor vehicle which is drawing a
trailer or trailers is impaired in that, by reason of the load on or the
construction of such trailer or trailers, or for any other reason, he is unable
to be or become aware of the presence of traffic to the rear, a person shall be
carried on one of such trailers in a position which affords an uninterrupted
view to the rear and which enables him both to communicate to the driver the
purport of signals given by drivers of other vehicles in the rear thereof, and
to receive and communicate to the drivers of such vehicles in the rear by means
of the appropriate hand signals indications of the intention of the driver of
the motor vehicle to stop, slow down or change direction, and it shall be an
offence to drive the said vehicle without a person in such a position.

31.  There shall be fitted to and maintained in good working order on every
motor vehicle an instrument so constructed and in such a position as at all
times readily to indicate to the driver of the motor vehicle within a margin of
accuracy of plus or minus ten per centum any speed at which he may be travelling
up to the maximum speed prescribed under any written law for the said motor
vehicle having regard to the circumstances in which it is used.

Provided that this regulation shall not apply to-

(i) an invalid carriage;
(ii) an auto-cycle;
(iii) a farm tractor; or
(iv) a construction vehicle.

32.  (1) Every motor cycle having an engine capacity of three hundred and fifty
cubic centimetres or more shall be equipped with a bar or tube on each side of
the forward part of the frame at approximately right angles to it, of sufficient
strength to support the weight of the motor cycle should it fall on its
side.

(2) Each such bar or tube shall sufficiently project laterally from the forward
part of the frame to which it is attached to give adequate protection to the
rider's legs against the weight of the motor cycle should it fall on its side
when being ridden.

33.  (1) Every motor vehicle, other than a construction vehicle, which has the
spindle of the steering column or equivalent means of steering control further
than 610 millimetres from the right or off side of the vehicle, at its widest
part, shall be equipped with an efficient direction indicator attached to each
side of such vehicle.

Provided that where a trailer is being drawn and the trailer is wider than the
vehicle drawing it, the right or off side of the trailer at its widest part
shall be construed as the right or off side of the vehicle.

(2) When a direction indicator of the movable-arm type is fitted to a motor vehicle or trailer it shall-

(a) if of the non-illuminated type-

(i) in the case of a heavy vehicle, project when in use by not less than 155 millimetres nor more than 380 millimetres beyond the lateral extremity of the vehicle and the load thereon;

(ii) in the case of any other vehicle, project when in use by at least 155 millimetres beyond the lateral extremity of the body of the vehicle and the load thereon;

(iii) consist of an arm, not less than 25 millimetres wide and a disc 100 millimetres in diameter at the outer end of the arm;

(iv) have the front and rear surfaces of the arm coloured white and shall incorporate a white or amber reflex reflector fitted on the forward facing surface of the disc, and a red or amber reflex reflector fitted on the rearward facing surface of the disc.

It shall, further, have on both surfaces of the arm a red stripe extending centrally for the full length of the arm, interrupted only by the reflex reflector fitted to the disc. Every reflex reflector required to be fitted by this sub-paragraph shall not be less than 25 millimetres in diameter and shall be such that it is visible during the hours of darkness in clear weather at a distance of 30 metres when illuminated by two driving lamps as prescribed in regulation 34 (1); and

(v) when not in use be capable of being retracted out of sight or lie in a vertical position in such manner that it cannot be mistaken for a signal;

(b) if of the illuminated type-

(i) in the case of a heavy vehicle, project when in use by not less than 150 millimetres or more than 385 millimetres beyond the lateral extremity of the vehicle and the load thereon;

(ii) in the case of any other vehicle, project when in use by at least 150 millimetres beyond the lateral extremity of the body of the vehicle and the load thereon;

(iii) when in use show at a distance of 30 metres a steady diffused amber light both to the front and rear; and

(iv) when not in use be capable of being retracted out of sight or lie in a vertical position with the lamp extinguished in such a manner that it cannot be mistaken for a signal.

(3) When direction indicators of the flashing lamp type are fitted to a motor vehicle or trailer they shall-

(i) (a) be fitted at the front and rear of the vehicle on each side of and equidistant from its longitudinal centre line and not more than 410 millimetres from the outer edges of the front and rear of the vehicle respectively; Provided
that a combination of such vehicles shall for the purposes of this sub-paragraph be deemed to be a vehicle; and such indicators shall be so interconnected that the front and rear indicators on either side shall operate simultaneously; or

(b) be fitted to each side of the vehicle in such a position that they may be seen by the driver of an approaching or overtaking vehicle and, where more than one indicator is fitted on the side of the vehicle or combination of vehicles to indicate one turning movement, they shall be interconnected so as to operate simultaneously;

(ii) each have an illuminated area which shall not be less than 2,250 square millimetres in extent; and

(iii) be fitted with bulbs of not less than fifteen watts:

Provided that in the case of vehicles fitted with combined stop lamps and direction indicators the wattage of the globes of the rear indicators shall not be less than that of the globes of the stop lamps.

(4) The colour of the lamps in direction indicators of the flashing lamp type shall be-

(a) those fitted to the front-white or amber;
(b) those fitted to the rear-red or amber; and
(c) those fitted to the sides-amber.

(5) Every direction indicator shall-

(a) be affixed at a height of not less than 455 millimetres nor more than 2,300 millimetres above ground level;
(b) be maintained in a clean condition and in proper working order;
(c) emit a diffused light when the lights thereof are in operation;
(d) in the case of flashing lamps, have a flashing speed of not less than sixty nor more than one hundred and twenty flashes per minute;
(e) unless so fitted that the lamps thereof, when in operation, are visible either directly or by reflection to the driver from the normal driving position, be connected to a device so placed within the view or hearing of the driver that a visible or audible indication that the lamps are in operation is given.

(6) On a motor vehicle no lamps, other than direction indicators, shall be flashing or blinking lamps.

(As amended by No. 65 of 1972)

PART V

MOTOR VEHICLES AND TRAILERS: LIGHTS AND REFLECTORS

34. (1) Every motor vehicle, other than an invalid carriage, an auto-cycle, a motor cycle that is carried on two wheels only whether with or without a sidecar
attached, a farm tractor and a construction vehicle, shall be equipped with two lamps, hereinafter called driving lamps, fitted in front of the vehicle at the same height, one on each side of the longitudinal centre line of the said vehicle and equidistant from such line and capable of adequately illuminating the road with a white or yellow light for a distance of 100 metres in front of the vehicle during the hours of darkness in clear weather. Lamps to be fitted to motor vehicles and trailers

(2) Every motor vehicle, other than an invalid carriage, an auto-cycle, a motor cycle that is carried on two wheels only whether with or without a sidecar attached, a farm tractor and a construction vehicle, shall be equipped with two lamps, hereinafter called passing lamps, fitted at the front of the vehicle, at the same height, one on each side of the longitudinal centre line of the said vehicle and equidistant from such line and capable of adequately illuminating the road with a white or yellow light during the hours of darkness in clear weather in front of the vehicle for a distance of 30 metres without causing glare or dazzle to other road users whatever the direction of the traffic may be.

(3) Every motor cycle that is carried on two wheels only, whether a sidecar is attached or not, shall be equipped with one driving lamp and one passing lamp conforming to the provisions of sub-regulations (1) and (2) and one position lamp conforming to the provisions of sub-regulation (4), and such lamp shall be capable of adequately illuminating the road with a white or yellow light in front of the vehicle during all hours of operation.

(4) Every motor vehicle, other than an auto-cycle, and a motor cycle which is carried on two wheels with or without a sidecar attached, shall be equipped with two lamps, hereinafter called position (or side) lamps at the front. These lamps shall be fitted at the same height, one on each side of the longitudinal centre line of the motor vehicle and equidistant from it, with that part of the illuminating surface of the lamps furthest from the said centre line not further than 410 millimetres from a line parallel with the longitudinal axis of the vehicle through the lateral extremity of the vehicle on each side. Position lamps shall be capable of showing a white light clearly visible during the hours of darkness in clear weather at a distance of 150 metres from the front of the vehicle and shall cause no glare or dazzle to other road users:

Provided that in the case of a farm tractor or construction vehicle the lamps prescribed by this sub-regulation shall be required only if the said tractor or construction vehicle is used on a road during lighting-up time.

(5) Every invalid carriage, every farm tractor and every construction vehicle shall be equipped with one or two lamps, which may be the lamps prescribed in sub-regulation (4), facing forward and capable during the hours of darkness of illuminating the road with a white or yellow light to a reasonable distance ahead of the said vehicle without causing glare or dazzle to other road users. If one such lamp is fitted it shall in the case of a farm tractor or construction vehicle be fitted not further than 410 millimetres from the extreme off side of the vehicle, and in the case of an invalid carriage it shall be fitted to the off side of the longitudinal centre line of the said invalid carriage. If two such lamps are fitted they shall be at equal height, and equidistant from the longitudinal centre line of the vehicle:

Provided that in the case of a farm tractor or construction vehicle the lamps prescribed by this sub-regulation shall be required only if the said tractor or construction vehicle is used on a road during lighting-up time.
(6) Every auto-cycle shall be equipped with one position lamp facing forward and conforming to the provisions of sub-regulation (4).

(7) Every auto-cycle, motor cycle and invalid carriage shall, and every farm tractor shall when used on a road during lighting-up time, be equipped at the rear with at least one rear lamp which shall be capable of showing a red light clearly visible during the hours of darkness in clear weather at a distance of 150 metres from the rear of the said vehicle. In the case of a motor cycle that is carried on three wheels, an invalid carriage and a farm tractor the rear lamp, if one only is fitted, shall be not further than 410 millimetres from the off side of the vehicle. If two such lamps are fitted they shall comply with the requirements of sub-regulation (8).

(8) (a) Every motor vehicle not specified in sub-regulation (7), and every trailer at the end of a combination of vehicles, shall be equipped at the rear with two rear lamps which shall be capable of showing a red light clearly visible during the hours of darkness in clear weather at a distance of 150 metres from the rear of the vehicle. The outer edges of these rear lamps must be not more than 410 millimetres from a line parallel with the longitudinal axis of the vehicle through the lateral extremity of the vehicle on each side.

Provided that the provisions of this paragraph shall apply to a construction vehicle only when used on a road during lighting-up time.

(b) For the purposes of paragraph (a), a farm implement when used on a road during lighting-up time shall comply with the requirements prescribed for a trailer.

(9) Every motor vehicle and trailer required to carry a rear registration plate and to be equipped with a rear lamp or lamps shall be equipped with a lamp or lamps so arranged that during the times the said rear lamp or lamps are required to be illuminated-

(a) the said rear registration plate shall be illuminated with a white light in such a way that it can be read during the hours of darkness in clear weather at a distance of 19 metres; and

(b) none of the rays from the lamp or lamps illuminating the said registration plate, except those reflected from or transmitted through the said registration plate, shall be directed rearwards from the vehicle.

(10) All lamps required to be carried by this regulation shall at all times when they are required to be so carried be maintained in an efficient working condition.

(11) Nothing in this regulation shall require a motor vehicle or trailer to carry separate lamps for different purposes if it carries a lamp satisfying all the requirements which would be applicable to separate lamps carried by it for those purposes.

(As amended by S.I. No. 65 of 1972 and No. 157 of 1986)

35. (1) When any motor vehicle, including in the case of a motor cycle any sidecar attached thereto, or any trailer is on a road during lighting-up time, there shall be illuminated thereon the position lamps required by the provisions of regulation 34 to be carried at the front thereof and the rear lamps required
to be carried at the rear thereof, or, in the case of a motor vehicle to which Part II applies, the lamps prescribed by regulation 8 (1): Use of lights on vehicles

Provided that the provisions of this sub-regulation shall not apply when any such vehicle is left stationary-

(i) in a parking place where vehicles are authorised to be parked without lights; or

(ii) in a place which is, or was at the time the vehicle was so left, adequately lighted by a street lamp, being part of the public system of street lighting.

(2) No person shall at any time leave a motor vehicle stationary on a road with illuminated driving lamps as prescribed by regulation 34 (1), or, in the case of a motor vehicle to which Part II applies, any illuminated headlamp fitted in accordance with regulation 8 (3).

(As amended by S.I. No. 34 of 1964)

36. (1) Where a motor vehicle or trailer on a road during lighting-up time carries a load overhanging laterally on any side more than 305 millimetres from the lateral extremity of the motor vehicle or trailer on that side, the vehicle shall carry:

(a) in substitution for or in addition to the position lamp required to be carried on that side of the motor vehicle or trailer, a position lamp showing to the front a white light visible during the hours of darkness in clear weather at a distance of 150 metres from the front of the said motor vehicle or trailer and in such a position that no part of the load overhangs laterally more than 410 millimetres beyond a vertical line through the centre of the substituted or additional lamp; and

(b) in addition to the rear lamp or lamps required to be carried, a rear lamp showing to the rear a red light visible at a distance of 150 metres during the hours of darkness in clear weather and in such a position that no part of the load overhangs laterally more than 410 millimetres beyond a vertical line through the centre of the additional lamp.

(2) In any case where a trailer or farm implement being drawn on a road during lighting-up time projects laterally 410 or more millimetres on either side beyond the lateral extremity of the drawing vehicle, there shall be carried on the said trailer or farm implement on such projecting side or sides a position lamp or lamps showing to the front a white light visible during the hours of darkness at a reasonable distance and in such position that no part of the trailer or farm implement projects laterally more than 410 millimetres beyond a vertical line through the centre of the additional lamp.

(3) Where a motor vehicle, trailer or farm implement on a road during lighting-up time carries a load projecting to the rear behind its rear lamp or lamps the motor vehicle, trailer or farm implement shall carry an additional rear lamp showing to the rear a red light visible during the hours of darkness in clear weather at a distance of 150 metres from the rear and in such a position that no part of the load projects to the rear behind the said additional lamp.
37. (1) A lamp, other than a lamp prescribed by regulation 34, having a movable beam of substantially white light shall for the purposes of this regulation be known as a spot lamp. Spot lamps

(2) Not more than one spot lamp may be carried on any motor vehicle.

(3) No person shall use or cause or permit to be used any spot lamp during lighting-up time—

(a) on any motor vehicle in motion within the area of a local authority;

(b) in such a manner as to interfere with the vision of any person on the road; or

(c) in such a manner as to cause annoyance to any person, whether on a road or not:

Provided that the provisions of this sub-regulation shall not apply to any vehicle on an occasion when it is being used for fire brigade, ambulance or police purposes, or by a road traffic inspector in the execution of his duty, if the observance of the said provisions would be likely to hinder the use of the vehicle for the purpose for which it is being used on that occasion.

(4) No person shall, except in the case of an accident, use or cause or permit to be used during lighting-up time any spot lamp in substitution for any of the lamps prescribed by regulation 34.

38. (1) A lamp, other than a lamp prescribed by regulation 34, so fitted that the lowest portion of the illuminating surfaces thereof is not more than 610 millimetres above ground level, shall for the purposes of this regulation be known as a fog lamp. Fog lamps

(2) Not more than two fog lamps may be carried on any motor vehicle.

(3) Every fog lamp shall—

(a) be fitted to the front of the motor vehicle; and

(b) be so arranged, adjusted and maintained that it shows to the front a white or yellow light without causing glare or dazzle to other road users whatever the direction of the traffic may be.

(4) No fog lamp may be illuminated when the driving lamps or passing lamps as prescribed in regulation 34 (1) and (2) are illuminated.

(As amended by No. 65 of 1972)

39. (1) In addition to the lamps prescribed by regulation 34, a motor vehicle may be equipped with a reversing lamp, that is to say, a lamp illuminating the road to the rear of or under the vehicle. Such a lamp shall be under the direct control of the driver and shall either be so fitted as to operate only when the motor vehicle is placed in reverse gear or be connected with a device by which the driver shall be made aware that the lamp is in operation. Not more than two such lamps shall be fitted to any vehicle and no light shall be emitted therefrom except when the vehicle is reversing or about to reverse. Reversing
lamps

(2) A reversing lamp shall not exceed a capacity of fifteen watts.

40. Nothing in these Regulations contained shall be deemed to prohibit the installation or use in any motor vehicle or trailer of lamps the sole purpose of which is the illumination of the interior of such vehicle or of the instruments of control thereof. Saving for interior lamps

41. (1) Every motor vehicle and trailer shall be equipped with reflex reflectors and warning signs as follows: Reflectors at front and back of motor vehicles and trailers

(a) an auto-cycle or a motor cycle that is carried on two wheels without a sidecar attached—one red reflex reflector fitted on the rear thereof in such a position as to be clearly visible directly rearwards;

(b) a motor cycle that is carried on two wheels with a sidecar attached—the reflector prescribed by paragraph (a) and in addition one red reflex reflector fitted on the rear of the sidecar within 410 millimetres of the lateral extremity thereof furthest from the side intended to adjoin the motor cycle and in such a position as to be clearly visible directly rearwards;

(c) a motor cycle that is carried on three wheels, a construction vehicle, a farm tractor, any motor vehicle not otherwise specified in this regulation—

(i) at the front—two white reflex reflectors facing in a forward direction, fitted respectively not more than 410 millimetres from a line parallel to the longitudinal axis of the vehicle through the lateral extremity of the vehicle on each side and placed at the same height, being not less than 305 millimetres and not more than 1,220 millimetres above ground level; and

(ii) at the rear—two red reflex reflectors facing directly rearwards of the vehicle, fitted respectively not more than 410 millimetres from a line parallel to the longitudinal axis of the vehicle through the lateral extremity of the vehicle on each side and placed at the same height, being not less than 305 millimetres and not more than 1,220 millimetres above ground level;

(d) a heavy vehicle not being a construction vehicle or a farm tractor—

(i) at the front—a white reflex reflector comprising a continuous strip of white reflective material not less than 50 millimetres wide, facing in a forward direction and extending horizontally for such distance as is necessary to indicate the overall width of such vehicle to within 410 millimetres on either side thereof. Such reflex reflector shall be maintained in a reasonably clean condition and shall be so placed that the lower edge thereof is not less than 305 millimetres and the upper edge not more than 1,220 millimetres above ground level:

Provided that if the structure of the vehicle is such that it is not possible to comply with the provisions of this sub-paragraph, white reflective material shall be so fitted as to comply therewith as far as reasonably possible; and

(ii) at the rear—a warning sign facing directly rearwards which conforms with the dimensions and details set out in sub-paragraph (iii). Such warning sign shall be maintained in a reasonably clean condition and shall be so placed that
the lower edge thereof is not less than 610 millimetres and the upper edge not
more than 1,525 millimetres above ground level, and shall extend horizontally
for such distance as is necessary to indicate the overall width of the vehicle
to which it relates to within 410 millimetres of either side thereof, and it
shall not be obscured in any way:

Provided that if the structure of the vehicle is such that it is not
possible to comply with the provisions of this sub-paragraph, the warning sign
shall be so fitted as to comply therewith as far as reasonably possible;

(iii) The warning sign referred to in sub-regulation (ii) shall be a reflex
reflector comprising of alternative diagonal strips of red reflective material
and yellow reflective material in the form of a chevron pattern as illustrated
in the diagram and in accordance with the dimensions set out below:

Vertical dimension—not less than 200 and not more than 460 millimetres;

(e) a trailer constructed to carry goods not being a light trailer—a warning
sign fitted in accordance with sub-paragraph (d) (ii) and complying with the
provisions of sub-paragraph (d) (iii);

(f) a light trailer or a trailer not constructed to carry goods—two red
reflex reflectors fitted in accordance with the provisions of sub-paragraph (c)
(ii);

(g) a commercial motor vehicle—

(i) at the front—two white reflex reflectors fitted in accordance with the
provisions of sub-paragraph (c) (i); and

(ii) at the rear either—

a warning sign fitted in accordance with sub-paragraph (d) (ii) and
complying with the provisions of sub-paragraph (d) (iii); or

a red reflex reflector comprising a continuous strip of red reflective
material, not less than 50 millimetres wide extending horizontally for such
distance as is necessary to indicate the overall width of such vehicle to within
410 millimetres on either side thereof. Such reflex reflector shall be
maintained in a reasonably clean condition and shall be so placed that the lower
edge thereof is not less than 305 millimetres and the upper edge not more than
1,525 millimetres above ground level:

Provided that if the structure of the vehicle is such that it is not
possible to comply with the provisions of this sub-paragraph, red reflective
material shall be so fitted as to comply therewith as far as reasonably
possible;

(iii) for the purposes of this paragraph, "commercial motor vehicle" means a
motor lorry, truck, van (including a vehicle commonly known as a "pick-up"),
breakdown van or like motor vehicle, not being a heavy vehicle, but does not
include vehicles commonly known as "coupe-ims" or "station-wagons".

(2) A construction vehicle or farm tractor which, owing to its structure, cannot be equipped with reflex reflectors in accordance with the provisions of paragraph (c) of sub-regulation (1) shall be fitted with reflective material of white or red, as the case may be, so as to comply with the provisions of that paragraph as far as is reasonably possible.


42. Every motor vehicle or combination of vehicles, other than a motor omnibus or a motor vehicle towing a disabled vehicle, the overall length of which exceeds 7.350 metres, shall be equipped with amber reflex reflectors fitted to each side thereof facing directly sideways and at the same height, so placed that:

(a) there is a reflex reflector within 410 millimetres of each end of the body of each vehicle; and

(b) the distance between each successive reflex reflector on any motor vehicle or combination of vehicles is not more than 3.70 metres:

Provided that if the structure of the body of the vehicle is such that it is not possible to fit such reflex reflectors at the same height, the reflex reflectors shall be fitted as nearly as possible at the same height.

(As amended by No. 65 of 1972)

43. (1) Each reflex reflector fitted in terms of these Regulations shall, unless otherwise provided, be circular, rectangular or triangular in shape and:

(a) in the case of those fitted to the front and rear of a motor vehicle other than a farm tractor or a construction vehicle-

(i) if circular, be not less than 35 millimetres in diameter, or if not circular be of an area of not less than the area of a circle of 35 millimetres in diameter and be of such shape that a circle of 25 millimetres in diameter may be inscribed therein; and

(ii) be visible in clear weather during the hours of darkness at a distance of at least 30 metres when directly illuminated by two driving lights as prescribed by regulation 34 (1); and

NOTE.—The following shapes and dimensions ensure compliance with regulation 43 (1) (a).

<table>
<thead>
<tr>
<th>Shape</th>
<th>Diameter</th>
<th>Sides</th>
<th>Each side</th>
</tr>
</thead>
<tbody>
<tr>
<td>Circle</td>
<td>35 mm.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rectangle</td>
<td></td>
<td>50 mm. x 25 mm.</td>
<td></td>
</tr>
<tr>
<td>Triangle</td>
<td></td>
<td></td>
<td>50 mm.</td>
</tr>
</tbody>
</table>
(b) in the case of those fitted to a trailer, a farm tractor or a construction vehicle, and in the case of those fitted to the side of a motor vehicle or combination of vehicles-

(i) if circular, be not less than 60 millimetres in diameter, or if not circular be of an area of not less than the area of a circle of 60 millimetres in diameter and be of such shape that a circle of 50 millimetres in diameter may be inscribed therein; and

(ii) be visible in clear weather during the hours of darkness at a distance of at least 45 metres when directly illuminated by two driving lights as prescribed by regulation 34 (1); and

Note.—The following shapes and dimensions ensure compliance with regulation 43 (1) (b).

<table>
<thead>
<tr>
<th>Circle</th>
<th>Square</th>
<th>Triangle</th>
</tr>
</thead>
<tbody>
<tr>
<td>Diameter 60 mm.</td>
<td>Sides 55 mm.</td>
<td>Each side 80 mm.</td>
</tr>
</tbody>
</table>

(c) be kept unobscured and reasonably clean.

(2) No reflex reflector or reflective material required to be fitted in accordance with the provisions of these Regulations shall incorporate any words, figures or symbols other than those prescribed in these Regulations.

(As amended by No. 65 of 1972)

44. Every trailer, other than a construction trailer, shall be equipped in a conspicuous position at a height not exceeding 1,220 millimetres above ground level, on the extreme right front and extreme right rear of such trailer with a reflex reflector comprising a white and red "T" respectively. The letter "T" shall not be less than 150 millimetres high and 125 millimetres wide, and not less than 35 millimetres broad, and shall be placed on a black background of not less than 200 millimetres in height and 175 millimetres in width.

(As amended by No. 65 of 1972) Reflective "T" to be fitted on trailers

45. Where a vehicle's rear light is so constructed that, when not showing a light, it is an efficient red reflex reflector facing to the rear and complying with the provisions of these Regulations which apply to the vehicle, it shall be treated as being such a reflector when it is, as well as when it is not, showing a light. Combined lamps and reflectors

46. (1) Every vehicle other than a bicycle, tricycle or motor cycle shall be equipped by the owner thereof with two or more warning devices which shall be carried with such vehicle at all times. Each warning device shall consist of a red reflex reflector not less than five centimetres wide comprising an equilateral triangle the background whereof shall be of yellow reflective material and having sides of not less than forty-five centimetres. The back of
each such warning device shall have a ten centimetre square of yellow reflective material upon which shall be written or impressed the words "Government approved reflective triangle", the address of the manufacturer, the vehicle registration letters or such trade letters or trade marks of the company or organisation which owns the vehicle as may be approved by the Commissioner and the price fixed by the Price Controller. Each warning device shall be so constructed that when it is put into position as prescribed in sub-regulation (3) it will not readily be dislodged by the wind.

NOTE:-The following shapes and dimensions ensure compliance with regulation 46 (1).

Warning devices

(2) When a vehicle is used to draw a trailer or trailers, there shall be carried in addition such warning devices as are referred to in sub-regulation (1) in respect of each such trailer.

(3) If a vehicle or trailer is stationary on any part of a road which is not set aside for the parking or stopping of vehicles, the driver of any such vehicle or trailer shall place upon the carriageway on the side of the road occupied by such vehicle or trailer one warning device prescribed by sub-regulation (1) to the rear of the vehicle or trailer and shall in like manner place one other such device to the front of such vehicle or trailer at a distance of not less than forty metres and not more than fifty metres from the rearmost and frontmost points, respectively, of such vehicle or trailer, in such a way that both the two devices are facing away from the vehicle or trailer and are standing in a vertical position or as nearly vertical a position as possible:

Provided that the provisions of this sub-regulation shall not apply in any case where a vehicle stops in obedience to the requirements of a traffic sign or a person regulating traffic, or to give way to other traffic, and the driver remains at the controls of such vehicle.

(4) If a trailer drawn by a vehicle is detached from such vehicle and is stationary in the circumstances mentioned in sub-regulation (3), the provisions of sub-regulation (3) shall apply in respect of such trailer.

(5) (a) Any owner of a vehicle or trailer who permits such vehicle or trailer to be used on any road without the warning devices prescribed under this regulation shall be guilty of an offence.

(b) Any driver of a vehicle who fails to use warning devices as prescribed under this regulation shall be guilty of an offence unless he is prevented by circumstances beyond his control from using such warning devices in accordance with the provisions of this regulation.

(6) (a) Any person who makes, manufactures or sells any warning device referred to in sub-regulation (1) without the written authority of the Commissioner shall be guilty of an offence:

Provided that any owner of a vehicle which has been boarded or written off may sell or otherwise dispose of the warning devices relating to such vehicle.
(b) Any person who sells any vehicle other than a bicycle, tricycle or motor
cycle without the warning devices referred to in sub-regulation (1) shall be
guilty of an offence.

(7) (a) Any authorised manufacturer or dealer of the warning devices referred
to in sub-regulation (1) shall keep a register of and issue receipts for all
sales made by him.

(b) Any police officer who is in uniform or has in his possession a police
identity card may inspect and examine any registers or receipts referred to in
paragraph (a).

(c) Any manufacturer of or dealer in warning devices referred to in
sub-regulation (1), who contravenes this regulation shall be guilty of an
offence.

(As amended by S.I. No. 93 of 1975)

46A. (1) Every priority vehicle and every vehicle of abnormal size shall, with
the permission of the Road Traffic Commissioner, be fitted with flashing turret
lights of the appropriate colour as indicated in the Second Schedule.Turret
lights and sirens

(2) Every priority vehicle shall be fitted with a warning siren which may be
used when necessary but not so as to cause undue alarm to any person.

(3) Save as provided in this regulation, no person shall use flashing turret
lights or sirens on a vehicle.

(4) There shall be fitted on every priority vehicle and every vehicle of
abnormal size a flashing turret light on the top of the vehicle towards the
front side and in addition thereto every vehicle of abnormal size shall be
fitted with amber flashing lights not more than one metre apart from one another
along the whole length of the left and right flanks of the vehicle.

(As amended by S.I. No. 115 of 1974)

PART VI

VEHICLES, MOTOR VEHICLES AND TRAILERS:
MISCELLANEOUS PROVISIONS: EXEMPTIONS

47. (1) Every vehicle shall when used on any road where the use of other tyres
is prohibited be equipped with tyres that are pneumatic or that are made of
rubber or some other soft and elastic material.Wheels and tyres

(2) The tyres of every vehicle shall be maintained in such condition as to be
free from any defect which might in any way cause damage to the surface of the
road, or danger to persons in or on the vehicle, or to other persons using the
road.

(3) No vehicle of the track-laying type may be driven on a road without the
written consent of the highway authority concerned:

Provided that any such vehicle being a construction vehicle engaged on road
works may be used at the site of and in the execution of such works without such
written consent.
48. Every motor vehicle the net weight of which exceeds 320 kilograms, and which is carried on more than two wheels, shall be capable of being driven backwards under its own power: Backward propulsion

Provided that this regulation shall not apply to a motor cycle which is carried on two wheels only, and which has a sidecar, or similar attachment attached.

(As amended by No. 65 of 1972)

49. When any motor vehicle is drawing any other vehicle or vehicles, the space between any two vehicles shall not exceed 3.70 metres, and the vehicle or vehicles being drawn shall be so attached to each other as to be under proper control.

(As amended by No. 65 of 1972)

Motor vehicle drawing other vehicles

50. (1) Subject to the provisions of regulations 9 (3), 10 and 11, no vehicle shall be so loaded that its load - Projecting loads and loading of vehicles

(a) extends further forward than a point 1,000 millimetres in front of the foremost extremity of such vehicle; or

(b) extends further than a distance of 1,220 millimetres behind the rearmost extremity of such vehicle; or

(c) projects more than 610 millimetres beyond the lateral extremities of such vehicle; or

(d) is of such height that it is likely to interfere with or damage any overbridge, wires or other construction lawfully existing above the road surface:

Provided that in any special case exemption may be granted from the provisions of this regulation by written authority obtained from a police officer of or above the rank of Assistant Inspector. Such officer when giving such authority may impose such conditions including a condition that one or more bright red flags not less than 610 millimetres square shall be affixed as near as possible to the lateral extremity of the load at such point or points as the officer may direct, and make such escort arrangements as he may deem necessary, and the person driving the said vehicle shall comply with all conditions so imposed.

(2) In any case where the load on a vehicle extends beyond the rearmost extremity of the vehicle, there shall be attached to the load during the day-time a bright red flag at least 610 millimetres square.

(3) The load on every vehicle shall -

(a) be safely contained within the body of the vehicle or else securely fastened to the same;

(b) be carried and arranged in such a way that the driver's view of traffic abreast on either side and ahead of him is not obstructed; and

(c) not be likely to cause damage to any person on the vehicle or to any member of the public owing to its weight, distribution, packing or adjustment.
(4) In the case of a motor cycle, with or without sidecar, paragraphs (a), (b) and (c) of sub-regulation (1) shall apply as if the figures therein were 610 millimetres, 1,000 millimetres and 305 millimetres respectively.

(5) Any person who fails to comply with any conditions imposed in accordance with the proviso to sub-regulation (1) shall be guilty of an offence.

(As amended by No. 92 of 1965 and No. 65 of 1972)

51. No load shall be carried on the roof of a double-decked motor vehicle. Load on roof of double-decked motor vehicle prohibited

52. (1) Every motor vehicle or trailer used for conveyance of persons shall be so constructed or adapted as to provide such safeguards as may reasonably be expected to prevent any person from slipping from or being shaken off such a motor vehicle or trailer. Safety of persons carried

(2) The driver of any motor vehicle or trailer shall not permit any person to travel upon the top of any loads thereon-

(a) unless there are sufficient means whereby such person can reasonably prevent himself from slipping or being shaken off such loads while so travelling; or

(b) in such manner that there is any danger of such person, while so travelling, coming in contact with the branches of trees, overhead wires, overbridges or other constructions lawfully existing above the road surface.

53. No person shall use or permit to be used any motor vehicle or trailer which-

(a) causes excessive noise either directly or indirectly as a result of any defect (including a defect in design or construction), lack of repair or faulty adjustment in the motor vehicle or trailer or any part or accessory of such motor vehicle or trailer, or as the result of the faulty packing or adjustment of the load of such motor vehicle or trailer:

Provided that it shall be a good defence to proceedings taken under this paragraph-Prohibition of nuisances

(i) to prove that the noise or continuance of the noise in respect of which proceedings are taken was due to some temporary or accidental cause and could not have been prevented by the exercise of due diligence and care on the part of the owner or driver of the motor vehicle; or

(ii) in the case of proceedings against the driver or person in charge of the motor vehicle who is not the owner thereof, to prove that the noise arose through a defect in design or construction of the motor vehicle or trailer or through the negligence or fault of some other person, whose duty it was to keep the motor vehicle or trailer in proper condition or in a proper state of repair or adjustment or properly to pack or adjust the load of such motor vehicle or trailer, as the case may be, and could not have been prevented by the exercise of reasonable diligence and care on the part of such driver or other person in charge of the motor vehicle;

(b) causes excessive noise which could have been avoided by the exercise of
reasonable care on the part of the driver;

(c) raises dust from the road surface by reason of the exhaust gases of the engine being directed downwards;

(d) carries any mascot or emblem in any position where it is likely to strike any person with whom the vehicle may collide unless such mascot or emblem is not liable to cause injury to such person by reason of any projection thereon;

(e) carries inside it or outside it any mascot, emblem or device of any kind that is likely to be a source of distraction to the drive of the motor vehicle or to the drivers of other vehicles on the road; or

(f) carries a tarpaulin or other sheet unless such tarpaulin or sheet is adequately secured to the motor vehicle or trailer to prevent flapping.

54. (1) Every bicycle shall be equipped with a suitable warning device in good working order.

General requirements for bicycles

(2) Every bicycle shall be equipped with efficient brakes in good working order operating on each wheel.

55. (1) Subject to the provisions of this regulation—Lamps and reflectors on bicycles

(a) a bicycle with one rear wheel shall be equipped with a rear mudguard, the rear end of which shall be visible from the rear and to which there shall be attached a red reflex reflector;

(b) a bicycle with two rear wheels shall be equipped with a rear mudguard on the off rear wheel, the rear end of which shall be visible from the rear and to which there shall be attached a red reflex reflector;

(c) a bicycle shall be equipped with a lamp facing forwards which shall be capable of showing a bright white light, the intense part of the beam of which shall be capable of striking the road at a distance of not less than 3 metres and not more than 30 metres ahead of such bicycle.

(2) A red reflex reflector attached to a mudguard in accordance with sub-regulation (1) shall comply with the following provisions, that is to say:

(a) it shall consist of a rectangular strip of red reflective material not less than 35 millimetres wide and of such length that, subject to the provisions of paragraph (d), not less than 3,870 square millimetres of uninterrupted reflective surface is provided;

(b) it may incorporate words, figures or symbols by way of advertisement, if—

(i) the advertisement is contained within a rectangular area not exceeding 35 millimetres square; and

(ii) only the colour red, if any, contained in the advertisement is of reflective material;

(c) it shall be visible from directly to the rear in clear weather during the hours of darkness at a distance of at least 30 metres when directly illuminated by two driving lamps fitted to a motor vehicle in accordance with regulation 34.
(d) it shall be so positioned that the lower edge thereof and the lower edge of the mudguard correspond and, if a red glass reflector is attached to the mudguard in such a position that the reflective material cannot be fitted in one piece, it may be divided by such reflector in such a manner that the portion of the mudguard from the lowest edge extending upwards to the lower edge of the reflector shall be fitted with red reflective material;

(e) it shall be kept unobscured and reasonably clean.

(3) Any person who sells or lets on hire a bicycle not complying with the provisions of sub-regulation (1) or (2) shall be guilty of an offence.

(4) Any bicycle on a road during lighting-up time shall have lighted the lamp required by the provisions of sub-regulation (1) (c).

(5) The provisions of sub-regulation (3) shall not apply to a bicycle, the diameter of the wheels of which is less than 660 millimetres, and the provisions of the remaining sub-regulations of this regulation shall not apply to any such bicycle unless it is used on a road during lighting-up time.

(As amended by S.I. No. 34 of 1964 and No. 65 of 1972)

56. (1) When on a road during lighting-up time every vehicle drawn by an animal or animals shall be equipped with two lamps which shall show a white light clearly visible at a reasonable distance from in front of such vehicle and one lamp at the rear of such vehicle which shall show a red light clearly visible at a reasonable distance from behind: Requirements for animal-drawn vehicles

Provided that the provisions of this sub-regulation shall not apply-

(i) in any place which is adequately lighted by a street lamp being a part of a public system of street lighting or would, but for some unforeseen failure of such street lamp or street lighting occurring after the vehicle was left in such place, have been adequately lighted; or

(ii) in any parking place where vehicles are authorised to be parked without lights.

(2) Every animal-drawn vehicle shall be equipped with-

(a) two efficient red reflex reflectors fixed one on each side of the rear of the vehicle, showing to the rear; and

(b) two efficient white reflex reflectors fixed one on each side of the front of the vehicle showing forwards.

(3) Every reflex reflector required to be fitted under this regulation shall have a minimum diameter of 35 millimetres, and shall be fixed so that the face of the reflector is at an angle of approximately ninety degrees to the horizontal when the vehicle is being drawn and facing squarely to the front or rear, as the case may be.

(4) Every reflex reflector required to be fitted under the provisions of this regulation shall be kept clear and unobscured so as to be plainly visible from
the front or the rear, as the case may be.

(As amended by No. 65 of 1972)

57. When on a road during lighting-up time every vehicle not otherwise specified in these Regulations shall be equipped with one lamp which shall show a white light clearly visible at a reasonable distance from in front of such vehicle.

Requirements for other vehicles

58. (1) Subject to such conditions as he may deem fit to impose for the safety of members of the public or for any other reason, the Commissioner may grant exemptions in writing either generally or particularly from any of the provisions of these Regulations other than regulations 9, 10, 11, 12 and 18. The Director of Roads may, subject to such conditions as he may deem fit to impose for the purposes aforesaid, grant exemptions in writing either generally or particularly from any of the provisions of regulations 9, 10, 11, 12 and 18. The Army Commander may, subject to such conditions as he may deem fit to impose for the purposes aforesaid, grant exemptions in writing, in respect of Defence Force vehicles, generally or particularly from any of the provisions of Part V: Exemptions

Provided that in any case where the Army Commander grants exemption to Defence Force vehicles from complying with the requirements of Part V, he shall arrange for, or cause to be arranged, an advance publicity of the fact of exemption in the local press covering the area concerned, and shall cause to be erected at all normal road entrances to the area in which the exemption is to apply, suitably inscribed notices.

(2) It shall be sufficient compliance with these Regulations in so far as they concern the construction and equipment of motor vehicles and trailers, if, in the case of motor vehicles and trailers brought temporarily into Zambia by visitors, they comply with the requirements concerning construction and equipment that are contained in the Roads and Road Traffic (International Circulation) Regulations, or, in the case of motor vehicles and trailers registered, licensed and ordinarily kept in Southern Rhodesia or Malawi, with the requirements of the territory in which they are registered, licensed and ordinarily kept.

(As amended by S.I. No. 34 of 1964 and No. 50 of 1968)

59. Any person who is guilty of an offence against these Regulations for which no special penalty is provided shall be liable on conviction, in the case of a first offence, to a fine not exceeding three hundred penalty units, and in the case of a second or subsequent offence, to a fine not exceeding one thousand five hundred penalty units or to imprisonment for a period not exceeding three months.

(As amended by Act No. 13 of 1994) Penalties
FIRST SCHEDULE
(Regulation 13)

CERTIFICATE OF WEIGHT

This is to certify that the vehicle described below has this day been weighed, with the following result:

Registration number of vehicle

Name of owner

Journey from to ...................................................

Description of load

<table>
<thead>
<tr>
<th>Recorded Weight</th>
<th>No. of Wheels on Axle</th>
</tr>
</thead>
<tbody>
<tr>
<td>Axle 1</td>
<td></td>
</tr>
<tr>
<td>Axle 2</td>
<td></td>
</tr>
<tr>
<td>Axle 3</td>
<td></td>
</tr>
<tr>
<td>Axle 4</td>
<td></td>
</tr>
<tr>
<td>Axle 5</td>
<td></td>
</tr>
<tr>
<td>Axle 6</td>
<td></td>
</tr>
<tr>
<td>Axle 7</td>
<td></td>
</tr>
<tr>
<td>Axle 8</td>
<td></td>
</tr>
<tr>
<td>Axle 9</td>
<td></td>
</tr>
</tbody>
</table>

TOTAL

NOTE.- Axles forming part of a group to be bracketed together.

Place weighed

Date
Signature and designation of Officer issuing Certificate

(No. 243 of 1970)
SECOND SCHEDULE
(Regulation 46A)

COLOURS OF FLASHING TURRET LIGHTS

<table>
<thead>
<tr>
<th>Column 1</th>
<th>Column 2</th>
<th>Colour</th>
</tr>
</thead>
<tbody>
<tr>
<td>Category</td>
<td></td>
<td></td>
</tr>
<tr>
<td>A. Zambia Police Force</td>
<td>..</td>
<td>..</td>
</tr>
<tr>
<td>Road Traffic Commission</td>
<td>..</td>
<td>..</td>
</tr>
<tr>
<td>Fire engine</td>
<td>..</td>
<td>..</td>
</tr>
<tr>
<td>Hospital ambulance</td>
<td>..</td>
<td>..</td>
</tr>
<tr>
<td>Military Police</td>
<td>..</td>
<td>..</td>
</tr>
<tr>
<td>Recovery Units of the Mechanical Services Branch</td>
<td>..</td>
<td>..</td>
</tr>
<tr>
<td>B. General haulage vehicle</td>
<td>..</td>
<td>..</td>
</tr>
</tbody>
</table>

(As amended by S.I. No. 115 of 1974 and No. 212 of 1986)
SECTION 258-THE ROADS AND ROAD TRAFFIC
(CITY OF NDOLA: PROHIBITION OF TRAFFIC) REGULATIONS

Regulations by the Minister

Statutory Instrument
174 of 1970
Act No.
13 of 1994

1. These Regulations may be cited as the Roads and Road Traffic (City of Ndola: Prohibition of Traffic) Regulations.

Title

2. The description of traffic specified in column 1 of the Schedule is prohibited from using all roads in the City of Ndola save the roads specified in column 2 of the Schedule.

Prohibition of certain traffic on roads

3. Any person contravening the provisions of these Regulations shall be guilty of an offence and liable upon conviction, in the case of a first offence, to a fine not exceeding three hundred penalty units, and in the case of a second or subsequent offence, to a fine not exceeding one thousand five hundred penalty units or to imprisonment for a period not exceeding three months.

(As amended by Act No. 13 of 1994)

Penalties

SCHEDULE
(Regulation 2)

<table>
<thead>
<tr>
<th>Column 1</th>
<th>Column 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any motor vehicle or trailer used or constructed for the carriage of</td>
<td>Broken Hill Road; Bwana Mkubwa Road;</td>
</tr>
<tr>
<td>petroleum products in bulk</td>
<td>Nkana Road; Kwacha Road (between Luanshya Road and King Horner Road);</td>
</tr>
<tr>
<td>adapted for use primarily</td>
<td>Luanshya Road and King Horner Road;</td>
</tr>
<tr>
<td></td>
<td>Makoli Avenue; Livingstone Road;</td>
</tr>
<tr>
<td></td>
<td>Chisokone Avenue; St. David's Road;</td>
</tr>
<tr>
<td></td>
<td>St. George's Road; Buteko Avenue</td>
</tr>
<tr>
<td></td>
<td>(between St. David's Road and St. George's Road);</td>
</tr>
<tr>
<td></td>
<td>President Avenue; Moffat Road; Broadway; Second Street;</td>
</tr>
<tr>
<td></td>
<td>Third Street; Kabelenga Avenue (between Second Street and Third Street);</td>
</tr>
<tr>
<td></td>
<td>Savoy Street (between Mill Hill and Small Street); Richmond Smith Drive;</td>
</tr>
<tr>
<td></td>
<td>Depot Road; New Airport Road; Airport Road; all public roads in the</td>
</tr>
<tr>
<td></td>
<td>Skyways Industrial Area.</td>
</tr>
</tbody>
</table>
PART I
PRELIMINARY
Regulation
1. Title
2. Interpretation
3. Declaration of construction vehicle
4. Nature of construction machinery

PART II
PRESCRIBED FORMS: APPLICATIONS: RECORDS
5. Prescribed forms
6. Applications to be made to Commissioner
7. Copy of applications, etc., to be sent to Commissioner
8. Register of licences
9. Duplicates
10. Change of name

PART III
CLASSES OF MOTOR VEHICLE: DRIVING TESTS AND LICENCES
11. Classes of motor vehicle
12. Evidence of medical fitness
13. Need to pass driving test
14. Driving tests procedure
14A. Further test to drive a public service vehicle
15. Procedure after test
16. Issue of driving licence or making of endorsement
17. Signature or thumbprint on driving licences and affixing photograph
17A. Surrender of driving licence
18. Duration and renewal of public service vehicle driving licence
19. Expiry of public service vehicle driving licence
19A. Possession of a driving Licence
PART IV

MISCELLANEOUS

Regulation

20. Military driving licence

21. Recognition of foreign licences

22. Prescribed fees

23. Validity of "old licences"

FIRST SCHEDULE-Classes of motor vehicles

SECOND SCHEDULE-Prescribed forms

THIRD SCHEDULE-Prescribed fees

FOURTH SCHEDULE-Classes of vehicle which may be shown on driving licences issued under these Regulations in place of old licences

FIFTH SCHEDULE-Specified countries

SECTION 258—THE ROADS AND ROAD TRAFFIC (DRIVING LICENCE) REGULATIONS

Regulations by the Minister

Government Notices
335 of 1961
203 of 1963
497 of 1964
Statutory Instruments
122 of 1965
405 of 1969
86 of 1970
93 of 1970
157 of 1970
212 of 1970
53 of 1972
54 of 1972
54 of 1982
19 of 1988
133 of 1989
25 of 1991
34 of 1992
27 of 1993
12 of 1994
39 of 1995
101 of 1995
53 of 1996
19 of 1997
43 of 1997
Act No.
1. These Regulations may be cited as the Roads and Road Traffic (Driving Licence) Regulations.

2. In these Regulations, unless the context otherwise requires -

"articulated goods vehicle" means an articulated vehicle constructed or adapted for use primarily for the carriage or haulage of goods;

"articulated vehicle" means a motor vehicle with a trailer so attached to the drawing vehicle that part of the trailer is superimposed upon the drawing vehicle and when the trailer is uniformly loaded not less than twenty per centum of the load is borne by the drawing vehicle;

"driving licence" means a licence in Form D.L.7 of the Second Schedule;

"endorsement" means an endorsement of a driving licence under section one hundred and fifteen of the Act extending the validity of such licence to any other class of motor vehicle;

"farm tractor" means a tractor of the type commonly used for agricultural purposes;

"medical certificate" means a medical certificate in Form D.L.6 of the Second Schedule completed and signed by a registered medical practitioner not more than two months before the date of issue of the licence in respect of which it is produced;

"old licence" means a driving licence issued under the provisions of the Motor Traffic Act, Chapter 172 of the 1960 Edition of the Laws, and valid at the commencement of these Regulations;

"pass certificate" means a certificate in Form D.L.4 of the Second Schedule;

"public service vehicle driving licence" means a driving licence that is valid for the driving of public service vehicles;

"public service vehicle endorsement" means an endorsement extending the validity of a driving licence to any class or any other class of public service vehicles.

3. A tracked tractor is hereby declared to be a construction vehicle for the purposes of section two of the Act.

4. Construction machinery of the following nature is hereby prescribed for the purposes of the definition of "construction vehicle" in section two of the Act:

(i) bitumen or tar heaters;

(ii) bitumen, tar or water sprayers or distributors;

(iii) continuous belt or bucket loaders or conveyors;
(iv) crushers;
(v) paving machines;
(vi) road sweepers or power brooms;
(vii) soil, concrete, tar or bitumen mixers;
(viii) welding units;
(ix) drilling and boring machinery;
(x) cranes (excluding breakdown trucks);
(xi) graders;
(xii) scrapers;
(xiii) pipelayers;
(xiv) cablelayers;
(xv) cement, lime or stone spreaders;
(xvi) excavators;
(xvii) trenchers;
(xviii) front-end loading shovels;
(xix) rollers and compactors;
(xx) stabilisers;
(xxi) concrete spreaders and tampers;
(xxii) road watering bowsers;
(xxiii) powered mowers;
(xxiv) extending towers and ladders;
(xxv) compressors;
(xxvi) stone driers and heaters;
(xxvii) pumps;
(xxviii) rooters and scarifiers;
(xxix) ploughs and harrows.

PART II

PRESCRIBED FORMS: APPLICATIONS: RECORDS
5. The forms set forth in the Second Schedule are hereby prescribed as the forms to be used in all cases to which they are respectively applicable for the purposes of the Act. Prescribed forms

6. It is hereby prescribed in accordance with the provisions of subsection (2) of section one hundred and eleven of the Act that applications for duplicate driving licences and for public service vehicle driving licences issued in accordance with regulation 19 shall be made to the Commissioner. Applications to be made to Commissioner

7. Upon the issue of a provisional driving licence, or of a driving licence, or upon the making of an endorsement thereon, or upon the renewal of a public service vehicle driving licence, the licensing officer shall enter in the appropriate place on the application form particulars of the licence issued or endorsement or renewal made, as the case may be, and shall forward the form to the Commissioner. The licensing officer shall also send to the Commissioner, as applicable, one copy of the applicant's photograph endorsed in accordance with regulation 15, his pass certificate, and his medical certificate. Copy of applications, etc., to be sent to Commissioner

8. The Commissioner shall keep a register of all driving licences issued, and of endorsements and renewals made, and shall record in such register the particulars of any order of a court or variation thereof transmitted to him under section one hundred and two of the Act. Register of licences

9. (1) Any person who has lost his driving licence or whose licence has been destroyed or so mutilated as to be illegible may apply to the Commissioner on Form D.L.5 of the Second Schedule for a duplicate thereof, and he shall send with his application two copies of a recent photograph of himself, complying with the requirements specified on the said form. Duplicates

(2) The Commissioner may, if satisfied that the original licence has been lost, destroyed or so mutilated or defaced as to be illegible, thereupon authorise the issue of a duplicate driving licence, so marked, by a licensing officer. Before authorising the issue of a duplicate licence, the Commissioner may require the applicant to submit such evidence in support of his application as he may think necessary.

(3) Any person aggrieved by the refusal of the Commissioner to authorise the issue of a duplicate licence may, on payment of the fee specified in the Third Schedule, appeal to the Minister within fourteen days of the refusal.

(4) In any case of appeal the Commissioner shall, if so requested, supply to the person aggrieved the reasons in writing for his refusal to authorise the issue of a duplicate licence.

10. (1) When the name of the holder of a driving licence is changed (whether by marriage or any other means) the holder, if in Zambia at the time, shall, within thirty days of the change, notify a licensing officer in writing of the change, and shall submit his licence for amendment. If the holder is not in Zambia at the time, he shall notify a licensing officer of the change, and submit his licence for amendment, within thirty days of his return thereto. Change of name

(2) Upon receiving such notification the licensing officer shall-

(a) amend the licence and return it to the holder;
(b) notify the Commissioner of the change.

(3) Any person who fails to comply with any of the provisions of sub-regulation (1) shall be guilty of an offence, and liable upon conviction to a fine not exceeding one hundred and fifty penalty units.

PART III

CLASSES OF MOTOR VEHICLE: DRIVING TESTS AND LICENCES

11. (1) For the purposes of section one hundred and fifteen of the Act, motor vehicles shall be classified as shown in the First Schedule. It is hereby prescribed that a motor vehicle that is on hire to a person for use by that person otherwise than for the conveyance of passengers or goods or both for hire or reward shall be classified as a private motor vehicle. Classes of motor vehicle

(2) Any person who passes or is exempted from passing a test to drive a motor vehicle specified in column 2 of the First Schedule shall be entitled, subject to his compliance with the provisions of the Act and these Regulations, to have issued to him a driving licence authorising him to drive motor vehicles of that class and of the other classes covered thereby as specified in the third column of the said Schedule.

12. (1) No licence or endorsement thereof to authorise the driving of public service vehicles shall be authorised or issued unless the applicant produces to the licensing officer, or where it is so provided in these Regulations, to the Commissioner, a medical certificate: Evidence of medical fitness

Provided that unless the licensing officer otherwise directs in any particular case no such medical certificate shall be required in the case of-

(i) an applicant who holds a licence to drive public service vehicles who is applying for an endorsement to drive a further class or classes of public service vehicles; or

(ii) an applicant for the renewal of a public service vehicle driving licence.

(2) A licensing officer may in his discretion before issuing any licence or endorsement not otherwise specified in sub-regulation (1) require the applicant to produce a medical certificate.

(3) Any medical certificate that is required to be produced to a licensing officer or to the Commissioner under the provisions of this regulation shall also be produced to the driving examiner at the time of any driving test required to be taken in connection with the issue of the licence, endorsement or renewal applied for.

13. (1) Subject to the following provisions of this regulation, no driving licence shall be issued or endorsement thereof made unless the applicant produces to the licensing officer a valid pass certificate, that is to say, a pass certificate issued within the period of thirty days immediately before application for the said licence or endorsement is made: Need to pass driving test
Provided that, except in cases where a person is an applicant for a licence or endorsement to drive public service vehicles, the licensing officer may, subject to the general directions of the Commissioner, dispense with the production of such pass certificate if otherwise satisfied of an applicant's driving ability.

(2) In any case of application for the renewal of a public service vehicle driving licence, the licensing officer may in his discretion before renewing the said licence require the production of a valid pass certificate as defined in sub-regulation (1).

(3) In any case of application for a duplicate of a driving licence or for a public service vehicle driving licence in lieu of an expired licence as provided for in regulation 19, the Commissioner may before authorising the issue of the said licence or a licensing officer may before issuing such licence require the production of a valid pass certificate, as aforesaid.

(4) In any case where an applicant fails to produce a pass certificate required under sub-regulation (2) or (3), any renewal, duplicate or fresh licence issued to him shall not be marked as valid for the driving of any class or classes of motor vehicle in respect of which the applicant has failed to produce the said pass certificate.

(5) No fee shall be payable for any driving test taken as a result of any requirement made under sub-regulation (2) or (3).

(As amended by No. 405 of 1969)

14. (1) Every applicant for a driving test shall apply to a driving examiner who may either arrange to carry out the test himself, or direct the applicant to another driving examiner. Driving tests procedure

(2) Where the driving examiner is an officer of the Government, the fee specified in the Third Schedule for a driving test shall be paid into the general revenues of the Republic, and where the driving examiner is not such an officer, such portion of the fee as the Minister may from time to time direct shall be paid to the examiner, and the remainder shall be paid into the general revenues of the Republic. Driving examiners shall render to the Commissioner such records and accounts of fees collected as the Commissioner may direct, and shall issue receipts for fees received in Form D.L.3 of the Second Schedule.

(3) Every applicant presenting himself for a driving test shall produce to the driving examiner-

(a) any driving licence held by him;

(b) a valid provisional driving licence authorising the driving of motor vehicles of the class for which he is to be tested;

(c) a vehicle in a fit and proper state of repair and of the class for which he is to be tested;

(d) two copies of a recent photograph of himself which shall-

(i) be taken full face showing the head and shoulders with the head uncovered;

(ii) be unmounted and printed on normal thin photographic paper;
(iii) be of dimensions not more than 65 millimetres by 50 millimetres and not less than 50 millimetres by 35 millimetres:

Provided that if the applicant holds and produces to the driving examiner a valid driving licence, and if such driving licence contains the applicant's photograph, it shall not be necessary to produce the photographs specified in this paragraph;

(e) where required by the provisions of regulation 12, a medical certificate.

(As amended by No. 203 of 1963 and No. 54 of 1972)

14A. Any person who fails a test to drive a public service vehicle authorised to carry passengers shall not be entitled to apply for a further test to drive a vehicle of the same class until ninety days have elapsed since the date of the last test.

(No. 53 of 1972) Further test to drive a public service vehicle

15. (1) Every applicant who has passed a driving test shall be supplied by the driving examiner with a pass certificate in Form D.L.4 of the Second Schedule giving the result thereof. Every such applicant shall sign or affix his thumb mark on his pass certificate in the presence of the driving examiner, who shall also hand to him the documents produced in accordance with the provisions of regulation 14 (3) and both copies of his photograph where such are required by the provisions of the said sub-regulation, of which one shall duly have been endorsed on the reverse by the driving examiner as follows:

"True likeness of

Dated ................... Signed  "

(2) Where a person has failed the test to drive a public service vehicle authorised to carry passengers, any driving licence produced to the driving examiner in accordance with the provisions of regulation 14 (3) (a) shall be endorsed in a suitable place by the examiner as follows:

"Failed test for P.S.V. Class on

Dated ................... Signed  "

(As amended by No. 53 of 1972)

16. (1) A person who has passed a driving test may present to the licensing officer his application for a driving licence or endorsement, his pass certificate and, where such are required by the provisions of regulation 12 or 14, the endorsed and unendorsed copies of his photograph and his medical certificate.

Issue of driving licence or making of endorsement

(2) If the licensing officer is satisfied with the documents so produced to him and if the other requirements of these Regulations are complied with, he shall upon payment of the prescribed fee issue a driving licence or make an endorsement, as the case may be.

(As amended by No. 203 of 1963)
17. (1) The signature or thumbprint required to be affixed to every driving licence in accordance with subsection (3) of section one hundred and eighteen of the Act shall be affixed in the space provided on page 1 thereof. Signature or thumbprint on driving licences and affixing photograph

(2) It is hereby prescribed that a photograph of the holder of every driving licence issued under these Regulations shall be affixed to the said driving licence on page 2 thereof. It shall be stamped by a licensing officer with his office stamp in such a manner as to cover part of the photograph and part of the page to which it is affixed. Every photograph required by these Regulations shall comply with the requirements of regulation 14 (3) (d).

17A. (1) Any person who has been issued with a driving licence, under the Act, shall, after the commencement of these Regulations, surrender such driving licence to the licensing officer who shall, upon payment by such person of a fee of three hundred and thirty-three fee units, issue that person with a new driving licence. Surrender of driving licence

(2) A person who surrenders a driving licence in compliance with sub-regulation (1) shall not be subjected to a driving text.

(3) A licence issued under this regulation shall on payment of the prescribed fee set out in the Second Schedule of these Regulations, to be renewed by way of endorsement after each five year period from the date of such issue.

(4) A driving licence issued before the commencement of this regulation shall after 31st December, cease to be valid.

(5) Sub-regulations (1), (2), (3) and (4) shall apply with the necessary modifications to a duplicate driving licence.

(As amended by S.I. Nos. 19 and 43 of 1997)

18. (1) A public service vehicle driving licence shall be valid for a period of twelve months from the date of issue as appearing on such public service vehicle driving licence or public service vehicle endorsement but may be renewed for further periods of twelve months if application is made therefor in accordance with these Regulations within six months of its expiry, subject to a maximum period of five years from such date of issue. In any case where a person applies for the renewal of his public service vehicle driving licence after the expiry of the said period of six months, the application shall be treated as an application for a public service vehicle driving licence. Duration and renewal of public service vehicle driving licence

(2) A renewal of a public service vehicle driving licence shall be in Form D.L.12 of the Second Schedule and shall be attached by the licensing officer to page 6 of such licence in the manner marked thereon.

19. (1) Every public service vehicle driving licence shall expire on, and shall not be renewed beyond, a date, hereinafter referred to as the "final expiry date", five years after the date of issue of the driving licence referred to in regulation 18 (1). Where a public service vehicle driving licence has expired, the holder may apply direct to the Commissioner on the appropriate application form for a public service vehicle driving licence in substitution for the licence so expired, and shall send with his application two copies of a recent photograph conforming with the requirements of regulation 14 (3) (d) and
a medical certificate. Expiry of public service vehicle driving licence

(2) If the Commissioner is satisfied with the documents so sent to him, he shall authorise a licensing officer to issue a public service vehicle driving licence to the applicant in lieu of the expired licence.

(3) Upon receipt of the Commissioner's authorisation and of the prescribed fees for a driving licence and for the extension of a licence by endorsement, the licensing officer shall issue a public service vehicle driving licence accordingly.

(4) If on the final expiry date of an existing public service vehicle driving licence an application has been made by the holder thereof under this regulation for the issue of a licence in lieu thereof, the existing public service vehicle driving licence shall be deemed to continue in force until the new one is issued or refused, as the case may be.

19A. Every motorist shall have in his possession a driving licence whenever he is driving a motor vehicle.

(As amended by S.I. No. 101 of 1995) Possession of a driving licence

PART IV

MISCELLANEOUS

20. For the purpose of driving a motor vehicle belonging to the Defence Force, a valid driving licence or provisional driving licence or the equivalent of such licence duly issued for use by members of the Defence Force and valid for the said vehicle is hereby deemed to have effect as though it were a driving licence or provisional driving licence issued under section one hundred and eleven or one hundred and thirteen of the Act, as the case may be.

(As amended by S.I. No. 122 of 1965) Military driving licence

21. (1) A valid driving licence or the equivalent thereof duly issued under any law in force in any of the countries specified in the Fifth Schedule is hereby deemed to have effect within Zambia during the currency of such licence as though it were a driving licence issued under section one hundred and eleven of the Act: Recognition of foreign licences

Provided that-

(i) such licence shall have effect within Zambia only in respect of those classes of motor vehicle for which it is valid in the country of issue;

(ii) the provisions of this regulation shall not apply in the case of a person to whom such driving licence was issued in a country specified in the Fifth Schedule while he was normally resident in Zambia;

(iii) the provisions of this regulation shall not apply for a period exceeding ninety days after a person becomes resident in Zambia.

(2) A driving licence referred to in sub-regulation (1) shall be produced for inspection in like manner as if it were a driving licence issued under the Act and the provisions of the Act, relating to driving licences, shall apply mutatis mutandis to such a driving licence.
(As amended by No. 157 of 1970)

22. (1) The fees specified in the second column of the Third Schedule are hereby prescribed and shall be charged in respect of the matters set out in the first column of the said Schedule. Prescribed fees

(2) The fee paid on any appeal made to the Minister or to the Commissioner under Part VII of the Act or these Regulations shall be refunded if the appeal is successful.

23. (1) Every old licence shall be valid for such of the following classes of motor vehicles as are marked therein: Validity of "old licences"

Private Vehicles:

(a) motor cycles;

(b) steam-driven vehicles;

(c) heavy vehicles;

(d) motor vehicles other than those in classes (a), (b) and (c).

Public Service Vehicles:

(e) hiring cars;

(f) steam-driven vehicles;

(g) articulated vehicles;

(h) vehicles, other than those in classes (f) and (g), used for the carriage of goods only;

(i) public service vehicles, other than those in classes (e), (f), (g) and (h).

(2) For the purposes of sub-regulation (1)-

"heavy vehicle" means a motor vehicle exceeding 3,650 kilograms gross weight;

"hiring car" means a motor vehicle, having seating accommodation for not more than seven passengers, used for the carriage of passengers for hire or reward otherwise than at separate fares;

"motor cycle" means a mechanically propelled vehicle (not being a vehicle classified as an invalid carriage) with less than four wheels and the weight of which unladen does not exceed 410 kilograms;

"motor vehicle" means any mechanically propelled vehicle intended or adapted for use on roads;

"public service vehicle" means a motor vehicle used for carrying passengers or goods or both for hire or reward whether under contract to any person or plying for hire generally, and includes any trailer when being drawn by such motor vehicle.
(3) Every old licence shall remain valid until the date (if any) upon which it or any endorsement therein is expressed to expire, or the 31st December, 1970, whichever is the earlier. In any case where the holder of an old licence applies for a duplicate, or for its extension by endorsement to permit the driving of additional classes of motor vehicles, or for a licence free from endorsement in accordance with section one hundred and thirty-one of the Act, his old licence shall thereupon expire.

(4) Upon the expiry of any old licence or upon such licence ceasing to be valid, any licence subsequently issued to the holder of the said old licence shall be issued in accordance with the provisions of these Regulations and shall be in Form D.L.7 of the Second Schedule. Such a licence shall be marked as valid for the driving of the class or classes of motor vehicle as correspond to the class or classes of motor vehicle for which the old licence was valid, in accordance with the provisions of the Fourth Schedule:

Provided that if the holder of an old licence establishes to the satisfaction of the licensing officer that, by virtue of his old licence, he was accustomed to drive motor vehicles other than those contained in the corresponding class or classes shown in column 2 of the Fourth Schedule, the licensing officer may mark the new licence as valid for the class or classes of motor vehicle corresponding to the class or classes that the holder was accustomed to drive.

(As amended by Nos. 86 and 212 of 1970 and No. 54 of 1972)

FIRST SCHEDULE

(Regulation 2)

(As amended by S.I. No. 39 of 1995)
SECOND SCHEDULE
(Regulation 5)

PRESCRIBED FORMS
FORM D.L.1
(Regulation 5)
GOVERNMENT OF ZAMBIA
THE ROADS AND ROAD TRAFFIC ACT
THE ROADS AND ROAD TRAFFIC (DRIVING LICENCE) REGULATIONS
APPLICATION FOR A PROVISIONAL DRIVING LICENCE, A DRIVING LICENCE, AN ENDORSEMENT OF A DRIVING LICENCE, THE RENEWAL OF A PUBLIC SERVICE VEHICLE DRIVING LICENCE OR A PUBLIC SERVICE VEHICLE DRIVING LICENCE IN SUBSTITUTION FOR AN EXPIRED PUBLIC SERVICE VEHICLE DRIVING LICENCE
1.  (surname)
   (other names)
of (present address)

   and (permanent address)

hereby apply for* (i) a provisional driving licence.
   (ii) a driving licence.
   (iii) an endorsement of my driving licence No
   (iv) the renewal for a period of twelve months of my public service vehicle driving licence No
   (v) a public service vehicle driving licence in substitution for expired public service vehicle

   driving licence No

to drive motor vehicles of the classes hereinafter marked and, in the case of items (ii) and (iii), the other classes covered by the driving test that I have passed, or have been exempted from passing.

   (NOTE.-Applications in respect of items (i)-(iv) should be made to a licensing officer. Applications in respect of item (v) should be made to the Road Traffic Commissioner, P.O. Box RW.66, Lusaka, and in these cases applicants MUST FILL IN THE FOLLOWING:

I wish the public service vehicle driving licence issued in substitution of my expired one to be issued to me by the licensing officer at )

2. I CERTIFY THAT-
   (a) My physique, vision, hearing and bodily and mental fitness are such as to
warrant the issue to me of the licence/endorsement for which I am applying;

(b) I do not suffer from epilepsy, nor have I been subject to fits;

(c) (Applicable to applications for provisional driving licences only.) I am aware that I am not allowed to be issued with more than three provisional driving licences in any period of two years in respect of any one class of motor vehicle, and I certify that the issue to me of the provisional driving licence applied for now will not cause this number to be exceeded.

I FURTHER CERTIFY THAT, with the exceptions set forth below-

(d) I am not disqualified from obtaining or holding the licence or endorsement for which I am now applying;

(e) No driving licence held by me bears a subsisting criminal endorsement;

(f) (Applicable only to applications for driving licences or for endorsements thereof.) I am not the holder of any valid driving licence that entitles me to drive in Zambia motor vehicles of the class(es) for which I am applying now and I understand that, if the licence or endorsement applied for now is granted, any driving licence previously issued to me, whether inside or outside Zambia, will become void in so far as it authorises me to drive in Zambia motor vehicles of the class(es) forming the subject of this application;

(g) (Applicable only to applications for the renewal of public service vehicle driving licences, or for public service vehicle driving licences in substitution of expired ones.) Apart from the driving licence for (the renewal of) which I am now applying I am not the holder of any driving licence that authorises me to drive in Zambia public service vehicles of the same class, and I understand that, if the licence/renewal now applied for is granted, any driving licence previously issued to me, whether inside or outside Zambia, will become void so far as it authorises me to drive public service vehicles of the class(es) forming the subject of this application.

Exceptions

3. My age is

................................................................. years
months.
## Classes of Motor Vehicle

(Tick in the column headed "Class" the class for which you are applying. There is no need to mark the columns headed "Other classes covered". Except in the case of provisional driving licences, your licence will automatically cover these.)

<table>
<thead>
<tr>
<th>Column 1</th>
<th>Column 2</th>
<th>Column 3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Class:</td>
<td>Private Vehicles:</td>
<td>Other Classes Covered:</td>
</tr>
<tr>
<td>A.</td>
<td>Invalid carriage</td>
<td>.. .. .. .. Nil.</td>
</tr>
<tr>
<td>B.</td>
<td>Auto-cycle</td>
<td>.. .. .. .. Nil.</td>
</tr>
<tr>
<td>C.</td>
<td>Motor cycle</td>
<td>.. .. .. .. B.</td>
</tr>
<tr>
<td>D.</td>
<td>Construction vehicle of the following nature:</td>
<td>.. .. Nil.</td>
</tr>
<tr>
<td>E.</td>
<td>Farm tractor</td>
<td>.. .. .. .. Nil.</td>
</tr>
<tr>
<td>F.</td>
<td>Articulated goods vehicle. Heavy goods vehicle with trailer, other than light trailer</td>
<td>.. .. .. .. G, I.</td>
</tr>
<tr>
<td>G.</td>
<td>Heavy goods vehicle</td>
<td>.. .. .. .. I.</td>
</tr>
<tr>
<td>H.</td>
<td>Private motor omnibus used otherwise than for private or domestic purposes</td>
<td>.. .. .. .. I.</td>
</tr>
<tr>
<td>I.</td>
<td>Any private motor vehicle not included in Classes A-H above</td>
<td>Nil.</td>
</tr>
</tbody>
</table>

### Public Service Vehicles:

| J.       | Articulated goods vehicle. Heavy goods vehicle with trailer, other than light trailer | .. .. .. .. F, G, I, K, N. |
| K.       | Heavy goods vehicle | .. .. .. .. G, I, N. |
| L.       | Motor omnibus having seating accommodation for not more than twelve passengers; taxicab; hire car | .. .. .. .. I, N. |
| M.       | Motor omnibus having seating accommodation for more than twelve passengers | .. .. .. .. H, L, I, K, G, N. |
| N.       | Any public service goods vehicle not included in Classes J or K above | .. .. .. .. I. |

Date ........................................
Signature/Thumb impression of Applicant

FOR USE BY LICENSING OFFICER (Delete as applicable).

Provisional driving licence No issued.

Driving licence No issued.

Endorsement *private/p.s.v.
(Form D.L.9/Form D.L.10/Form D.L.11)

No issued.

Public service vehicle driving licence renewed for twelve months from the date of expiry, or until the final expiry date, whichever is earlier:

Form D.L.12 No issued.

As applied for unless otherwise amended by me.

Fee paid

Photograph
(to be pinned to and not permanently affixed to this form).

*No. of P.S.V. Badge issued

Date and place:

Licensing Officer

* Delete as applicable.

Original -To Central Driving Licence Registry.

FOR USE BY COMMISSIONER.

Public service vehicle driving licence No. issued in lieu of expired licence No. and P.S.V. Endorsement

(Form D.L.10) No. issued.

(As amended by No. 203 of 1963)
(Regulation 5)

NOTE TO APPLICANT.—Make a note of the number of this provisional driving licence and of its date of issue and expiry. In every application for a provisional driving licence you have to certify that you have not held more than three such licences in any period of two years, in respect of any one class of motor vehicle.

GOVERNMENT OF ZAMBIA

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (DRIVING LICENCE) REGULATIONS

PROVISIONAL DRIVING LICENCE

No.

Licence is hereby granted to

(full name in block capitals)

(address)

for a period of *three months from the date of issue hereof, to drive upon any road motor

one month

vehicles of the class(es) *hereafter set out, subject to the conditions of the Roads and Road Traffic Act and of the Regulations made thereunder.

* Delete particular classes as necessary.

<table>
<thead>
<tr>
<th>Column 1</th>
<th>Column 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Class:</td>
<td>Private Vehicles:</td>
</tr>
<tr>
<td>A.</td>
<td>Invalid carriage.</td>
</tr>
<tr>
<td>B.</td>
<td>Auto-cycle.</td>
</tr>
<tr>
<td>C.</td>
<td>Motor cycle.</td>
</tr>
<tr>
<td>D.</td>
<td>Construction vehicle of the following nature:</td>
</tr>
<tr>
<td>E.</td>
<td>Farm tractor.</td>
</tr>
<tr>
<td>F.</td>
<td>Articulated goods vehicle. Heavy goods vehicle with trailer, other</td>
</tr>
</tbody>
</table>
than light trailer.

G. Heavy goods vehicle.

H. Private motor omnibus used otherwise than for private or domestic purposes.

I. Any private motor vehicle not included in Classes A–H above.

Public Service Vehicles:

J. Articulated goods vehicle. Heavy goods vehicle with trailer, other than light trailer.

K. Heavy goods vehicle.

L. Motor omnibus having seating accommodation for not more than twelve passengers; taxi cab; hire car.

M. Motor omnibus having seating accommodation for more than twelve passengers.

N. Any public service goods vehicle not included in Classes J–K above.

Date of expiry ....................................

Signature/Thumbprint of Holder

Original-To Applicant.
Duplicate-To be retained by licensing officer.

Licensing Officer

Date and place of issue:

(As amended by No. 203 of 1963)
FORM D.L.3
(Regulation 14)

GOVERNMENT OF ZAMBIA

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (DRIVING LICENCE) REGULATIONS

No.

RECEIPT FOR FEE PAID ON APPLICATION FOR DRIVING TEST

Received from

the sum of fee units (in words)

fee units (in words)   (in figures) fee units
............................................................

being the fee paid on application for a driving test.

Date ..............................    Signed

Examiner

Original-To Payer.
Duplicate-To Road Traffic Commissioner.
Triplicate-To remain in book.

IMPORTANT

NOTE TO PAYER.—If your driving test has been arranged for a later date than
today, keep this receipt to show to the Examiner at the time of the test. This
fee may not be refunded unless the Examiner is given at least 48 hours' notice
of the cancellation of a driving test appointment.
FORM D.L.4
(Regulation 15)

GOVERNMENT OF ZAMBIA

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (DRIVING LICENCE) REGULATIONS

No

PASS CERTIFICATE

Name of successful applicant

The above named, whose address is

whose signature/thumb impression has been placed below in my presence, has been tested and found competent to drive motor vehicles of the following class(es) *hereafter set out, subject to the special conditions noted below:

*I have endorsed a photograph of the applicant with my opinion that it is a true likeness; or

*The applicant produced to me valid driving licence No bearing a photograph which, in my opinion, is a true likeness of the applicant.

*Delete particular classes as necessary.

Special conditions

CLASSES OF MOTOR VEHICLES

<table>
<thead>
<tr>
<th>Column 1</th>
<th>Column 2</th>
<th>Column 3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Class:</td>
<td>Private Vehicles:</td>
<td>Other Classes</td>
</tr>
<tr>
<td>A.</td>
<td>Invalid carriage .. ..</td>
<td>.. ..</td>
</tr>
<tr>
<td>B.</td>
<td>Auto-cycle ..</td>
<td>.. ..</td>
</tr>
<tr>
<td>C.</td>
<td>Motor cycle .. ..</td>
<td>.. ..</td>
</tr>
<tr>
<td>D.</td>
<td>Construction vehicle of the following nature:</td>
<td>.. .. ..</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
E. Farm tractor.. .. .. .. .. Nil.

F. Articulated goods vehicle. Heavy goods vehicle with trailer, other than light trailer .. .. .. .. G, I.

G. Heavy goods vehicle.. .. .. .. I.

H. Private motor omnibus used otherwise than for private or domestic purposes .. .. .. .. I.

I. Any private motor vehicle not included in Classes A-H above .. Nil.

Public Service Vehicles:

J. Articulated goods vehicle. Heavy goods vehicle with trailer, other than light trailer .. .. .. .. F, G, I, K, N.

K. Heavy goods vehicle.. .. .. .. G, I, N.

L. Motor omnibus having seating accommodation for not more than twelve passengers; taxicab; hire car .. .. I, N.

M. Motor omnibus having seating accommodation for more than twelve passengers .. .. H, L, I, K, G, N.

N. Any public service goods vehicle not included in Classes J-K above .. .. I.

Date

Signature/Thumb mark of Applicant

Signature of Driving Examiner

Original-To Applicant.
Duplicate-To Road Traffic Commissioner.
Triplicate-To remain in book.

(As amended by No. 203 of 1963)
FORM D.L.5
(Regulation 9)

GOVERNMENT OF ZAMBIA

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (DRIVING LICENCE) REGULATIONS

APPLICATION FOR A DUPLICATE DRIVING LICENCE

I,

(FULL NAME IN BLOCK CAPITALS)

of (present address)

and (permanent address)

hereby apply for a duplicate driving licence to drive motor vehicles of the class(es) indicated below.

My original licence was No.   and was issued at

on the ..................... day of

19 ..........

to drive motor vehicles of class(es)

No. of P.S.V. driver's badge (where applicable)

My original licence has been lost/destroyed/defaced in the following circumstances

I CERTIFY THAT-

(a) my physique, vision, hearing and bodily and mental fitness are such as to warrant the issue to me of the duplicate driving licence for which I am applying;

(b) I do not suffer from epilepsy, nor have I been subject to fits;

I FURTHER CERTIFY THAT, with the exceptions set out below:

(c) I am not disqualified from obtaining or holding the duplicate driving licence for which I am applying;

(d) my original licence did not bear a subsisting criminal endorsement;
(e) apart from my original licence, I hold no driving licence that authorises me to drive motor vehicles in Zambia and I understand that, if the duplicate for which I am now applying is granted to me, every driving licence previously issued to me (whether inside or outside Zambia and including my original licence) will become void so far as it authorises me to drive motor vehicles in Zambia.

Exceptions:

If my original licence is found by me, I undertake to surrender it to a licensing officer.

I wish my duplicate driving licence to be issued to me by the licensing officer at

Date

Signature/Thumb mark of Applicant

Applicants should indicate the class(es) of motor vehicle for which their original licence was valid

CLASSES OF MOTOR VEHICLES

<table>
<thead>
<tr>
<th>Column 1</th>
<th>Column 2</th>
<th>Column 3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Class:</td>
<td>Private Vehicles:</td>
<td>Other Classes</td>
</tr>
<tr>
<td>A.</td>
<td>Invalid carriage</td>
<td>..................</td>
</tr>
<tr>
<td>B.</td>
<td>Auto-cycle</td>
<td>..................</td>
</tr>
<tr>
<td>C.</td>
<td>Motor cycle</td>
<td>..................</td>
</tr>
<tr>
<td>D.</td>
<td>Construction vehicle of the following nature:</td>
<td>..................</td>
</tr>
<tr>
<td></td>
<td>..................</td>
<td>..................</td>
</tr>
<tr>
<td>E.</td>
<td>Farm tractor</td>
<td>..................</td>
</tr>
<tr>
<td>F.</td>
<td>Articulated goods vehicle. Heavy goods vehicle with trailer, other than light trailer</td>
<td>..................</td>
</tr>
<tr>
<td>G.</td>
<td>Heavy goods vehicle</td>
<td>..................</td>
</tr>
<tr>
<td>H.</td>
<td>Private motor omnibus used otherwise than for private or domestic purposes</td>
<td>..................</td>
</tr>
<tr>
<td>I.</td>
<td>Any private motor vehicle not included in Classes A-H above</td>
<td>..................</td>
</tr>
</tbody>
</table>
Nil.

Public Service Vehicles:

J. Articulated goods vehicle. Heavy goods vehicle with trailer, other than light trailer . . . . . . F, G, I, K, N.

K. Heavy goods vehicle . . . . . . G, I, N.

L. Motor omnibus having seating accommodation for not more than twelve passengers; taxicab; hire car . . . . . . I, N.

M. Motor omnibus having seating accommodation for more than twelve passengers . . . . . . H, L, I, K, .. .. G, N.

N. Any public service goods vehicle not included in Classes J or K above . . . . . . . . . I.

NOTES

1. The issue of a duplicate driving licence depends upon the Commissioner's discretion. It is therefore necessary for you to satisfy him that your original licence has in fact been lost, destroyed or defaced.

2. Send this application to the Road Traffic Commissioner, P.O. Box RW.66, Lusaka. With it you must also send two copies of a recent photograph of yourself which conform with the following:

   (i) they must be taken full face showing the head and shoulders with the head uncovered;

   (ii) they must be unmounted and printed on normal thin photographic paper;

   (iii) they must not be larger than 2 1/2" x 2" and not smaller than 2" x 1 1/2".

3. Do not attach your photographs permanently to this application form. They should be pinned to it, or sent loose.

4. A duplicate driving licence, if authorised by the Commissioner, will be issued by a licensing officer. Please check that you have filled in the entry on this application form specifying the licensing officer whom you wish to issue your duplicate licence.

(As amended by No. 203 of 1963)
MEDICAL CERTIFICATE

APPLICANT FOR PUBLIC SERVICE VEHICLE DRIVING LICENCE

I CERTIFY THAT I,

of (address)

(qualifications)

have today personally examined

of (address)
an applicant for a licence to drive a public service vehicle, with the results noted below. I further certify that I have explained the contents of the subjoined "Declaration by Applicant" to the applicant and that his signature/thumb mark thereto has been affixed in my presence.

(a) Apparent age

(b) Vision without glasses  R    L

With glasses (if worn)  R    L

(c) Colour perception:

(1) State whether normal by isihara pseudo-isochromatic plate test.

(2) If not, test for signal red, signal green and amber by a suitable lantern.

1

2

(d) Hearing

(e) Limbs (state whether unrestricted use of all limbs or otherwise)

(f) Is he free from suspicions of being intemperate or addicted to drugs?

(g) General health (state whether reactions normal, and whether free of any
disease, temporary or otherwise, which would induce faintness or undue fatigue when driving long distances)

As a result of my examination I am/am not* satisfied that the applicant is a medically fit person to drive a public service vehicle.

Date

Registered Medical Practitioner

NOTE.-A registered medical practitioner may alter the certificate to meet special circumstances.

DECLARATION BY APPLICANT

I declare that I do not suffer from epilepsy, that I have not been subject to fits, and that my physique, vision, hearing and bodily and mental fitness are such as to warrant the issue to me of a public service vehicle driving licence.

I further declare that the answers to the questions put to me by the Medical Practitioner are true and complete, and I understand that if any statement made by me is to my knowledge false or in any material respect misleading, I am liable to a fine not exceeding seven hundred and fifty penalty units in the case of a first offence and to a fine not exceeding one thousand five hundred penalty units in the case of a second or subsequent offence.

Date

Signature/Thumb mark of Applicant

*Delete as necessary.

(As amended by Act No. 13 of 1994)
FORM D.L.7
(Regulation 23)

GOVERNMENT OF ZAMBIA

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (DRIVING LICENCE) REGULATIONS

DRIVING LICENCE

(FRONT)

(BACK)

FORM D.L.8
(Regulation 5)

GOVERNMENT OF ZAMBIA

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (DRIVING LICENCE) REGULATIONS

DUPLICATE DRIVING LICENCE

(FRONT)

(BACK)

(As amended by No. 203 of 1963 and S.I. No. 19 of 1997)
FORM D.L.9
(Regulation 5)

Fee paid 4

GOVERNMENT OF ZAMBIA

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (DRIVING LICENCE) REGULATIONS

No

ENDORSEMENT OF A DRIVING LICENCE TO DRIVE (AN)
ADDITIONAL CLASS(ES) OF PRIVATE MOTOR VEHICLE

The holder of driving licence No is hereby licensed to drive motor vehicles of the following class(es)* including those in the column headed "Other Classes Covered" in addition to those already authorised.

CLASSES OF MOTOR VEHICLES

<table>
<thead>
<tr>
<th>Column 1</th>
<th>Column 2</th>
<th>Column 3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Class:</td>
<td>Private Vehicles:</td>
<td>Other Classes Covered:</td>
</tr>
<tr>
<td>A. Invalid carriage</td>
<td>.. .. .. .. Nil.</td>
<td></td>
</tr>
<tr>
<td>B. Auto-cycle</td>
<td>.. .. .. .. Nil.</td>
<td></td>
</tr>
<tr>
<td>C. Motor cycle</td>
<td>.. .. .. .. B.</td>
<td></td>
</tr>
<tr>
<td>D. Construction vehicle of the following nature:</td>
<td>.. .. .. .. Nil.</td>
<td></td>
</tr>
<tr>
<td>E. Farm tractor</td>
<td>.. .. .. .. Nil.</td>
<td></td>
</tr>
<tr>
<td>F. Articulated goods vehicle. Heavy goods vehicle with trailer, other than light trailer</td>
<td>.. .. .. .. G, I.</td>
<td></td>
</tr>
<tr>
<td>G. Heavy goods vehicle</td>
<td>.. .. .. .. I.</td>
<td></td>
</tr>
<tr>
<td>H. Private motor omnibus used otherwise than for private or domestic purposes</td>
<td>.. .. .. .. I.</td>
<td></td>
</tr>
<tr>
<td>I. Any private motor vehicle not included in Classes A-H above</td>
<td>.. Nil.</td>
<td></td>
</tr>
</tbody>
</table>

Date and place:
Licensing Officer

(To be attached by gumming to page 4 of the driving licence)

*Delete particular classes as necessary.
FORM D.L.10
(Regulation 5)

Fee Units 4

GOVERNMENT OF ZAMBIA

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (DRIVING LICENCE) REGULATIONS

No

PUBLIC SERVICE VEHICLE ENDORSEMENT

The holder of driving licence No is hereby licensed to drive for a period of twelve months from the date hereof motor vehicles of the following class(es)* including those in the column headed "Other Classes Covered".

<table>
<thead>
<tr>
<th>CLASSES OF MOTOR VEHICLES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Column 1</td>
</tr>
<tr>
<td>Class:</td>
</tr>
<tr>
<td>J.</td>
</tr>
<tr>
<td>K.</td>
</tr>
<tr>
<td>L.</td>
</tr>
<tr>
<td>M.</td>
</tr>
<tr>
<td>N.</td>
</tr>
</tbody>
</table>

Date and place:

Licensing Officer

Final expiry date of this public service vehicle driving licence (the day before the fifth anniversary of the issue of this endorsement)
(NOTE.-To remain valid for the driving of public service vehicles this licence must be renewed annually. Its validity may not continue beyond the final expiry date save in the circumstances of regulation 19 (4).)

(To be attached wholly over page 5 of the driving licence.)

* Delete particular classes as necessary.
GOVERNMENT OF ZAMBIA

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (DRIVING LICENCE) REGULATIONS

No

ENDORSEMENT OF A DRIVING LICENCE TO DRIVE (AN) ADDITIONAL CLASS(ES) OF PUBLIC SERVICE VEHICLE

The holder of driving licence No.   is hereby licensed to drive motor vehicles of the following class(es)* including those in the column headed "Other Classes Covered", in addition to those already authorised.

CLASSES OF MOTOR VEHICLES

<table>
<thead>
<tr>
<th>Class:</th>
<th>Private Vehicles:</th>
<th>Other Classes Covered:</th>
</tr>
</thead>
<tbody>
<tr>
<td>J. Articulated goods vehicle.</td>
<td></td>
<td>F, G, I, K, N.</td>
</tr>
<tr>
<td>other than light trailer</td>
<td></td>
<td></td>
</tr>
<tr>
<td>K. Heavy goods vehicle</td>
<td></td>
<td>G, I, N.</td>
</tr>
<tr>
<td>L. Motor omnibus having seating</td>
<td></td>
<td>I, N.</td>
</tr>
<tr>
<td>accommodation for not more</td>
<td></td>
<td></td>
</tr>
<tr>
<td>than twelve passengers; taxicab;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>hire car</td>
<td></td>
<td></td>
</tr>
<tr>
<td>M. Motor omnibus having seating</td>
<td></td>
<td>H, L, I, K, G, N.</td>
</tr>
<tr>
<td>accommodation for more than</td>
<td></td>
<td></td>
</tr>
<tr>
<td>twelve passengers</td>
<td></td>
<td></td>
</tr>
<tr>
<td>N. Any public service goods</td>
<td></td>
<td>I.</td>
</tr>
<tr>
<td>vehicle not included in Classes</td>
<td></td>
<td></td>
</tr>
<tr>
<td>J or K above</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Date and place:  

Licensing Officer  

(To be attached by gumming to page 6 of the driving licence)

* Delete particular classes as necessary.
GOVERNMENT OF ZAMBIA

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (DRIVING LICENCE) REGULATIONS

RENEWAL OF PUBLIC SERVICE VEHICLE DRIVING LICENCE

The holder of driving licence No. is hereby licensed to drive
for a period of twelve months from the date hereof or until its final expiry
date, whichever is earlier, motor vehicles of the following class(es)*,
including those in the column headed "Other Classes Covered".

CLASSES OF MOTOR VEHICLES

<table>
<thead>
<tr>
<th>Column 1</th>
<th>Column 2</th>
<th>Column 3</th>
<th>Other Classes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Class:</td>
<td>Public Service Vehicles:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Covered:</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

| J.  | Articulated goods vehicle. Heavy goods vehicle with trailer, other than light trailer | F, G, I, K, N. |
| K.  | Heavy goods vehicle | G, I, N. |
| L.  | Motor omnibus having seating accommodation for not more than twelve passengers; taxicab; hire car | I, N. |
| M.  | Motor omnibus having seating accommodation for more than twelve passengers | H, L, I, K, G, N. |
| N.  | Any public service goods vehicle not included in Classes J or K above | I. |

Date and place:

Licensing Officer

(To be attached by gumming to page 6 of the driving licence.)

* Delete particular classes as necessary.
THIRD SCHEDULE  
(Regulation 2) 

PREScribed FEES  

Fee Units 

1. Driving licence (original) 333 
2. Duplicate driving licence 333 
3. Renewal of driving licence 278 
4. Renewal of duplicate driving licence 278 
5. Driving test 200 
6. Public service vehicle licence (original) 333 
7. Renewal of public service vehicle licence 278 
8. Appeal to the Commissioner 200 
9. Appeal to the Minister 250 

(As amended by S.I. No. 12 of 1994,  
FOURTH SCHEDULE
(Regulation 23)

CLASSES OF VEHICLE WHICH MAY BE SHOWN ON DRIVING LICENCES
ISSUED UNDER THESE REGULATIONS IN PLACE OF OLD LICENCES

<table>
<thead>
<tr>
<th>Column 1</th>
<th>Column 2</th>
</tr>
</thead>
</table>

Classes of Existing Licence: Classes Covered:

**Private Vehicles:**

(a) Motor cycles .. .. .. .. C.

(b) Steam-driven vehicles .. .. .. .. Nil.

(c) Heavy vehicles .. .. .. .. .. G.

(d) Motor vehicles other than those in classes (a), (b) and (c).. I.

**Public Service Vehicles:**

(e) Hiring cars .. .. .. .. .. L.

(f) Steam-driven vehicles .. .. .. .. Nil.

(g) Articulated vehicles .. .. .. .. J.

(h) Vehicles other than those in classes (f) and (g) and for the carriage of goods only .. .. .. .. K.

(i) Public service vehicles other than those in classes (e), (f), (g) and (h) .. .. .. .. .. .. M.
FIFTH SCHEDULE
(Regulation 21)

SPECIFIED COUNTRIES

United Kingdom.

Any province in the Republic of South Africa.

South-West Africa.

Swaziland.

Botswana.

Lesotho.

Zambia.

Malawi.

Mocambique.

Angola.

Zaire.

Kenya.

Tanzania.

Uganda.

Italy.

(As amended by No. 93 of 1970)
SECTION 258-THE ROADS AND ROAD TRAFFIC (EXEMPTION FROM LICENSING) REGULATIONS

Regulations by the Minister

Government Notice
236 of 1960
Statutory Instruments
34 of 1965
318 of 1969

1. These Regulations may be cited as the Roads and Road Traffic (Exemption from Licensing) Regulations.

2. The vehicles set out in the Schedule shall be exempt from the need to be licensed under the provisions of section eighty-three of the Act.

Exemption

SCHEDULE
(Regulation 2)

EXEMPTED VEHICLES

(a) A motor vehicle of the following description: tracked tractor.

(b) A motor vehicle or a trailer incorporating machinery, plant or equipment of the following nature:

(i) bitumen or tar heaters;

(ii) bitumen, tar or water sprayers or distributors;

(iii) continuous belt or bucket loaders or conveyors;

(iv) crushers;

(v) paving machines;

(vi) road sweepers or power brooms;

(vii) soil, concrete, tar or bitumen mixers;

(viii) welding units;

(ix) drilling and boring machinery;

(x) cranes (excluding breakdown trucks);

(xi) graders;

(xii) scrapers;

(xiii) pipelayers;

(xiv) cablelayers;
(xv) cement, lime or stone spreaders;
(xvi) excavators;
(xvii) trenchers;
(xviii) front-end loading shovels;
(xix) rollers and compactors;
(xx) stabilisers;
(xxi) concrete spreaders and tampers;
(xxii) road watering bowsers;
(xxiii) powered mowers;
(xxiv) extending towers and ladders;
(xxv) compressors;
(xxvi) stone driers and heaters;
(xxvii) pumps;
(xxviii) rooters and scarifiers;
(xxix) ploughs and harrows;
(xxx) combine harvesters.

(c) Any registered motor vehicle or trailer to which the letters "CD" have been lawfully assigned.

(d) Any motor vehicle or trailer registered by the Netherlands Volunteer Organisation.

(As amended by No. 34 of 1965 and No. 318 of 1969 and S.I. No. 60 of 1974)

SECTION 258–THE ROADS AND ROAD TRAFFIC (EXEMPTION FROM REGISTRATION AND LICENSING) REGULATIONS

Regulations by the Minister

Government Notices
84 of 1963
497 of 1964
Statutory Instrument
58 of 1972

1. These Regulations may be cited as the Roads and Road Traffic (Exemption from Registration and Licensing) Regulations.

2. With effect from the 1st July, 1963, the following public service vehicles shall be exempted from the need to be registered and licensed under sections sixty-six and eighty-three respectively of the Act:
any public service vehicle registered, licensed and ordinarily kept in Zimbabwe which is only used in Zambia within a radius of not more than 16 kilometres of the international border at the Victoria Falls Bridge, the Kariba Dam wall or the Otto Beit Bridge at Chirundu.

(As amended by No. 58 of 1972) Exemption from need to be registered and licensed

SECTION 258—THE ROADS AND ROAD TRAFFIC (FORM OF CERTIFICATE OF SECURITY) REGULATIONS

Regulations by the Minister Government Notice 197 of 1960

1. These Regulations may be cited as the Roads and Road Traffic (Form of Certificate of Security) Regulations. Title

2. The form set forth in the Schedule is prescribed to be the form of a Certificate of Security for the purposes of section one hundred and thirty-six of the Act. Form of Certificate of Security
CERTIFICATE OF SECURITY

(Section 136 of the Roads and Road Traffic Act)

This is to certify that there is in force in relation to the motor vehicles and trailers set forth in the Schedule owned by

(name of owner of scheduled motor vehicles and trailers) of

(postal address of owner) such security in respect of Third Party Risks as complies with the requirements of Part IX of the Roads and Road Traffic Act.

Name(s) of Giver(s) of Security

Postal Address

Duration of security: From (date of commencement) to (date of expiry).

Particulars of conditions:

Minister of Power, Transport and Works
THE ROADS AND ROAD TRAFFIC (INTERNATIONAL CIRCULATION) REGULATIONS

ARRANGEMENT OF REGULATIONS

PART I

PRELIMINARY

Regulation

1. Title

2. Interpretation

3. Prescribed fees

PART II

THE 1926 AND 1949 CONVENTION COUNTRIES

4. International driving permits for drivers going outside Zambia

5. Driving test

6. Validity of international driving permits

7. International distinguishing mark for Zambia

PART III

THE 1926 CONVENTION COUNTRIES

8. Form of international driving permit under the 1926 Convention

9. Age limit for obtaining international driving permit under the 1926 Convention

10. International certificates for vehicles being taken outside Zambia under the 1926 Convention

11. Period of validity of international certificates

PART IV

THE 1949 CONVENTION

12. Form of international driving permit under the 1949 Convention

13. Age limit for obtaining international driving permit under the 1949 Convention

PART V
REQUIREMENTS FOR VISITING DRIVERS AND MOTOR VEHICLES

Regulation

14. Visitors holding international driving permits
15. Provisions of the Act to apply to international driving permits
16. Visiting motor vehicles
17. Conditions to be fulfilled by visiting motor vehicles under the 1926 Convention
18. Conditions to be fulfilled by visiting motor vehicles under the 1949 Convention

PART VI

MISCELLANEOUS

19. Issue of documents by authorised association
20. Penalties

FIRST SCHEDULE-Prescribed forms
SECOND SCHEDULE-Article 3 of the 1926 Convention
THIRD SCHEDULE-Articles 21 and 22 of the 1949 Convention
FOURTH SCHEDULE-Distinctive letters for the different States and Territories
FIFTH SCHEDULE-Countries which ratified or acceded to the 1926 Convention or the 1949 Convention
SIXTH SCHEDULE-Prescribed fees

SECTION 258-THE ROADS AND ROAD TRAFFIC (INTERNATIONAL CIRCULATION) REGULATIONS

Regulations by the Minister

Government Notices
10 of 1962
293 of 1964
473 of 1964
497 of 1964

Statutory Instruments
61 of 1972
59 of 1982
21 of 1988
134 of 1989
21 of 1993
9 of 1994
48 of 1996
Act No.
13 of 1994
PART I

PRELIMINARY

1. These Regulations may be cited as the Roads and Road Traffic (International Circulation) Regulations.

2. In these Regulations, unless the context otherwise requires:

"the 1926 Convention" means the International Convention Relative to Motor Traffic concluded at Paris on the 24th April, 1926;

"the 1949 Convention" means the International Convention on Road Traffic concluded at Geneva on the 19th September, 1949;

"1926 Convention country" means any country set forth in Part A of the Fifth Schedule;

"1949 Convention country" means any country set forth in Part B of the Fifth Schedule;

"international certificate" means a certificate in Form 4 in the First Schedule;

"international driving permit" means a permit in either of the Forms 1 or 2 in the First Schedule;

"registration certificate" means a certificate that complies with Article 18 of the 1949 Convention;

"resident in Zambia" means any person who is lawfully within Zambia otherwise than for the purpose of-

(a) journeying through Zambia in direct transit from one country to another; or

(b) making a temporary visit.

3. (1) The fees specified in the second column of the Sixth Schedule are prescribed for and shall be charged in respect of the matters set out in the first column of the said Schedule.

(2) Subject to the provisions of regulation 19, all fees payable as aforesaid shall be paid into the general revenues of the Republic.

PART II

THE 1926 AND 1949 CONVENTION COUNTRIES

4. (1) Any licensing officer may issue for use outside Zambia an international driving permit to a person who satisfies the licensing officer:

(a) that he is competent to drive motor vehicles of the classes or descriptions for which the permit is to be issued; and

(b) that he is resident in Zambia.
(2) Applications for an international driving permit shall be made to a licensing officer in Form 3 of the First Schedule and shall be accompanied by any driving licence issued in Zambia held by the applicant, and by two copies of a recent photograph taken full face showing the head and shoulders with the head uncovered and of dimensions not more than 65 millimetres by 50 millimetres and not less than 50 millimetres by 35 millimetres.

(3) Before issuing an international driving permit the licensing officer shall affix one copy of the photograph in the space provided and shall apply his office stamp in such a manner as to cover part of the photograph and part of the page of the permit to which the photograph is affixed.

(As amended by No. 473 of 1964 and No. 61 of 1972)

5. A licensing officer receiving an application for an international driving permit shall cause the applicant to be tested by a driving examiner regarding his competence to drive motor vehicles of the classes or descriptions contained in his application, and if the applicant is found competent the licensing officer shall, subject to the provisions of regulation 4, upon the payment of the prescribed fee, issue him with an international driving permit:

Provided that if an applicant satisfies the licensing officer that he holds a driving licence issued in Zambia, entitling him to drive motor vehicles of the classes or descriptions contained in his application, he shall not be required to undergo a driving test in respect of such motor vehicles.

6. International driving permits shall, unless suspended by a court, remain in effect for twelve months from the date of issue. Validity of international driving permits

7. In addition to the vehicle's registration mark required to be fixed and maintained in accordance with the provisions of section eighty-one of the Act, every motor vehicle registered and licensed in Zambia proceeding from Zambia shall display at the back inscribed on a plate or on the motor vehicle itself, the international distinguishing mark for Zambia consisting of the letter "Z". Every such plate shall be oval in shape, at least 175 millimetres wide by at least 115 millimetres high, and shall bear the letter "Z" in black on a white ground. The letter shall be formed of a capital Latin character of a height of at least 80 millimetres, and its strokes of a width of at least 10 millimetres. In the case of any such motor vehicle drawing one or more trailers, the international distinguishing mark shall also be displayed at the back of the trailer or of the last trailer.

(As amended by Nos. 293 and 473 of 1964) International distinguishing mark for Zambia

PART III

THE 1926 CONVENTION COUNTRIES

8. International driving permits issued for use in a 1926 Convention country shall be in Form 2 of the First Schedule. Form of international driving permit under the 1926 Convention

9. (1) No person shall obtain or attempt to obtain an international driving permit in Form 2 of the First Schedule unless he has attained the age of
eighteen years. Age limit for obtaining international driving permit under the 1926

(2) Any person who acts in contravention of the provisions of this regulation shall be guilty of an offence.

10. (1) Any licensing officer may issue for use in any 1926 Convention country an international certificate, in Form 4 in the First Schedule for any motor vehicle registered under the Act. International certificates for vehicles being taken outside Zambia under the 1926 Convention

(2) Application for an international certificate shall be made in Form 5 in the First Schedule.

(3) The licensing officer may, if he deems it necessary, before issuing an international certificate, cause the vehicle in respect of which such certificate is applied for to be examined by a vehicle examiner to ascertain that it is suitable for use on the roads of a foreign country, and in particular that it complies with Article 3 of the 1926 Convention set forth in the Second Schedule.

(4) Upon being satisfied that the vehicle complies with the requirements of sub-regulation (3), the licensing officer shall, upon payment of the appropriate fee specified in the Sixth Schedule, issue an international certificate in respect thereof.

11. International certificates shall be valid for twelve months from the date of issue. Period of validity of international certificates

PART IV

THE 1949 CONVENTION

12. International driving permits issued for use in a 1949 Convention country shall be in Form 1 of the First Schedule. Form of international driving permit under the 1949 Convention

13. (1) No person shall obtain or attempt to obtain a driving permit in Form 1 of the First Schedule—Age limit for obtaining international driving permit under the 1949 Convention

(a) to drive an auto-cycle or invalid carriage unless he has attained the age of sixteen years; or

(b) to drive a motor cycle unless he has attained the age of seventeen years; or

(c) to drive any other motor vehicle specified in the said Form 1 unless he has attained the age of eighteen years.

(2) Any person who acts in contravention of the provisions of this regulation shall be guilty of an offence.

PART V

REQUIREMENTS FOR VISITING DRIVERS AND MOTOR VEHICLES
14. An international driving permit issued elsewhere than in Zambia to a person not resident in Zambia shall, during the currency of such permit, be deemed to have effect within Zambia as though it were a driving licence issued under section one hundred and eleven of the Act: Visitors holding international driving permits

Provided that such permit shall have effect within Zambia only in respect of those classes of motor vehicles the driving of which is authorised by such permit.

15. An international driving permit shall be produced for inspection in like manner as if it were a driving licence issued under the Act, and the provisions of the Act, relating to driving licences, shall apply mutatis mutandis to international driving permits: Provisions of the Act to apply to international driving permits

16. (1) Any motor vehicle, not being a public service vehicle, brought into Zambia under the authority of an international certificate issued elsewhere than in Zambia or of a registration certificate issued elsewhere than in Zambia may be used in Zambia: Visiting motor vehicles

(a) in the case of a motor vehicle brought into Zambia by a person resident in Zambia, for a period not in excess of fourteen days; or

(b) in the case of a motor vehicle brought into Zambia by a person not resident in Zambia, for a period not in excess of three hundred and sixty-five days, or, until the expiry of its international certificate or registration certificate, as the case may be, or until the date when such person becomes resident in Zambia, whichever is the shortest;

without the need to be registered or licensed subject to the vehicle's compliance regarding construction and equipment with the requirements of regulation 17 or 18, as the case may be, and subject to its compliance in other respects with the provisions of the Act and of any regulations made thereunder:

Provided that the exemption conferred by paragraph (b) shall not cease prior to the expiry of fourteen days from the date when such non-resident brought such motor vehicle into Zambia.

(2) No motor vehicle may be used in Zambia under the authority of an international certificate or registration certificate unless and until there shall be affixed to such motor vehicle, in addition to the identification marks required in the country in which the international certificate or registration certificate was issued, a distinctive plate displaying the appropriate letter or letters prescribed in the Fourth Schedule for such country which conforms with the provisions of Annex 4 to the 1949 Convention or Annex C to the 1926 Convention, as the case may be. In the case of a motor vehicle drawing one or more trailers, the distinctive plate shall also be displayed at the back of the trailer or of the last trailer.

(3) The holder of an international certificate or registration certificate shall produce such certificate at any time on demand made by any police officer in uniform, or who, if not in uniform, produces his identity card.

(4) All the requirements of the Act and of regulations made thereunder in connection with the visibility of the registration marks of motor vehicles or trailers shall, during such time as the motor vehicle or trailer is in Zambia,
apply in all respects to the identification marks and distinctive plate required by sub-regulation (2).

17. Any motor vehicle or trailer brought into Zambia under the provisions of the 1926 Convention shall comply, with regard to construction and equipment, with the requirements of Article 3 thereof as set forth in the Second Schedule. Conditions to be fulfilled by visiting motor vehicles under the 1926 Convention

18. Any motor vehicle or trailer brought into Zambia under the provisions of the 1949 Convention shall comply, with regard to construction and equipment, with the requirements of Articles 21 and 22 thereof as set forth in the Third Schedule. Conditions to be fulfilled by visiting motor vehicles under the 1949 Convention

PART VI

MISCELLANEOUS

19. (1) The Minister may authorise, subject to such conditions as he may think fit, the issue by any motoring association of any document referred to in these Regulations, power to issue which is vested in a licensing officer. Issue of documents by authorised association

(2) Any motoring association authorised to issue documents pursuant to sub-regulation (1) shall retain one-third of the fees specified in the Sixth Schedule in respect of each document issued.

20. Any person guilty of an offence against either regulation 9 or 13 shall be liable upon conviction, in the case of a first offence, to a fine not exceeding three hundred penalty units, and in the case of a second or subsequent offence, to a fine not exceeding one thousand five hundred penalty units or to imprisonment for a term not exceeding three months.

(As amended by Act No. 13 of 1994) Penalties
FIRST SCHEDULE

PRESCRIBED FORMS

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (INTERNATIONAL CIRCULATION) REGULATIONS

Page 1

FORM 1
(Regulation 12)

REPUBLIC OF ZAMBIA

INTERNATIONAL MOTOR TRAFFIC

INTERNATIONAL DRIVING PERMIT

Convention of International Road Traffic of 1949

Issued at

Date

Seal or stamp of authority

Signature or seal of issuing authority

Page 2

This permit is valid in the territory of all the contracting States, with the exception of the territory of the contracting State where issued, for the period of one year from the date of issue, for the driving of vehicles included in the category or categories mentioned on the last page of this permit.

List of contracting States (optional)

It is understood that this permit shall in no way affect the obligations of the holder to conform strictly to the laws and regulations relating to residence or to the exercise of a profession which are in force in each country through which he travels.

Form of International Driving Permit under Convention of 1949

Part I

Particulars concerning the driver: Surname 1 Other names*2 Place of birth**3 Date of birth***4 Permanent place of residence 5

Vehicles for which the permit is valid:
Motor cycles, with or without sidecar, invalid carriages and three-wheeled motor vehicles with an unladen weight not exceeding 400 kilos (900 lb.). AMotor vehicles used for the transport of passengers and comprising, in addition to the driver's seat, at most eight seats, or those used for the transport of goods and having a permissible maximum weight not exceeding 3,500 kilos (7,700 lb.). Vehicles in this category may be coupled with a light trailer. BMotor vehicles used for the transport of goods and of which the permissible maximum weight exceeds 3,500 kilos (7,700 lb.). Vehicles in this category may be coupled with a light trailer. CMotor vehicles used for the transport of passengers and comprising, in addition to the driver's seat, more than eight seats. Vehicles in this category may be coupled with a light trailer. DMotor vehicles of categories B, C or D, as authorised above, with other than a light trailer.

"Permissible maximum weight" of a vehicle means the weight of the vehicle and its maximum load when the vehicle is ready for the road.

"Maximum load" means the weight of the load declared permissible by the competent authority of the country of registration of the vehicle.

"Light trailers" shall be those of a permissible maximum weight not exceeding 750 kilos (1,650 lb.).

EXCLUSION Holder of this permit is deprived of the right to drive in (country) by reason Exclusions: (countries I-VIII) Seal or stamp Place of Date authority Signature Should the above space be already filled use any other space provided for "Exclusion".

The entire last page (Parts I and II) shall be drawn up in French. Additional pages shall repeat in other languages the text of Part I of the last page. They shall be drawn up in English, Russian, Chinese and Spanish, and other languages may be added.

PART II
Page 1.  2.  3.  4.  5.

A Seal or stamp of authority B Seal or stamp Photograph of authority C Seal or stamp of authority stamp of D Seal or stamp authority of authority E Seal or stamp Signature of holder **** of authority

Exclusions

(Countries)

I   V
II  VI
III VII
IV VIII
* Father's name or husband's name may be inserted.

** If known.

*** Or approximate age on date of issue.

**** Or thumb impression.
THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (INTERNATIONAL CIRCULATION) REGULATIONS

FORM 2
(Regulation 8)

INTERNATIONAL DRIVING PERMIT UNDER
CONVENTION OF 1926

Page 1

REPUBLIC OF ZAMBIA

INTERNATIONAL MOTOR TRAFFIC

INTERNATIONAL DRIVING PERMIT

(International Convention of 24th April, 1926)

_________

ISSUE OF PERMIT

Issued at

Date

Seal of

........................................................... .......

authority (Signature of issuing authority)

Page 2

This should be a reference
to the last page of the permit. The present permit is valid in the territory of
all the undermentioned contracting States for the period of one year from the
date of issue for the driving of vehicles included in the category or categories
mentioned on page.*Here insert list of contracting States.

It is understood that this permit in no way diminishes the obligation of the
holder to conform strictly to the laws and regulations relating to residence or
to the exercise of a profession which are in force in each country through which
he travels.

Page 3

PARTICULARS CONCERNING THE DRIVER

Photograph

Seal of
authority
Surname   (1)
Other names   (2)
Place of birth   (3)
Date of birth   (4)
Home address   (5)

Note.-The above particulars concerning the driver, except the photograph, should be repeated in as many languages as may be necessary to enable the International Permit to be used in all contracting States mentioned above.

Page 4
(Name of Country)
EXCLUSION
M. (surname and other names)
authorised as above by the authority of (country)
is deprived of the right to drive in (country)
by reason of

Seal or Place
authority Date
Signature

Page 5 and following pages should repeat the particulars given on page 3 translated into as many languages as may be necessary to enable the International Permit to be used in all the contracting States mentioned on page 2.

Here begin last page.

A(1)B(2)C(3)Seal ofSeal ofSeal of authority authority authority

(1)  A.-Motor vehicles of which the laden weight does not exceed- 3,500 kilos. (In all languages.)

(2)  B.-Motor vehicles of which the laden weight exceeds-3,500 kilos. (In all languages.)

(3)  C.-Motor cycles, with or without sidecar. (In all languages.)
APPLICATION FOR AN INTERNATIONAL DRIVING PERMIT

To the Licensing Officer at

I, * ............................................................. of

**(a) being the holder of Driving Licence No
herewith enclosed, apply for an International Driving Permit to drive the same
class of motor vehicle to which my driving licence relates.

**(b) apply for an International Driving Permit to drive a motor vehicle of
(state type).

I enclose two copies of my photograph.

I wish the permit to apply to the undermentioned States, adherents to the

Dated at   this ............................. day of
............................. 19 ............

Signature of Applicant

* Give full names and postal address.
** Strike out whichever is inapplicable.

For official use only.

No. of international driving permit issued

Date of expiry  .

Date and place  ....

Licensing Officer

Original-To Central Driving Licence Registry.
THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (INTERNATIONAL CIRCULATION) REGULATIONS

FORM 4
(Regulation 10)

INTERNATIONAL CERTIFICATE FOR MOTOR VEHICLES
UNDER CONVENTION OF 1926

Page 1

REPUBLIC OF ZAMBIA

INTERNATIONAL MOTOR TRAFFIC

INTERNATIONAL CERTIFICATE FOR MOTOR VEHICLES

International Convention of 24th April, 1926

ISSUE OF CERTIFICATE

Place

Date

Seal of

Authority

Signature of authority

Page 2

This certificate is valid, in the territory of all the undermentioned contracting States, for the period of one year from the date of issue.

Here insert list of contracting States.

Page 3

Owner

or

Holder {Surname 1

Other names 2

Home address 3Class of vehicle 4

Name and maker of chassis 5

Type of chassis 6

Serial number of type or maker's number of chassis 7
The Roads and Road Traffic Act

The Roads and Road Traffic (International Circulation) Regulations

FORM 5
(Regulation 10)

APPLICATION FOR AN INTERNATIONAL CERTIFICATE FOR A MOTOR VEHICLE

To the Licensing Officer at

I, * of .................................................................

being the registered owner of motor vehicle **
enclose the registration book issued for the said motor vehicle, and hereby apply for an International Certificate in respect of the said motor vehicle.

The particulars of the motor vehicle stated on the registration book are correct.

The motor vehicle is registered in

The motor vehicle is ordinarily used and/or kept in

and not elsewhere.

Dated at this ......................... day of

..........................................., 19 ............

Signature of Applicant

* Name and postal and residential address in full.

** Registration mark.
<table>
<thead>
<tr>
<th>Number of international certificate</th>
<th>Issued</th>
<th>Date of expiry</th>
<th>Date and place</th>
</tr>
</thead>
<tbody>
<tr>
<td>Licensing Officer</td>
<td>Original</td>
<td>-To Central Motor Registry.</td>
<td></td>
</tr>
</tbody>
</table>
SECOND SCHEDULE
(Regulations 10 and 17)

ARTICLE 3 OF THE 1926 CONVENTION

Every motor vehicle, in order to receive international authorisation to travel on any road to which the public have access, must either have been recognised as suitable for use on any road to which the public have access after an examination by the competent authority or by an association authorised by that authority or must conform to a type approved in the same manner. The vehicle must, in any case, fulfil the following conditions:

I. The motor vehicle must be equipped with the following:

(a) A strong steering apparatus which will allow the vehicle to be turned easily and with certainty.

(b) Either two systems of brakes, independent of each other, or one system of brakes with two independent means of operation, of which one means of operation will function, even if the other fails to function, provided that in all cases the system used is really effective and rapid in action.

(c) If the weight of the motor vehicle when empty exceeds 350 kilos, a mechanism by means of which the vehicle can from the driver's seat be made to move backwards under its own power.

(d) When the combined weight of the empty motor vehicle and the weight of the maximum load which it is officially declared to be capable of carrying exceeds 3,500 kilos, a special mechanism, such as can prevent, in all circumstances, the vehicle from running backwards, and in addition a reflecting mirror.

The controls and steering apparatus must be so placed that the driver can manage them with certainty and at the same time have a clear view of the road.

The machinery must be such as to work with certainty and disposed in such a way as to avoid, as far as possible, all danger of fire or explosion; as not to constitute any sort of danger to traffic and so as not to frighten or seriously inconvenience by noise, smoke or smell. The vehicle must be equipped with a silencer.

The wheels of motor vehicles and trailers drawn by them must be fitted with rubber tyres or with some other tyres of equivalent elasticity.

The distance between the ends of the hub-caps must not exceed the maximum width of the remainder of the vehicle.

II. The motor vehicle must carry:

1. At the front and back, marked on plates or on the vehicle itself, the registration number which has been allotted to it by the competent authority. The registration number placed at the back as well as the distinctive mark referred to in Article 5 must be lit up as soon as they cease to be visible by the light of day.

In the case of a vehicle followed by a trailer the registration number and the
distinctive mark referred to in Article 5 are repeated behind the trailer, and
the regulation regarding the lighting of these marks applies to the trailer.

2. In an easily accessible position and in a form easily legible, the
following particulars:

Name of maker of chassis.

Maker's chassis number.

Maker's engine number.

III. Every motor vehicle must be fitted with an audible warning device of
sufficient strength.

IV. Every motor vehicle travelling alone must, during the night and from
sunset, be fitted in front with at least two white lights placed one on the
right and the other on the left, and, at the back, with a red light.

For motor bicycles unaccompanied by a sidecar, the number of lights in front may
be reduced to one.

V. Every motor vehicle must also be equipped with one or more devices capable
of effectively illuminating the road for a sufficient distance ahead unless the
two white lights prescribed above already fulfil this condition.

If the vehicle is capable of proceeding at a speed greater than 30 kilometres an
hour this distance must not be less than 100 metres.

VI. Lamps which may produce a dazzling effect must be provided with means for
eliminating the dazzling effect when other users of the road are met, or on any
occasion when such elimination would be useful. The elimination of the dazzling
effect must, however, leave sufficient light to illuminate the road clearly for
at least 25 metres.

VII. Motor vehicles drawing trailers are subject to the same regulations as
separate motor vehicles in so far as forward lighting is concerned; the rear red
light is to be carried on the back of the trailers.

VIII. In so far as the limits regarding weight and dimensions are concerned,
motor vehicles and trailers must satisfy the general regulations in force in the
countries in which they travel.

THIRD SCHEDULE
(Regulation 18)

ARTICLES 21 AND 22 OF THE 1949 CONVENTION

CONDITIONS TO BE FULFILLED BY MOTOR VEHICLES BROUGHT
INTO ZAMBIA BY VISITORS

ARTICLE 21

Every motor vehicle and trailer shall carry the identification marks set out in
Annex 5.

ARTICLE 22
1. Every motor vehicle and trailer shall be in good working order and in such
safe mechanical condition as not to endanger the driver, other occupants of the
vehicle or any person upon the road, or cause damage to public or private
property.

2. In addition, every motor vehicle, or trailer, and its equipment shall
conform to the provisions of Annex 6 and the driver of every motor vehicle shall
observe the rules set out therein.

ANNEX 5

IDENTIFICATION MARKS OF VEHICLES IN INTERNATIONAL TRAFFIC

1. The identification marks shall comprise-

(a) in the case of a motor vehicle:

   (i) the name or the trade mark of the maker of the vehicle;

   (ii) on the chassis or, in the absence of a chassis, on the body the
        maker's identification or serial number;

   (iii) on the engine, the maker's engine number if such a number is placed
        thereon by the maker;

(b) in the case of a trailer, either the information referred to in (i) and
    (ii) above or an identification mark issued for the trailer by the competent
    authority.

2. The marks mentioned above shall be placed in accessible positions and
shall be in a form easily legible and not capable of being easily removed or
altered.

ANNEX 6

TECHNICAL CONDITIONS CONCERNING THE EQUIPMENT OF
MOTOR VEHICLES AND TRAILERS IN INTERNATIONAL TRAFFIC

1. BRAKING

(a) Braking of motor vehicles other than motor cycles with or without sidecars

Every motor vehicle shall be equipped with brakes capable of controlling the
movement of and of stopping the vehicle in an efficient, safe and rapid way
under any conditions of loading on any up or down gradient on which the vehicle
is operated.

The braking shall be operated by means of two devices so constructed that, in
the event of failure of one of the braking devices, the other shall be capable
of stopping the vehicle within a reasonable distance.

For the purpose of this Annex, one of these braking devices will be called the
"service brake" and the other one the "parking brake".

The parking brake shall be capable of being secured, even in the absence of the
driver, by direct mechanical action.
Either means of operation shall be capable of applying braking force to the wheels symmetrically placed on each side of the longitudinal axis of the vehicle.

The braking surfaces shall always be connected with the wheels of the vehicle in such a way that it is not possible to disconnect them otherwise than momentarily by means of a clutch, gear box or free wheel.

One at least of the braking devices shall be capable of acting on braking surfaces directly attached to the wheels of the vehicle or attached through parts not liable to failure.

(b) Braking of trailers

Every trailer having a permissible maximum weight exceeding 750 kilos (1,650 lb.) shall be equipped with at least one braking device acting on wheels placed symmetrically on each side of the longitudinal axis of the vehicle and acting on at least half the number of wheels.

The provisions of the preceding paragraph shall not be required, however, in respect of trailers if the permissible maximum weight does not exceed 750 kilos (1,650 lb.) but exceeds one-half of the unladen weight of the drawing vehicle.

The braking device of trailers with a permissible maximum weight exceeding 3,500 kilos (7,700 lb.) shall be capable of being operated by applying the service brake from the drawing vehicle. When the permissible maximum weight of the trailer does not exceed 3,500 kilos (7,700 lb.) its braking device may be brought into action merely by the trailer moving upon the drawing vehicle (overrun braking).

The braking device of the trailer shall be capable of preventing the rotation of the wheels when the trailer is uncoupled.

Any trailer equipped with a brake shall be fitted with a device capable of automatically stopping the trailer if it becomes detached whilst in motion. This provision shall not apply to two-wheeled camping trailers or light luggage trailers whose weight exceeds 750 kilos (1,650 lb.) provided that they are equipped in addition to the main attachment with a secondary attachment which may be a chain or a wire rope.

(c) Braking of articulated vehicles and combinations of motor vehicles and trailers

(i) Articulated vehicles

The provisions of paragraph (a) of this Part shall apply to every articulated vehicle. A semi-trailer having a permissible maximum weight exceeding 750 kilos (1,650 lb.) shall be equipped with at least one braking device capable of being operated by applying the service brake from the drawing vehicle.

The braking device of the semi-trailer shall, in addition, be capable of preventing the rotation of the wheels when the semi-trailer is uncoupled.

When required by domestic regulations a semi-trailer equipped with a brake shall be fitted with a device capable of stopping automatically the semi-trailer if it becomes detached whilst in motion.
(ii) Combinations of motor vehicles and trailers

Every combination of a motor vehicle and one or more trailers shall be equipped with brakes capable of controlling the movement of and of stopping the combination in an efficient, safe and rapid way under any conditions of loading on any up or down gradient on which it is operated.

(d) Braking of motor cycles with or without sidecars

Every motor cycle shall be equipped with two braking devices which may be operated by hand or foot, capable of controlling the movement of and of stopping the motor cycle in an efficient, safe and rapid way.

II. LIGHTING

(a) Every motor vehicle other than a motor cycle with or without sidecar and capable of exceeding 20 km. (12 miles) per hour on the level shall be equipped with at least two white or yellow driving lights, fitted in front, capable of adequately illuminating the road for a distance of 100 m. (325 feet) in front of the vehicle at night time in clear weather.

(b) Every motor vehicle other than a motor cycle with or without sidecar and capable of exceeding 20 km. (12 miles) per hour on the level shall be equipped with two white or yellow passing lights fitted at the front of the vehicle and capable when necessary of adequately illuminating the road at night in clear weather in front of the vehicle for a distance of 30 m. (100 feet) without causing glare or dazzle to other road users whatever the direction of the traffic may be.

Passing lights shall be used instead of driving lights in all cases when the use of lights causing no dazzle or glare is necessary or compulsory.

(c) Every motor cycle with or without sidecar shall have at least one driving light and one passing light conforming to the provisions of (a) and (b) of this Part. However, motor cycles with an engine of a maximum cylinder capacity of 50 cc. (3.05 cu. in.) may be excluded from this obligation.

(d) Every motor vehicle other than a motor cycle without sidecar shall be equipped with two white position (side) lights at the front. These lights shall be clearly visible at night time in clear weather at a distance of 150 m. (500 feet) from the front of the vehicle without causing any glare or dazzle to other road users.

The part of the illuminating surface of these lights furthest from the longitudinal axis of the vehicle shall be as near as possible to and in no case further than 400 mm. (16 in.) from the extreme outer edges of the vehicle.

Position (side) lights shall be shown at night time in all cases when the use of such lights is compulsory and at the same time as the passing lights if no part of the illuminating surface of the lamps of the passing lights is within 400 mm. (16 in.) of the extreme outer edges of the vehicle.

(e) Every motor vehicle and every trailer at the end of a combination of vehicles shall be equipped at the rear with at least one red light visible at night time in clear weather at a distance of 150 m. (500 feet) from the rear.
(f) The registration number displayed at the rear of a motor vehicle or a trailer shall be capable of illumination at night time in such a manner that it can be read in clear weather at a distance of 20 m. (65 feet) from the rear of the vehicle.

(g) The red rear light or lights and the light for the rear registration number shall be shown at the same time as any of the following: position (side) lights, passing lights or driving lights.

(h) Every motor vehicle other than a motorcycle without sidecar shall be equipped with two red reflex reflectors preferably of other than triangular form, fitted symmetrically at the rear and on opposite sides of the vehicle. The outer edges of each of these reflectors must be as near as possible to and in no case further than 400 mm. (16 in.) from the outer edges of the vehicle. These reflectors may be incorporated in the rear red lamps if these lamps comply with the above requirements. These reflectors shall be visible at night time in clear weather from a distance of at least 100 m. (325 feet) when illuminated by means of two driving lights.

(i) Every motor cycle without sidecar shall be equipped with a red reflex reflector preferably of other than triangular form, fitted at the rear of the vehicle, either incorporated in, or separate from, the rear red lamp and shall comply with the conditions of visibility mentioned under paragraph (h) of this Part.

(j) Every trailer and every articulated vehicle shall be equipped with two red reflex reflectors, preferably triangular in shape, fitted symmetrically at the rear and on opposite sides of the vehicle. These reflectors shall be visible at night time in clear weather from a distance of at least 100 m. (325 feet) when illuminated by means of two driving lights.

When reflectors are triangular in shape, the triangle shall be equilateral, with sides of at least 150 mm. (6 in.) and shall be upright in position. The outer corner of each of these reflectors shall be as near as possible to and in no case further than 400 mm. (16 in.) from the extreme outer edges of the vehicle.

(k) With the exception of motor cycles, every motor vehicle and every trailer at the end of a combination of vehicles shall be equipped with at least one stop-light at the rear showing a red or amber light. This light shall be actuated upon application of the service brake of the motor vehicle. If the stop-light is red in colour and is either incorporated in, or associated with, the rear red light, its intensity shall be greater than that of the rear red light. The stop-light shall not be required on trailers and semi-trailers when their dimensions are such that the stop-light of the drawing vehicle remains visible from the rear.

(l) When a motor vehicle is equipped with direction indicators, such indicators shall be one of the following:

(i) a movable arm protruding beyond each side of the vehicle and illuminated by a steady amber light when the arm is in a horizontal position;

(ii) a constantly blinking or flashing amber light affixed to each side of the vehicle;

(iii) a constantly blinking or flashing light placed at each side of the front and rear of the vehicle. The colour of such lights shall be white or
orange towards the front and red or orange towards the rear.

(m) No lights, with the exception of direction indicators, shall be flashing or blinking lights.

(n) If a vehicle is equipped with several lights of the same kind, they shall be of the same colour and, except in the case of motor cycles with sidecars, two of these lights shall be placed symmetrically to the longitudinal axis of the vehicle.

(o) Several lights may be incorporated in the same lighting device provided each of these lights complies with the appropriate provision of this Part.

III. OTHER CONDITIONS

(a) Steering apparatus. Every motor vehicle shall be equipped with a strong steering apparatus which will allow the vehicle to be turned easily, quickly and with certainty.

(b) Driving mirror. Every motor vehicle shall be equipped with at least one driving mirror of adequate dimensions so placed as to enable the driver to view from his seat the road to the rear of the vehicle. However, this provision shall not be compulsory for motor cycles with or without sidecar.

(c) Warning devices. Every motor vehicle shall be equipped with at least one audible warning device of sufficient strength which shall not be a bell, gong, siren or other strident toned device.

(d) Windscreen wiper. Every motor vehicle fitted with a windscreen shall have at least one efficient windscreen wiper functioning without requiring constant control by the driver. However, this provision shall not be compulsory for motor cycles with or without sidecars.

(e) Windscreens. Windscreens shall be made of a stable substance, transparent and not likely to produce sharp splinters if broken. The objects seen through this substance shall not appear distorted.

(f) Reversing device. Every motor vehicle shall be equipped with a reversing device controlled from the driver's seat if the weight of the motor vehicle when empty exceeds 400 kilos (900 lb.).

(g) Exhaust silencer. Every motor vehicle shall have an exhaust silencer in constant operation to prevent excessive or unusual noise, the working of which cannot be interrupted by the driver while on the road.

(h) Tyres. The wheels of motor vehicles and their trailers shall be fitted with pneumatic tyres, or with some other tyres of equivalent elasticity.

(i) Device to prevent a vehicle from running down a gradient. When travelling in a mountainous region of a country where it is required by domestic regulations, any motor vehicle of which the permissible maximum weight exceeds 3,500 kilos (7,700 lb.) shall carry a device, such as a scotch or chock, which can prevent the vehicle from running backwards or forwards.

(j) General provisions

(i) In so far as possible the machinery or accessory equipment of any motor
vehicle shall not entail a risk of fire or explosion, nor cause the emission of
noxious gases or offensive odours or produce disturbing noises, nor be a source
of danger in case of collision.

(ii) Every motor vehicle shall be so constructed that the driver shall be
able to see ahead, to the right and to the left, clearly enough to enable him to
drive safely.

(iii) The provisions relating to braking and lighting shall not apply to
invalid carriages which comply with the domestic regulations in the country of
registration as regards brakes, lights and reflectors. For the purpose of this
paragraph "invalid carriage" shall mean a motor vehicle whose unladen weight
does not exceed 300 kilos (700 lb.), whose speed does not exceed 30 km. (19
miles) per hour, and which is specially designed and constructed (and not merely
adapted) for the use of a person suffering from some physical defect or
disability and is normally used by such person.

IV. COMBINATION OF VEHICLES

(a) A "combination of vehicles" may be composed of a drawing vehicle and one or
two trailers. An articulated vehicle may draw a trailer, but if such articulated
vehicle is used for the carriage of passengers, the trailer shall have not more
than one axle and shall not carry passengers.

(b) Any contracting State may, however, indicate that it will only permit that
one trailer be drawn by a vehicle and that it will not permit an articulated
vehicle to draw a trailer. It may also indicate that it will not permit
articulated vehicles for the transport of passengers.

For the purpose of this Schedule-

"articulated vehicle" means a motor vehicle with a trailer having no front axle
and so attached that part of the trailer is superimposed upon the motor vehicle
and a substantial part of the weight of the trailer and of its load is borne by
the motor vehicle. Such a trailer shall be called a "semi-trailer".

FOURTH SCHEDULE
(Regulation 16)

DISTINCTIVE LETTERS FOR THE DIFFERENT
STATES AND TERRITORIES

The distinctive letters for the different States and Territories are as follows,
as established by the Conventions of 1926 and 1949:

A Austria. BDS Barbados.
ADN Aden. BG Bulgaria.
AL Albania. BH British Honduras.
AL Algeria. BL Lesotho.
AND Andorra. BP Botswana.
AUS Australia, Norfolk Islands. BR Brazil.
B  Belgium.
BRG  British Guiana.  JA  Jamaica, Cayman Islands,
BRN  Bahrain.  Turks and Caicos Islands.
BRU  Brunei.  JOR  Jordan.
BS  Bahamas.  K  Cambodia.
BUR  Burma (also BA).  KWT  Kuwait.
C  Cuba.  L  Luxembourg.
CB  Congo.  LAO  Laos.
CDN  Canada.  MA  Morocco.
CH  Switzerland.  MC  Monaco.
CL  SriLanka  MEX  Mexico.
CNB  British North Borneo, Labuan.  MS  Mauritius.
CO  Colombia.  MW  Malawi.
CS  Czech Republic  NA  Netherlands Antilles.
CY  Cyprus.  NGN  Netherlands New Guinea.
D  Germany.  NIC  Nicaragua.
DK  Denmark, Faroe Islands.  NL  Netherlands (Holland).
DOM  Dominican Republic.  NZ  New Zealand.
E  Spain, Balcaric Islands,  P  Portugal.
    Canary Islands, Spanish  PA  Panama.
    Guinea, Spanish Sahara.  PAK  Pakistan.
EAK  Kenya.  PE  Peru.
EAT  Tanzania.  PI  Phillipine Islands.
EAU  Uganda.  PL  Poland.
EIR  Republic of Ireland.  PTM  Federation of Malaya (Johore,
EQ  Ecuador.  Kedah, Kelantan, Malacca,
ET  Egypt.  Negri-Sembilan, Pahang,
F  France.  Penang, Perlis, Perak,
<table>
<thead>
<tr>
<th>Code</th>
<th>Country/Region</th>
</tr>
</thead>
<tbody>
<tr>
<td>FL</td>
<td>Liechtenstein</td>
</tr>
<tr>
<td>GB</td>
<td>Great Britain and Northern Ireland</td>
</tr>
<tr>
<td>GBA</td>
<td>Alderney</td>
</tr>
<tr>
<td>GBJ</td>
<td>Jersey</td>
</tr>
<tr>
<td>GBM</td>
<td>Isle of Man</td>
</tr>
<tr>
<td>GBY</td>
<td>Malta, Gozo</td>
</tr>
<tr>
<td>GBZ</td>
<td>Gibraltar</td>
</tr>
<tr>
<td>GCA</td>
<td>Guatemala (also G)</td>
</tr>
<tr>
<td>GR</td>
<td>Greece, Crete, Dodecanese Islands</td>
</tr>
<tr>
<td>H</td>
<td>Hungary</td>
</tr>
<tr>
<td>HK</td>
<td>Hong Kong</td>
</tr>
<tr>
<td>I</td>
<td>Italy, Sardinia, Sicily</td>
</tr>
<tr>
<td>IL</td>
<td>Israel</td>
</tr>
<tr>
<td>IND</td>
<td>India</td>
</tr>
<tr>
<td>IR</td>
<td>Iran</td>
</tr>
<tr>
<td>IRQ</td>
<td>Iraq</td>
</tr>
<tr>
<td>IS</td>
<td>Iceland</td>
</tr>
<tr>
<td>SWA</td>
<td>South West Africa (Namibia)</td>
</tr>
<tr>
<td>SY</td>
<td>Seychelles</td>
</tr>
<tr>
<td>SYR</td>
<td>Syria</td>
</tr>
<tr>
<td>T</td>
<td>Thailand (Siam)</td>
</tr>
<tr>
<td>TD</td>
<td>Trinidad and Tobago</td>
</tr>
<tr>
<td>TN</td>
<td>Tunisia</td>
</tr>
<tr>
<td>GBA</td>
<td>Paraguay</td>
</tr>
<tr>
<td>GBJ</td>
<td>Argentina</td>
</tr>
<tr>
<td>GBM</td>
<td>Formosa</td>
</tr>
<tr>
<td>GBY</td>
<td>Republic of China, Formosa</td>
</tr>
<tr>
<td>GBZ</td>
<td>Haiti</td>
</tr>
<tr>
<td>GCA</td>
<td>Republic of China, Formosa</td>
</tr>
<tr>
<td>GR</td>
<td>San Marino</td>
</tr>
<tr>
<td>H</td>
<td>Rwanda</td>
</tr>
<tr>
<td>HK</td>
<td>Sweden</td>
</tr>
<tr>
<td>I</td>
<td>Republic of China, Sicily</td>
</tr>
<tr>
<td>IL</td>
<td>Republic of China, Israel</td>
</tr>
<tr>
<td>IND</td>
<td>Republic of China, Singapore</td>
</tr>
<tr>
<td>IR</td>
<td>Republic of China, Iraq</td>
</tr>
<tr>
<td>IRQ</td>
<td>Republic of China, Surinam</td>
</tr>
<tr>
<td>IS</td>
<td>Republic of China, Iceland</td>
</tr>
<tr>
<td>SWA</td>
<td>Republic of Namibia</td>
</tr>
<tr>
<td>SY</td>
<td>Republic of Cameroon, Sierra Leone</td>
</tr>
<tr>
<td>SYR</td>
<td>Republic of Cameroon, British Cameroons</td>
</tr>
<tr>
<td>T</td>
<td>Dominica (Windward Islands)</td>
</tr>
<tr>
<td>TD</td>
<td>Grenada (Windward Islands)</td>
</tr>
<tr>
<td>TN</td>
<td>St. Lucia (Windward Islands)</td>
</tr>
</tbody>
</table>
TR Turkey. WV St. Vincent (Windward Islands).
U Uruguay. YU Yugoslavia.
USA United States of America. YV Venezuela.
V Vatican City. Z Zambia.
VN Viet-Nam. ZA Republic of South Africa.

(As amended by No. 473 of 1964)

FIFTH SCHEDULE
(Regulation 2)

COUNTRIES WHICH RATIFIED OR ACCEDED TO THE 1926 CONVENTION OR THE 1949 CONVENTION

A. The 1926 Convention Countries
Albania. Burma.
Germany. Windward Islands:
  Grenada.
Brazil. Straits Settlements.
Bulgaria. Confederated Malay States:
  Negri-Sembilan, Pahang, Parak
  and Selangor.
China. Non-Confederated Malay States:
Colombia. Johor.
Danzig. Kedah.
Algeria, French Equatorial Africa, Perlis.
  French West Africa, French Trengganu.
Somaliland, French Possessions in Hungary.
Australasia, Guadeloupe, Madagascar, Iran.
Martinique, New Caledonia, Iraq.
Reunion, Mandated Territories in
Cameroon, in Togo, Indo-China, Ireland.
French India, French Guiana, Iceland.
Colony and Protectorate of Kenya, Italian Colonies and Possessions.
Tanzania, Latvia.
Basutoland, Liechtenstein.
Bechuanaland, Lithuania.
Swaziland, Mexico.
Gold Coast and Ashanti Colonies, Netherlands Indies.
Northern Territories and British, Netherlands Guyana.
Togoland, Curacao.
Romania.
Nigeria (British Cameroon Protectorate), San Marino.
Sierra Leone, Saar.
British Somaliland, Siam.
British North Borneo, Syria and Lebanon.
Tobago, Tangiers (International Zone).
Hong Kong, Czechoslovakia.
India, Uruguay.
B. The 1949 Convention Countries
Australia, Spain.
Austria, Sweden.
Belgium (including Belgian Congo and Syria (U.A.R.))
Ruanda Urundi, Tunisia.
Cambodia, Turkey.
Sri Lanka, Namibia.
China (National Republic).
Cuba, United Kingdom:
Czechoslovakia, Isle of Man.
Denmark. Guernsey (excluding Sark).

Dominican Republic. Jersey.

Egypt. Gibraltar.

Finland. Malta.

France (all French Overseas Territories, British Honduras.

          Togoland and the Cameroons under French Mandate; the Principality of Andorra).

          Cyprus.

          British Guiana.

          Jamaica.

Greece. St. Lucia.

Ghana. Trinidad.

Haiti. Zambia.

Israel. Malawi.

Italy. Zimbabwe.

Jordan. Aden.

Laos. Gambia.

Luxembourg. Mauritius.

Malaya (Federation of). Seychelles.

Monaco. Singapore.

Morocco. Uganda.

Netherland (Surinam, Netherlands New Guinea, Dutch West Indies). United States of America (all territories for the international relations of which the United States of America is responsible).


Peru. Commonwealth of Independent States.

Phillipines. Vatican City.

Poland. Viet-Nam.

Portugal (including all overseas territories except Macao). Yugoslavia.
SIXTH SCHEDULE
(Regulation 3)

PRESCRIBED FEES

Fee units

1. International driving permit 150

2. Driving test 200


SECTION 258—THE ROADS AND ROAD TRAFFIC
(VICTORIA FALLS BRIDGE) REGULATIONS

Regulations by the Minister Statutory Instruments
18 of 1965
3 of 1973
Act No.
13 of 1994

1. These Regulations may be cited as the Roads and Road Traffic (Victoria Falls Bridge) Regulations.Title

2. In these Regulations, unless the context otherwise requires—Interpretation

"the approach" means that portion of International Road No. 1 (Victoria Falls-Kafue Bridge) between the end of the bridge in Zambia and a point 100 metres from the bridge;

"the bridge" means the bridge carrying International Road No. 1 (Victoria Falls-Kafue Bridge) over the Zambezi River;

"spotlamp" means a lamp, other than a lamp prescribed by or under the Act, having a movable beam of substantially white light.

(As amended by No. 3 of 1973)

3. No person shall drive any vehicle on the approach or the bridge at a speed in excess of 15 kilometres per hour.

(As amended by No. 3 of 1973) Speed limit on the bridge

4. (1) Every person driving a vehicle on the approach or the bridge during lighting-up time shall cause the lamps on the vehicle to be dipped or dimmed or otherwise controlled in such manner as to avoid dazzling persons approaching in any manner from the opposite direction. Lamps not to dazzle

(2) No person shall use a spotlamp on the approach or the bridge.

5. Any person contravening any of the provisions of regulation 3 or 4 shall be guilty of an offence and liable on conviction, in the case of a first offence, to a fine not exceeding three hundred penalty units and in the case of a second or subsequent offence, to a fine not exceeding one thousand five hundred penalty units or to imprisonment for a period not exceeding three months.
These Regulations may be cited as the Roads and Road Traffic (Pontoon) Regulations.

1. In these Regulations, unless the context otherwise requires—

"pontoon" means a pontoon or ferry provided for use on any river by the Government;

"pontoon crossing" means the floating pontoon, the ramps whether fixed or movable, and the roadway approaches;

"pontoon operator" means a person in the employ of the Government duly authorised to operate the pontoon;

"roadway approaches" means that part of the road on each side of the river within 100 metres of the edge of the river at the point from which the pontoon is operating.

The operation of a pontoon will be made as weather and other conditions permit and no person shall be entitled to demand the use of a pontoon at any time.

The person in charge of any vehicle using a pontoon crossing shall enter such traffic information as may be required by the Director of Roads in a book or on a sheet of paper provided for that purpose by the pontoon operator.

The person in charge of any vehicle using a pontoon crossing shall ensure that the vehicle is brought to a standstill and that the brakes are applied before the vehicle descends on to a pontoon. The person in charge of any vehicle shall further ensure that, once on board a pontoon, the engine of such vehicle is stopped, the brakes applied and chocks inserted before the front and behind the rear wheels. Embarkation must not be undertaken in the absence of the pontoon operator.

On arrival at a pontoon crossing, convoys of more than five vehicles shall separate into groups not exceeding five vehicles. After any one group has crossed on the pontoon, any other waiting vehicle or vehicles to a number not exceeding five shall have the right to cross on the pontoon before the next group of the convoy.

No vehicle shall be driven while embarking or disembarking from a pontoon.
at a speed exceeding 5 kilometres per hour nor be driven on the roadway
approaches at a speed exceeding 10 kilometres per hour.

(As amended by No. 62 of 1972) Speed limit on pontoon crossings

8. The permissible total load on and the operating times of a pontoon
crossing shall be displayed on a notice-board erected on each approach road of
the pontoon crossing and no person shall contravene the terms of such
notice. Permissible loading and time of operation to be displayed

9. A pontoon operator may refuse to allow a vehicle to embark if in his
opinion the permissible load on the pontoon will be exceeded or the operation of
the pontoon endangered. Permission to embark

10. Any person using or attempting to use a pontoon otherwise than in
accordance with regulations 3 to 9, and any person interfering or attempting to
interfere with a pontoon, or its crew or tackle, or obstructing or attempting to
obstruct the pontoon operator in the performance of his duties, shall be guilty
of an offence, and shall on conviction be liable to the penalties prescribed in
section two hundred and forty-one of the Act. Penalty for using pontoon contrary
to these Regulations

SECTION 258—THE ROADS AND ROAD TRAFFIC
(PROHIBITION OF LOADING AND UNLOADING IN KABWE MUNICIPALITY)
REGULATIONS Statutory Instrument
165 of 1971

Regulations by the Minister

1. These Regulations may be cited as the Roads and Road Traffic (Prohibition
of Loading and Unloading in Kabwe Municipality) Regulations. Title

2. The loading or unloading of any commercial goods from a vehicle or the
parking of a motor vehicle of gross weight of 3,628.729 kilograms or over is
hereby prohibited on the roads in Kabwe Municipality mentioned in the First
Schedule between the hours specified in the Second Schedule. Prohibition of
loading, unloading or parking

3. Any person who contravenes any of the provisions of these Regulations
shall be guilty of an offence. Offence

FIRST SCHEDULE
(Regulation 2)

PROHIBITED ROADS

(i) That part of Freedom Way which lies between its junction with Pauling
Street and its junction with Mulungushi Street.

(ii) That part of Independence Way which lies between Pauling Street and
Marshall Avenue.

(iii) That part of Pauling Street which lies between Freedom Way and Marshall
Avenue.

(iv) That part of Katebo-Chilufya Street which lies between Munkoya Street and
Marshall Avenue.
(v) That part of Buntungwa Street which lies between Mumba Crescent and Marshall Avenue.

(vi) That part of Lubuto Street which lies between Freedom Way and Marshall Avenue.

(vii) That part of Great North Road which lies between its junction with Independence Way and Freedom Way and its junction with Luapula Street.

(viii) That part of Machile Street which lies between Freedom Way and Marshall Avenue.

(ix) That part of Mulungushi Street which lies between Independence Way and Marshall Avenue.

SECOND SCHEDULE
(Regulation 2)

SPECIFIED HOURS

0700 to 1800 (Monday to Friday)

0700 to 1400 (Saturday)

SECTION 62—THE ROADS AND ROAD TRAFFIC
(NATIONAL ROADS BOARD) (POWERS AND FUNCTIONS)
ORDER

Order by the Minister Statutory Instrument
42 of 1994
64 of 1997
93 of 1997

1. This Order may be cited as the Roads and Road Traffic (National Roads Board) (Powers and Functions) Order.

2. In this Order, unless the context otherwise requires—Interpretation

"Board" means the National Roads Board constituted by the Minister under section fifty-five of the Act;

"highway authority" shall have the same meaning as contained in the Act;

"Ministers" means the Ministers responsible for Communications and Transport, Works and Supply and Local Government and Housing and Energy and Water Development.

(As amended by S.I. No. 64 of 1997)

3. (1) The Fund styled the Road Fund established by the Permanent Secretary of the Ministry of Finance under paragraph (c) of subsection (1) of section eight of the Finance (Control and Management) Act shall be vested in the Board for the purpose of road maintenance and rehabilitation. The Road Fund Cap. 347
The Road Fund shall consist of-

(a) fuel levy;

(b) such sums as may be appropriated by Parliament for the purposes of the Board;

(c) donor funding;

(d) SAP road fund; and

(e) road user levies including tariffs, taxes and tolls as may be recommended by the Board.

(3) There shall be paid from the Road Fund the salaries, allowances and loans of the staff of the Board:

Provided that such costs shall not exceed five percent of the annual revenue derived from the charges specified in items (a) and (e) of sub-paragraph (2).

(As amended by S.I. No. 93 of 1997)

4. For the purpose of performing its functions, the Board shall have the power to:

(a) classify, reclassify, close or divert any road;

(b) accept or reject proposals and programmes from road agencies;

(c) construct, maintain and control storm-water drains;

(d) control roads and traffic in the country during maintenance and construction of roads;

(e) place temporary and permanent traffic signs;

(f) remove and alter road advertisements;

(g) enter upon land to carry out investigations connected with siting, diverting, maintenance and construction of roads;

(h) recommend the reservation of land for proposed roads;

(i) prohibit any unauthorised acts that may lead to damage of existing roads in State Lands and Reserves;

(j) park vehicles, erect huts on private land during construction, maintenance and investigation;

(k) regulate undertakers' work across, on and within road reserves;

(l) prevent damage to roads;

(m) provide footpaths, cycle tracks and similar passageways;

(n) undertake ancillary works;
(c) appoint an Executive Secretary and such other members of staff as it may consider necessary on such terms and conditions as the Board may, with the approval of the Minister, determine.

(As amended by Act No. 93 of 1997)

5. The functions of the Board shall be to:

(a) administer and manage the Road Fund;

(b) prepare and publish audited annual accounts of the Road Fund;

(c) recommend, to the Ministers, additional fuel levy and other road user charges and tariffs as required;

(d) recommend projects for donor funding to the Ministers;

(e) allocate resources for road maintenance and rehabilitation for various classes of roads as may be determined, by the Ministers;

(f) recommend funding for development of new roads;

(g) provide guidance and technical assistance to various road agencies;

(h) receive and consider reports from road agencies on their activities and prepare quarterly and consolidated annual reports;

(i) prepare and award contracts, certification and payments, and advise the Ministers accordingly;

(j) review design standards and classification of roads and traffic signs for approval by the Ministers;

(k) prepare and review terms of reference and guidelines for the various Road Authorities and budget guidelines;

(l) recommend to the Ministers the granting of highway authorityship to any person or institution;

(m) plan, manage and co-ordinate the road network in the country;

(n) review from time to time the status of roads agencies and recommend appropriate action to the Ministers; and

(o) make recommendations in relation to the siting of buildings on road-sides.

SECTION 258—THE ROADS AND ROAD TRAFFIC
(SEAT BELTS AND CHILD SEAT) REGULATIONS

Regulations by the Minister Statutory Instrument
67 of 1995
42 of 1997

1. (1) These Regulations may be cited as the Roads and Road Traffic (Seat Belts and Child Seat) Regulations. Title and commencement
(2) These Regulations shall come into force on the expiration of a period of thirty days after the date on which they are published in the Gazette.

2. In these Regulations, unless the context otherwise requires

- Interpretation

"seat belt" means a strap securing a person to a seat, for safety in a vehicle;

"child seat" means a seat used by a child in a vehicle for safety.

3. (1) A person shall not travel in a vehicle without fastening the seat belt.

(2) Any vehicle which is not fitted with a seat belt shall be fitted with a seat belt within a period of six months after the coming into force of these Regulations.

4. (1) Any person carrying in his vehicle a child who is less than three years old shall ensure that the child sits on a child seat while travelling in the vehicle.

(2) Any person carrying in his vehicle a child who is less than ten years old shall not allow that child to occupy the front passager seat.

(As amended by S.I. No. 42 of 1997)

5. A person shall not import into the country a motor vehicle that is not fitted with a seat belt.

6. Any person who contravenes these Regulations shall be guilty of an offence and shall be liable upon conviction to a fine not exceeding one hundred penalty units.

(As amended by S.I. No. 42 of 1997)

THE ROADS AND ROAD TRAFFIC (PUBLIC SERVICE VEHICLES, LICENSING AND USE) REGULATIONS

ARRANGEMENT OF REGULATIONS

PART I

PRELIMINARY

Regulation

1. Title

2. Interpretation

PART II

PRESCRIBED FORMS AND FEES

3. Prescribed forms
4. Prescribed fees

PART III

LICENSING OF PUBLIC SERVICE VEHICLES

5. Applications for road service licences and for variations of terms or conditions thereof

6. Written representations or objections

7. Fees

8. Replacement of authorised vehicles

9. Interchangeability of omnibuses used partly under a concession and partly under a road service licence

10. Road services not to be suspended by operator without permission

11. Death, bankruptcy, etc., of holder of road service licence or short-term road service licence

12. Returns and records

PART IV

USE OF PUBLIC SERVICE VEHICLES

13. Trailers and passenger vehicles

14. Duties of driver or conductor

15. Interior of vehicle to be clean

16. Luggage

17. Tickets and fares

18. Unlawful behaviour by passengers

19. Inflammable liquids in passenger carrying public service vehicles

20. Matters to be displayed or inscribed

21. Use of taximeter

22. Driver's badge

22A. Uniform to be worn by taxicab drivers

PART V

MISCELLANEOUS

23. Exemption from need to hold road service licence
24. Appeals
25. Power of exemption
26. Penalties

FIRST SCHEDULE—Prescribed forms
SECOND SCHEDULE—Prescribed fees
THIRD SCHEDULE—Notice of objection

SECTION 258—THE ROADS AND ROAD TRAFFIC (PUBLIC SERVICE VEHICLES, LICENSING AND USE) REGULATIONS

Regulations by the Minister

Government Notices
336 of 1961
497 of 1964

Statutory Instruments
158 of 1970
55 of 1972
56 of 1972
59 of 1974
9 of 1991
33 of 1992
26 of 1993
89 of 1994
99 of 1995
51 of 1996

Act No.
13 of 1994

PART I

PRELIMINARY

1. These Regulations may be cited as the Roads and Road Traffic (Public Service Vehicles, Licensing and Use) Regulations.

2. In these Regulations, unless the context otherwise requires:

"composite vehicle" means a motor omnibus in which the carrying of goods in addition to passengers is authorised;

"double-decked motor omnibus" means a motor omnibus having two decks one of which is wholly or partly above the other and each deck of which is provided with a gangway serving seats on that deck only;

"single-decked motor omnibus" means a motor omnibus upon which no part of a deck or gangway is vertically above another deck or gangway.

PART II
PREScribed forms and fees

3. The forms set forth in the First Schedule shall be used in all cases to which they are respectively applicable in carrying out the provisions of the Act and these Regulations.

 Prescribed forms

4. (1) The fees specified in the second column of the Second Schedule are hereby prescribed and shall be charged in respect of the matters set out in the first column of the said Schedule.

 Prescribed fees

 (2) In any case where an appeal to the Road Service Appeal Tribunal appointed under section one hundred and fifty-eight of the Act is successful, the whole of the fee paid, or such other portion of it as the Tribunal may direct, shall be refunded to the appellant.

 Part III

 Licensing of public service vehicles

5. (1) Every application for a road service licence or for a variation of the terms or conditions of any licence held by the applicant shall be signed by the person requiring such licence or variation, or, if made by any corporate body or partnership firm, shall be signed by a person duly authorised in that behalf by such body, or a partner of the partnership firm, as the case may be.

 Applications for road service licences and for variations of terms or conditions thereof

 (2) Every application for the variation of a road service licence, made by any person who is not the holder thereof, shall be in writing and signed by the applicant. A copy of every such application shall at the same time be sent by the applicant to the holder of the said licence.

 (3) No application for a road service licence shall be entertained and no road service licence shall be granted where the motor vehicle proposed to be used as a taxicab is a station wagon.

 (As amended by S.I. No. 37 of 1973)

6. (1) Written notice of objections or other representations made under the provisions of subsection (5) of section one hundred and fifty-five of the Act shall be in the form prescribed in the Third Schedule and shall be sent to the Commissioner so as to reach him not later than thirty days after the notice of application required by such subsection has appeared in the Gazette.

 Written representations or objections

 (2) A copy of such written representations or objections shall be sent by the person making them to the applicant at the same time as it is sent to the Commissioner.

 (3) The Commissioner may, at his discretion, consider written representations or objections made under the provisions of subsection (5) of section one hundred and fifty-five of the Act, notwithstanding that the requirements of this regulation have not been complied with.

 (4) Every application for a road service licence or for a variation thereof, other than any or all of the information which may have been given in response to the last five items thereof and which the applicant has requested be kept
7. (1) The Commissioner shall, upon payment of the prescribed fee, issue in respect of each vehicle that is an authorised vehicle in a road service licence or short-term road service licence or that is a substituted vehicle as provided for in regulation 8 (1) a certificate hereinafter referred to as an "identity certificate":

Fees

Provided that not more than one valid identity certificate shall be required by any one person in respect of any one vehicle.

(2) An identity certificate shall be valid until whichever of the following shall last ensue:

(a) the date of expiry of any road service licence or short-term road service licence in which the vehicle described in the said certificate is an authorised vehicle; or

(b) in the case of a vehicle that is a substituted vehicle the day upon which permission to use the vehicle as a substituted vehicle ends:

Provided that no identity certificate shall be valid beyond the last day of the twelfth month following the date of issue.

(3) When any vehicle referred to in sub-regulation (1) is in use on a road there shall be displayed conspicuously upon the vehicle so as to be visible from the front or left front of the said vehicle the identity certificate referred to in the said sub-regulation:

Provided that, in the case of a trailer, the certificate may be carried on the trailer or in or on the vehicle drawing it at the time.

(4) Any person who uses on a road any vehicle referred to in sub-regulation (1) upon which there is not displayed in accordance with the provisions of sub-regulation (3) the relevant identity certificate shall be guilty of an offence and liable upon conviction to a fine not exceeding twenty kwacha.

(As amended by S.I. No. 89 of 1994)

8. (1) Where a vehicle specified in a road service licence (hereinafter referred to as "the specified vehicle") has been destroyed, rendered unfit for service or withdrawn from service for overhaul or repair, and the holder of the licence desires permission until such vehicle is replaced or rendered fit for service again for the temporary use in its place of another vehicle (hereinafter referred to as "the substituted vehicle"), which vehicle he is not authorised to use under his existing licence, and the carrying capacity of which does not exceed by more than ten per centum the carrying capacity of the specified vehicle, he may apply by letter or any other means to the Commissioner requesting permission to use the substituted vehicle in place of the specified vehicle and he shall, if the Commissioner so requires, send to the Commissioner the identity certificate of the specified vehicle.

Replacement of authorised vehicles

(2) If the Commissioner decides to grant such permission he shall, if he thinks necessary, retain the identity certificate of the specified vehicle so long as
the substituted vehicle remains in use. Upon the return to the Commissioner of
the identity certificate of the substituted vehicle, the Commissioner shall
return to the licence holder the identity certificate of the specified vehicle
if it has been in his possession.

(3) No permission granted according to the provisions of this regulation shall
be valid for a longer period than three months.

(As amended by S.I. No. 59 of 1974)

9. Where any motor omnibus service provided by a concession holder operates
partly on a concession route or in a concession area, and partly on a free road
or in a free area, it shall be lawful for the concession holder to use in
substitution for any motor omnibus specified in the road service licence held by
him in relation to the free road or area any of the omnibuses used by him in
providing the service on the concession road or in the concession area, so long
as neither the maximum number of omnibuses which he is by his road service
licence permitted to use, nor the total number of passengers which he is so
permitted to carry, is exceeded. Interchangeability of omnibuses used partly
under a concession and partly under a road service licence

10. (1) In any case where the holder of a road service licence wishes to
suspend the operation of any service authorised in any such licence held by him
otherwise than for reasons outside his control, he shall obtain the prior
permission of the Commissioner. In requesting such permission he shall state his
reasons, and the period for which he wishes it to remain in force. Road services
not to be suspended by operator without permission

(2) In any case where a service is suspended for reasons outside the control of
the holder of the licence and where the duration of such suspension exceeds
three days, the holder of the licence shall forthwith send notification thereof
to the Commissioner.

(3) Any person who contravenes the provisions of this regulation shall be
guilty of an offence and liable upon conviction to a fine not exceeding three
hundred penalty units.

(As amended by Act No. 13 of 1994)

11. Where owing to the death, incapacity, bankruptcy or liquidation of the
holder of a road service licence or short-term road service licence or to the
appointment of a receiver or manager or trustee in relation to his business he
ceases to be the user of the vehicles authorised to be used by him under such
licence, the person carrying on the business of the holder shall be deemed to be
the holder of such licence if-

(a) within one month notice that the holder has ceased to be the user of
those vehicles and the reason therefor, and the name of the person by whom the
business is being carried on, be sent to the Commissioner; and

(b) within one month of the sending of the notice an application for a new
licence be duly made: Death, bankruptcy, etc., of holder of road service licence
or short-term road service licence

Provided that the period during which such person shall be deemed to be the
holder of the licence shall in no case extend beyond the date on which the
licence would have expired but for the occurrence of the said event and shall
12. (1) Every person who is the holder of a road service licence or of a short-term road service licence shall, in accordance with section one hundred and sixty of the Act, make to the Commissioner or other person nominated by him a return in Form PSV.6 of the First Schedule, hereinafter referred to as a "monthly return", and every person who is the holder of a road service licence shall, in accordance with the said section one hundred and sixty, make in like manner a return in Form PSV.7 of the First Schedule, hereinafter referred to as an "annual return", in respect of each month or year during any part of which he was the holder of such a licence. Every return shall be made in accordance with the following provisions and the instructions given thereon: Returns and records

(a) the annual return shall be in respect of the period of twelve months ending on the 31st December, and shall be rendered so as to reach the Commissioner not later than three months after the expiry of the period to which it relates;

(b) the monthly return shall be rendered so as to reach the Commissioner not later than the last day of the month following that to which it relates.

(2) Every person referred to in sub-regulation (1) shall keep or cause to be kept records in such form and in accordance with such provisions as the Commissioner may, if he thinks necessary, determine, to show the daily movements of every public service vehicle, other than a public service vehicle used by virtue of a concession, used by him. The records shall show, in respect of each day of the week, and in respect of each vehicle separately, the places between which, or the areas within which, the vehicle was used, and the period of such use, and the work in connection with which it was so used.

PART IV

USE OF PUBLIC SERVICE VEHICLES

13. (1) No motor omnibus, hire care or taxicab while towing a trailer may be used for carrying passengers without the permission of the Commissioner. Trailers and passenger vehicles

(2) Any person who uses or who permits or causes to be used a motor omnibus, hire car or taxicab in contravention of sub-regulation (1) shall be guilty of an offence.

14. Any conductor or, where there is no conductor, any driver of any motor omnibus who shall-

(a) allow passengers to sit in any place in or on such omnibus other than upon the seats provided for passengers; or

(b) except in omnibuses where standing passengers are allowed, permit any passenger to stand in or on such omnibus when it is in motion; or

(c) allow any luggage or any other article to be placed in or near an entrance or exit for passengers in such a position as to cause any obstruction or danger to persons entering or leaving the omnibus or, in the case of a double-decked motor omnibus, on the stairs of such omnibus; or

(d) in the case of a single-decked motor omnibus, allow the total height of
any luggage or other loads placed on the roof of the omnibus to exceed a height equal to one-fifth of the maximum overall height of the omnibus measured from the ground to the highest point of the roof:

Provided that in no case shall any portion of the baggage be more than 3.81 metres above the ground; or

(e) in the case of a double-decked motor omnibus, allow any luggage or other loads to be placed on the roof of the omnibus; or

(f) fail to take all reasonable precautions to ensure the safety of passengers in or on or entering or alighting from the omnibus; or

(g) wilfully deceive or refuse to inform any passenger or intending passenger as to the destination or route of the omnibus or as to the fare for any journey; or

(h) wilfully charge any passenger a higher fare than prescribed for any journey;

shall be guilty of an offence.

(As amended by No. 56 of 1972 and S.I. No. 99 of 1995) Duties of driver or conductor

15. Any person who shall cause or permit a public service vehicle authorised to carry passengers to be used on a road when the interior of such vehicle is not in a clean and sanitary condition at all times that are reasonable shall, if passengers are actually being carried in such vehicle, be guilty of an offence.

16. (1) A public service vehicle authorised to carry passengers may also carry luggage belonging to such passengers:

Provided that only light hand luggage shall be carried inside the vehicle and that heavy or awkward luggage shall only be carried in a separate luggage compartment or, if a guard rail is provided, on the roof of the vehicle.

(2) In a public service vehicle authorised to carry goods as well as passengers, only light hand luggage belonging to the passengers may be carried in the passenger compartment.

(3) Nothing in this regulation contained shall be deemed to permit the carrying of goods or heavy or awkward luggage on the roof of a double-decked motor omnibus.

(4) Any person who contravenes the provisions of this regulation shall be guilty of an offence.

17. (1) It is hereby prescribed that in addition to the particulars required by subsection (1) of section one hundred and sixty-five of the Act to be shown on tickets there shall also be shown on such tickets, other than those issued in respect of motor omnibus services that are provided wholly within local authority areas, the stage or place where the passenger boarded the motor omnibus.

(2) Any passenger in a motor omnibus who-
(a) immediately upon demand fails to declare the journey he intends to take or has taken and to pay the fare for the whole of such journey or produce a valid ticket for the same; or

(b) leaves or attempts to leave a motor omnibus without paying the fare for any journey that he has made in such vehicle, and with the intent to avoid payment thereof; or

(c) fails to produce his ticket on demand by a road traffic inspector or by a police officer or by the conductor, driver or other duly authorised agent of the owner of the motor omnibus; or

(d) uses any ticket which has been altered or defaced with intent to avoid payment of the fare; or

(e) uses or attempts to use any ticket which has been issued to another person if such ticket bears thereon an indication that it is not transferable; or

(f) refuses upon request to leave the motor omnibus on completion of the journey the fare for which he has paid;

shall be guilty of an offence.

(3) The provisions of sub-regulation (2) (b) shall apply mutatis mutandis to passengers in taxicabs and in hire cars.

18. (1) No person whilst travelling in or upon a motor omnibus shall—Unlawful behaviour by passengers

(a) spit in or upon or from the vehicle or any part thereof; or

(b) use obscene, indecent, offensive or quarrelsome language or gestures; or

(c) behave in an obscene, indecent, offensive or quarrelsome manner; or

(d) wilfully interfere in any way with the comfort of any passenger; or

(e) wilfully obstruct or impede the driver or conductor in the exercise of his duties; or

(f) wilfully damage the motor omnibus; or

(g) enter or remain in or on the omnibus when requested not to do so by a driver or conductor on the ground that the omnibus is carrying its full complement of passengers, or that the operator is debarred from picking up passengers at the place in question by reason of the terms of or the conditions attached to his road service licence; or

(h) sit in any place in or on any omnibus other than upon the seats provided for passengers; or

(i) except in omnibuses where standing passengers are allowed, stand in or on the omnibus when it is in motion; or

(j) place any luggage or any other article in or near an entrance or exit for
passengers in such a position as to cause any obstruction or danger to persons entering or leaving the omnibus or, in the case of a double-decked motor omnibus, on the stairs of such omnibus.

(2) No person in a state of intoxication shall enter or remain in or on any motor omnibus and no driver or conductor of any motor omnibus shall wilfully allow any such person to enter or remain in or on any motor omnibus on which he is on duty as the driver or conductor.

(3) Any person who contravenes the provisions of this regulation shall be guilty of an offence.

19. Any person who shall cause or permit a public service vehicle authorised to carry passengers to be used on a road while such vehicle is carrying any inflammable or explosive substance and while passengers are actually being carried shall be guilty of an offence: Inflammable liquids in passenger carrying public service vehicles

Provided that nothing in this regulation shall prohibit the carriage of petrol, or other inflammable liquid-

(i) in the fuel tank of such vehicle; or

(ii) as a reserve supply of fuel for the vehicle in a container or containers properly constructed to prevent leakage in such a position on the vehicle and not exceeding such amount as may be approved by a vehicle examiner.

20. (1) No person shall cause or permit a motor omnibus or taxicab to be used on a road unless there is displayed in a conspicuous place within the vehicle a notice showing the fares authorised to be charged for conveyance in the said omnibus or taxicab. In the case of a taxicab, a list of extra payments in respect of additional passengers, luggage, etc., shall be displayed in a conspicuous position in the interior of the vehicle. Matters to be displayed or inscribed

(2) In the case of a motor omnibus, the time-table to which the vehicle is required to run shall also be available for public inspection.

(3) Any person who fails to comply with the provisions of this regulation shall be guilty of an offence and liable upon conviction to a fine not exceeding three hundred penalty units.

(As amended by Act No. 13 of 1994)

21. (1) Any person who conveys any passenger in a taxicab and who does not operate the taximeter, or who charges a fare other than that indicated by the taximeter, shall be guilty of an offence: Use of taximeter

Provided that these provisions shall not apply to journeys for which the charging of an agreed fare is authorised by the Commissioner.

(2) All journeys in taxicabs shall be made by the shortest and most direct route except where otherwise specifically requested by the passengers, and any person who, with intent to deceive, travels by a devious route shall be guilty of an offence.

22. (1) The badge to be worn while on duty by the driver of every public
service vehicle in accordance with the provisions of section one hundred and sixty-three of the Act shall be made of metal or other durable material, and shall bear the words "Zambia P.S.V. Driver" and a distinguishing number.

Driver's badge

(2) The badge shall be issued free of charge by a licensing officer to any person licensed to drive a public service vehicle. In the case of the loss or destruction of a badge, a new badge shall be issued by a licensing officer upon the payment of the prescribed fee. A badge shall remain the property of the Republic and shall be returned to the licensing officer upon the person to whom it was issued ceasing to be licensed to drive a public service vehicle.

(3) Any driver of a public service vehicle who when on duty shall fail to wear his badge in a conspicuous position so that the distinguishing number is clearly legible shall be guilty of an offence and liable upon conviction to a fine not exceeding three hundred penalty units.

(As amended by Act No. 13 of 1994)

22A. (1) The driver of a taxicab or a hire car shall at all times when on duty wear a uniform of a type and design approved by the Commissioner.

Uniform to be worn by taxicab drivers

(2) The uniform shall be in a good state of repair and shall be kept clean and tidy.

(3) Any taxicab or hire car driver who contravenes the provisions of this regulation shall be guilty of an offence.

(No. 55 of 1972)

PART V

MISCELLANEOUS

23. Any public service vehicle registered and licensed in any place outside Zambia and used for the carrying of tourists booked and carried from, and, on the same tour, returning or going on to places outside Zambia, may for a period not exceeding sixty days, calculated from the date on which such vehicle enters Zambia, be used on the roads in Zambia although no road service licence has been issued in respect of such use, subject to the condition that no goods shall be carried on such vehicle other than the personal luggage of the tourists travelling therein.

Exemption from need to hold road service licence

24. (1) Any person who, in accordance with the provisions of subsection (3) of section one hundred and fifty-eight of the Act, is entitled to appeal to the Road Service Appeal Tribunal shall, if he so requests, be supplied by the Commissioner with the reasons in writing for the Commissioner's decision, order or other act against which an appeal lies, and in respect of which he is aggrieved.

Appeals

(2) Any appeal to the Road Service Appeal Tribunal made in accordance with the aforesaid section one hundred and fifty-eight shall be in writing and shall be accompanied by the prescribed fee and a copy of the Commissioner's reasons for the decision, order or other act appealed against.

25. The Commissioner may, if he thinks fit, and subject to such conditions as
he may deem expedient, exempt the owner of any public service vehicle from complying with all or any of the provisions of regulations 19 and 20 and may, where he thinks necessary, direct that the exemption order be carried on the vehicle concerned. Power of exemption

26. Any person guilty of an offence against these Regulations for which no special penalty is provided by these Regulations shall be liable upon conviction, in the case of a first offence, to a fine not exceeding three hundred penalty units, and in the case of a second or subsequent offence, to a fine not exceeding one thousand five hundred penalty units or to imprisonment for a period not exceeding three months.

(As amended by Act No. 13 of 1994) Penalties

FIRST SCHEDULE

(Regulation 3)

PRESERVED FORMS
FORM PSV.1
(Regulation 3)

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (PUBLIC SERVICE VEHICLES, LICENSING AND USE) REGULATIONS

APPLICATION FOR A ROAD SERVICE LICENCE—GOODS VEHICLES

NOTES:

1. This application must be signed by the person requiring the licence or, if made by any corporate body or partnership firm, by a person duly authorised in that behalf by such body, or a partner of the partnership firm, as the case may be.

2. All information required below must be given; it is not sufficient to write "as before", etc. Any information may be given on a separate sheet of paper if there is insufficient room on the form. Certain items have been printed on a separate sheet of paper and, if a request to this effect is made, the Commissioner will withhold from public inspection the information given in response thereto.

3. No vehicle or trailer that is an authorised vehicle or trailer in a private carrier's licence may be used for the carriage of goods for hire or reward, and if this application is for a service falling within B below no such vehicle or trailer should be included in it.

4. Road service licences may be granted for not less than one year, nor more than five.

5. *Delete as applicable.

6. Keep a copy of this application. If you subsequently apply for a variation of your road service licence you will have to certify the correctness of the particulars given in this application.

To    The Road Traffic Commissioner,
P.O. Box 50066,
Lusaka, Republic of Zambia.

Full name of applicant

Residential or business address

Postal address

Telephone number (if any)

I hereby apply for a road service licence (*in substitution for road service
licence

No  ) valid for ............................................ years to permit me to operate the service described below, and I hereby declare that to the best of my knowledge and belief all the statements in this application (*and in the annexed statements) are true.

Date

Applicant

TYPE OF SERVICE TO BE PROVIDED

*A  A service of letting goods vehicles on hire.  
(NOTE.-Applicants applying for this type of service should answer items marked A.)

*B  A service of conveying goods for reward.  
(NOTE.-Applicants applying for this type of service should answer items marked B.)

(1) Give particulars of the road or roads or area it is proposed to serve (A and B)

(2) Give particulars of any bankruptcy or agreement entered into with creditors by you (A and B)

(3) State whether your main source of livelihood is, or is intended to be, derived from the business of operating public service vehicles (A and B)

(4) Please attach a statement, preferably from a bank, or give other satisfactory evidence of your financial stability. In the case of limited liability companies please state:

(a) The authorised capital

(b) The paid-up capital

(c) The names of the directors

In the case of any other organisation using a business name, please state:
(d) The names of the persons having a financial interest in the organisation

(e) The extent of the interest of each (A and B)

(5) Give reasons for alleging that existing transport on the road(s) or in the area that you wish to serve (including transport by rail or any other means) is inadequate
(A and B)

(6) Give any further statement or information that is of relevance in this application (A and B)

(7) Details of goods vehicles to be used (A and B).

Motor Vehicles
Trailers
Max. tonnage
Regn. Year
Max. tonnage
Regn. Year
No. of Type
goods it is
desired to
carry
Type
goods it is
desired to
carry
** i.e. low loader, tipper, flat, etc.

NOTE.—If you wish any of the above to be reserved vehicles, to be used only in replacement of others that may break down, etc., mark them "R".

Date

Applicant

YOU ARE STRONGLY ADVISED NOT TO PURCHASE ANY MOTOR VEHICLES OR TRAILERS IN ANTICIPATION OF YOUR APPLICATION BEING GRANTED

PSV.1 Annex 1

CONFIDENTIAL

Every applicant for a road service licence is required to give the following information. If a request to that effect is made, the Commissioner will withhold it from public inspection.

Name of applicant

(8) Give particulars of any agreement or arrangement (affecting in any material respect the provision within Zambia of facilities for the transport of goods or passengers for hire or reward) entered into by you with any other person by whom such facilities are provided

\(A\) and \(B\)

(9) Give particulars of any financial interest (whether as a partner or shareholder or as a result of any loan, guarantee or other financial transaction) which any other person providing facilities for the transport of goods or passengers for hire or reward or controlling (either solely or in conjunction with any other person) the business of any person who provides such facilities, has in your business \(A\) and \(B\)

(10) If you (the applicant) are a company give particulars of any right which any such person as specified in item (9) has to nominate any director of your company \(A\) and \(B\)

(11) Give particulars of any interest or right which you have in the business of any other person engaged in the operation of public service vehicles within
Zambia (A and B)

(12) The rates to be charged for the proposed service (A and B)

Date

Applicant
FORM PSV.2
(Regulation 3)

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (PUBLIC SERVICE VEHICLES, LICENSING
AND USE) REGULATIONS

APPLICATION FOR A ROAD SERVICE LICENCE—MOTOR OMNIBUS
AND/OR COMPOSITE VEHICLES

NOTES:

1. This application must be signed by the person requiring the licence, or if
made by any corporate body or partnership firm, by a person duly authorised in
that behalf by such body, or a partner of the partnership firm, as the case may
be.

2. All information required below must be given; it is not sufficient to write
"as before", etc. Any information may be given on a separate sheet of paper if
there is insufficient room on the form. Certain items have been printed on a
separate sheet of paper and, if a request to this effect is made, the
Commissioner will withhold from public inspection the information given in
response thereto.

3. Road service licences may be granted for not less than one year, nor more
than five.

4. Keep a copy of this application. If you subsequently apply for a variation
of your road service licence you will have to certify the correctness of the
particulars given in this application.

5. * Delete as applicable.

To The Road Traffic Commissioner,
P.O. Box 50066,
Lusaka, Republic of Zambia.

Full name of applicant

Residential or business address

Postal address

Telephone number (if any)

I hereby apply for a road service licence (*in substitution for road service
licence

No ) valid for ............................................. years to permit me
to
operate the service described below and I hereby declare that to the best of my knowledge and belief all the statements in this application (*and in the annexed statements) are true.

Date

Applicant

TYPE OF SERVICE TO BE PROVIDED

*A A service of letting motor omnibuses or composite vehicles on hire.
(NOTE.-Applicants applying for this type of service should answer items marked A.)

*B A service of conveying passengers or passengers and goods for reward.
(NOTE.-Applicants applying for this type of service should answer items marked B.)

(1) Give particulars of the road or area it is proposed to serve (A and B)

(2) Give the time-table of the service you wish to provide or, if you do not propose to operate to a time-table, give the frequency of the service, and the times to be taken by it (B). This may be answered on a separate sheet of paper if more convenient

(3) Give particulars of any bankruptcy or agreement entered into with creditors by you

(A and B)

(4) State whether your main source of livelihood is, or is intended to be, derived from the business of operating public service vehicles (A and B).

(5) Please attach a statement, preferably from a bank, or give other satisfactory evidence of your financial stability. In the case of limited
liability companies, please state:

(a) The authorised capital
(b) The paid-up capital
(c) The names of the directors

In the case of any other organisations using a business name, please state:

(d) The names of the persons having a financial interest in the organisation

(e) The extent of the interest of each (A and B)

(6) Give reasons for alleging that existing transport on the road(s) or in the area that you wish to serve (including transport by rail or any other means) is inadequate (A and B)

(7) Give any further statement or information that is of relevance in this application

(A and B)

(8) Details of vehicles to be used (A and B):

<table>
<thead>
<tr>
<th>Motor Omnibuses</th>
<th>Composite Vehicles</th>
<th>Max. No. of passengers</th>
<th>Max. No. of passengers</th>
<th>Max. tonnage</th>
<th>Regn. Year of it is desired</th>
<th>Year of it is desired</th>
</tr>
</thead>
</table>
NOTE.—If you wish any of the above to be reserve vehicles, to be used only in replacement of others that may break down, etc., mark them "R".

Date

Applicant

YOU ARE STRONGLY ADVISED NOT TO PURCHASE ANY MOTOR VEHICLES IN ANTICIPATION OF YOUR APPLICATION BEING GRANTED

PSV.2. Annex 1

CONFIDENTIAL

Every applicant for a road service licence is required to give the following information. If a request to that effect is made, the Commissioner will withhold it from public inspection.

Name of applicant

(9) Give particulars of any agreement or arrangement (affecting in any material respect the provision within Zambia of facilities for the transport of goods or passengers for hire or reward) entered into by you with any other person by whom such facilities are provided

(A and B)

(10) Give particulars of any financial interest (whether as a partner or shareholder or as a result of any loan, guarantee or other financial transaction) which any other person providing facilities for the transport of goods or passengers for hire or reward or controlling (either solely or in conjunction with any other person) the business of any person who provides such facilities, has in your business (A and B)

(11) If you (the applicant) are a company give particulars of any right which
any such person as specified in item (10) has to nominate any director of your company (A and B)

(12) Give particulars of any interest or right which you have in the business of any other person engaged in the operation of public service vehicles within Zambia (A and B)

(13) The rates to be charged for the hire of vehicles (A and B)

Date

Applicant
FORM PSV.3
(Regulation 3)

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (PUBLIC SERVICE VEHICLES, LICENSING AND USE) REGULATIONS

APPLICATION FOR A ROAD SERVICE LICENCE-TAXICABS AND/OR HIRE CARS

NOTES:

1. This application must be signed by the person requiring the licence, or if made by any corporate body or partnership firm, by a person duly authorised in that behalf by such body, or a partner of the partnership firm, as the case may be.

2. All information requested below must be given; it is not sufficient to write "as before", etc. Any information may be given on a separate sheet of paper if there is insufficient room on the form. Certain items have been printed on a separate sheet of paper and, if a request to this effect is made, the Commissioner will withhold from public inspection the information given in response thereto.

3. Road service licences may be granted for not less than one year, nor more than five.

4. *Delete as applicable.

5. Keep a copy of this application. If you subsequently apply for a variation of your road service licence you will have to certify the correctness of the particulars given in this application.

To The Road Traffic Commissioner,
P.O. Box 50066,
Lusaka, Republic of Zambia.

Full name of applicant

Residential or business address

Postal address

Telephone number (if any)

I hereby apply for a road service licence (*in substitution for Road Service Licence No ) valid for ................................................. years to permit me to operate the service described below, and I hereby declare that to the best of my
knowledge and belief all the statements in this application (*and in the annexed
statements) are true.

Date

Applicant

(1) Give particulars of the road or roads or area it is proposed to serve

(2) Give particulars of any bankruptcy or agreement entered into with creditors by you

(3) State whether your main source of livelihood is, or is intended to be, derived from

the business of operating public service vehicles

(4) Please attach a statement, preferably from a bank, or give other satisfactory evidence of your financial stability. In the case of limited liability companies please state:

(a) The authorised capital
(b) The paid-up capital
(c) The names of the directors

In the case of any other organisation using a business name, please state:

(d) The names of the persons having a financial interest in the organisation

(e) The extent of the interest of each

(5) Give the reasons for alleging that existing transport on the road(s) or in the area that you wish to serve (including transport by rail or any other means) is inadequate
(6) Give any further statement or information that is of relevance in this application.

(7) Details of vehicles to be used:

<table>
<thead>
<tr>
<th>Taxicabs</th>
<th>Hire Cars</th>
<th>Max. No. of Passengers it is Regn. Year to carry</th>
<th>Max. No. of Passengers it is Regn. Year to carry</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

NOTE.-If you wish any of the above to be reserved vehicles, to be used only in replacement of others that may break down, etc., mark them "R".

Date

Applicant

YOU ARE STRONGLY ADVISED NOT TO PURCHASE ANY MOTOR VEHICLES IN ANTICIPATION OF YOUR APPLICATION BEING GRANTED.
Every applicant for a road service licence is required to give the following information. If a request to that effect is made, the Commissioner will withhold it from public inspection.

Name of applicant

(8) Give particulars of any agreement or arrangement (affecting in any material respect the provision within Zambia of facilities for the transport of goods or passengers for hire or reward) entered into by you with any other person by whom such facilities are provided.

(9) Give particulars of any financial interest (whether as a partner or shareholder or as a result of any loan, guarantee or other financial transaction) which any other person providing facilities for the transport of goods or passengers for hire or reward or controlling (either solely or in conjunction with any other person) the business of any person who provides such facilities, has in your business.

(10) If you (the applicant) are a company give particulars of any right which any such person as specified in item (9) has to nominate any director of your company.

(11) Give particulars of any interest or right which you have in the business of any other person engaged in the operation of public service vehicles within Zambia.

(12) The rates to be charged for the proposed service. (Hire cars only.)
Date

Applicant
FORM PSV.4  
(Regulation 3)  

THE ROADS AND ROAD TRAFFIC ACT  

THE ROADS AND ROAD TRAFFIC (PUBLIC SERVICE VEHICLES,  
LICENSING AND USE) REGULATIONS  

APPLICATION FOR A VARIATION OF AN EXISTING ROAD SERVICE  
LICENCE  

PASSENGER OR GOODS OR BOTH  

NOTE: 
This application must be signed by the person requiring the variation or, if  
made by any corporate body or partnership firm, by a person duly authorised in  
that behalf by such body, or a partner of the partnership firm, as the case may  
be.  

To The Road Traffic Commissioner,  
P.O. Box 50066,  
Lusaka, Republic of Zambia.  

Full name of applicant  
Residential or business address  
Postal address  
Telephone number (if any)  

I, being the holder of Road Service Licence No , hereby  
confirm, with the modifications set forth below, the particulars supplied by me  
in my  
application for the said licence. Modifications  

I now apply for the said licence to be varied as follows
FORM PSV.5
(Regulation 3)

No

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (PUBLIC SERVICE VEHICLES,
LICENSING AND USE) REGULATIONS

ROAD SERVICE LICENCE FOR LETTING OUT GOODS VEHICLES ON
HIRE AND/OR FOR THE CARRIAGE OF GOODS

Full name

of (full address)

is hereby licensed to-

(1) let out goods vehicles on hire;
(2) convey goods for reward;

in accordance with the terms and conditions of this licence.

This licence is valid from ............................................ to

1. Route or routes on which or areas in which the service may be provided

2. Base from which service is to be operated

3. Goods that may be conveyed

4. Goods may be conveyed only under contract to

5. Vehicles may be let on hire only to

...................................... and for the following use

6. The vehicles with which the service is to be operated and the tonnage of
goods licensed to be carried by each are as recorded on the attached paper.
CONDITIONS

This licence is issued subject to the following conditions:

(1) That any rates that may be fixed and laid down for the letting of vehicles on hire or for the carriage of goods be adhered to;

(2) That the provisions of the Roads and Road Traffic Act and of the regulations made thereunder be complied with;

(3) That

Date

Road Traffic Commissioner
FORM PSV.5

No ..............................................................

MOTOR VEHICLES AND TRAILERS AUTHORISED TO BE USED UNDER THIS LICENCE

Replacement motor vehicles and trailers are marked "R"

GoodsLicensedLincensedNo. ofDate of
ExpiryRegistrationCarryingCarryingCarryingDateDateInitials ofIdentityof
IdentityMarkVehicleCapacityTrailerCapacityTractorAuthorisedRemovedOfficerCertifi
cateCertificate

Notes.—When this licence is to be varied by the removal of a vehicle from it, the licence of the vehicle being removed must be sent to the Road Traffic Commissioner.

A vehicle marked "R" may only be used in substitution for a vehicle not so marked, and not in addition thereto.

Original—to licence holder.

Duplicate—to remain with Commissioner.

Triplicate—to remain with Commissioner.
Quadruplicate-To Road Traffic Inspector.

(As amended by No. 158 of 1970 and S.I. No. 59 of 1974)
FORM PSV.6
(Regulation 3)

No

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (PUBLIC SERVICE VEHICLES, LICENSING AND USE) REGULATIONS

ROAD SERVICE LICENCE FOR THE LETTING OUT OF MOTOR OMNIBUSES OR COMPOSITE VEHICLES ON HIRE AND/OR FOR THE CARRIAGE OF PASSENGERS/PASSENGERS AND GOODS IN SUCH VEHICLES

Full name

of (full address)

is hereby licensed to:

(1) let out motor omnibuses and/or composite vehicles on hire:

(2) convey passengers (and goods) for reward;

in accordance with the terms and conditions of this licence.

This licence is valid from ............................................ to

1. Route or routes on which or areas in which the service may be provided

2. Base from which service is to be operated

3. Goods (if any) that may be carried

4. Vehicles may be let on hire only to

and for the following use
5. The service is to operate to the following frequency and/or time-table(s)*

6. The vehicles with which the service is to be operated and the number of passengers (and goods) licensed to be carried by each are as recorded on the attached paper.

CONDITIONS

This licence is issued subject to the following conditions:

(1) That any rates and fares that may be fixed and laid down for the letting of vehicles on hire or for the carriage of passengers or goods be adhered to;

(2) That the provisions of the Roads and Road Traffic Act and of the regulations made thereunder be complied with;

(3) That

Date

Road Traffic Commissioner

*Lengthy time-tables will be attached on a separate sheet of paper.
FORM PSV.6

No ...............................................................

MOTOR VEHICLES AUTHORISED TO BE USED UNDER THIS LICENCE

Replacement Vehicles are marked "R"

Licensed Carrying Capacity—Goods No. of Date of Expiry Capacity—(Composite Identity of Identity Registration Mark Passengers Vehicles only) Date Authorised Date Removed Initials of Officer Certificate Certificate

NOTES.—When this licence is to be varied by the removal of a vehicle from it, the licence of the vehicle being removed must be sent to the Road Traffic Commissioner. A vehicle marked "R" may only be used in substitution for a vehicle not so marked, and not in addition thereto.

Original—to licence holder.
Duplicate—to remain with Commissioner.
Triplicate—to remain with Commissioner.
Quadruplicate—to Road Traffic Inspector.

(As amended by No. 158 of 1970 and S.I. No. 59 of 1974)
FORM PSV.7
(Regulation 3)

No

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (PUBLIC SERVICE VEHICLES, LICENSING AND USE) REGULATIONS

ROAD SERVICE LICENCE FOR THE OPERATION OF TAXICABS AND/OR HIRE CARS

Full name

of (full address)

is hereby licensed to convey passengers for reward in taxicabs/hire cars in accordance with the terms and conditions of this licence.

This licence is valid from ............................................ to ............................................

1. Route or routes on which or areas in which the service may be provided

2. Base from which the service is to be operated

3. The vehicles with which the service is to be operated and the number of passengers licensed to be carried by each are as recorded overleaf.

CONDITIONS

This licence is issued subject to the following conditions:

(1) That any rates and fares that may be fixed and laid down for the hire of taxicabs or hire cars be adhered to;

(2) That the provisions of the Roads and Road Traffic Act and of the regulations made thereunder be complied with;

(3) That

Date

Road Traffic Commissioner
FORM PSV.7

No .......................................................

MOTOR VEHICLES AUTHORISED TO BE USED UNDER THIS LICENCE

Replacement Vehicles are marked "R"

Taxicab Hire Car Licensed Carrying Capacity Capacity No. of Identity Expiry Date of Registration Mark Passengers Passengers Date Authorised Date Removed Initials of Officer Certificate Identity Certificate

Notes.-When this licence is to be varied by the removal of a vehicle from it, the licence of the vehicle being removed must be sent to the Road Traffic Commissioner.

A vehicle marked "R" may only be used in substitution for a vehicle not so marked, and not in addition thereto.

Original-To licence holder.

Duplicate-To remain with Commissioner.

Triplicate-To remain with Commissioner.

Quadruplicate-To Road Traffic Inspector.

(As amended by No. 158 of 1970 and S.I. No. 59 of 1974)
FORM PSV.8
(Regulation 3)

No

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (PUBLIC SERVICE VEHICLES, LICENSING AND Use) Regulations

VARIATION OF ROAD SERVICE LICENCE—GOODS VEHICLES

Variation No

No. of Varied Licence

The above road service licence is varied as follows:

<table>
<thead>
<tr>
<th>Item</th>
<th>Variation</th>
</tr>
</thead>
</table>

Date

Commissioner

For details of motor vehicles or trailers added to the licence, and of substitutions, please see reverse.

NOTE.—This variation forms part of the relevant road service licence and should be kept with it.
Variation No ...................................................... of Road Service Licence No ......................................................

THE FOLLOWING MOTOR VEHICLES/TRAILERS ARE HEREBY AUTHORISED TO BE USED UNDER THE AUTHORITY OF THE ABOVE LICENCE

Replacement Vehicles are marked "R"

Goods Licensed Licensed No. of Expiry Date
of Registration Carrying Carrying Carrying Date Date Initials
of Identity Identity Mark Vehicle Capacity Trailer Capacity Tractor Authorised Removed Officer Certificate Certificate

The following motor vehicles and trailers are removed from the above licence:

Registration Date Mark Removed

Notes.-When this licence is to be varied by the removal of a vehicle from it, the licence of the vehicle being removed must be sent to the Road Traffic Commissioner.

A vehicle marked "R" may only be used in substitution for a vehicle not so marked, and not in addition thereto.

Original-To licence holder.

Duplicate-To remain with Commissioner.

Triplicate-To remain with Commissioner.

Quadruplicate-To Road Traffic Inspector.

(As amended by No. 158 of 1970 and S.I. No. 59 of 1974)
FORM PSV.9
(Regulation 3)

No

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (PUBLIC SERVICE VEHICLES,
LICENSING AND USE) REGULATIONS

VARIATION OF A ROAD SERVICE LICENCE—MOTOR OMNIBUSES
AND COMPOSITE VEHICLES

Variation No

No. of Varied Licence

The above road service licence is varied as follows:

   Item   Variation
Date

Commissioner

For details of motor vehicles or trailers added to the licence, and of substitutions, please see reverse.

NOTE.—This variation forms part of the relevant road service licence and should be kept with it.
Variation No .................................................................................. of Road Service Licence No ......................................................

THE FOLLOWING MOTOR VEHICLES ARE HEREBY AUTHORISED TO BE USED UNDER THE AUTHORITY OF THE ABOVE LICENCE

Replacement Vehicles are marked "R"

Licensed Carrying Capacity-Goods No. of Expiry Date of Capacity-(Composite Identity Identity Registration Mark Passengers Vehicles only) Date Authorised Date Removed Initials of Officer Certificate Certificate

The following motor vehicles are removed from the above licence:

Registration Date Mark Removed

Notes.-When this licence is to be varied by the removal of a vehicle from it, the licence of the vehicle being removed must be sent to the Road Traffic Commissioner.

A vehicle marked "R" may only be used in substitution for a vehicle not so marked, and not in addition thereto.

Original-To licence holder.

Duplicate-To remain with Commissioner.

Triplicate-To remain with Commissioner.

Quadruplicate-To Road Traffic Inspector.

(As amended by No. 158 of 1970 and S.I. No. 59 of 1974)
FORM PSV.10
(Regulation 3)

No

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (PUBLIC SERVICE VEHICLES, LICENSING AND USE) REGULATIONS

VARIATION OF A ROAD SERVICE LICENSE—TAXICABS AND HIRE CARS

Variation No

No. of Varied Licence

The above road service licence is varied as follows:

Item Variation
Date

Traffic Commissioner

For details of motor vehicles or trailers added to the licence, and of substitutions, please see reverse.

NOTE.—This variation forms part of the relevant road service licence and should be kept with it.
Variation No ...................................................... of Road
Service Licence No ......................................................

THE FOLLOWING MOTOR VEHICLES ARE HEREBY AUTHORISED TO BE USED UNDER THE
AUTHORITY OF THE ABOVE LICENCE

Replacement Vehicles are marked "R"

Taxicab Hire Car Licensed Carrying
Licensed Carrying No. of Identity Expiry Date
of Registration Mark Capacity Capacity
Date Authorised Date Removed Initials of
Officer Certificate Identity Certificate

The following motor vehicles are removed from the above licence:

Registration Date Mark Removed

Notes.-When this licence is to be varied by the removal of a vehicle from it,
the licence of the vehicle being removed must be sent to the Road Traffic
Commissioner.

A vehicle marked "R" may only be used in substitution for a vehicle not so
marked, and not in addition thereto.

Original-To licence holder.

Duplicate-To remain with Commissioner.

Triplicate-To remain with Commissioner.

Quadruplicate-To Road Traffic Inspector.
(As amended by No. 158 of 1970 and S.I. No. 59 of 1974)
FORM PSV.11
(Regulation 7)

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (PUBLIC SERVICE VEHICLES,
LICENSING AND USE) REGULATIONS

IDENTITY CERTIFICATE

Fee units/paid: 40
Vehicle Regn. Mark
Holder of licence
R.S.L./S.T.R.S.L. No
or substituted vehicle Pgrs./Goods
Licensed c.c.
Expiry date
Signed.
Dated

Fee units/paid: 40
No.
Vehicle Regn. Mark
Holder of licence
R.S.L./S.T.R.S.L. No
or substituted vehicle Pgrs./Goods
Licensed c.c.
Expiry date
Signed.
Dated

NOTES:

(1) Licensed carrying capacity means the number of passengers and/or the weight of goods that the vehicle has been licensed by the Road Traffic Commissioner to carry. It must not be exceeded even though a higher carrying capacity may in some cases be recorded on the vehicle's certificate of fitness as the maximum weight that the vehicle is physically capable of carrying.

(2) If the vehicle in question is a "replacement vehicle" the identity certificate will be marked with the letter "R".

(As amended by S.I. No. 59 of 1974, No. 9 of 1991,
FORM PSV.12

DUPLICATE OF IDENTITY CERTIFICATE

Fee units/paid: 20
No

Duplicate of
Identity Certificate No
Vehicle Regn. Mark
Holder of licence
R.S.L./S.T.R.S.L. No
or substituted vehicle:
Pgrs.
Goods
Licensed c.c.
Expiry date
Signed

Date

Fee/paid: 20
No

Duplicate of
Identity Certificate No
Vehicle Regn. Mark
Holder of licence
R.S.L./S.T.R.S.L. No
or substituted vehicle:
Pgrs. Goods
Licensed c.c.
Expiry date
Signed
Dated

NOTES:

(1) Licensed carrying capacity means the number of passengers and/or the weight of goods that the vehicle has been licensed by the Road Traffic Commissioner to carry. It must not be exceeded even though a higher carrying capacity may in some cases be recorded on the vehicle's certificate of fitness as the maximum weight that the vehicle is physically capable of carrying.

(2) If the vehicle in question is a "replacement vehicle" the identity certificate will be marked with the letter "R".

FORM PSV.13
(Regulation 12)

REPUBLIC OF ZAMBIA

THE ROADS AND ROAD TRAFFIC ACT

The Roads and Road Traffic (Public Service Vehicles, Licensing and Use) Regulations

Confidential

MONTHLY RETURN TO BE MADE BY ALL HOLDERS OF ROAD SERVICE LICENCES AND SHORT-TERM ROAD SERVICE LICENCES

Return made by (name of operator) for the month of ........................................................... 19 ................., or part thereof

<table>
<thead>
<tr>
<th>Goods</th>
<th>Composite Vehicles</th>
<th>Trailers</th>
<th>Tractors</th>
<th>Buses</th>
<th>Vehicles</th>
<th>Taxicabs</th>
<th>Hire Cars</th>
</tr>
</thead>
<tbody>
<tr>
<td>No. of vehicles owned</td>
<td>..</td>
<td>..</td>
<td>..</td>
<td>..</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

2. Average No. of vehicles in use .. .. ..

3. Carrying capacity:
   (a) short tons .. .. .. ..
   (b) No. of passengers .. .. ..

4. Estimated present written down value .. ..

5. Miles run (within Zambia only) .. ..

6. Tons carried (within Zambia only) .. ..

7. Passengers carried (within Zambia only) .. ..

Address

Signature

Date

This return must reach the Road Traffic Commissioner, Lusaka, on or before the last day of the month following that to which it relates.

This return is obtainable on payment from the Road Traffic Commissioner.

It is an offence against the Roads and Road Traffic Act to fail to submit returns or knowingly to give in a return any information that is false.

This return relates only to public service vehicles and to their operation in Zambia. It should not include information in respect of any other business carried on, nor work done outside Zambia.
FORM PSV.14
(Regulation 12)

REPUBLIC OF ZAMBIA

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (PUBLIC SERVICE VEHICLES, LICENSING AND USE) REGULATIONS

Confidential

ANNUAL RETURN TO BE MADE BY ALL HOLDERS OF ROAD SERVICE LICENCES, OTHER THAN SHORT-TERM ROAD SERVICE LICENCES

Return made by (name of operator) for the year ended 31st December, 19 ................., or part thereof

PART I-OPERATING STATISTICS

Goods Composite Vehicles Trailers Tractors Buses Vehicles Taxi cabs Hire Cars A. Monthly Average:

1. Vehicles owned .. .. .. ..

2. Vehicles in use.. .. .. .. ..

3. Carrying capacity:
   (a) short tons .. .. .. .. ..
   (b) No. of passengers .. .. .. ..

4. (a) The estimated value at the beginning of the year
   (b) the estimated value at the end of the year ..
   (c) the value at original cost of all vehicles purchased
      or constructed and put into use during the year ..
   (d) the estimated value of vehicles sold during the year
   (e) depreciation on vehicles .. .. ..
5. No. of drivers conductors and assistants

6. No. of other staff

B-Annual Totals


8. Tonnage carried 10. Gallons of petrol used.

PART II-OPERATING COSTS

<p>| | | | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>12.</td>
<td>Petrol</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>13.</td>
<td>Other fuel</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>14.</td>
<td>Lubricating oils and greases</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>15.</td>
<td>Maintenance, excluding wages</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>16.</td>
<td>Tyres and tubes</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>17.</td>
<td>Wages of drivers, conductors and assistants</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>18.</td>
<td>Wages of other staff</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>19.</td>
<td>Vehicle depreciation</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>20.</td>
<td>Vehicle licences and insurance</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>21.</td>
<td>Any other expenses, not included above</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

________________________

Total

Address

Signature

Date

NOTES:
(a) This return must be sent to the Road Traffic Commissioner, Lusaka, so as to reach him not more than three months after the close of the year to which it relates.

(b) This return relates only to public service vehicles and their operation within Zambia. It should not include information in respect of any other business carried on, nor work done outside Zambia.

(c) Item 21 (any other expenses) should not include income tax, dividends, capital expenditure, drawings, etc., but only normal expenditure (not already shown in columns 12 to 20) incurred in running the business, e.g. postage, rent, accountancy and audit fees, advertising and depreciation of assets other than vehicles.

(d) It is an offence against the Roads and Road Traffic Act to fail to submit returns, or knowingly to give in a return any information that is false.

SECOND SCHEDULE
(Regulation 4)

PRESCRIBED FEES

Fee units

1. Application for road service licence  150

2. Road service licence and endorsement of a road service licence or variation of the terms and conditions thereof (other than the addition or deletion of a vehicle as an authorised vehicle) 300 per twelve months of validity or part thereof

3. Vehicle authorised in a road service licence  150 per twelve months of validity of road service licence

4. Application for short-term road service licence, short-term road service licence and vehicle authorised in a short-term road service licence 327

5. Substituted vehicle  600 for validity of full or short-term road service licence

6. New PSV driver's badge  150

7. PSV driver's badge-duplicate only  150

8. Identity certificate and endorsement of identity certificate  350

9. Appeal to Road Service Appeal Tribunal  2,000
THIRD SCHEDULE

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (PUBLIC SERVICE VEHICLES, LICENSING AND USE) REGULATIONS

(Regulation 6)

NOTICE OF OBJECTION

To The Director of Road Transport,
P.O. Box 50066,
Lusaka.

NOTICE OF OBJECTION to the application for a road service licence made by and published and numbered RT in the Gazette of

I/We desire to

make objections or representations to or in relation to the above-mentioned application on the ground(s) that:

The service or facilities proposed to be provided by the applicant are neither necessary nor desirable in the public interest;

The route(s) or area in respect of which the application is made is/are already adequately served;

The services or facilities proposed to be provided by the applicant will adversely affect existing services or facilities provided by me/us;

The route(s) or some part thereof on which the applicant will or may provide a service or facilities under the licence, if granted, is/are not suitable.

I/We further desire to make objections or representations as to:

The fitness of the applicant to be licensed (and) the ability of the applicant, if licensed, to provide and maintain the licensed services and facilities efficiently, and strictly in compliance with his/its statutory or other duties as holder of the licence; and as to-

A copy of this notice has been sent to the applicant dated this day of

Signature of Objector or his duly

authorised officer or agent

Address of Objector:
SECTION 258—THE ROADS AND ROAD TRAFFIC (REFUND OF LICENCE FEES PAID BY VOLUNTEER ORGANISATION) REGULATIONS

Regulations by the Minister Statutory Instrument 317 of 1969

1. These Regulations may be cited as the Roads and Road Traffic (Refund of Licence Fees Paid by Volunteer Organisation) Regulations.

2. The fees paid for licences by a volunteer organisation with which the Government has entered into an agreement may, with the approval of the Minister, be refunded to the volunteer organisation.

THE ROADS AND ROAD TRAFFIC (REGISTRATION AND LICENSING) REGULATIONS

ARRANGEMENT OF REGULATIONS

PART I

PRELIMINARY

Regulation

1. Title

2. Interpretation

PART II

PRESCRIBED FORMS AND FEES

3. Prescribed forms

4. Prescribed fees

5. Particulars in applications, etc.

PART III

REGISTRATION MARKS

6. Distance between registration mark and other symbols, etc.

7. Manner of fixing registration marks

8. Shape of plates

9. Letters and number
10. Size of letters
11. Spacing of letters
12. Alternative spacing
13. Colour and design of registration marks
14. Registration letters
15. Assignment of registration mark requested
16. Temporary registration cards
17. L plates
18. Other plates

PART IV

VEHICLE, MOTOR VEHICLE AND TRAILER LICENCES

Regulation
19. Application for vehicle licence
20. Conditions contained in certain motor vehicle and trailer licences
21. Position of licence and tokens on vehicles, motor vehicles and trailers
22. Manner of carrying licence on motor vehicles and trailers
23. Motor dealer's vehicle licence and tokens
24. Purposes for which motor dealer's vehicle licence may be used, and conditions to be observed
25. Farm vehicle licences
26. Change of ownership of motor vehicle or trailer to dealer

PART V

MISCELLANEOUS

27. Exemptions
28. Penalties

FIRST SCHEDULE-Prescribed forms
SECOND SCHEDULE-Prescribed fees
THIRD SCHEDULE-Registration letters
FOURTH SCHEDULE-Colour and design of registration marks
PART I

PRELIMINARY

1. These Regulations may be cited as the Roads and Road Traffic (Registration and Licensing) Regulations.Title

2. In these Regulations, unless the context otherwise requires—Interpretation
"notified date" means the date notified by a vehicle examiner under section seventy-five of the Act;

"reflective material" means material specially designed to reflect light back to the source of such light;

"resident in Zambia" means any person who is lawfully within Zambia otherwise than for the purpose of-

(a) journeying through Zambia in direct transit from one country to another; or

(b) making a temporary visit;

"short-term road service licence" means a licence issued under section one hundred and fifty-six of the Act.

(As amended by No. 352 of 1964 and No. 288 of 1970)

PART II

PRESCRIBED FORMS AND FEES

3. The forms set forth in the First Schedule shall be used in all cases to which they are respectively applicable in carrying out the provisions of the Act and these Regulations.

Prescribed forms

4. (1) The fees specified in the second column of the Second Schedule shall be charged in respect of the matters set out in the first column of the said Schedule:

Prescribed fees

Provided that no fee shall be charged for-

(i) an initial examination pursuant to a prohibition under paragraph (f) of subsection (1) of section two hundred and twelve of the Act; or

(ii) an initial examination ordered under subsection (2) of section seventy-five of the Act if no defects are found.

(2) In any case where an appeal to the Commissioner, in accordance with the provisions of section sixty-eight (2), seventy-five or ninety-two (1) of the Act is successful, the whole of the fee paid, or such other portion of it as the Commissioner may direct, shall be refunded to the appellant.

(3) The whole of every fee payable for an examination or re-examination shall be paid into the general revenues of the Republic if the vehicle examiner is an officer of the Government, and in other cases such part of the fee as the Minister may from time to time direct shall be retained by the examiner and the remaining part of such fee shall be paid into the general revenues of the Republic. In every case where a fee is charged a combined receipt and examiner's report, as prescribed in Form C.F.3 in the First Schedule to the Roads and Road Traffic (Certificates of Fitness) Regulations shall be issued.

(As amended by No. 352 of 1964 and S.I. No. 122 of 1965)
5. The particulars to be entered on or contained in any application, registration book, vehicle licence, and other licences and certificates to which these Regulations apply shall, unless otherwise set forth in these Regulations, be such as are necessary from the respective form of such application, registration book, vehicle licence and other licences and certificates as is set forth in the First Schedule. Particulars in applications, etc.

PART III

REGISTRATION MARKS

6. The distance of 150 millimetres is hereby prescribed for the purposes of subsection (3) of section eighty-one of the Act.

(As amended by No. 57 of 1972) Distance between registration mark and other symbols, etc.

7. (1) The registration mark required by section eighty-one of the Act shall be fixed on every motor vehicle and trailer in the following manner: Manner of fixing registration marks

(a) on auto-cycles and on motor cycles that are carried on two wheels whether with or without a sidecar or similar attachment -

(i) a plate which complies with these Regulations shall be fixed on the front mudguard in the same plane as the wheel; and

(ii) a plate which complies with these Regulations shall be fixed on the rear at right angles to the longitudinal axis of the auto-cycle or motor cycle in such a manner that the letter or letters and number are clearly discernible from behind the auto-cycle or motor cycle and are illuminated by its rear lamp during lighting-up time;

(b) on trailers a plate which complies with these Regulations shall be fixed to the near side or to the rear elevation of the trailer:

Provided that-

(i) when a trailer is being towed by a motor vehicle a plate bearing the registration mark of the towing vehicle shall be attached to the rear of the trailer, or, if there is more than one trailer, to the rear of the last trailer in such a manner that the letter or letters and number on the plate are clearly discernible from behind the trailer and are illuminated during lighting-up time;

(ii) in cases where the registration mark of a trailer is fixed to the rear elevation of the trailer the plate bearing the registration mark of the towing vehicle shall be so attached to the trailer or to the last trailer, as the case may be, that it conceals the registration mark of the trailer;

(c) on all motor vehicles other than those in paragraph (a)-

(i) a plate which complies with these Regulations shall be fixed on the front elevation of the motor vehicle at right angles to the longitudinal axis in such a manner that the letter or letters and number are clearly discernible from in front of the motor vehicle; and

(ii) a plate which complies with these Regulations shall be fixed to the rear
elevation of the motor vehicle at right angles to the longitudinal axis in such a manner that the letter or letters and number are clearly discernible from behind the motor vehicle and are illuminated during lighting-up time.

(2) It shall be sufficient compliance with sub-regulation (1) (a) (i) if the letter or letters and number are painted on each side of the mudguard, provided that the part of the mudguard to be used as a ground is painted so as to resemble a plate complying with these Regulations, and the letter or letters and number are painted on such part in such a manner as to be vertical and clearly discernible, and provided that in all other particulars these Regulations are complied with.

(3) In the case of a motor vehicle or trailer used under the authority of a motor dealer's vehicle licence, the plates may be suspended on, instead of being fixed to, the said motor vehicle or trailer.

(4) In the case of a motor vehicle or trailer used under the authority of temporary registration cards, such cards may be suspended on, instead of being fixed to, the said motor vehicle or trailer.

(As amended by No. 288 of 1970)

8. (1) All plates fixed, attached or suspended in accordance with the requirements of regulation 7 shall be rectangular in shape:Shape of plates

Provided that, in the case of the front plate of an auto-cycle or of a motor cycle that is carried on two wheels with or without a sidecar or similar attachment, the said plate need not be rectangular, but may conform to the curvature of the mudguard of the front wheel.

(2) Any person who contravenes the provisions of this regulation shall be guilty of an offence.

9. (1) Each plate shall bear upon it the registration mark of the motor vehicle or trailer:Letters and number

Provided that, in the case of an auto-cycle or of a motor cycle that is carried on two wheels with or without a sidecar or similar attachment, the plate to be fixed on the front mudguard shall bear the mark on both sides of it.

(2) The letter or letters and number of the registration mark on each plate shall be arranged in conformity with one or other of the following alternative diagrams:

Diagram No. 1
AAA
100

Diagram No. 2
AAA 100

(3) Where the alternative offered by Diagram No. 1 is chosen no figure of the
number shall be on the same line as the letter or letters.

(4) Any person who contravenes the provisions of this regulation shall be guilty of an offence.

(As amended by No. 218 of 1972)

10. (1) All letters and figures of the registration mark on every plate shall be not less than 75 millimetres high. Every part of every letter and figure shall be at least 12 millimetres broad and the total width of the space taken by every letter or figure, except in the case of the figure 1, shall be at least 50 millimetres:Size of letters

Provided that, in the case of an auto-cycle or of a motor cycle, the letters and figures shall be not less than half the above dimensions.

(2) Any person who contravenes the provisions of this regulation shall be guilty of an offence.

(As amended by No. 57 of 1972)

11. (1) The space between adjoining letters and adjoining figures of the registration mark shall be 12 millimetres and there shall be a margin between the nearest part of any letter or figure and the top and bottom of the plate of at least 12 millimetres, and a margin between the nearest part of any letter or figure and the sides of the plate of at least 25 millimetres.Spacing of letters

(2) Any person who contravenes the provisions of this regulation shall be guilty of an offence.

(As amended by No. 57 of 1972)

12. (1) In the alternative Diagram No. 1 in regulation 9 the space between the upper and lower line shall be 20 millimetres.Alternative spacing

(2) In the alternative Diagram No. 2 in regulation 9 the space between the letter or letters and the figures shall be 35 millimetres.

(3) Any person who contravenes the provisions of this regulation shall be guilty of an offence.

(As amended by S.I. No. 57 of 1972)

13. (1) The plates bearing the registration mark on a motor vehicle or trailer shall be of the colour and design set out in the Fourth Schedule, and shall comply with the following provisions:Colour and design of registration marks

(a) the plate shall be made of metal or other durable non-rusting material, and where ferrous metal is used, the plate shall be protected by a coating of non-rusting material prior to the application of the reflective material;

(b) the letters and numbers-

(i) shall be constructed of durable non-rusting material and securely fixed to the plate by rivetting; or
(ii) shall be pressed out of the plate to a thickness of at least one (1) millimetre; or

(iii) shall be painted within two layers of durable material bonded together, the top layer being transparent.

(c) the letters and numbers of a plate of diplomatic vehicles shall be of a pressed type.

(2) Any person who contravenes the provisions of this regulation shall be guilty of an offence.


14. (1) The licensing officer to whom application is made for registration of a motor vehicle or trailer or for a motor dealer's vehicle licence shall assign to such motor vehicle or trailer or motor dealer's vehicle licence such of the letters set forth in the Third Schedule hereto as are appropriate to indicate, in the case of letters in Part I of the said Schedule, the district of registration or district in which the motor dealer's vehicle licence was granted, or, in the case of the letters in Part II of the said Schedule, the category of the vehicle, as the case may be: Registration letters

Provided that-

(a) the number plates for vehicles for specialized Agencies shall be from 1CD1Z upwards;

(b) the number plates for vehicles for specialized Agencies shall be the code letters representing the Organisation, then the number from 101 upwards; and

(c) the number plates for administrative and technical staff shall be 1AT101 upwards;

as assigned with the prior approval of the Commissioner.

(2) The letters set forth in the second column of the Third Schedule shall be the appropriate letters to indicate, in the case of Part I of the said Schedule, the district of registration of the motor vehicle or trailer and the district in which the motor dealer's vehicle licence was granted and, in the case of Part II of the said Schedule, the category of the vehicle.

(3) In assigning registration marks to identify all vehicles and trailers to be used under the authority of a motor dealer's vehicle licence, the licensing officer shall assign such of the letters set out in Part I of the Third Schedule as are appropriate to indicate the district in which the licence was granted.

(4)(a) Each letter combination given in Part I of the Third Schedule and ending in A shall be followed by a number from the consecutive series of numbers from 1 to 9999. When one such numerical series is exhausted, the last letter A of the letter combination shall be changed to B and the new letter combination thus formed shall likewise be followed by a number from the series 1 to 9999. And each time the series of numbers is exhausted a new letter combination shall be formed by changing the last letter of the combination to C, D and so forth up to Z. After the series of numbers following the letter combination ending in Z is exhausted a new letter combination shall be formed by changing the first
letter A of the combination to B or C or D and so forth up to Z and each such combination shall likewise be followed by numbers.

(b) Each letter combination given in Part II of the Third Schedule shall be followed by a number from the consecutive series of numbers from 1 to 9999.

(5) In the case of a trailer, the number contained in the registration mark shall contain the letter T.


15. (1) Whenever a licensing officer is requested by any person to assign a particular registered letter or letters and number (hereinafter for the purposes of this regulation called a "specified mark") to a motor vehicle or trailer owned by such person (hereinafter for the purposes of this regulation called a "specified vehicle") the procedure and conditions set forth in this regulation shall apply instead of the procedure set out in regulation 14.

Assignment of registration mark requested

(2) A licensing officer shall not assign a specified mark to a motor vehicle or trailer unless he is the licensing officer of the district of registration relating to the letter or letters of such specified mark as set forth in the Third Schedule.

(3) Every specified mark shall be a registration mark that has been or is currently in use as the registration mark of a motor vehicle or trailer.

(4) Whenever a licensing officer sees fit to assign a specified mark to a specified vehicle and such specified mark is currently in use as the registration mark of a motor vehicle or trailer, whether owned by the person making the request or not, the registration of such motor vehicle or trailer shall thereupon be cancelled and the registration, if any, of such specified vehicle shall also be cancelled and the registration mark, if any, of such specified vehicle shall thereafter be available for reassignment:

Provided that the licensing officer shall not assign such specified mark to such specified vehicle if such motor vehicle or trailer is owned by some person other than the person making the request unless such other person first signifies to the licensing officer in writing his agreement thereto.

(5) Whenever a licensing officer sees fit to assign a specified mark to a specified vehicle and such specified mark is not currently in use as the registration mark of a motor vehicle or trailer, the registration, if any, of such specified vehicle shall first be cancelled and the registration mark, if any, of such specified vehicle shall thereafter be available for reassignment.

(No. 123 of 1962)

16. (1) Temporary registration cards issued under the provisions of section seventy-one of the Act shall specify:

Temporary registration cards

(a) in the case of a motor vehicle the engine number and chassis number of the motor vehicle to which they relate;

(b) in the case of a trailer the number or, failing a number, any other permanent and distinctive mark on the trailer to which they relate;
(c) the district in which permanent registration will be obtained;

(d) the period not exceeding fourteen days for which they are valid;

(e) an identification mark to identify the motor vehicle or trailer in respect of which the temporary registration cards have been issued.

(2) The particulars to be endorsed by the licensing officer on application forms for temporary registration cards shall be-

(a) the period for which the temporary registration cards are valid;

(b) the identification mark on the temporary registration cards which he has issued.

17. (1) Any person driving a motor vehicle under the authority of a provisional driving licence shall cause to be clearly displayed in a conspicuous position on the front and rear elevations of such motor vehicle a plate showing the letter L in red on a white ground, and complying with the requirements set forth in sub-regulation (2). If a trailer or trailers are being drawn the rear L plate shall be displayed on the rear elevation of the rearmost trailer. L plates

(2) The dimensions of the plate bearing the letter L shall be 175 millimetres square, and the letter L shall be of the following dimensions:

Length of perpendicular side .. .. 100 millimetres

Length of horizontal side .. .. 85 millimetres

Width of each side .. .. 35 millimetres

(3) Any person who contravenes the provisions of this regulation shall be guilty of an offence.

(As amended by No. 57 of 1972)

18. (1) The Minister may authorise the use of such other distinguishing plates as he may think fit on motor vehicles or trailers of such classes, or used by such persons, or for such purposes as he may specify. Such plates may be used only as authorised by the Minister, and no plates other than those prescribed by regulation or those authorised under this regulation shall be used:

Other plates

Provided that the provisions of this regulation shall not apply to-

(i) the badges of motoring associations, clubs or societies, so long as such badges are displayed on the front of motor vehicles;

(ii) the carrying on a motor vehicle of an international distinguishing mark lawfully displayed in accordance with the Roads and Road Traffic (International Circulation) Regulations.

(2) The Minister may authorise such matter as he may think fit to be painted or inscribed on motor vehicles or trailers of such classes or used by such persons or for such purposes as he may specify.

(3) Any person who contravenes the provisions of this regulation shall be guilty of an offence.
PART IV

VEHICLE, MOTOR VEHICLE AND TRAILER LICENCES

19. Every person applying for a licence for a vehicle other than a motor vehicle or trailer under these Regulations shall furnish to the licensing authority the following particulars: Application for vehicle licence

(a) a description of the vehicle;
(b) the maker's name;
(c) the frame number or other mark sufficient to identify the vehicle;
(d) the name and address of the owner.

(As amended by No. 352 of 1964)

20. (1) Upon the issue of any licence for a motor vehicle or trailer, the licensing officer shall inscribe thereon the serial number of the appropriate tax class as set forth in the First Schedule to the Act: Conditions contained in certain motor vehicle and trailer licences

Provided that in the case of a contract car the letters CC shall also be inscribed on the licence.

(2) Any motor vehicle licence which is inscribed with the letters CC as stipulated in the proviso to sub-regulation (1) shall be deemed to contain the condition that the motor vehicle so licensed shall not be used as a public service vehicle.

21. (1) The form of token to be provided to the owner of a vehicle other than a motor vehicle or trailer shall be a metal plate stamped with the current year of issue and bearing a serial number: Position of licence and tokens on vehicles, motor vehicles and trailers

(2) The owner of a vehicle other than a motor vehicle or trailer shall maintain the said plate so issued to him firmly affixed while current in a conspicuous place on the vehicle in respect of which it is issued.

(3) Every motor vehicle or trailer licence shall be carried on such motor vehicle or trailer-

(a) in the case of an auto-cycle or of a motor cycle that is carried on two wheels without a sidecar or similar attachment, on the near side of the handlebar of the said auto-cycle or motor cycle, or in such other place as is provided by the manufacturers for the carrying of a licence;

(b) in the case of a motor cycle with a sidecar or similar attachment, on the near side of the handlebar of the said motor cycle or the near side of the sidecar or similar attachment in front of the seat or in such other place as is provided by the manufacturers for the carrying of a licence;

(c) in the case of a trailer, on the near side of the trailer or in or on the motor vehicle towing it at the time;
(d) in the case of all other motor vehicles, on the near side of the motor vehicle in front of the driving seat, and facing either forward or to the near side.

(4) Any person who contravenes the provisions of this regulation shall be guilty of an offence.

22. (1) Every motor vehicle and trailer licence shall be so carried and protected by a weatherproof metal holder or some other device that it does not become defaced or not easily distinguishable and so that it is clearly visible at all times.

Manner of carrying licence on motor vehicles and trailers

(2) Any person who contravenes the provisions of this regulation shall be guilty of an offence.

23. (1) Upon the issue of a motor dealer's vehicle licence the licensing officer shall issue to the holder thereof tokens, hereinafter referred to as motor dealers' vehicle tokens, in Form RL.9 of the First Schedule equal in number to the number of motor vehicles and trailers authorised to be used under the licence.

Motor dealer's vehicle licence and tokens

(2) When a motor vehicle or trailer is being used under the authority of a motor dealer's vehicle licence, one of the motor dealer's vehicle tokens issued to him shall be attached in the case of a motor vehicle to the front registration plate and in the case of a trailer to the near side thereof.

(3) (a) The validity of all motor dealers' vehicle tokens issued with a motor dealer's vehicle licence shall expire on the same day as the licence.

(b) No person shall use a motor dealer's vehicle token after the date of its expiry.

(4) Any person who contravenes the provisions of sub-regulation (2) or (3) shall be guilty of an offence.

24. (1) The holder of a motor dealer's vehicle licence may not use a motor vehicle or trailer under such a licence otherwise than for, in addition to those authorised by the Act, any of the following purposes:

Purposes for which motor dealer's vehicle licence may be used, and conditions to be observed

(a) proceeding to or from any place for registration or for examination by a vehicle examiner;

(b) delivery to or from another maker, dealer or repairer;

(c) proceeding to or from a workshop for work thereon;

(d) proceeding to or from a railway station, wharf or other place for loading prior to being conveyed to some other place;

(e) proceeding to or from a storage place or saleroom.

(2) Any person who contravenes the provisions of this regulation shall be guilty of an offence.

25. (1) A farm vehicle licence shall be in Form RL.11 of the First Schedule. With each such licence there shall be issued one token, hereinafter referred to
as a farm vehicle token, in the said Form RL.11. Farm vehicle licences

(2) No vehicle or trailer to which section one hundred and six of the Act applies shall be used on a road in accordance with that section unless the farm vehicle token is attached thereto.

(3) The token shall be so carried and protected by a weatherproof holder or some other device that it does not become defaced or not easily distinguishable and so that it is clearly visible at all times.

(4) Any person who contravenes the provisions of sub-regulation (2) or (3) shall be guilty of an offence.

26. (1) Where the ownership of a motor vehicle or trailer is transferred to a person who is the holder of a motor dealer's vehicle licence (hereinafter for the purposes of this regulation called "the dealer") and who has acquired such ownership by way of purchase, or otherwise, for the purposes of resale, the registered owner shall, within seven days of such transfer of ownership, deliver the registration book relating to such motor vehicle or trailer to the dealer and the dealer shall, within seven days of delivery of such registration book to him, inform the Commissioner and the licensing officer of the district where the motor vehicle or trailer is registered of such change of ownership. Change of ownership of motor vehicle or trailer to dealer

(2) When the motor vehicle or trailer is sold or otherwise disposed of by the dealer the dealer shall, within seven days of such sale or disposal, inform the Commissioner and the licensing officer of the district where the said motor vehicle or trailer is registered of the name and address of the new owner and the date when ownership changed to him. The dealer shall deliver the motor vehicle or trailer registration book to the new owner and the new owner shall, within fourteen days of the date when the ownership of the motor vehicle or trailer was transferred to him, deliver the said registration book to the licensing officer who shall register the new owner.

(No. 123 of 1962)

PART V

MISCELLANEOUS

27. (1) Any person who has in his possession a currently valid licence issued to him in any territory in Africa entitling him to use a motor vehicle or trailer in such territory shall be entitled to use such motor vehicle or trailer within Zambia during the currency of such licence, without being required to register or procure a licence in Zambia in respect of the same so long as he shall otherwise comply with the provisions of the Act and of the regulations made thereunder. Exemptions

(2) Sub-regulation (1) shall not apply in the case of a person to whom such a licence as aforesaid was issued in another territory in Africa while he was resident in Zambia.

(3) Sub-regulation (1) shall not apply to the use of any vehicle as a public service vehicle in Zambia except one used under the authority of a short-term road service licence the validity of which does not exceed one month.

(4) Notwithstanding the provisions of sub-regulation (3), sub-regulation (1)
shall apply to public service vehicles carrying tourists as provided for in regulation 23 of the Roads and Road Traffic (Public Service Vehicles, Licensing and Use) Regulations.

(As amended by No. 123 of 1962 and No. 30 of 1963)

28. Any person who is guilty of an offence against or a contravention of these Regulations for which no special penalty is provided shall be liable upon conviction, in the case of a first offence, to a fine not exceeding three hundred penalty units, and in the case of a second or subsequent offence, to a fine not exceeding one thousand five hundred penalty units or to imprisonment for a period not exceeding three months.

(As amended by Act No. 13 of 1994) Penalties

FIRST SCHEDULE
(Regulation 3)

PREScribed FORMS

FORM RL.1
(Regulation 3)

GOVERNMENT OF ZAMBIA

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (REGISTRATION AND LICENSING) REGULATIONS

APPLICATION FOR TEMPORARY REGISTRATION CARDS

Full name of owner of motor vehicle or trailer

Postal address of owner

Residential address of owner

Make and model of motor vehicle/trailer

Type of body Colour

Chassis No. (or in the case of a trailer, other distinguishing mark)

Engine No

Name and address of supplier of the motor vehicle/trailer
District in which it is proposed to obtain permanent registration

Date

Applicant

For use by the Licensing Officer

Identification mark on temporary registration cards issued

Expiry date

Date and place of issue                               Licensing Officer

NOTE.-This application form should be filled in original only. It should be retained for one month by the Licensing Officer who issues the temporary registration cards. At the end of a month it may be destroyed.
FORM RL.2
(Regulation 3)

GOVERNMENT OF ZAMBIA

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (REGISTRATION AND LICENSING) REGULATIONS

TEMPORARY REGISTRATION CARD

Engine No  Chassis No. (or in the case of a trailer other permanent distinguishing mark)........ Expiry date Identification
Mark-TR 123 (Example only)District in which permanent registration will be obtained................................ Date and place of
issue.................................................................................................................

........ Licensing
Officer...........................................................................................................

.................  Fee: 25 fee units per set
FORM RL.3
(Section 66 (2))
(Regulation 3)

GOVERNMENT OF ZAMBIA

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (REGISTRATION AND LICENSING) REGULATIONS

APPLICATION FOR REGISTRATION OF A MOTOR VEHICLE OR TRAILER

I. To be completed by applicant in duplicate and in block capitals (see notes below).

1. Name of owner
2. Postal address
3. Residential address
4. Type of motor vehicle or trailer (Note 1)
5. Make   6. Year of first registration (Note 2)
7. Colour   8. Type of body (Note 3)
9. Chassis No. (Note 4)   10. Engine No
11. C.C. or H.P   12. Propelled by
13. Net weight (lb.)
14. Manufacturer's permitted gross weight (Note 5)
15. Country of origin
16. Previous registration mark (if any)

Date

Applicant

II. To be completed by Licensing Officer.

1. Registration mark assigned
2. No. of registration book issued
3. No. of Customs clearance certificate
4. Name and address of absolute owner
(To be inserted at request of absolute owner)

Date

Licensing Officer

Station

NOTES


(2) Whether in Zambia or elsewhere.

(3) For example: "coupe imp", "drop side", "flat", "pantechnicon", "sedan", "stake sided", "station wagon", "tourer", "van".

(4) In the case of a trailer that has no chassis number, insert some other distinguishing mark.

(5) Manufacturer's permitted gross weight is required in respect of all "heavy vehicles" and "heavy trailers", i.e. those motor vehicles and trailers where such weight exceeds 3,650 kg., and in respect of all public service vehicles whatever their weight. It is the weight that the manufacturer or his representative of a motor vehicle or trailer certifies that such vehicle or trailer has been built to carry, including its own weight.

Original to: Central Motor Registry, P.O. Box 50066, Lusaka.

Duplicate: Retained by Licensing Officer and filed serially as his Register of Motor Vehicles and Trailers.

FOR OFFICIAL USE ONLY

Record of changes of ownership, and of other changes reported according to section 66 (11) of the Roads and Road Traffic Act

For use by the Licensing Officer only

Registration mark of motor vehicle/trailer

A. OWNERSHIP CHANGED TO:

1. Name

   Postal address

   Residential address
2. Name
   Postal address
   Residential address

3. Name
   Postal address
   Residential address

4. Name
   Postal address
   Residential address

B. NAME AND ADDRESS OF ANY PERSON SUBSEQUENTLY ENTERED AS THE ABSOLUTE OWNER
   Name
   Address

Date and place
Licensing Officer
C. OTHER CHANGES

Initials of Date Change Licensing Officer

(No. 30 of 1963 as amended by No. 57 of 1972)

FORM RL.4

(Section 66 (6))

(Regulation 3)

GOVERNMENT OF ZAMBIA

STOCKED BY

MIN. OF FINANCE

THE ROADS AND ROAD TRAFFIC ACT, SECTION 66 (5) OF
REGULATION 3, OF THE ROADS AND ROAD TRAFFIC
REGISTRATION AND LICENCING REGULATIONS

OFFICIAL REGISTRATION BOOK FOR A MOTOR VEHICLE OR
A TRAILER IN THE REPUBLIC OF ZAMBIA

MOTOR BOOK ISSUING SERIAL
NUMBER: ..............................................................

REGISTRATION NUMBER OR
MARK: ...........................................................

C: DESCRIPTION AND PARTICULARS OF MOTOR VEHICLE OR TRAILER REGISTERED AND
LICENCED IN TERMS OF THE ACT

1: MAKE: ..............................................................
2: TYPE:

3: YEAR OF FIRST REGISTRATION: ............................ 4: MONTH:
5: COLOUR:.............................................................. 6: TYPE OF BODY:

7: ENGINE NUMBER:

8: CHASSIS OR TRAILER NUMBER:

9: CC OR HP:............................................................. 10: PROPELLED BY:

11: NETT WEIGHT:..................................................... 12: GROSS WEIGHT:

13: COUNTRY OF ORIGIN:............................................

...........

1: FIRST OWNER: 2: SECOND OWNER:

NAME: NAME:

ADDRESS: ADDRESS:

ACO. NO.: ACO. NO.

FEE PAID: K FEE PAID: K

PLACE: PLACE:

DATE: DATE:

SIGN: LICENSING OFFICER SIGN: LICENSING OFFICER

A1: CHANGES OF ADDRES OF MOTOR VEHICLE OR TRAILER OWNER RECORD OF FIRST AND RE-REGISTRATION OR CHANGE OF OWNERSHIP

1: THIRD OWNER: 2: FOURTH OWNER:

NAME: NAME:

ADDRESS: ADDRESS:

ACO. NO.: ACO. NO.:

FEE PAID: K FEE PAID: K

PLACE: PLACE:
<table>
<thead>
<tr>
<th>NO.</th>
<th>YEAR/L/DISK</th>
<th>DATE OF EXPIRY</th>
<th>DATE OF ISSUE</th>
<th>place of TAX PAID</th>
<th>kwacha</th>
<th>SIGNATURE</th>
<th>LICENSING OFFICER</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

NOTES

1. Do not write in or alter this book in any way.

2. If the ownership of the vehicle changes, the registered owner must, within 14 days, inform the Licensing Officer of the district where it is registered and must deliver this book to the new owner. The new owner must, within 14 days, deliver this book to the Licensing Officer to be re-registered in his name.

3. Any other circumstance or event that affects the accuracy of the entries in this book must be reported to the Licensing Officer of the district where the vehicle is registered and the book be sent for amendment.

4. If the vehicle is broken up, destroyed or sent permanently out of the Republic, the owner must, within 14 days, notify the Licensing Officer of the district where the vehicle is registered and must deliver up this book to him.

5. This book must be produced to a Licensing Officer when the vehicle is being licensed. No license will be issued unless proof of third-party insurance cover is produced to the Licensing Officer.

6. In the case of vehicles that are subject to examination for certificates of fitness, no licence will be issued unless proof of the existence of a certificate of fitness is produced or unless the vehicle is exempt from the need to hold such a certificate. This book must also be produced to a vehicle examiner on each occasion when the vehicle is examined for a certificate of fitness.

(As amended by S.I. No. 10 of 1997)
GOVERNMENT OF ZAMBIA

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (REGISTRATION AND LICENSING) REGULATIONS

LICENCE FOR VEHICLE OTHER THAN MOTOR VEHICLE OR TRAILER

(a) Description of vehicle

(b) Maker's name

(c) Frame number or other identifying mark

(d) Name and address of owner

(e) No. of token issued

This licence expires on the 31st December, 19 ...........

Licensing Authority

Place

Fee paid:

Dated this day of ........................................................., 19 ...........

Original-To owner.
Duplicate-Remains in book.

(As amended by No. 202 of 1963)
FORM RL.6
(Regulation 3)

GOVERNMENT OF ZAMBIA

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (REGISTRATION AND LICENSING) REGULATIONS

MOTOR VEHICLE OR TRAILER LICENCE

CAP. 464

REPUBLIC OF ZAMBIA

MOTOR VEHICLE LICENCE

Registration Number:

Make: ................................... .Model: 

Colour: ................................. Type: 

Engine No.:

Chassis No.:

Date Issued: ................................... Disk No.:

Town: ZAMBIA

Expiring

Quarter: YEAR

NOTE:  
(1) All particulars shall be written in ink that does not fade. 
(2) Tax Class-refer to regulation 20.

(As amended by S.I. No. 10 of 1997)
FORM RL.7
(Regulation 3)

GOVERNMENT OF ZAMBIA

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (REGISTRATION AND LICENSING) REGULATIONS

APPLICATION FOR MOTOR DEALER'S VEHICLE LICENCE

To the Licensing Officer at

I (name of applicant)

(postal address)

(residential address)

hereby apply for-

*a motor dealer's vehicle licence to authorise the use of motor vehicles/trailers.

*an additional   motor vehicles and trailers to be entered on Motor Dealer's Vehicle Licence No   already held by me.

I hereby certify that I am a *dealer in/*manufacturer of *motor vehicles/
*trailers.

Applicant

Date

* Delete as applicable.

Original-To be retained by Licensing Officer.
**FORM RL.8**  
(Regulation 3)

**GOVERNMENT OF ZAMBIA**

**THE ROADS AND ROAD TRAFFIC ACT**

**THE ROADS AND ROAD TRAFFIC (REGISTRATION AND LICENSING) REGULATIONS**

**MOTOR DEALER'S VEHICLE LICENCE**

MOTOR DEALER'S VEHICLE LICENCE

<table>
<thead>
<tr>
<th>Licence fee paid: 150 units</th>
<th>No. of licence</th>
<th>Name of holder</th>
<th>Address</th>
<th>Date of expiry: 31st December, 19</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Registration numbers and token numbers assigned with this licence:</td>
</tr>
<tr>
<td>No.1..........................</td>
<td></td>
<td></td>
<td></td>
<td>Regn. No. Token No. Regn. No. Token</td>
</tr>
<tr>
<td>No.1..........................</td>
<td></td>
<td></td>
<td></td>
<td>........................................</td>
</tr>
</tbody>
</table>
FORM RL.9
(Regulation 23)

GOVERNMENT OF ZAMBIA

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (REGISTRATION AND LICENSING) REGULATIONS

MOTOR DEALER'S VEHICLE TOKEN

No

Fee units/paid: 2400

No. of motor dealer's vehicle licence

Holder of motor dealer's vehicle licence

Date of expiry of this token

Signature and date stamp
of Licensing Officer

Original-To dealer.
Duplicate-Remains in book.

(As amended by Act No. 13 of 1994)
FORM RL.10
(Regulation 3)

GOVERNMENT OF ZAMBIA

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (REGISTRATION AND LICENSING) REGULATIONS

APPLICATION FOR FARM VEHICLE LICENCE

I (name) of

address

hereby apply for a farm vehicle licence to permit me to use the motor vehicles/trailers listed below (or overleaf) in accordance with the provisions of section 106 of the Roads and Road Traffic Act.

I hereby certify that I am a farmer.

I understand that every motor vehicle or trailer, when actually being used on a road in accordance with section 106 of the Act, must carry attached to it a farm vehicle token.

Registration marks of motor vehicles/trailers to be included in the farm vehicle licence:

Date Applicant

FOR USE BY LICENSING OFFICER

No. of farm vehicle licence issued

Date of expiry of farm vehicle licence

Date Place

Licensing Officer

NOTE.—This application should be retained by the Licensing Officer for six months after the date of expiry of the relevant farm vehicle licence and token.
FORM RL.11
(Section 106)
(Regulation 25)

GOVERNMENT OF ZAMBIA

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (REGISTRATION AND LICENSING) REGULATIONS

FARM VEHICLE LICENCE

Fee units paid: 30 No. of Licence

Name

address

is hereby authorised to use the motor vehicles and trailers noted below (or overleaf) in accordance with the provisions of section 106 of the Roads and Road Traffic Act. Each motor vehicle or trailer when so used shall carry attached to it a farm vehicle token.

Registration marks of motor vehicles and trailers covered by this licence:

Date of expiry of licence

Date and place

Licensing Officer

FARM VEHICLE TOKEN

No

Name

is hereby licensed to use on a road at any one time, in accordance with section 106 of the Roads and Road Traffic Act, any one of the motor vehicles or trailers specified in farm vehicle licence of this number.

Date of expiry

Date and place
Licensing Officer

Original-To applicant.
Duplicate-To Central Motor Registry.
Triplicate-Remains in book.
FORM RL.12
(Regulation 3)

THE ROADS AND ROAD TRAFFIC ACT

THE ROADS AND ROAD TRAFFIC (REGISTRATION AND LICENSING) REGULATIONS

COMPANY NAME

PRINCIPAL OFFICE IN THE REPUBLIC OF ZAMBIA

THE ROADS AND ROAD TRAFFIC ACT OF THE REPUBLIC OF ZAMBIA

CERTIFICATE OF INSURANCE

Number of policy .....................................    Number of certificate

1. Name and address of policy holder

2. (a) Date of commencement of insurance
   (b) Date of expiry of insurance

3. *Make of vehicle(s) covered

4. *Registration mark and number

I/We hereby certify that the policy to which this certificate relates is issued in accordance with the provisions of Part IX of the Roads and Road Traffic Act of the Republic of Zambia.

Signed on behalf of the above approved insurer.

Authorised Representative

Date.................................................    At

The issue of this certificate shall in no way affect the terms and conditions of the said policy.

IMPORTANT

The insurance ceases on the sale or other change of ownership of the vehicle.

*If the policy does not refer to specified vehicles, insert the definition of vehicles covered as contained in the policy.

(This form may include references to legislation of countries outside Zambia)
RENEWAL CERTIFICATE


Certified that the policy to which this renewal receipt relates is in accordance with the provision of Part IX of the Roads and Road Traffic Act of the Republic of Zambia.

Signed

(The form may include references to legislation of countries outside Zambia under which it is also operative.)

(S.I. No. 38 of 1964)
SECOND SCHEDULE
(Regulation 4)

PRESCRIBED FEES

Fee units

For vehicles other than motor vehicles or trailers

1. Transfer of motor vehicle licence 60
2. Duplicate vehicle licence 60
3. Duplicate licence 60

For motor vehicles and trailers

4. Registration book 556
5. Duplicate registration book 556
6. Temporary registration cards 150
7. Registration of change of ownership 100
8. Appeal to the Commissioner 200
9. Examination of motor vehicles 120
10. Examination of trailer 120
11. Re-examination of motor vehicle 120
12. Re-examination of trailer 120
13. Assignment of registration mark which is not currently in use 5,000
14. Assignment of registration mark which is currently in use 350
15. Re-registration of motor vehicle with a current Zambian registration mark 2,500
16. Change in registration particulars (for each change) 150
17. Release of information prescribed in these Regulations 100

NOTE: Refer to regulation 4 for detailed provision.


THIRD SCHEDULE
(Regulation 14 and 15)

REGISTRATION LETTERS
## PART I

<table>
<thead>
<tr>
<th>Name of District</th>
<th>Registration letters</th>
</tr>
</thead>
<tbody>
<tr>
<td>Greater Lusaka</td>
<td>AAA to AAZ</td>
</tr>
<tr>
<td>Lusaka Rural/Feira</td>
<td>ABA to ABZ</td>
</tr>
<tr>
<td>Ndola</td>
<td>ACA to ACZ</td>
</tr>
<tr>
<td>Kitwe</td>
<td>ADA to ADZ</td>
</tr>
<tr>
<td>Kalulushi</td>
<td>AEA to AEZ</td>
</tr>
<tr>
<td>Mufulira</td>
<td>AFA to AFZ</td>
</tr>
<tr>
<td>Chingola/Chililabombwe</td>
<td>AGA to AGZ</td>
</tr>
<tr>
<td>Kabwe/Mumbwa</td>
<td>AHA to AHZ</td>
</tr>
<tr>
<td>Mkushi/Serenje</td>
<td>AIA to AIZ</td>
</tr>
<tr>
<td>Livingstone/Kalomo</td>
<td>AJA to AJZ</td>
</tr>
<tr>
<td>Choma/Namwala</td>
<td>AKA to AKZ</td>
</tr>
<tr>
<td>Mazabuka</td>
<td>ALA to ALZ</td>
</tr>
<tr>
<td>Monze/Gwembe</td>
<td>AMA to AMZ</td>
</tr>
<tr>
<td>Kafue</td>
<td>ANA to ANZ</td>
</tr>
<tr>
<td>Luanshaya</td>
<td>AOA to AOZ</td>
</tr>
<tr>
<td>Kasama/Mbala/Mporokoso/Luwingu/Kaputa</td>
<td>APA to APZ</td>
</tr>
<tr>
<td>Mpika/Isoka/Chinsali</td>
<td>AQA to AQZ</td>
</tr>
<tr>
<td>Eastern Province</td>
<td>ARA to ARZ</td>
</tr>
<tr>
<td>Luapula Province</td>
<td>ASA to ASZ</td>
</tr>
<tr>
<td>North-Western Province</td>
<td>ATA to ATZ</td>
</tr>
<tr>
<td>Western Province</td>
<td>AUA to AUZ</td>
</tr>
</tbody>
</table>

## PART II

<table>
<thead>
<tr>
<th>Category of Vehicle</th>
<th>Registration letters</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zambia Police</td>
<td>ZP</td>
</tr>
<tr>
<td>Zambia Prison Service</td>
<td>PS</td>
</tr>
</tbody>
</table>
FOURTH SCHEDULE

(REGULATION 13)

COLOUR AND DESIGN OF REGISTRATION MARKS

<table>
<thead>
<tr>
<th>Ground</th>
<th>Letters of Front</th>
<th>Plate Number</th>
<th>Description of Vehicle</th>
</tr>
</thead>
<tbody>
<tr>
<td>White</td>
<td>Whitereflective</td>
<td>Red</td>
<td>Vehicle for diplomatic missions</td>
</tr>
<tr>
<td>White</td>
<td>Whitereflective</td>
<td>Brown</td>
<td>Vehicles or trailer used under the authority of a motor dealer's licence</td>
</tr>
<tr>
<td>White</td>
<td>Whitereflective</td>
<td>Green</td>
<td>UN Specialised Agencies and International organisations</td>
</tr>
<tr>
<td>Black</td>
<td>Amberreflective</td>
<td>Black</td>
<td>Any other motor vehicle or trailer, other than an auto-cycle or motor cycle</td>
</tr>
</tbody>
</table>

(As amended by S.I. No. 155 of 1992)

SECTION 258—THE ROADS AND ROAD TRAFFIC (VEHICLES OF PARASTATAL BODIES) REGULATIONS S.I. No. 169 of 1985

Regulations by the Minister

1. (1) These Regulations may be cited as the Roads and Road Traffic (Vehicles of Parastatal Bodies) Regulations. Title and commencement

2. These Regulations shall come into effect on the expiration of thirty days after the date on which they are published in the Gazette.

3. In these Regulations, unless the context otherwise requires—Interpretation

"parastatal body" means a statutory corporation, or any company, association or other body in which the Government has a majority or controlling interest.

3. A parastatal body shall display on both front doors of a vehicle owned by it the crest or emblem of that parastatal body, and its name. Crest or emblem and name to be displayed

4. The registration marks of a vehicle owned by a parastatal body shall comply with the provisions of the Roads and Road Traffic (Registration and Licensing) Regulations, with the following modifications:

(i) the ground of the front plate shall have a yellow reflective band at least fifty millimetres wide running horizontally across the middle of the white reflective material background; and

(ii) the ground of the rear plate shall have a red reflective band at least
Registration marks of vehicles of parastatal bodies.

THE ROADS AND ROAD TRAFFIC (TRAFFIC SIGNS) REGULATIONS

ARRANGEMENT OF REGULATIONS

PART I

PRELIMINARY

Regulation

1. Title
2. Interpretation
3. Application

PART II

TRAFFIC SIGNS

4. General classification

Class A Signs

5. Class A-danger warning signs
6. Class A signs-purpose
7. Class A signs-distinguishing marks and colours
8. Class A signs-indication of danger
9. Class A signs-dimensions and shape
10. Class A signs-position and display
11. Class A signs-colours of back of sign and supports
12. Class A signs-exceptions

Class B Signs

13. Class B-regulatory signs
14. Class B signs-purpose
15. Class B signs-distinguishing mark and colour
16. Class B signs-nature of prohibition or restriction
17. Class B signs-dimensions and shape
18. Class B signs-position and display
19. Class B signs-colours of back of sign and supports
20. Class B signs-exceptions

Class C Signs

Regulation
21. Class C-informative signs
22. Class C signs-purpose
23. Class C signs-dimensions and shape
24. Class C signs-colours of signs and supports
25. Class C signs-position and display
26. Class C signs-exceptions

Class D Signs
27. Class D-traffic light signals
28. Robots-purpose
29. Robots-signal faces
30. Robots-visibility
31. Robots-position and height
32. Robots-colour of supports
33. Robots-stop line
34. Robots-light sequence
35. Robots-meaning of light indications
36. Robots-pedestrian control and signals
37. Flashing lights-purpose

Class E Signs
38. Class E-carriageway markings
39. Class E signs-requirements
40. Prohibition lines-purpose
41. Longitudinal prohibition lines-requirements
42. Transverse prohibition or stop lines—requirements
43. Meaning of prohibition lines
44. Guide lines—purpose
45. Guide lines—requirements
46. Prohibition and guide lines in combination
47. Pedestrian crossings—purpose
48. Pedestrian crossings at certain intersections and junctions
49. Pedestrian crossings at other intersections, junctions and points
50. Parking lines—purpose

Regulation
51. Parking line—requirements
52. Marking of prohibited or restricted portions of roads
53. Safety markings

Class F Signs
54. Class F—other traffic control devices—bollards—purpose
55. Bollards—requirements

PART III
GENERAL
56. Nature of characters on traffic signs
57. Fitting of reflex reflectors to traffic signs
58. Permissible variations of dimensions of traffic signs and of letters and numerals
59. Dimensions of symbols in First Schedule
60. Colour shades of traffic signs
61. Erection of traffic signs by private organisations

FIRST SCHEDULE—Traffic signs
SECOND SCHEDULE—Dimensions of letters and numerals

SECTION 258—THE ROADS AND ROAD TRAFFIC (TRAFFIC SIGNS) REGULATIONS
PART I
PRELIMINARY

1. These Regulations may be cited as the Roads and Road Traffic (Traffic Signs) Regulations.

2. (1) In these Regulations, unless the context otherwise requires-

"metric tonne" means 1,000 kilograms;

"reflective" means composed or partly composed of reflex reflectors or reflective material of appropriate colour;

"reflective material" means material specially designed to reflect light back to the source of such light;

"reflex reflector" means a reflector of glass or other similar material specially designed to reflect light back to the source of such light;

"traffic island" means any area in a road intended to exclude, direct or separate physically any vehicular or pedestrian traffic and includes a roundabout.

Interpretation

(2) Where a colour is mentioned hereinafter it shall be non-reflective unless otherwise stated.

(As amended by No. 87 of 1972)

3. The details of traffic signs and the purposes which they are intended to serve, and the meanings, prohibitions, restrictions and requirements which they are intended to convey to persons using the roads, shall be as set out in these Regulations.

PART II
TRAFFIC SIGNS

4. Traffic signs shall be classified as follows:

General classification

Class A-Danger Warning Signs.

Class B-Regulatory Signs.

Class C-Informative Signs.

Class D-Traffic Light Signals.
Class E-Carriageway Markings.

Class F-Other Traffic Control Devices.

Class A Signs

5. The signs which fall under Class A, and their significance, shall be as set out under Class A in the First Schedule.

6. The purpose of Class A traffic signs is to warn road users of impending danger on the road ahead.

7. The distinguishing mark of a Class A danger warning sign, which shall form part of all signs in this class, shall be an equilateral triangle with a reflective red border, and having one apex upright. The inner triangle shall, unless removed entirely to leave a hollow triangle, be coloured to form a yellow background.

8. The nature of the danger of which advance warning is intended to be given by a sign in Class A shall be indicated by means of symbols or inscriptions or a combination of both symbol and inscription coloured black upon a reflective yellow background within a triangular plate.

(As amended by No. 87 of 1972 and 119 of 1983)

9. The minimum dimensions, shape and proportions of all signs in Class A and all symbols and inscriptions relating to such signs shall conform to those set out under Class A in the First Schedule.

10. (1) All signs in Class A shall be erected or displayed on that side of the road which is on the left of drivers approaching the faces of such signs.

(2) The height of all such signs above that point on the centre of the carriageway nearest the sign shall fall within the limits shown under Class A in the First Schedule.

(3) The distance of all such signs from the danger point shall be not less than 140 metres and not more than 230 metres:

Provided that all such signs in a local authority area may be erected at any suitable distance from the danger point so as to convey the appropriate warning.

(4) All such signs shall be sited at such a position within the limits of height and distance set out above as to be clearly visible to drivers of traffic approaching them.

(5) Where, in the interests of safety and to meet special conditions, duplicate signs are considered desirable, such additional signs may be erected in any suitable position.

(As amended by No. 87 of 1972 and 119 of 1983)

11. Where a sign in Class A is supported on a post or posts specially erected for the purpose of displaying such sign, that portion of each post which is visible below the lowest edge of the sign shall be coloured by alternate bands.
of black and white. Except in the case of a double-sided sign, the back of the
sign and that portion of any post within the limits of the back of the sign
shall be coloured black. Class A signs—colours of back of sign and supports

12. The following signs in Class A need not comply with the provisions of
regulations 7 to 11 inclusive to the extent that is hereinafter respectively
stated in respect of each such sign:

(a) Signs erected in local authority areas

Class A signs—exceptions

(i) The dimensions of the triangular plate of a sign in Class A erected in a
local authority area may be reduced by not more than twenty per centum of those
set out under Class A in the First Schedule and the dimensions of any symbol
appearing thereon may be proportionately reduced.

(ii) The dimensions of letters and figures of inscriptions on such signs may
be proportionately reduced but for purposes of easy legibility they should be
kept as large as possible. Where letters and figures are so reduced they shall
be in accordance with the details and dimensions set out in Part II of the
Second Schedule.

(b) Signs having no significance at night

Where a sign has no significance at night no part of such sign need
incorporate reflective material.

(c) "Workmen Ahead" signs

The black symbol on a "Workmen Ahead" sign shall be placed on a
reflective yellow background within the distinguishing mark, and the sign may be
placed in any suitable position either on or off the carriageway, provided the
face thereof is clearly visible to drivers of oncoming traffic so as to give
timely warning.

(d) "Police Control Ahead" and "Traffic Control Ahead" signs

The sign may be placed in any suitable position either on or off the
carriageway, provided the face thereof is clearly visible to drivers of oncoming
traffic so as to give timely warning.

(e) "Roundabout" signs

Any "Roundabout" sign may be displayed without the distinguishing mark
of a danger warning sign.

(f) "Robot Ahead" signs

Any "Robot Ahead" sign may be displayed without the distinguishing
mark
of a danger warning sign.

(g) "Level Crossing" signs

A "Level Crossing" sign shall, according to circumstances, be cited as
closely as possible to the rail/road crossing to which it relates. The sign
shall have a cross with a reflective red border on white non-reflective
background, as set out under Clause A signs in the First Schedule.
(h) "Emergency Danger Warning" signs

In case of urgent necessity to give a warning of the existence of danger, as for example if a wash-out has occurred on a road, a red flag by day or a red light by night may be displayed as a temporary measure in the absence of or in addition to a danger warning sign.

(As amended by S.I. No. 119 of 1983)

Class B Signs

13. The signs which fall under Class B and the instructions which they shall convey, shall be as set out under Class B in the First Schedule.

Class B-regulatory signs

14. The purpose of Class B traffic signs is to convey a definite instruction that the use of a road by traffic or by a particular class of traffic is prohibited or subject to some restriction, or that a particular instruction should be observed.

Class B signs-purpose

15. The distinguishing mark for a Class B regulatory sign, which shall form part of all signs of this class, shall be a reflective red ring. The inside of the ring shall be coloured to form a reflective yellow background.

(As amended by S.I. No. 119 of 1983)

Class B signs-distinguishing mark and colour

16. The nature of the prohibition, restriction or instruction conveyed by a sign in Class B shall be indicated by means of symbols or inscriptions or a combination of both symbol and inscription coloured black upon a reflective white background. Such symbols or inscriptions shall be placed within the distinguishing mark.

(As amended by S.I. No. 119 of 1983)

Class B signs-nature of prohibition or restriction

17. The minimum dimensions, shape and proportions of all signs in Class B and all symbols and inscriptions relating to such signs shall conform to those set out under Class B in the First Schedule.

Class B signs-dimensions and shape

18. (1) All signs in Class B shall be erected or displayed on that side of the road which is on the left of drivers approaching the faces of such signs.

Class B signs-position and display

(2) The height of all such signs above that point on the centre of the carriageway nearest the sign shall fall within the limits shown under Class B in the First Schedule.

(3) All such signs shall be sited as closely as possible to the point, object or area to which they relate.

(4) All such signs shall be sited at such a position as to be clearly visible to drivers of traffic approaching them.

(5) Where, in the interests of safety and to meet special conditions, duplicate signs are considered desirable, such additional signs may be erected in any suitable position.
19. (1) Where a sign in Class B is supported on a post or posts specially erected for the purpose of displaying such sign, that portion of each post which is visible below the lowest edge of the sign shall be coloured by alternate bands of black and white. Class B signs-colours of back of sign and supports

(2) Except in the case of a double-sided sign and a "Stop" sign, the back of the sign and that portion of any post within the limits of the back of the sign shall be coloured black. The back of a "Stop" sign and that portion of any post within the limits of the back of such sign shall be coloured white.

20. The following signs in Class B need not comply with the provisions of regulations 15 to 19 inclusive to the extent that is hereinafter respectively stated in respect of each such sign:

(a) Signs erected in local authority areasClass B signs-exceptions

(i) The dimensions of any sign in Class B displayed in a local authority area other than a "No Right Turn" or a "No Left Turn" sign affixed to a robot, may be reduced by not more than twenty per centum of those set out under Class B in the First Schedule and the dimensions of any symbol, letter or figure appearing thereon may be proportionately reduced.

(ii) Where letters and figures of inscriptions are so reduced, they shall be in accordance with the details and dimensions set out in Part II of the Second Schedule.

(iii) Where circumstances do not necessitate it, the white centre of the ring and the white background of a rectangular plate, if any, placed below the distinguishing mark, need not be of reflective material.

(b) Signs where the symbol or inscription is shown on a rectangular plate

Where a symbol or inscription is shown on a rectangular plate as provided in regulation 16, the centre of the reflective ring surmounting the plate shall not be reflective.

(c) "Stop" signs

The red hexagon and the word "STOP" on any "Stop" sign shall be of reflective material. No other part of the sign shall be reflective.

(d) "Give Way" signs

"Give Way" signs shall incorporate a reflective red border, and the inscription shall be on a yellow reflective background.

(e) "Cyclists Stop" and "Cyclists Give Way" signs

The outline of any "Cyclists Stop" and any "Cyclists Give Way" sign shall be rectangular in shape, and no part of such sign shall incorporate reflective material.

(f) "No Right Turn" sign

Where any "No Right Turn" or "No Left Turn" sign is displayed on a robot, no additional sign shall be necessary to indicate the prohibition.
(g) "No U Turn" sign

Where any "No U Turn" sign is erected on a physical obstruction on a road, a corresponding sign need not be displayed on the side of the road.

(As amended by S.I. No. 119 of 1983)

Class C Signs

21. The signs which fall under Class C shall be as set out under Class C in the First Schedule.

Class C - informative signs

22. The purpose of Class C traffic signs is to guide road users in the course of their travel and to give them such other information as may be of use to them.

Class C signs - purpose

23. Signs in Class C shall be rectangular in shape and of sufficient size to show thereon the symbol or inscription or combination of both symbol and inscription necessary to convey the desired information. Advance direction signs may incorporate route numbers.

Class C signs - dimensions and shape

24. (1) Advance information and advance direction signs shall have white or reflective white symbols or inscriptions on a black background.

Class C signs - colours of signs and supports

(2) Direction signs shall have black inscriptions on a white background which may be reflective.

(3) Signs such as those bearing place names, site descriptions or other information of a general nature shall have white inscriptions on a black background. Such signs may be reflective if they have any significance at night.

(4) Private direction signs shall not incorporate reflective material of the colours red, green or yellow.

(5) Where a sign is supported on a post or posts specially erected for the purpose of displaying such sign, that portion of any post which is visible below the lowest edge of the sign shall be coloured white. The back of the sign and that portion of any post within the limits of the back of the sign shall be coloured black.

Class C signs - position and display

25. (1) All signs in Class C shall be erected or displayed in such a position as to be clearly visible to drivers of traffic approaching them and so that they convey adequately the information intended.

(2) As far as possible such signs shall be erected or displayed on that side of the road which is on the left of drivers approaching the faces of such signs:

Provided that the "Derestriction Sign" indicating the end of a speed limit may be displayed on both sides of the road.

Class C signs - exceptions

26. The following signs in Class C need not comply with the provisions of regulations 23 to 25 inclusive to the extent that is hereinafter respectively stated in respect of each such sign:

(a) "Parking Area" and "Car Park" signs
The colours of "Parking Area" and "Car Park" signs shall be a white symbol or inscription on a blue background.

(b) "Hospital" Signs

"Hospital" signs shall incorporate a red cross with a white reflective border and an inscription on a green reflective background.

(As amended by S.I. No. 119 of 1983)

Class D Signs

27. The signs that fall under Class D are robots and flashing lights. Class D—traffic light signals

28. The purpose of robots is to direct road users by means of light signals to take some specific action or to exercise caution. Robots—purpose

29. (1) Each face of a robot shall have three circular lenses, arranged vertically with a red lens at the top, yellow lens below the red and a green lens at the bottom. The lenses shall be not more than 155 millimetres apart measured from the outer edge of each lens. Each lens shall have a diameter of not less than 200 millimetres. Robots—signal faces

(2) The red lens may have the word "STOP" marked on it in small black letters. No lettering shall appear on the other lenses.

(3) Each lens shall be independently lit by a clear lamp of not less than forty-watt capacity.

(4) A lens showing a green arrowhead (hereinafter referred to as a "filter arrow") may be added to the signal face of a robot, and shall be so placed that it is in the same horizontal plane as the red lens. The arrow shall be so designed that it is clearly visible to drivers of approaching traffic.

(5) Each lens, reflector and hood or visor shall be of such a design as to render the lens, when illuminated, clearly visible to drivers of approaching traffic.

(6) The design shall be such as to prevent, as far as practicable, any signal face being seen from a direction to which its indications do not apply.

(As amended by No. 87 of 1972 and 122 of 1978)

30. (1) Where it is considered desirable owing to the existence of advertising signs or for any other reason, a screen may be erected behind any signal face of any robot so as to throw it into relief for good visibility by drivers of approaching vehicles. Robots—visibility

(2) Where it is considered desirable for any reason, a flashing yellow light may be placed above the signal faces at the top of a robot, for the purpose of emphasising the existence of the robot.

31. (1) The position of any robot shall depend upon conditions at the point of intended control and shall be in the discretion of the highway authority concerned. Robots—position and height
(2) The height of any robot shall be such as to ensure that the signal faces are clearly visible to those drivers of vehicles approaching the robot over whom the lights are intended to exercise control.

32. Where robots are supported on a post specially erected for the purpose of holding such robot, that portion of the post which is visible below the lowest edge of the robot shall be coloured by alternate bands of black and white.

Robots-colour of supports

33. A line, hereinafter called a "stop line", shall be displayed or shown on the carriageway at each point of entry into an intersection, junction or other point at which the robot is intended to control traffic.

Robots-stop line

34. (1) The colour sequence for illumination of the lenses of a robot shall be:

Robots-light sequence
(a) red (with or without filter arrow);
(b) green;
(c) yellow.

(2) The time cycle for illumination of the lenses of a robot shall depend on the particular intersection or junction and shall be in the discretion of the highway authority concerned:

Provided that when a filter arrow is added to the signal face of any robot at an intersection or junction, such arrow may be illuminated only after an interval of not less than four seconds has elapsed since the illumination of the red lens on such signal face.

(3) If the highway authority concerned decide that at certain intersections or junctions the red and green lights of a robot are not warranted during certain hours, then in such cases the yellow light alone may be shown as a flashing light throughout such hours:

Provided that in the case of robots erected before the commencement of these Regulations it shall be permissible to show such yellow light as a steady light instead of as a flashing light.

35. The directions given by the lights of any robot shall be as follows:

Robots-meaning of light indications
(a) Red means that no vehicle facing the signal shall cross the stop line.
(b) Red with filter arrow means that no vehicle facing the signal shall cross the stop line:

Provided that vehicles may proceed in the direction indicated by the filter arrow subject to due precaution being taken. Vehicles proceeding in this manner shall given precedence to traffic proceeding through the intersection or junction on an indication given by a green signal.

(c) Green means that all vehicles facing the signal may proceed straight ahead or to the left or right subject to due precaution being taken and subject further to such movement not being contrary to any specific regulatory sign.
(d) Yellow (when operating in a colour sequence) means that no vehicle facing the signal shall cross the stop line unless, when the yellow light first appears after the green light, the vehicle is so close to the stop line that a stop cannot safely be made behind such stop line, in which case the vehicle shall proceed subject to due precaution being taken.

(e) Yellow (when not operating in a colour sequence) means that all vehicles entering the intersection or junction shall do so subject to due precaution being taken.

36. (1) Pedestrian signals may be used in conjunction with a robot for the purpose of controlling pedestrians. If so used they shall consist of two lamps arranged vertically with their centres not more than 715 millimetres apart and facing across the road. The upper lamp when lit shall illuminate on a black ground either a red St. Andrew's cross or the word "WAIT" in red letters. The lower lamp when lit shall illuminate on a black ground a yellow St. Andrew's cross, or the words "CROSS NOW" in yellow letters. Robots - pedestrian control and signals

(2) The directions given by the lights of a pedestrian signal shall be as follows:

(a) When the red cross or the word "WAIT" in red letters is illuminated, no pedestrian facing the signal shall cross the road.

(b) When the yellow cross, or the words "CROSS NOW" in yellow letters is illuminated, all pedestrians facing the signal may cross the road.

(As amended by No. 87 of 1972)

37. The purpose of flashing light signals is to warn road users by means of a constantly flashing red or yellow light to exercise caution or to emphasise the existence of a danger warning or regulatory traffic sign.

Class E Signs Flashing lights - purpose

38. The following markings shall fall under Class E: Class E-carrigeway markings

Prohibition lines.

Guide lines.

Pedestrian crossings.

Parking lines.

Other markings.

39. The following requirements where applicable shall be observed in all the markings falling under Class E:

(a) Carriageway markings shall be either applied to the surface of the carriageway or built into the carriageway in such a manner as to be readily visible to those road users to whom they are intended to apply.
(b) Studs, plates or blocks coloured white or material having the colour of white metal, silver or light grey may be used as substitutes for white paint provided that they have a width or mean diameter of not less than 100 millimetres and provided that they are so fixed in the carriageway that no part thereof projects more than 20 millimetres above the surface of the carriageway. Class E signs - requirements

(c) When studs, plates or blocks are used as substitutes for any line marking, they shall be so spaced that the distance, measured from edge to edge, shall be not more than 155 millimetres.

(As amended by No. 87 of 1972)

40. The purpose of prohibition lines is to convey to road users a definite prohibition by means of continuous white or yellow lines demarcated on the carriageway. Prohibition lines - purpose

41. (1) A longitudinal prohibition line shall be a continuous line which follows approximately the direction of traffic flow. Longitudinal prohibition lines - requirements

(2) A longitudinal prohibition line shall be not less than 100 millimetres wide and white in colour except only when a colour other than white is necessary for the purposes of contrast with the colour of the surrounding carriageway surface.

(3) Where necessary appropriate wording may be laid down on the carriageway surface in addition to a longitudinal line for the purpose of emphasising the intended instruction or restriction.

(As amended by No. 87 of 1972)

42. (1) A stop prohibition line shall be a continuous line laid down transversely on a road and shall extend across all traffic lanes to which it applies. Transverse prohibition or stop lines - requirements

(2) A stop prohibition line shall not be less than 150 millimetres wide and white in colour except only when a colour other than white is necessary for purposes of contrast with the colour of the surrounding carriageway surface. Where necessary appropriate wording or direction arrows may be laid down on the carriageway surface in addition to a stop prohibition line for the purpose of emphasising the intended instruction or restriction or for the guidance of traffic.

(As amended by No. 87 of 1972)

43. The prohibitions conveyed by prohibition lines shall be as follows:

(a) A longitudinal prohibition line means that no vehicle shall cross or straddle such line unless laid down in combination with a guide line as prescribed in regulation 46.

(b) A stop prohibition line means that no vehicle shall cross such line until after compliance with the instruction of a traffic sign. Meaning of prohibition lines

44. The purpose of guide lines is to guide road users by the demarcation of traffic lanes or crossings. Guide lines - purpose
45. (1) A guide line shall be a broken line each portion of which shall not be
less than 100 millimetres wide and not less than 500 millimetres and not more
than 5 metres long. The length of gap between each portion of line shall be
approximately four times the length of each portion of line. Guide
lines—requirements

(2) A guide line shall be white in colour except only when a colour other than
white is necessary for the purposes of contrast with the colour of the
surrounding carriageway surface.

(As amended by No. 87 of 1972)

46. A guide line if used parallel to and immediately adjacent to a
prohibition line, shall have the effect of permitting drivers of traffic
travelling on the same side of a prohibition line as such guide line to cross or
straddle the prohibition line. The space between the prohibition line and the
guide line shall be not less than 50 millimetres.

(As amended by No. 87 of 1972)

Prohibition and guide lines in combination

47. The purpose of pedestrian crossings is to guide pedestrian traffic into
suitable channels for the purpose of crossing from one side of a road to the
other side. Pedestrian crossings—purpose

48. (1) Pedestrian crossings shall be laid down at or immediately adjacent to
every road intersection or junction where traffic control is enforced by a
robot. Pedestrian crossings at certain intersections and junctions

(2) Such pedestrian crossings shall comprise the space between two continuous
lines not less than 1.80 metres apart, each line being not less than 100
millimetres wide, and extending transversely across the full carriageway.

(3) The lines marking such pedestrian crossings shall be white in colour except
only where a colour other than white is necessary for the purposes of contrast
with the colour of the surrounding carriageway surface.

(As amended by No. 87 of 1972)

49. (1) Where a pedestrian crossing is required at a point other than a road
intersection or junction where traffic control is enforced by a robot, it shall
be demarcated for its full width by a pattern of alternate black and white
stripes each stripe being approximately 610 millimetres wide. Such pattern shall
extend transversely across the full width of the carriageway and shall be not
less than 1.80 metres wide. Pedestrian crossings at other intersections,
junctions and points

(2) A danger warning sign shall be erected to warn drivers of vehicular traffic
of approach to such pedestrian crossing and at the point of crossing a sign
shall be erected for the guidance of pedestrians.

(As amended by No. 87 of 1972)

50. The purpose of parking lines is to indicate areas in which motor vehicles
may be parked. Parking lines—purpose

51. A parking line shall be white in colour except where a colour other than
white is necessary for purposes of contrast with the colour of the surrounding carriageway surface. It shall be not less than 100 millimetres wide, and it shall be so placed as clearly to indicate each parking bay.

(As amended by No. 87 of 1972) Parking line-requirements

52. (1) Where it is desired to indicate a prohibited or restricted area forming part of a road such as a "No Parking" area, an "Unloading Zone", a "Fire Hydrant" area, a "Bus Stop" area or similar area, such areas may be appropriately demarcated by prohibition lines yellow in colour and may be marked with appropriate inscriptions yellow in colour. Marking of prohibited or restricted portions of roads

(2) Notwithstanding anything to the contrary contained in these Regulations, a prohibition line indicating a restricted area (but not a prohibited area) means that such line may be crossed or straddled by vehicles of a type or used for the purpose for which the area has been reserved.

53. Safety markings white in colour or of alternate bands of white and black may be made on the carriageway at approaches to dangerous sections of road, or on physical obstructions in or near a road such as kerbs of traffic islands, overhead bridge supports, end walls and head walls and poles and similar obstructions.

Class F Signs Safety markings

54. The purpose of a bollard is -

(a) to indicate or outline a feature or hazard in a road, particularly at night as for example a traffic island;

(b) to guide traffic.

Class F - other traffic control devices - bollards - purpose

55. (1) The general design of a bollard shall be as illustrated under Class F in the First Schedule. Bollards - requirements

(2) The head-piece of a bollard may be illuminated and designed to embody any appropriate inscription such as "KEEP LEFT" or "CROSS HERE" or such other inscription as may be required to give greater effect to a traffic sign. Such inscription shall be coloured black on a white or yellow-coloured background.

(3) A bollard shall be so designed and sited as to be clearly visible to drivers of approaching traffic both by day and by night.

PART III

GENERAL

56. (1) All inscriptions and symbols appearing on traffic signs shall be bold and clear-cut in outline so as to be easily distinguishable. Nature of characters on traffic signs

(2) Letters and numerals appearing on traffic signs shall be standard in accordance with the details and dimensions set out in Part I of the Second Schedule:

Provided that letters and numerals appearing on traffic signs may be reduced in
size when permitted by these Regulations to conform to the details and dimensions set out in Part II of the Second Schedule.

(3) Markings painted on the surface of the carriageway may be composed of elongated letters, numerals or symbols of such size as to be clearly legible to approaching drivers.

57. (1) Where reflex reflectors are incorporated in a traffic sign the diameter of each reflector shall be not less than 5 millimetres nor greater than 10 millimetres. Fitting of reflex reflectors to traffic signs

(2) The distance between the centre of any such reflector and that of the nearest other reflector in any direction shall be equivalent to double the diameter of the reflectors.

(As amended by No. 87 of 1972)

58. (1) Any variation from a dimension specified in the First Schedule or from such dimension as reduced in accordance with these Regulations shall be deemed to be in accordance with these Regulations if the variation—Permissible variations of dimensions of traffic signs and of letters and numerals

(a) in the case of a dimension so specified as over 300 millimetres, is within five per centum of that dimension;

(b) in the case of a dimension so specified as 50 millimetres or more but not more than 300 millimetres, is within ten per centum of that dimension;

(c) in the case of a dimension so specified as under 50 millimetres, is within twenty per centum of that dimension.

(2) The letters and numerals used on any traffic sign shall be deemed to be in accordance with the Second Schedule if their proportionate dimensions are within ten per centum of those specified in that Schedule.

(As amended by No. 87 of 1972)

59. Any symbol on any traffic sign shall be deemed to conform to the corresponding symbol in the First Schedule (hereinafter called the "Schedule symbol") if it conforms only to those dimensions of the Schedule symbol which are specified in the Schedule: Dimensions of symbols in First Schedule

Provided that in respect of the dimensions not so specified such symbol shall substantially resemble the Schedule symbol.

60. (1) Where the colour red, green, yellow or blue is referred to in these Regulations the shade of each colour shall, as nearly as possible, be determined in accordance with the British Standards Institution schedule of colours for ready mixed paints, reference No. 381C: 1948 as revised, as follows: Colour shades of traffic signs

Red—No. 536 Poppy.

Green—No. 267 Traffic Green.

Yellow—No. 356 Golden Yellow.
Blue-No. 166 French Blue.

61. Where a private organisation is permitted to erect a traffic sign, or supplies a traffic sign for the use of any person, it may display its badge on such signs subject to approval by the Minister. Erection of traffic signs by private organisations

FIRST SCHEDULE
(Regulations 5, 13 and 21)

CLASS A SIGNS

CLASS B SIGNS

CLASS A—DANGER WARNING SIGNS

OLD NEW

KEY NOTE

A Triangle of side 90 cm for Territorial Roads
A Triangle of side 60 cm for District Roads
A Triangle of side 40 cm for Rural Roads
CLASS B-REGULATORY SIGNS

OLD    NEW

KEY NOTE

A Circle of diameter 60cm for Territorial Roads

A Circle of diameter 40cm for District Rural Roads

CLASS C-INFORMATIVE SIGNS
CLASS D—TRAFFIC LIGHT SIGNALS

CLASS E—CARRIAGEWAY MARKINGS

CLASS F—OTHER TRAFFIC CONTROL DEVICES

REPUBLIC OF ZAMBIA

THE TOLLS ACT

CHAPTER 465 OF THE LAWS OF ZAMBIA

CHAPTER 465 THE TOLLS ACT
ARRANGEMENT OF SECTIONS

PART I

PRELIMINARY

Section

1. Short title
2. Interpretation

PART II

TOLLS BOARD

3. Establishment of Board
4. Seal of Board
5. Composition of Board
6. Tenure of office and vacancies
7. Functions of Board
8. Proceedings of Board
9. Committees of Board
10. Disclosure of interest
11. Immunity of members

PART III

ADMINISTRATION

12. Director and Deputy Director
13. Secretary and other staff
14. Inspectorate unit
15. Powers of inspectors
16. Prohibition of publication or disclosure of information to unauthorised persons

PART IV

TOLL CHARGES

17. Toll charges

PART V
ENTRY FEES, ETC.

Section

18. Entry fees
19. Declarations
20. Purchase of fuel and lubricants in respect of certain vehicles
21. Supply of fuel or lubricants to certain vehicles
22. Forfeiture of certain vehicles

PART VI

FINANCIAL PROVISIONS AND REGULATIONS

23. Funds of Board
24. Bank accounts
25. Accounts
26. Financial year
27. Annual report
28. Regulations

CHAPTER 465

TOLLS

An Act to provide for the establishment of the Tolls Board; to define the functions and powers of the Board; to provide for the charging and the collection of toll charges; to provide for the charging and the collection of entry fees in respect of certain vehicles entering Zambia; to provide for the procedure for the purchase of fuel and lubricants in respect of heavy goods vehicles not registered in Zambia; and to provide for matters connected with or incidental to the foregoing.

[15th April, 1983]
1 of 1983
2 of 1988
13 of 1994
Statutory Instrument
128 of 1983

PART I

PRELIMINARY

1. This Act may be cited as the Tolls Act. Short title
2. (1) In this Act, unless the context otherwise requires—

"Board" means the Tolls Board established by section three;

"Chairman" means the person designated Chairman of the Board in section five;

"Director" means the Director of the Board appointed under section twelve;

"entry fee" means the fee referred to in Part V;

"fuel" includes petrol, diesel, kerosene, and any other fuel used for the propulsion of a heavy goods vehicle;

"inspector" means an inspector of the Board appointed under section fourteen;

"lubricant" includes any oil, grease, hydraulic fluid, or any other lubricant used in connection with a heavy goods vehicle;

"member" means a member of the Board;

"Secretary" means the person appointed under section thirteen to be Secretary to the Board;

"toll charges" means the charges referred to in Part IV;

"Vice-Chairman" means the Vice-Chairman of the Board elected in accordance with subsection (2) of section five.

(2) Unless the context otherwise requires, words and expressions not defined in this Act but defined in the Roads and Road Traffic Act shall, in this Act, have the meaning assigned thereto in the Roads and Road Traffic Act.

PART II

TOLLS BOARD

3. There is hereby established the Tolls Board which shall be a body corporate with perpetual succession and a common seal, capable of suing and of being sued in its corporate name, and with power, subject to the other provisions of this Act, to do all such acts and things as a body corporate may by law do or perform.

Establishment of Board

4. (1) The seal of the Board shall be such device as may be determined by the Board and shall be kept by the Secretary.

Seal of Board

(2) The Board may use a wafer or rubber stamp in lieu of the seal.

(3) The affixing of the seal of the Board shall be authenticated by the Chairman and the Secretary or by the Chairman and one other person authorised in that behalf by a resolution of the Board.

(4) Any contract or instrument which, if entered into or executed by a person not being a body corporate would not be required to be under seal, may be entered into or executed without seal on behalf of the Board by the Secretary or any other person authorised in that behalf by a resolution of the Board.
(5) Any document purporting to be a document under the seal of the Board or issued on behalf of the Board shall be received in evidence and shall be deemed to be so executed or issued, as the case may be, without further proof, unless the contrary is proved.

5. (1) The Board shall consist of the following members: Composition of Board

(a) the Minister responsible for finance, who shall be Chairman of the Board, and Ministers responsible for transport, works and home affairs;

(b) the Controller of Customs and Excise and the Road Traffic Commissioner; and

(c) two other members appointed by the Minister.

(2) The Board shall elect a Vice-Chairman from amongst the members referred to in paragraph (a) of subsection (1).

(3) The Chairman may, by directions in writing and subject to such terms and conditions as he thinks fit, delegate to the Vice-Chairman any of his functions under this Act.

6. (1) The provisions of this section shall apply to such members as are referred to in paragraph (c) of subsection (1) of section five. Tenure of office and vacancies

(2) Subject to the other provisions of this section, a member shall hold office for a period of two years.

(3) Upon the expiry of the period for which a member is appointed, he may be re-appointed.

(4) Upon the expiry of the period for which a member is appointed, he shall continue to hold office until his successor has been appointed, but in no case shall such further period exceed three months.

(5) The office of a member shall become vacant-

(a) subject to subsection (4), upon the expiry of the period for which he is appointed or re-appointed;

(b) if he is adjudged or otherwise declared to be of unsound mind;

(c) if he is adjudged or otherwise declared to be bankrupt;

(d) if he is lawfully detained or his freedom of movement is restricted under any law in force in Zambia;

(e) if he is sentenced to a term of imprisonment exceeding six months;

(f) if he is absent from three consecutive meetings of the Board without reasonable cause;

(g) upon the expiry of not less than one month's notice in writing of his intention to resign given by him to the Chairman;

(h) if he is removed by the Minister.
7. (1) The functions of the Board shall be to do all such things as are necessary for, or connected with, the charging and collection of toll charges and entry fees, and controlling the sale of fuel and lubricants to heavy goods vehicles not registered in Zambia. Functions of Board

(2) Without prejudice to the generality of subsection (1), the Board may—

(a) erect and maintain such structures as are necessary for operating toll points; and

(b) operate fuel and lubricant depots, supply points or fuel stations.

(3) The Board may, by directions in writing and subject to such terms and conditions as it thinks fit, delegate to the Director any of its functions under this Act.

(4) The Minister may give to the Board such general or specific directions with respect to the discharge of its functions as he may consider necessary and the Board shall give effect to such directions.

8. (1) Subject to the other provisions of this Act, the Board may regulate its own procedure. Proceedings of Board

(2) The Board shall meet for the transaction of business at least once every six months at such places and at such times as the Chairman may determine.

(3) Upon giving notice of not less than fourteen days, a meeting of the Board may be called by the Chairman and shall be called if not less than three members so request in writing:

Provided that if the urgency of any particular matter does not permit the giving of such notice, a special meeting may be called upon giving a shorter notice.

(4) Three members shall form a quorum at any meeting of the Board.

(5) There shall preside at any meeting of the Board—

(a) the Chairman; or

(b) in the absence of the Chairman, the Vice-Chairman; or

(c) in the absence of the Chairman and the Vice-Chairman, such member as the members present may elect for the purpose of that meeting.

(6) A decision of the Board on any question shall be by a majority of the members present and voting at the meeting and, in the event of an equality of votes, the person presiding at the meeting shall have a casting vote in addition to his deliberative vote.

(7) Notwithstanding the provisions of subsection (6), a decision may be made by the Board on any urgent matter by the circulation of the relevant papers among the members, and by the expression in writing of the views of the majority thereof:

Provided that any member shall be entitled to require that any decision shall be deferred until the matter is considered at a meeting of the Board.
Where any member is for any reasonable cause unable to attend any meeting of the Board, he may, in writing, nominate another person to attend such meeting in his stead and such person shall be deemed to be a member for the purpose of such meeting.

The Board may invite any person, whose presence is in its opinion desirable, to attend and to participate in the deliberations of a meeting of the Board but such person shall have no vote.

The validity of any proceedings, act or decision of the Board shall not be affected by any vacancy in the membership of the Board or by any defect in the appointment of any member or by reason that any person not entitled so to do took part in the proceedings.

The Board shall cause minutes to be kept of the proceedings of every meeting of the Board and of every meeting of any committee established by the Board.

The Board may, for the purpose of performing its functions under this Act, establish committees and delegate to any such committee such of its functions as it thinks fit.

The Board may appoint as members of a committee established under subsection (1), persons who are or are not members of the Board and such persons shall hold office for such period as the Board may determine.

Subject to any specific or general direction of the Board any committee established under subsection (1) may regulate its own procedure.

If a person is present at a meeting of the Board or any committee of the Board at which any matter is the subject of consideration and in which matter the person or his spouse is directly or indirectly interested in a private capacity, he shall, as soon as practicable after the commencement of the meeting, disclose such interest and shall not, unless the Board otherwise directs, take part in any consideration or discussion of, or vote on, any question touching such matter.

A disclosure of interest made under this section shall be recorded in the minutes of the meeting at which it is made.

No action or other proceedings shall lie or be instituted against any member for or in respect of any act or thing done or omitted to be done in good faith in the exercise or purported exercise of his functions under this Act.

PART III

ADMINISTRATION

The Board shall appoint, on such terms and conditions as it may determine, a Director who shall be the chief executive officer of the Board and who, subject to the control of the Board, shall be responsible for the administration of the affairs of the Board.

The Board may appoint, on such terms and conditions as it may determine, a Deputy Director to assist the Director.
(3) The Director, or in his absence the Deputy Director, shall attend meetings of the Board and may address such meetings, but shall not vote on any matter:

Provided that the person presiding at any meeting of the Board may, for good cause, require the Director or Deputy Director, as the case may be, to withdraw from such meeting.

(4) The provisions of section ten shall apply, mutatis mutandis, to the Director and the Deputy Director.

(5) The Director may, by directions in writing and subject to such terms and conditions as he thinks fit, delegate to the Deputy Director any of his functions under this Act.

13. (1) There shall be a Secretary to the Board who shall be appointed by the Board on such terms and conditions as the Board may determine.

(2) The Secretary shall be responsible for the administration of the day-to-day affairs of the Board under the general supervision of the Director.

(3) The Board may appoint, on such terms and conditions as it may determine, such other staff as it considers necessary for the performance of its functions under this Act.

14. (1) In order to ensure due compliance with the provisions of this Act, the Board may establish under the general supervision of the Director an inspectorate unit and may appoint such inspectors to the inspectorate unit as may be necessary for the performance of its functions under this Act.

(2) Every inspector shall be provided with a certificate of appointment, which shall be prima facie evidence of the inspector's appointment as such.

(3) Any inspector carrying out any function under this Act shall, on demand by any person affected thereby, produce for inspection the certificate referred to in subsection (2).

15. (1) In the performance of his duties under this Act, an inspector shall have-Powers of inspectors

(a) power, at any reasonable time, to enter upon and inspect any premises or heavy goods vehicle to ensure that the provisions of this Act or any regulations made under this Act are not being contravened; and

(b) access to all books, records, returns, reports and other documents relating to any sale of fuel or lubricants.

(2) If an inspector has reasonable grounds for believing that any provision of this Act or of any regulations made under this Act is being contravened on any premises or by any person travelling with any heavy goods vehicle, he may order that such premises be closed down or in the case of a heavy goods vehicle or a person travelling therewith that the same be seized and detained pending prosecution.

16. (1) No person shall, without the consent in writing given by or on behalf
of the Board, publish or disclose to any person, otherwise than in the course of his duties, the contents of any document, communication or information whatsoever, which relates to, and which has come to his knowledge in the course of, his duties under this Act. Prohibition of publication or disclosure of information to unauthorised persons

(2) Any person who knowingly contravenes the provisions of subsection (1) shall be guilty of an offence and shall be liable, upon conviction, to a fine not exceeding twelve thousand five hundred penalty units or to imprisonment for a term not exceeding three years, or to both.

(3) If any person having information which to his knowledge has been published or disclosed in contravention of subsection (1) unlawfully publishes or communicates any such information to any other person, he shall be liable, upon conviction, to a fine not exceeding twelve thousand five hundred penalty units or to imprisonment for a term not exceeding three years, or to both.

(As amended by Act No. 13 of 1994)

PART IV

TOLL CHARGES

17. (1) The Board may, on any road, bridge, pontoon or other place, operate toll points. Toll charges

(2) Any vehicle passing through a toll point shall pay the appropriate toll charge as set out in Part I of the Schedule.

(3) The Minister may exempt any person or class of vehicles from the payment of toll charges, and such exemption may be general or restricted to any particular toll points or hours, and may be on such conditions as the Minister may impose.

(4) Any person who, being liable to pay toll charges, refuses to do so or unreasonably obstructs the operation of any toll point, or who contravenes any of the provisions of any regulations made in relation to this Part, shall be guilty of an offence and shall be liable, upon conviction, to a fine not exceeding five thousand penalty units or to imprisonment for a term not exceeding two years, or to both.

(As amended by Act No. 13 of 1994)

PART V

ENTRY FEES, ETC.

18. (1) Every heavy goods vehicle entering Zambia, if it is registered in any country other than Zambia or bears dual registration numbers even where one is of Zambia, shall at the time of such entry pay an entry fee set out in Part II of the Schedule. Entry fees

(2) The Minister may exempt any person or class of vehicle from the payment of the entry fees, and such exemption may be on such conditions as the Minister may impose.

(As amended by Act No. 2 of 1988)
19. The person in charge of a heavy goods vehicle to which section eighteen applies shall, upon entry into and before exit from Zambia, make such declaration as to fuel or other matters as the Minister may prescribe.

20. (1) No person travelling with a heavy goods vehicle to which section eighteen applies shall, while in Zambia, purchase any fuel or lubricants except in accordance with the regulations made under this Part by the Minister.

(2) Any person who contravenes the provisions of subsection (1) shall be guilty of an offence and shall be liable, upon conviction, to a fine not exceeding twenty five thousand penalty units or to imprisonment for a term not exceeding three years, or to both.

(As amended by Act No. 13 of 1994)

21. Any person who, in contravention of any regulations made under this Part, supplies any fuel or lubricants to any heavy goods vehicle to which section eighteen applies, or to any person travelling therewith, shall be guilty of an offence and shall be liable, upon conviction, to a fine not exceeding twenty five thousand penalty units, or to imprisonment for a term not exceeding three years, or to both.

(As amended by Act No. 13 of 1994)

22. Upon the conviction of an offender under this Part, if the court is satisfied that the owner of the heavy goods vehicle was a party to the offence, or that the offence was committed with his knowledge, the court may, in addition to any other sentence, order the forfeiture of such heavy goods vehicle to the State:

Provided that no forfeiture shall be ordered without first giving the owner an opportunity to be heard on the issue.

PART VI

FINANCIAL PROVISIONS AND REGULATIONS

23. (1) The funds of the Board shall consist of such moneys as may-Funds of Board

(a) be appropriated by Parliament for the purposes of the Board;

(b) be paid to the Board by way of fees, charges, grants or donations; or

(c) vest in or accrue to the Board.

(2) The Board may-

(a) accept moneys by way of grants or donations from any source in Zambia and, subject to the approval of the Minister, from any source outside Zambia; and

(b) subject to the approval of the Minister, raise by way of loans or otherwise, such moneys as it may require for the performance of its functions.
(3) There shall be paid from the funds of the Board—

(a) the salaries, allowances and loans of the staff of the Board;

(b) such reasonable travelling, transport and subsistence allowances for members or members of any committee of the Board when engaged on the business of the Board at such rates as the Minister may determine; and

(c) any other expenses incurred by the Board in the performance of its functions.

(4) The Board may invest in such manner as it thinks fit such of its funds as it does not immediately require for the performance of its functions.

(5) The Minister may, from time to time, direct the Board to pay, for such purposes related to the maintenance of roads, such portion of its surplus funds as the Minister shall determine.

24. (1) The Board shall maintain such accounts with the Bank of Zambia as may be necessary to keep separate its funds denominated in kwacha from those denominated in other currencies.

(2) The Board shall deposit all receipts into the appropriate accounts maintained under subsection (1); and all payments shall be made therefrom by means of cheques drawn in accordance with procedures approved by the Board.

(3) The Board may, with the approval of the Minister, transfer funds from any of its accounts to another, as necessary.

25. The Board shall cause to be kept proper books of accounts and other records relating to its accounts.

26. The financial year of the Board shall be the period of twelve months ending on the 31st December in each year.

27. (1) As soon as practicable, but not later than six months after the expiry of each financial year, the Board shall submit to the Minister a report concerning its activities during such financial year.

(2) The report referred to in subsection (1) shall include information on the financial affairs of the Board and there shall be appended thereto—

(a) a balance sheet;

(b) an audited statement of income and expenditure; and

(c) such other information as the Minister may require.

(3) The Minister shall, not later than seven days after the first sitting of the National Assembly next after the receipt of the report referred to in subsection (1), lay it before the National Assembly.

28. The Minister may, by statutory instrument, make regulations—

(a) prescribing the matters required or permitted by this Act to be prescribed; and
(b) for the better carrying out of the purposes of this Act.

SCHEDULE

(Sections 17 and 18)

PART I

TOLL CHARGES

Regardless of the distance travelled between two toll points the toll charge for each vehicle shall be:

<table>
<thead>
<tr>
<th>Type of Vehicle</th>
<th>Toll Charge</th>
</tr>
</thead>
<tbody>
<tr>
<td>Passenger Cars</td>
<td>3 fee units</td>
</tr>
<tr>
<td>Taxis</td>
<td>3 fee units</td>
</tr>
<tr>
<td>Mini Buses (Private)</td>
<td>6 fee units</td>
</tr>
<tr>
<td>Mini Buses (Public)</td>
<td>5 fee units</td>
</tr>
<tr>
<td>Heavy Buses (Private)</td>
<td>8 fee units</td>
</tr>
<tr>
<td>Heavy Lorries with two axles</td>
<td>8 fee units</td>
</tr>
<tr>
<td>Heavy Lorries with three axles</td>
<td>10 fee units</td>
</tr>
<tr>
<td>Heavy Lorries with traile</td>
<td>15 fee units</td>
</tr>
</tbody>
</table>

PART II

ENTRY FEES

The entry fee shall be:

(a) US $60.00 or such other entry fee as the Minister may be statutory instrument prescribe or

(b) such entry fee as the Minister may by statutory instrument prescribe in the case of heavy goods vehicles in transit through Zambia to another country.

The entry fee shall be paid in US dollars or the equivalent in any convertible currency prescribed by the Minister by statutory instrument.

Notwithstanding anything in this Part, the fee payable shall not, in any case, be less than the amount payable in the country in which the vehicle is registered, in respect of a heavy goods vehicle registered in Zambia and similar to the vehicle in respect of which the entry fee is under this Act.

(As amended by Acts No. 2 of 1988 and No. 13 of 1994)

SUBSIDIARY LEGISLATION

SECTION 28-THE TOLLS (ENTRY FEES, ETC.) REGULATIONS Statutory Instrument 129 of 1983
44 of 1988
1. These Regulations may be cited as the Tolls (Entry Fees, etc.) Regulations.

2. (1) The entry fee for heavy goods vehicles as provided for in section eighteen of the Act - Purchase of fuel and lubricants

(a) for vehicles registered outside Zambia without a valid PTA licence issued in a country where the carrier is resident or established, shall be one hundred and twenty United States dollars or the equivalent of such other currency as the Minister may prescribe;

(b) for vehicles registered outside Zambia with a valid PTA licence issued in a country where the carrier shall be such fees as are according to the class of heavy vehicle set out in the Schedule payable in United States dollars or such other currency as the Minister may prescribe;

(c) for vehicles registered in Zambia shall be such fees as are according to the class of heavy vehicle as are set out in the Schedule payable in kwacha at the rate of one hundred and twenty-five kwacha per United States dollar;

(3) The Board may, by notice in the Gazette, notify the procedures for making payments under these Regulations.

3. (1) No person to whom section twenty of the Act applies shall purchase any fuel or lubricants otherwise than in accordance with this regulation.

(2) A person to whom section twenty of the Act applies shall -

(a) purchase fuel or lubricants only from an appointed dealer;

(b) make payments for such fuel or lubricants in a prescribed currency in accordance with regulation 2.

(3) The price of any fuel or lubricants sold under this regulation shall not differ from the price ordinarily paid by customers to whom this regulation does not apply:

Provided that if the Government has allowed any particular subsidy or rebate to any class of users in Zambia (e.g. for agricultural use) then the benefit of such subsidy or rebate shall not be available to a purchaser to whom this regulation applies.

(4) Where the Board is satisfied that due to circumstances beyond the control of the person to whom this regulation applies, a heavy goods vehicle was stranded for want of fuel or lubricants and to mobilise such heavy goods vehicle and enable it to reach the nearest appointed dealer such person purchased a reasonable amount of fuel or lubricants in contravention of this regulation, and that the matter was brought to the attention of the Board or the nearest appointed dealer as soon as practicable, the Board shall issue a certificate in that behalf, and such certificate shall be deemed, in respect of such purchase, to have exempted such person, and any person who sold such fuel or lubricant, from the application of this regulation.

(5) For the purposes of this regulation, "appointed dealer" means a dealer in fuel or lubricants who has been appointed by the Board for the purposes of these
Regulations and whose appointment, name and address have been notified in the Gazette.

SCHEDULE

(Regulation 2)

<table>
<thead>
<tr>
<th>Rigid Vehicle</th>
<th>Distance in with up to 3 Vehicle with Route kilometres</th>
<th>Axles</th>
<th>Multiple Axles US$</th>
<th>US$</th>
</tr>
</thead>
<tbody>
<tr>
<td>CHIRUNDU-KAFUE</td>
<td>90</td>
<td>3.00</td>
<td>8.00</td>
<td></td>
</tr>
<tr>
<td>CHIRUNDU-LUSAKA</td>
<td>136</td>
<td>4.00</td>
<td>11.00</td>
<td></td>
</tr>
<tr>
<td>KAZUNGULA-SESHEKE</td>
<td>136</td>
<td>4.00</td>
<td>11.00</td>
<td></td>
</tr>
<tr>
<td>KAZUNGULA-LIVINGSTONE</td>
<td>60</td>
<td>2.00</td>
<td>5.00</td>
<td></td>
</tr>
<tr>
<td>SESHEKE-LIVINGSTONE</td>
<td>190</td>
<td>6.00</td>
<td>15.00</td>
<td></td>
</tr>
<tr>
<td>KAZUNGULA-MONGU</td>
<td>440</td>
<td>13.00</td>
<td>35.00</td>
<td></td>
</tr>
<tr>
<td>LIVINGSTONE-KALOMO</td>
<td>126</td>
<td>4.00</td>
<td>10.00</td>
<td></td>
</tr>
<tr>
<td>LIVINGSTONE-CHOMA</td>
<td>188</td>
<td>6.00</td>
<td>15.00</td>
<td></td>
</tr>
<tr>
<td>LIVINGSTONE-MONZE</td>
<td>250</td>
<td>8.00</td>
<td>20.00</td>
<td></td>
</tr>
<tr>
<td>LIVINGSTONE-MAZABUKA</td>
<td>350</td>
<td>11.00</td>
<td>28.00</td>
<td></td>
</tr>
<tr>
<td>LIVINGSTONE-KAFUE</td>
<td>430</td>
<td>13.00</td>
<td>34.00</td>
<td></td>
</tr>
<tr>
<td>LIVINGSTONE-LUSAKA</td>
<td>470</td>
<td>14.00</td>
<td>38.00</td>
<td></td>
</tr>
<tr>
<td>CHIRUNDU-KABWE</td>
<td>270</td>
<td>8.00</td>
<td>22.00</td>
<td></td>
</tr>
<tr>
<td>LUSAKA-KABWE</td>
<td>138</td>
<td>4.00</td>
<td>11.00</td>
<td></td>
</tr>
<tr>
<td>LUSAKA-KAPIRI MPOSHI</td>
<td>200</td>
<td>6.00</td>
<td>16.00</td>
<td></td>
</tr>
<tr>
<td>LUSAKA-NDOLA</td>
<td>320</td>
<td>10.00</td>
<td>26.00</td>
<td></td>
</tr>
<tr>
<td>LUSAKA-KITWE</td>
<td>358</td>
<td>11.00</td>
<td>29.00</td>
<td></td>
</tr>
<tr>
<td>LUSAKA-LUANSHYA</td>
<td>330</td>
<td>10.00</td>
<td>26.00</td>
<td></td>
</tr>
<tr>
<td>LUSAKA-MUFULIRA</td>
<td>400</td>
<td>12.00</td>
<td>32.00</td>
<td></td>
</tr>
<tr>
<td>LUSAKA-CHINGOLA</td>
<td>410</td>
<td>12.00</td>
<td>33.00</td>
<td></td>
</tr>
<tr>
<td>CHIRUNDU-KASUMBALESA</td>
<td>578</td>
<td>17.00</td>
<td>46.00</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Route</td>
<td>Distance</td>
<td>Load</td>
<td>Return</td>
</tr>
<tr>
<td>---</td>
<td>------------------------</td>
<td>----------</td>
<td>------</td>
<td>--------</td>
</tr>
<tr>
<td>22.</td>
<td>CHIRUNDU-MWAMI</td>
<td>745</td>
<td>22.00</td>
<td>60.00</td>
</tr>
<tr>
<td>23.</td>
<td>CHIRUNDU-NAKONDE</td>
<td>1150</td>
<td>35.00</td>
<td>92.00</td>
</tr>
<tr>
<td>24.</td>
<td>LUSAKA-KASAMA</td>
<td>852</td>
<td>26.00</td>
<td>68.00</td>
</tr>
<tr>
<td>25.</td>
<td>LUSAKA-MBALA</td>
<td>1015</td>
<td>30.00</td>
<td>81.00</td>
</tr>
<tr>
<td>26.</td>
<td>LUSAKA-MANSA</td>
<td>590</td>
<td>18.00</td>
<td>47.00</td>
</tr>
<tr>
<td>27.</td>
<td>KASUMBALESA-NAKONDE</td>
<td>1014</td>
<td>30.00</td>
<td>81.00</td>
</tr>
<tr>
<td>28.</td>
<td>KASUMBALESA-MWAMI</td>
<td>1035</td>
<td>31.00</td>
<td>83.00</td>
</tr>
<tr>
<td>29.</td>
<td>NDOLA-LUANSHYA</td>
<td>32</td>
<td>1.00</td>
<td>3.00</td>
</tr>
<tr>
<td>30.</td>
<td>NDOLA-CHINGOLA</td>
<td>110</td>
<td>3.00</td>
<td>9.00</td>
</tr>
<tr>
<td>31.</td>
<td>NDOLA-MONGU</td>
<td>800</td>
<td>24.00</td>
<td>64.00</td>
</tr>
<tr>
<td>32.</td>
<td>NDOLA-MPULUNGU</td>
<td>960</td>
<td>29.00</td>
<td>77.00</td>
</tr>
<tr>
<td>33.</td>
<td>LUSAKA-LUNDAZI</td>
<td>780</td>
<td>23.00</td>
<td>62.00</td>
</tr>
<tr>
<td>34.</td>
<td>LUSAKA-MPULUNGU</td>
<td>1050</td>
<td>32.00</td>
<td>84.00</td>
</tr>
<tr>
<td>35.</td>
<td>CHIPATA-MPULUNGU</td>
<td>1657</td>
<td>50.00</td>
<td>133.00</td>
</tr>
<tr>
<td>36.</td>
<td>VICTORIA FALLS-LUSAKA</td>
<td>480</td>
<td>14.00</td>
<td>38.00</td>
</tr>
<tr>
<td>37.</td>
<td>VICTORIA FALLS-SESHEKE</td>
<td>200</td>
<td>6.00</td>
<td>16.00</td>
</tr>
<tr>
<td>38.</td>
<td>KABWE-NAKONDE</td>
<td>878</td>
<td>26.00</td>
<td>70.00</td>
</tr>
<tr>
<td>39.</td>
<td>KABWE-MWAMI</td>
<td>740</td>
<td>22.00</td>
<td>59.00</td>
</tr>
<tr>
<td>40.</td>
<td>KITWE-CHIRUNDU</td>
<td>495</td>
<td>15.00</td>
<td>40.00</td>
</tr>
<tr>
<td>41.</td>
<td>MUFULIRA-KAZUNGULA</td>
<td>818</td>
<td>25.00</td>
<td>65.00</td>
</tr>
<tr>
<td>42.</td>
<td>MUFULIRA-CHIRUNDU</td>
<td>520</td>
<td>16.00</td>
<td>42.00</td>
</tr>
<tr>
<td>43.</td>
<td>KITWE-KAZUNGULA</td>
<td>890</td>
<td>27.00</td>
<td>71.00</td>
</tr>
<tr>
<td>44.</td>
<td>NDOLA-KAZUNGULA</td>
<td>850</td>
<td>26.00</td>
<td>68.00</td>
</tr>
<tr>
<td>45.</td>
<td>NDOLA-MWAMI</td>
<td>920</td>
<td>28.00</td>
<td>74.00</td>
</tr>
<tr>
<td>46.</td>
<td>MWAMI-KAZUNGULA</td>
<td>1135</td>
<td>34.00</td>
<td>91.00</td>
</tr>
<tr>
<td>47.</td>
<td>LUSAKA-NYIMBA</td>
<td>320</td>
<td>10.00</td>
<td>26.00</td>
</tr>
<tr>
<td>48.</td>
<td>LUSAKA-MWINILUNGA</td>
<td>945</td>
<td>28.00</td>
<td>76.00</td>
</tr>
<tr>
<td>49.</td>
<td>NDOLA-MWINILUNGA</td>
<td>570</td>
<td>17.00</td>
<td>46.00</td>
</tr>
<tr>
<td>50.</td>
<td>KASAMA-LUSAKA</td>
<td>850</td>
<td>26.00</td>
<td>68.00</td>
</tr>
</tbody>
</table>
NOTE: The rates shown in this Schedule are for a single journey.

REPUBLIC OF ZAMBIA

THE INLAND WATERS SHIPPING ACT

CHAPTER 466 OF THE LAWS OF ZAMBIA

CHAPTER 466 THE INLAND WATERS SHIPPING ACT

ARRANGEMENT OF SECTIONS

PART I

PRELIMINARY

Section

1. Short title
2. Interpretation

PART II

SURVEY AND REGISTRATION OF VESSELS

3. Application of Part II
4. Vessels to be surveyed and registered
5. Survey of vessels
6. Ports of registry
7. Registration of vessels
8. Duration and renewal of certificates of registration
9. Amendments in certificates of registration and register

PART III

INLAND WATERS AND INTERNATIONAL ARRANGEMENTS

10. Declaration of inland waters
11. Agreement with certain other countries
12. Power to suspend provisions inconsistent with treaties

PART IV
SURVEYORS AND INQUIRIES

13. Powers of inspection and unsafe vessels
14. General powers of surveyors and police officers
15. Removal of wreck by surveyor
16. Duties of surveyors in relation to surveys
17. Inquiries as to shipping casualties

PART V

GENERAL PROVISIONS

Section
18. Appointments by the Minister
19. Duty to give information
20. Damage to navigation marks
21. Certain provisions as to legal proceedings
22. Ensign to be prescribed
23. Offences and penalties
24. Regulations
25. Savings

26. Repeal of certain provisions of the Merchant Shipping Act, 1894, of the United Kingdom

CHAPTER 466

This Act has been confirmed by an Order made under section 735 of the Merchant Shipping Act, 1894, of the United Kingdom. (S.I. 1961 No. 1509 of the United Kingdom.)

*INLAND WATERS SHIPPING

*This Act has been confirmed by an Order made under section 735 of the Merchant Shipping Act, 1894, of the United Kingdom. (S.I. 1961 No. 1509 of the United Kingdom.)

An Act to make provision for the survey, registration and safety of certain vessels used on inland waters of Zambia, for the safety of passengers and cargo, for the competency of masters and crews and for matters incidental thereto.

34 of 1960
13 of 1961
Government Notices
This Act may be cited as the Inland Waters Shipping Act.

In this Act, unless the context otherwise requires -

"appointed date" means the 1st January, 1964;

"certificate of registration" means a certificate of registration issued in terms of section seven;

"crew" includes any person employed in a vessel other than the master;

"fishing vessel" means a vessel whose measurement is less than five tons, in whatever way propelled, which is for the time being employed for the purposes of fishing for profit and which does not carry persons other than the master and crew necessary for such purposes;

"harbour" means a place or area designated as a harbour by the Minister in terms of section twenty-four;

"home port" means the place at which a vessel is habitually kept when not on voyage;

"inland waters" means such waters as may be declared to be inland waters by the President in terms of section ten;

"master" means the person having command or charge of a vessel;

"navigation mark" includes any beacon, buoy, light, notice and any other mark or aid to navigation provided for the purposes of this Act;

"owner" includes, in the case of a vessel which is the subject of a hire-purchase agreement, the person in possession of the vessel in terms of that agreement;

This Act has been confirmed by an Order made under section 735 of the Merchant Shipping Act, 1894, of the United Kingdom. (S.I. 1961 No. 1509 of the United Kingdom.)

"passenger" includes every person carried in a vessel other than the master or crew thereof;

"registrar of vessels" means a registrar of vessels appointed by the Minister in terms of section six;

"surveyor" means any person appointed by the Minister as a surveyor of vessels in terms of section five;
"surveyor's certificate" means a certificate issued by a surveyor in terms of section five;

"ton" means the unit of measurement of the tonnage of a vessel ascertained in the manner prescribed;

"vessel" includes every description of water craft used or capable of being used as a means of transportation on water.

(As amended by G.N. No. 249 of 1964)

PART II

SURVEY AND REGISTRATION OF VESSELS

3. (1) Subject to the provisions of subsection (3), the provisions of this Part shall apply to every vessel used on inland waters which is used for hire or reward or whose measurement exceeds such tonnage, being not less than five tons, as may be prescribed. Application of Part II

(2) For the purposes of subsection (1), a vessel shall be deemed to be used for hire or reward if she is used in return for payment or material advantage on one or more occasions, whether or not the vessel is used without the services of a master or crew.

(3) There shall be exempted from the provisions of this Part-

(a) a vessel operated by the Government which is not ordinarily used for the carriage of members of the public or their goods;

(b) a vessel used for hire or reward which is less than twenty-five feet in length overall and which is not propelled by machinery or sails;

(c) a fishing vessel;

(d) such other vessels or classes of vessels as may be prescribed.

(As amended by G.N. No. 249 of 1964)

4. From and after a date to be notified by the Minister by statutory notice in respect of any inland waters which he may specify, no person shall use or permit to be used on any inland waters so specified a vessel to which the provisions of this Part apply unless-

(a) she has been surveyed and registered in accordance with the provisions of this Act; and

(b) there is in force in respect of such vessel a valid certificate of registration.

(As amended by G.N. No. 249 of 1964)

Vessels to be surveyed and registered

5. (1) Before an application for registration of any vessel is made, she shall be surveyed in accordance with the provisions of this Act.

Survey of vessels

(2) For the purposes of this Act, the Minister shall by Gazette notice appoint
a surveyor for each port of registry, and an application for the survey of a vessel shall be made by the owner of the vessel in the form and manner prescribed to a surveyor at a port of registry on the inland waters on which the home port of the vessel is situated.

(3) After receipt of an application in terms of subsection (2), the surveyor concerned shall survey the vessel for the purpose of determining—

(a) whether the vessel is seaworthy;

(b) whether she is equipped in accordance with the provisions of this Act;

(c) her description, tonnage, dimensions, name and method of propulsion;

(d) the geographical limits or areas of inland waters outside which the vessel may not be used having regard to her construction, suitability for navigation and safe operation;

(e) the maximum number of passengers and the maximum quantity of cargo to be carried therein;

(f) the crew to be carried therein and standards of competency to be attained by members of such crew;

(g) such further matters as may be prescribed.

(4) On completion of his survey in terms of subsection (3) the surveyor shall, if he is satisfied that the vessel is seaworthy and is equipped in accordance with the provisions of this Act, issue a certificate in such form as may be prescribed, setting out the information and his opinion relating to the matters referred to in subsection (3).

(5) Where a surveyor, in the course of a survey in terms of subsection (3), finds a vessel to be unseaworthy or to lack equipment required in terms of this Act, he shall make a full list in writing of all such defects and shall give a copy thereof to the owner of the vessel and shall notify him of the date by which the vessel may be produced for further examination, and after all such defects are subsequently remedied to the satisfaction of the surveyor concerned, he shall issue a certificate in accordance with the provisions of subsection (4).

(6) A surveyor's certificate shall be valid for such period as may be prescribed.

(As amended by G.N. No. 249 of 1964)

6. (1) For the purposes of this Act the Minister shall, by Gazette notice, appoint ports of registry and shall appoint a registrar of vessels for each such port.

(2) Every registrar of vessels shall, in respect of the port of registry for which he is appointed, maintain in the form and manner prescribed a register of vessels registered at that port.

(As amended by G.N. No. 249 of 1964)

7. (1) An application for registration of a vessel shall be made by the owner
in the form and manner prescribed to a registrar of vessels at a port of
registry on the inland waters on which the home port of the vessel is situated
and, unless otherwise prescribed, such application shall be accompanied by a
valid surveyor's certificate.

Registration of vessels

(2) No person shall be registered as the owner of a vessel until he has made a
declaration as to his ownership of the vessel in question and, in respect of
vessels of such class as may be prescribed, has included in such declaration a
statement of the name and address of any person or persons who will have command
or charge of such vessel as master.

(3) As soon as the requirements of this Act preliminary to registration have
been complied with, the registrar of vessels to whom application for
registration has been made shall enter in the register of vessels for his port-

(a) where applicable, the details comprised in the surveyor's certificate;
(b) the name and address of the registered owner;
(c) where applicable, the name and address of the master;

and shall issue to the owner a certificate of registration setting out the
particulars respecting the vessel in the register of vessels and such other
particulars as may be prescribed.

(4) A registrar of vessels shall not register a vessel which has been brought
to inland waters from outside Zambia unless he is satisfied by such proof as he
may require that the provisions of the Customs and Excise Act applicable to the
vessel have been complied with.

(As amended by G.N. No. 249 of 1964)

Cap. 322

8. (1) Unless otherwise provided in terms of this Act, every certificate of
registration shall remain in force and be deemed to be a valid certificate of
registration for such period as may be prescribed.

Duration and renewal of

certificates of registration

(2) Application for renewal of a certificate of registration shall be made by
the owner of the vessel in the form and manner prescribed at any time not
earlier than one month before such certificate expires, and shall in all cases
be accompanied by a valid surveyor's certificate.

(3) Where the owner of a vessel has made application for renewal of a
certificate of registration in accordance with the provisions of subsection (2),
the certificate of registration shall be treated as remaining in force and be
deemed to be a valid certificate of registration until the owner is notified in
writing of the result of his application.

9. (1) Subject to the provisions of subsection (2), when any particular
concerning a vessel in respect of which a certificate of registration is in
force is so altered as not to correspond with the particulars concerning her
contained in the register of vessels in terms of subsection (3) of section
seven, the owner shall, not later than twenty-one days after such alteration,
submit the certificate of registration to the registrar of vessels by whom it
was issued and notify him of the reasons for such submission and such registrar
shall make all necessary amendments in the certificate and in the register of
vessels. A registrar in his discretion may issue a new certificate of
registration instead of amending a certificate in terms of this subsection and may cancel a certificate and delete the relevant entries in the register when he is satisfied that a vessel is permanently removed from or is permanently incapacitated for use on inland waters. Amendments in certificates of registration and register

(2) Where an amendment in a certificate of registration or a register is required by reason of-

(a) an alteration in the dimensions, superstructure or tonnage or a permanent alteration in the method of propulsion of the vessel or the addition of a superstructure to the vessel; or

(b) the use for hire or reward of a vessel which was not used for that purpose when the certificate of registration was last issued or renewed;

the registrar of vessels concerned shall not make any such amendment unless the certificate of registration submitted to him in terms of subsection (1) is accompanied by a valid surveyor's certificate issued, as the case may be, after the completion of the alteration described in paragraph (a) or within such period as may be prescribed before the use of the vessel for hire or reward.

(3) When an owner fails to comply with the provisions of subsection (1) the certificate of registration in question shall, unless the registrar of vessels concerned otherwise directs, be no longer deemed to be a valid certificate of registration.

(4) Subject to the provisions of this section, the registration of a vessel may be transferred from one port of registry to another on written application by the owner to the registrar of vessels at the existing port of registry. Every such application shall be accompanied by the certificate of registration for the vessel in question.

(5) Upon receiving an application in terms of subsection (4), the registrar concerned shall transmit notice thereof to the registrar of vessels at the intended port of registry together with the certificate of registration and a copy of all particulars relating to the vessel as noted in the register under his control. On the receipt of such documents, the registrar of vessels at the intended port of registry shall, subject to the provisions of subsection (6), enter in his register of vessels all the particulars relevant to the vessel in question and shall issue a new certificate of registration and thereafter the vessel shall be considered for the purposes of this Act as being registered at the new port of registry.

(6) Where, in the case of an application to transfer the registration of a vessel in terms of subsections (4) and (5), the intended port of registry is not on the same inland waters as the existing port of registry, the registrar of vessels at the intended port of registry may, before complying with the provisions of subsection (5), have regard to the suitability of the vessel for safe navigation on the inland waters on which the intended port of registry is situated and may require a surveyor to survey the vessel and report to him as to such suitability. If a surveyor so required reports that any alteration in the construction, condition or equipment of the vessel is necessary to make her safe for navigation on the inland waters on which the intended port of registry is situated, the registrar of vessels at such port shall not register a vessel in terms of subsection (5) until a surveyor is satisfied that such alteration has been made.
Where the registration of a vessel is transferred to a new port of registry in terms of subsections (4) and (5), the new certificate of registration issued in terms of subsection (5) shall, unless otherwise provided in terms of this Act, remain in force and be deemed to be a valid certificate of registration until the date of expiry of the certificate which it replaces, so, however, that if it has been issued after a survey required in terms of subsection (6), its period of validity shall commence on the date on which it is issued.

(As amended by No. 13 of 1961)

PART III

INLAND WATERS AND INTERNATIONAL ARRANGEMENTS

10. The President may, by statutory order, declare any lake or river or part thereof to be inland waters for the purposes of this Act.

(As amended by G.N. No. 249 of 1964)

Declaration of inland waters

11. (1) The President may, under such conditions as he may deem necessary, conclude agreements with the government of any country which borders on any lake or river of which a part has been declared to be inland waters and in any such agreement may make arrangements—Agreement with certain other countries

(a) for the recognition and effect in such country of documents issued for the purposes of this Act, and for the recognition and effect in Zambia of documents issued in such country in relation to vessels, masters or crews;

(b) for the use on inland waters of vessels registered in such country and the use on the waters of such country of vessels registered in terms of this Act;

(c) generally for the safety of passengers and crews aboard and the navigation of vessels used on inland waters and on the waters of such country.

(2) Every agreement concluded in terms of subsection (1) shall be published in the Gazette.

(As amended by G.N. No. 249 of 1964)

Power to suspend provisions inconsistent with treaties

PART IV

SURVEYORS AND INQUIRES

13. (1) A surveyor or any other person or member of a class of persons generally or specially authorised thereto by the Minister may at any time go on
board and inspect any vessel used on inland waters and if such surveyor or person certifies in writing that the vessel is unsafe he may, if in his opinion the case so requires, direct the master of such vessel forthwith to put in to the nearest suitable berth or anchorage or, if she is berthed or at anchor, to remain berthed or at anchor, and if he so directs a person shall not, other than for the purpose of so putting in to a berth or anchorage, use such vessel in navigation upon inland waters until a surveyor has certified in writing that such vessel is no longer unsafe or unless she is so used in accordance with such other directions as the surveyor or authorised person may deem necessary for the purposes of safety.

Powers of inspection and unsafe vessels

(2) For the purposes of this section, a vessel shall be unsafe if the surveyor or other person authorised in terms of subsection (1) is satisfied that the vessel, by reason of her defective condition or equipment or lack of equipment or by reason of undermanning (which expression includes the incompetence of the master or crew) or of overloading or improper loading, is unfit to navigate upon that part of the inland waters where she is found without danger to human life, having regard to the nature of the service for which such vessel is intended to be employed.

14. (1) Any police officer, and any surveyor exercising the powers conferred or carrying out the duties imposed upon him in terms of this Act, may—

General powers of surveyors and police officers

(a) go on board any vessel at all reasonable times and inspect the vessel or any part thereof or any of the machinery, boats, equipment or articles on board or any certificates of competency of the master or any member of the crew;

(b) enter any dock, boathouse or other premises where a vessel or any machinery, boats, equipment or part of a vessel may be;

(c) examine and make extracts from and copies of—

(i) any document issued in terms of or recognised for the purposes of this Act; or

(ii) any log, record or other document relating to the construction or operation of a vessel;

(d) require from any person an explanation of any entry in any log, record or document referred to in paragraph (c) and seize any such log, record or document as in his opinion may afford evidence of an offence under this Act;

(e) in the exercise of the powers conferred by paragraph (a) or (b) take with him one or more assistants or police officers.

(2) The powers conferred in terms of subsection (1) may be exercised also by a person appointed to make inquiries or as a member of a board of inquiry in terms of subsection (2) or (3) of section seventeen.

(3) Any registrar of vessels and any other person authorised by the Minister may examine and make entries from and copies of—

(a) any document issued in terms of or recognised for the purposes of this Act; or

(b) any log, record or other document relating to the construction or
operation of a vessel;

and for that purpose may at all reasonable times go on board any vessel or enter any place in which the document, log or record may be.

(4) A person who, on being required to do so, fails or refuses to produce to an authorised person or does not make available for examination by an authorised person a document, log or record referred to in this section which he has in his possession or control or of which he is the holder or, as the case may be, which is required to be displayed or kept in a vessel in terms of this Act shall, subject to the provisions of subsection (5), be guilty of an offence.

(5) The holder of a certificate of competency or like document recognised for the purposes of this Act who fails to produce the certificate or document when required to do so by an authorised person shall not be guilty of an offence if, within twenty-one days of the date he was required to produce the certificate or document-

(a) the produces the certificate or document to the authorised person; or

(b) he produces or sends the certificate or document to the officer in charge of the central registry of vessels established in terms of this Act together with a statement giving the name of the authorised person and describing the circumstances in which he was required to produce the certificate or document.

(6) The officer in charge of the central registry of vessels referred to in paragraph (b) of subsection (5) shall, as soon as a certificate or document is produced or sent to him in terms of that paragraph-

(a) record the particulars of the certificate or document; and

(b) return the certificate or document to the person by whom it was produced or sent; and

(c) notify the authorised person by whom the production of the certificate or document was required that the certificate or document has been so produced or sent to him.

(7) In this section, "authorised person" means a police officer, surveyor, registrar of vessels or other person authorised by or in terms of this section to examine a document, log or record referred to in this section.

(As amended by No. 13 of 1961)

15. (1) Subject to the provisions of subsections (2) and (3), where any vessel is sunk, stranded or abandoned on any inland waters in such a manner as in the opinion of a surveyor to be or to be likely to become an obstruction or danger to navigation, it shall be lawful but not obligatory for a surveyor—Removal of wreck by surveyor

(a) to take possession of and raise, remove or destroy the whole or any part of the vessel, her equipment, stores, fuel, cargo or ballast; and

(b) to light or buoy any such vessel or part until the raising, removal or destruction thereof; and

(c) with the consent of the Minister and in such manner as the Minister may
direct, to sell the vessel, her equipment, stores, fuel, cargo, ballast or part
so raised or removed together with any other property recovered in the exercise
of his powers under this section and out of the proceeds of the sale to
reimburse himself for the expenses incurred by him in relation thereto and the
surveyor shall hold the surplus, if any, of the proceeds for the persons
entitled thereto:

Provided that-

(i) except in the case of property which is of a perishable nature or which
would deteriorate in value by delay, a sale shall not be made in terms of this
section until at least four weeks' notice of the intended sale has been given by
notice published in the Gazette and by advertisement in a newspaper circulating
in Zambia;

(ii) at any time before any property is sold in terms of this section, the
owner thereof shall be entitled to have it delivered to him on payment to the
surveyor of the fair market value thereof, to be ascertained by agreement
between the surveyor and such owner or failing agreement by some person
nominated for the purpose by the Minister, and the sum paid to the surveyor as
the value of any property under this provision shall for the purposes of this
section be deemed to be the proceeds of the sale of that property.

(2) Where any vessel, equipment, stores, fuel, cargo, ballast or other property
recovered by a surveyor in the exercise of his powers under subsection (1)
constitutes uncustomed goods as defined in section two of the Customs and Excise
Act, the surveyor concerned shall deliver such goods to an officer for disposal
in accordance with the provisions of that Act.Cap. 322

(3) If the total proceeds of any sale of the vessel or of her equipment,
stores, fuel, cargo, ballast or any other property, whether the goods are sold
under the provisions of the Customs and Excise Act relating to uncustomed goods
or by the surveyor in terms of this section, are insufficient to pay the costs
of their removal and of any such sale, including the payment of salvage claims,
if any, arising out of such removal and of any sums due in terms of that Act,
the excess of such costs over and above the amount realised by any such sale
shall be a debt due to the Government from the person who was the owner of such
vessel at the time when the vessel was sunk, stranded or abandoned and may be
sued for and recovered by action by the Minister in any court of competent
jurisdiction.

(As amended by G.N. No. 249 of 1964)

16. In surveying a vessel for the purposes of this Act a surveyor shall have
regard, as may be appropriate to the vessel being surveyed, to the standards and
requirements relating to the survey of passenger ships, fire appliances and
life-saving appliances laid down from time to time in instructions issued to
surveyors of ships by the authority which issues such instructions in the United
Kingdom and shall, in relation to matters not otherwise prescribed, apply such
of those standards and ensure compliance with such of those requirements as may
in his opinion be necessary for the seaworthiness of the vessel, her proper
equipment and the safety of passengers and cargo carried aboard the vessel on
the inland waters on which she is to be used.Duties of surveyors in relation to
surveys

17. (1) The Minister may direct that an investigation shall be made into any
shipping casualty in accordance with the provisions of this section and for the
purposes of this Act a shipping casualty shall be deemed to occur—Inquiries as to shipping casualties

(a) whenever a vessel has been lost, abandoned, stranded or damaged on any inland waters;

(b) whenever any vessel causes loss or material damage to any other vessel on inland waters;

(c) whenever any vessel causes loss or material damage to any other vessel and any such vessel is in the course of a voyage to or from a place on inland waters and is found on inland waters;

(d) whenever loss of life occurs by reason of any casualty happening to or on board any vessel which is on inland waters or is in the course of a voyage to or from a place on inland waters;

(e) whenever any such loss, abandonment, stranding, damage or casualty occurs on waters of which any inland waters form a part and any competent witness thereof arrives or is found at any place in Zambia.

(2) When a shipping casualty occurs, the Minister may appoint a surveyor or any other person to make inquiries as to the causes and circumstances of the shipping casualty and to report thereon to him. Any person so appointed shall have access to and authority to examine any vessel involved in a shipping casualty, the place where the casualty occurred and any documents, material, equipment or components which may be pertinent to his inquiries.

(3) Where it appears to the Minister that it is expedient to hold a formal inquiry into the competency of a master or member of a crew or into the causes and circumstances of a shipping casualty, he may appoint a board of inquiry to conduct such inquiry. The board of inquiry shall consist of—

(a) a president who—

(i) is or has been a Judge of a court having unlimited jurisdiction in civil and criminal matters in some part of Her Britannic Majesty's dominions; or

(ii) is and has for not less than ten years been qualified to practice as an advocate or barrister in any court or courts having such jurisdiction; and

(b) one or more members having knowledge and experience of navigation or engineering or such other special knowledge or experience as the Minister may deem relevant to the circumstances to be investigated.

(4) The powers, rights and privileges of a board of inquiry shall be the same as those conferred upon a commissioner by the Inquiries Act and the provisions of that Act shall, mutatis mutandis, apply in relation to an inquiry and to a person summoned to give evidence or giving evidence at an inquiry. Cap. 41

(5) Any person whose conduct is or is likely to become the subject of inquiry in terms of this Act shall be given not less than fourteen days' notice of the date when the inquiry is due to commence sent by registered post to his last known address. Any such person and any other person who is in any way implicated or concerned in the matter under inquiry may appear at the inquiry in person or be represented by a legal practitioner and any other person who may consider it desirable that he should so appear or be so represented may, by leave of the
board of inquiry, appear or be represented in the manner aforesaid.

(6) The Minister may appoint a secretary and such other persons as he may deem necessary to assist with the work of a board of inquiry and there may be paid to its president, members, secretary and any such persons such remuneration and allowances as the Minister, acting on the advice of the Minister responsible for finance, may determine.

(7) Subject to the provisions of subsections (8) and (9), the expenses incurred by a board of inquiry in the exercise of its functions and such sums as may be payable in terms of subsection (6) shall be paid by the Minister out of moneys appropriated for the purpose by Parliament.

(8) A board of inquiry may order that the expenses of holding the inquiry and any expenses incidental thereto, or any part of those expenses, shall be paid by any person if it finds that a shipping casualty was caused by the default or negligence of that person or of any person in his employ.

(9) Any sum ordered to be paid by any person in terms of subsection (8) shall be a debt due to the Minister and may be recovered by the Minister by civil action in a competent court.

(As amended by G.N. No. 249 of 1964 and S.I. No. 155 of 1965)

PART V

GENERAL PROVISIONS

18. (1) Subject to the law governing the public service, the Minister may, for the purposes of this Act, appoint persons as surveyors or registrars of vessels or as surveyors and registrars of vessels and for such other purposes as he may deem necessary for the administration of this Act.

(2) The Minister may confer all or any of the powers and impose all or any of the duties conferred or imposed upon any person appointed in terms of subsection (1) upon any person or class of persons in the public service or in the Zambia Police Force.

(As amended by G.N. No. 249 of 1964 and S.I. No. 155 of 1965)

19. (1) Where any surveyor, registrar of vessels, police officer, or any other person or member of a class of persons generally or specially authorised by the Minister to exercise the powers conferred by this section, has reason to suspect that an offence in terms of this Act has been committed by any person on board a vessel, it shall be lawful for him or for any other surveyor, registrar of vessels, police officer or person so authorised to require the owner of the vessel to give all information in his possession as to the name, address, description and whereabouts of the master or any other person on board the vessel at the time of the alleged offence. Any owner failing to give such information shall be guilty of an offence unless he shows to the satisfaction of the court that—Duty to give information

(a) he did not have the information and could not with reasonable diligence have obtained it; or

(b) in the case of passengers carried for hire or reward, he did not have the
information.

(2) It shall also be lawful for a surveyor, registrar of vessels, police officer or other person authorised in terms of subsection (1) to require any other person to give such information as aforesaid, or any other information which it is in his power to give and which may lead to the identification of the master of and any other person on board the vessel, and if the person required to give such information fails to do so he shall be guilty of an offence unless he shows to the satisfaction of the court that-

(a) he did not have the information and could not with reasonable diligence have obtained it; or

(b) in the case of passengers carried for hire or reward, he did not have the information.

20. (1) A person shall not wilfully or negligently-Damage to navigation marks

(a) injure any navigation mark; or

(b) remove, alter or destroy any navigation mark; or

(c) ride by, make fast to or run foul of a navigation mark.

(2) The provisions of paragraphs (b) and (c) of subsection (1) shall not apply to any person authorised by the Minister to maintain, repair or remove a navigation mark.

(3) The Minister may in any court of competent jurisdiction recover from any person who has contravened the provisions of subsection (1) the expense incurred in repairing or replacing any navigation mark which has been injured, removed, altered or destroyed in contravention of subsection (1).

21. (1) In all proceedings for an offence against the provisions of this Act or for the recovery of damages for injury done by any vessel registered under such provisions, entries in a register of vessels relating to the vessel in question shall be conclusive evidence that any person registered at any date as the owner of such vessel was at that date the owner thereof:

Provided that-

(i) the provisions of this subsection shall not have effect so as to prevent any proceedings or action being taken or instituted against any person not registered as the owner of such vessel who is beneficially interested therein;

(ii) the provisions of this subsection shall not affect the rights of any person registered under the provisions of this Act as the owner of a vessel against any person not so registered who is beneficially interested in such vessel;

(iii) the registration of any vessel shall not confer, take away or affect any title to or interest in such vessel.

(2) For the purposes of proceedings in any court or in any investigation conducted in terms of this Act, a copy or extract from any register of vessels or other record of which a registrar of vessels is in charge, duly certified as
true by the registrar of vessels concerned, shall be receivable in evidence on its mere production by any person and shall be of like value and effect as the original register of vessels.

(3) A certificate purporting to have been signed by a person describing himself as a registrar of vessels stating that any provision of this Act as to registration of a vessel or as to the competency of a master or member of a crew has or has not been complied with shall, on its mere production by any person in any court or in the course of any investigation conducted in terms of this Act, be received as prima facie evidence of the facts therein stated.

22. The Minister may prescribe an ensign of such colours and design as he may direct which may be worn by such vessels, in such manner and for such purposes as may be prescribed. Ensign to be prescribed

23. (1) A person who - Offences and penalties

(a) for the purpose of obtaining, whether for himself or for any other person, the issue of a document in terms of this Act makes a declaration or statement which he knows to be false in any particular or does not know or believe to be true, or knowingly makes use of a declaration, statement or document containing the same;

(b) fraudulently imitates, alters, mutilates, destroys or uses, or fraudulently sells, supplies, lends or allows to be used by any other persons any document issued for the purposes of this Act or deemed to have been issued thereunder;

(c) wilfully obstructs, hinders or resists any other person in the exercise of his powers or the carrying out of his duties under the provisions of this Act;

(d) sends or takes or is a party to sending or taking a vessel upon inland waters in such an unseaworthy state that the life of any person is likely thereby to be endangered;

(e) contravenes or fails to comply with any provision of this Act or any direction or instruction given in terms of this Act;

shall be guilty of an offence.

(2) If the master or a member of the crew of a vessel which is registered or should be registered in terms of this Act by wilful breach of duty or by neglect of duty or by reason of drunkenness-

(a) does any act tending to the immediate loss, destruction or serious damage of the vessel or tending immediately to endanger the life or limb of a person belonging to or on board the vessel; or

(b) refuses or omits to do any lawful act proper and requisite to be done by him for preserving the vessel from immediate loss, destruction or serious damage or for preserving any person belonging to or on board the vessel from immediate danger to life or limb;

he shall be guilty of an offence.

(3) Any person found guilty of an offence in terms of this Act shall be liable-
(a) for a contravention of paragraph (d) of subsection (1) or of subsection (2) or for a failure to comply with any direction given in terms of section thirteen-

(i) on first conviction, to a fine not exceeding three thousand penalty units or, in default of payment, to imprisonment for a period not exceeding one year, or to such imprisonment without the option of a fine, or to both; and

(ii) on the second or a subsequent conviction, to a fine not exceeding six thousand penalty units or, in default of payment, to imprisonment for a period not exceeding two years, or to such imprisonment without the option of a fine, or to both;

(b) for an offence not referred to in paragraph (a)-

(i) on first conviction, to a fine not exceeding seven hundred and fifty penalty units or, in default of payment, to imprisonment for a period not exceeding one month, or to such imprisonment without the option of a fine, or to both; and

(ii) on the second or a subsequent conviction, to a fine not exceeding one thousand five hundred penalty units or, in default of payment, to imprisonment for a period not exceeding two months, or to such imprisonment without the option of a fine, or to both.


24. (1) The Minister may by regulation prescribe all matters which by this Act are required or permitted to be prescribed or which are necessary or convenient to be prescribed for carrying out or giving effect to the provisions of this Act.

Regulations

(2) Without derogation from the generality of the provisions of subsection (1), the Minister may, in the exercise of the powers conferred upon him by that subsection and in relation to inland waters and vessels used thereon, provide for-

(a) the measurement of the dimensions and tonnage of vessels and, for this purpose, the supply of information;

(b) giving effect to any arrangements made under any agreement concluded in terms of section eleven;

(c) the acceptance by a registrar of vessels in lieu of a surveyor's certificate of any certificate to the same or a similar effect issued in any country outside Zambia;

(d) the allocation of identity marks to vessels and the form and manner in which such marks and other particulars shall be displayed on vessels and on life-saving appliances carried in vessels;

(e) the number of passengers and crew and the quantity of cargo to be carried in vessels, including provisions for the stowing of cargo and precautions to be observed in the carriage of such goods as the Minister may deem to be dangerous goods;
(f) the supply of life-saving appliances in vessels and the quantity, quality, description and method of use of such appliances;

(g) the specifications and conditions with which vessels and equipment installed or carried in vessels shall comply so as to ensure the safety of persons and cargo carried therein and the supply of information and documents relating to the construction and equipment of vessels;

(h) the establishment and functions of a central registry of vessels and the manner in which information is to be supplied to such central registry by registrars of vessels and by owners of vessels;

(i) the display of certificates of registration and the keeping of logs in vessels, the form and manner in which certificates of registration shall be displayed and logs shall be kept, the entries, which shall be evidence of the matters stated therein, to be made in logs, the surrender of logs and the notification of the loss of logs to the officer in charge of the central registry of vessels;

(j) the replacement of certificates which have been lost or destroyed and the renewal of certificates;

(k) the classification of vessels, whether by reference to tonnage, dimensions, the purposes for which they are used or otherwise, the classification of persons to be carried by different classes of vessels as masters and members of the crew, the number of persons of each class to be so carried, the standards of competency of those persons, the certificates of competency to be held by those persons as proof of their competency, the qualifications to be held and the examinations to be passed by persons to whom certificates of competency are granted, the holding of such examinations and the appointment of examiners for those purposes and the suspension and cancellation of certificates of competency;

(l) the measures to be observed for the prevention of collisions and generally for the safety of navigation, including provisions as to the use of lights and signals by sound, flags or otherwise, and provisions as to aids to safe navigation by way of navigation marks, the conveying of instructions and information and the observation of such instructions;

(m) the application to aircraft which are designed to manoeuvre on water and which are on the surface of inland waters and to persons in charge of such aircraft of any or all of the regulations made in terms of paragraph (l);

(n) the reporting of accidents to vessels on inland waters or to persons on board such vessels;

(o) the geographical limits or areas of inland waters outside which vessels or classes of vessels may not be used, having regard to their construction, suitability for navigation and safe operation;

(p) the fees to be paid and the manner of payment of fees for-

(i) the issue, amendment, renewal or replacement of any document issued for the purposes of this Act;

(ii) the survey of a vessel;
(iii) examinations for masters and members of crews.

(3) The Minister may, by statutory notice, designate places or areas of inland waters or land as harbours in respect of which the Minister may, by statutory instrument, make regulations for the management and control of such harbours and of vessels and persons within them, the powers of persons to effect such control and the payment of fees for services within such harbours and the Minister may make regulations accordingly.

(4) In exercise of the powers conferred by this section the Minister may-

(a) make different provisions with respect to-

(i) different classes of vessels;

(ii) different inland waters;

(iii) different harbours;

(b) empower a surveyor to exempt any vessel from any requirement of regulations made in terms of this section to the extent that the surveyor is satisfied that compliance therewith would be unreasonable or impracticable in the circumstances and that the safety of the vessel or passengers or cargo carried therein would not be endangered by such exemption.

(As amended by No. 13 of 1961 and G.N. No. 249 of 1964)

25. A vessel which, before the appointed date, was used on any waters in the former Protectorate of Northern Rhodesia declared to be inland waters in terms of this Act, shall, on and after that date, be exempted from the requirements of this Act as to survey and registration until the expiry of any certificate issued in respect of such vessel in terms of this Act.

(G.N. No. 249 of 1964) Savings

26. All the provisions of the British Act known as the Merchant Shipping Act, 1894 (other than those of Part III and Part XIII thereof) are hereby repealed in so far as they relate to vessels registered in terms of this Act.

(As amended by S.I. No. 155 of 1965) Repeal of certain provisions of the Merchant Shipping Act, 1894, of the United Kingdom

SUBSIDIARY LEGISLATION

INLAND WATERS SHIPPING CAP 466

SECTION 4-THE INLAND WATERS SHIPPING (DECLARED DATE) NOTICE

Notice by the Minister Federal Government Notice
29 of 1962
Government Notices
249 of 1964
497 of 1964
1.    This Notice may be cited as the Inland Waters Shipping (Declared Date) Notice.Title

2.    It is hereby notified that from and after the appointed date, no person shall use or permit to be used on those parts of Lake Kariba or of Lake Tanganyika which lie within the boundaries of Zambia or of the former Protectorate of Northern Rhodesia a vessel to which the provisions of Part II of the Act apply unless-

(a) she has been surveyed and registered in accordance with the provisions of the Act; and

(b) there is in force in respect of such vessel a valid certificate of registration.Declared date and specification of inland waters

SECTION 4-THE INLAND WATERS SHIPPING
(DECLARED DATE) (NO. 2) NOTICEGazette Notice
217 of 1966

Notice by the Minister

1.    This Notice may be cited as the Inland Waters Shipping (Declared Date) (No. 2) Notice.Title

2.    It is hereby notified that from and the 1st July, 1966, a person shall not use or permit to be used on Lake Bangweula a vessel to which the provisions of Part II of the Act, apply, unless-

(a) she has been surveyed and registered in accordance with the provisions of the said Act; and

(b) there is in force in respect of such vessel a valid certificate of registration.Declared date and specification of inland waters.

SECTION 4-THE INLAND WATERS SHIPPING NOTICESTatutory Instrument
146 of 1975

Notice by the Minister

1.    This Notice may be cited as the Inland Waters Shipping (No. 3) Notice.Title

2.    It is hereby notified that after the publication of this Notice a person shall not use, or permit to be used a vessel on any of the inland waters specified in the Schedule to this Notice to which the provisions of Part II of the Inland Waters Shipping Act, apply, unless-

(a) she has been surveyed and registered in accordance with the provisions of the said Act; and

(b) there is in force in respect of such vessels a valid certificate of registration.Specification of declared inland waters.

Cap. 466

SCHEDULE
INLAND WATERS

The Zambezi River where both sides of the river lie within the borders of Zambia, parts of Lake Mweru which lie within the boundaries of Zambia, Lake Mweru Wantipa, Kafue River, Lwanginga River, Lungwebungu River, parts of Lutembwe River which lie within Zambia, Kashizhi River, Kabompo River, parts of Luapula River which lie within Zambia, Chambeshi River, Kalungwishi River, Luangwa River, Lunsemfwa River and Lukanga Swamps.

(As amended by S.I. No. 145 of 1975)

SECTION 10-THE INLAND WATERS SHIPPING
(INLAND WATERS DECLARATION) ORDER

Order by the President

Federal Government Notice
372 of 1961
Government Notices
249 of 1964
497 of 1964
Statutory Instrument
14 of 1966
145 of 1975

1. This Order may be cited as the Inland Waters Shipping (Inland Waters Declaration) Order.

Title

2. The following waters are hereby declared to be inland waters for purposes of the Inland Waters Shipping Act:

(As amended by S.I. No. 145 of 1975)

SECTION 24-THE INLAND WATERS SHIPPING
(CONSTRUCTION OF VESSELS) REGULATIONS

Regulations by the Minister

Federal Government Notice
374 of 1961
Statutory Instrument
92 of 1976

PART I

PRELIMINARY
1. These Regulations may be cited as the Inland Waters Shipping (Construction of Vessels) Regulations.

Title

2. (1) These Regulations shall apply to vessels which are used on inland waters and which are required to be registered in terms of Part II of the Act.

Application

(2) These Regulations provide for the minimum specifications and conditions with which vessels referred to in sub-regulation (1) shall comply so as to ensure the safety of persons and cargo carried therein.

3. In these Regulations, unless the context otherwise requires—

Interpretation

"decked vessel" means a vessel which is decked-in to the extent of her overall length;

"half-decked vessel" means a vessel which is not an open vessel nor a decked vessel;

"open vessel" means a vessel which is not decked-in at the forward end to the extent of one-third of her overall length.

PART II

HULL AND CONSTRUCTION REQUIREMENTS

4. (1) A person shall not construct or sell a vessel of any model or type unless he has submitted in duplicate, to the Permanent Secretary, Ministry of Power and Transport, construction plans and detailed specifications for that vessel and obtained approved plans and specifications therefor.

Submission of plans

(2) On first survey, if required by the surveyor, the owner of a vessel or his agent shall submit plans showing construction, material and scantlings of the hull of such vessel. The plans shall also show the passenger accommodation, if any, and, if such accommodation is in an enclosed space, particulars of the entrances and exits.

(As amended by S.I. No. 92 of 1976)

5. (1) In a vessel fitted with an inboard engine which is enclosed within a machinery space, whether such vessel is constructed of wood or steel, there shall be provided a bulkhead to separate such machinery space from the accommodation space.

Bulkheads

(2) The bulkhead referred to in sub-regulation (1) shall be—

(a) made of steel and insulated so as to provide an effective fire division:

Provided that, in the case of an open vessel constructed of wood, the bulkhead may be made of wood if it is constructed and lined to the satisfaction of the surveyor;

(b) in the case of a vessel provided with seats for passengers, constructed as high as such seats and water-tight to half its height.

6. (1) A vessel, when loaded with weights to represent her normal complement
of stores, equipment, full permissible cargo and the full number of persons authorised by the surveyor's certificate to be carried in such vessel at 63 kilograms per person, shall have a clear height of side above water at its lowest point of Freeboard

(a) in the case of a vessel of not more than 457.2 centimetres in length overall, not less than 365.76 centimetres;

(b) in the case of a vessel of more than 457.2 centimetres but not more than 609.6 centimetres in length overall, not less than 457.2 centimetres;

(c) in the case of a vessel of more than 609.6 centimetres but not more than 914.4 centimetres in length overall, not less than 422 millimetres;

(d) in the case of a vessel of more than 914.4 centimetres but not more than 1219.2 centimetres in length overall, not less than 584.2 millimetres;

(e) in the case of a vessel of more than 1219.2 centimetres but not more than 1524 centimetres in length overall, not less than 685.8 centimetres;

(f) in the case of a vessel of more than 1524 centimetres in length overall, such height, being not less than 762 millimetres, as the surveyor may consider necessary.

(2) The clear height of side shall be measured-

(a) in the case of an open vessel, to the top of the upper edge of the upper strake or to the top of the wash strake if one is fitted;

(b) in the case of a half-decked vessel, to the top of the deck or to the top of the gunwale, whichever measurement gives the smaller height of side;

(c) in the case of a decked vessel, to the top of the deck at the side.

7. (1) A vessel shall be provided, to the satisfaction of the surveyor, with flooring which shall-

(a) be secured but removable to allow for inspection and cleaning;

(b) allow rapid drainage of water to the bilges.

(2) Drain-plugs in the outer skin of a vessel shall not be provided.

8. Provision shall be made in a vessel for the helmsman to have a clear view for safe navigation.

PART III

BUOYANCY REQUIREMENTS

9. (1) An open vessel shall be provided with internal buoyancy appliances of sufficient capacity to enable such vessel to remain afloat when-Buoyancy appliances or watertight bulkheads

(a) filled with water;

(b) loaded with 22.5 kilogramms of ballast;
(c) supporting her normal means of propulsion.

(2) A vessel other than an open vessel shall be provided with such watertight bulkheads, being not less than two, as the surveyor considers necessary.

10. Buoyancy appliances shall consist of-

(a) air cases constructed of a material approved by a surveyor; or

(b) in the case of solid buoyancy units, material having a closed cell structure, and recognised as a buoyancy appliance by the authority in the United Kingdom responsible for approving such equipment.

Material and construction of buoyancy appliances

11. No air case shall exceed a length of 121.92 centimetres, and a metal air case exceeding 91.44 centimetres in length, if it is not constructed of corrugated sheets, shall be strengthened by fitting an internal diaphragm at the middle of the length. An internal diaphragm shall also be fitted at the middle of the length of each air case where the perimeter exceeds 152.4 centimetres and its length 63 millimetres.

Special requirements for air cases

12. Buoyancy appliances shall be constructed to the satisfaction of the surveyor.

Construction of buoyancy appliances

PART IV

MACHINERY REQUIREMENTS

13. A vessel fitted with a petrol-driven inboard engine shall comply with the following minimum requirements:

(a) where the fuel tanks are installed in the engine compartment, the tanks shall be separated from the engine by a fireproof bulkhead or alternatively the tanks shall be lagged to the satisfaction of the surveyor;

(b) where the engine is not enclosed within a machinery space, it shall be encased with a weatherproof casing and such casing shall be constructed of steel or wood:

Provided that wooden casing shall be lined with fireproof sheeting of not less than a quarter of 25.4 millimetres in thickness;

(c) machinery including shafting shall be fenced where considered necessary by the surveyor to protect persons from injury;

(d) adequate ventilation shall be provided in engine and fuel-tank compartments;

(e) a metal tray shall be fitted under the engines and the tray shall—Engine compartments and positioning of fuel tanks

(i) be constructed so as to contain a reasonable quantity of oil without overflowing;

(ii) be readily removable for cleaning;
(f) fuel tanks shall be rigidly installed as far away as practicable from the engine and, where considered necessary by the surveyor, a metal tray, which shall comply with the provisions of paragraph (e), shall be fitted under the fuel tank;

(g) the fuel-tank filler shall be provided with a vent leading to the open air;

(h) provision shall be made to ensure that any overflow of fuel is deposited over the side of the vessel and not into the bilges.

14. (1) Batteries shall be installed in and secured to the floor of an adequately ventilated compartment. Batteries

(2) No battery shall be fitted under a petrol tank, cock or filter.

15. The master or person in charge of a vessel which is used upon inland waters and which is required to be registered in terms of Part II of the Act shall not use such vessel unless it complies with the provisions of these Regulations. Duty of master or person in charge of a vessel to comply with these Regulations

16. A surveyor may exempt a vessel from any requirement of these Regulations to the extent that he is satisfied that compliance therewith would be unreasonable or impracticable in the circumstances and that the safety of the vessel or passengers or cargo carried therein would not be endangered by such exemption. Exemptions

SECTION 24—THE INLAND WATERS SHIPPING (DANGEROUS GOODS) REGULATIONS

Regulations by the Minister Federal Government Notice 375 of 1961

1. These Regulations may be cited as the Inland Waters Shipping (Dangerous Goods) Regulations. Title

2. In these Regulations, unless the context otherwise requires— Interpretation

"dangerous goods" means any goods—

(a) set out in the Schedule; and

(b) consigned as cargo in a vessel.

3. A person shall not send or convey by any vessel any dangerous goods unless their nature is distinctly marked on the outside of the package in which such goods are contained. Marking of dangerous goods

4. A person who sends any dangerous goods for shipment shall give written notice of—

(a) the nature of such goods;

(b) his name and address;
to the owner or master of the vessel in which such goods are to be carried before or at the time such goods are taken on board such vessel.

Notice of consignment

5. The owner or master of a vessel shall not take any dangerous goods on board his vessel if such goods are-

(a) not marked; or

(b) not adequately packed to withstand the ordinary risks of handling and transport by sea. Owner or master to refuse to accept dangerous goods if not marked or inadequately packed

6. The owner or master of a vessel shall not take inflammable liquids which are dangerous goods on board his vessel unless adequate ventilation is available in the spaces in which such liquids are to be carried.

Inflammable liquids

7. (1) The owner or master of a vessel shall stow dangerous goods which have been taken on board his vessel for carriage in a safe and proper manner.

Stowage

(2) The owner or master of a vessel in which dangerous goods are being carried shall take such precautions as are necessary to prevent unauthorised access to such goods.

(3) A person shall not smoke near or within the confines of a compartment containing dangerous goods.

(4) The owner or master of a vessel shall exhibit appropriate signs inside and, where necessary, outside any compartment containing dangerous goods.

8. The owner or master of a vessel shall not take dangerous goods liable to spontaneous combustion on board his vessel for carriage unless proper precautions are taken for the prevention of the spontaneous combustion of such goods.

Dangerous goods liable to spontaneous combustion

9. The owner or master of a vessel shall not take dangerous goods in the shape of solids which take up water with the production of heat on board his vessel for carriage unless such goods are-

(a) carried in metal drums; or

(b) protected from water.

Solids which take up water with the production of heat

SCHEDULE

(Regulation 2)

DANGEROUS GOODS

1. Acetic acid glacial

2. Acetone and other inflammable organic compounds

3. Acetylene, compressed or liquid, in cylinders filled with a porous substance
4. Acids, in bulk or otherwise
5. Alcohol
6. Ammonia
7. Aniline oil
8. Carbide of calcium
9. Celluloid and its compounds
10. Chlorate of potash and other chlorates
11. Chloroform, in bulk or otherwise
12. Collodion
13. Explosives, including-
   (a) gunpowder, nitro-glycerine, dynamite, gun-cotton, blasting powders, fulminates, coloured fires, fireworks or any other substances used or manufactured to produce an explosive or pyrotechnic effect;
   (b) fog-signals, fireworks, fuses, rockets, percussion caps, detonators, cartridges, ammunition and any adaptation or preparation of an explosive;
   (c) compressed or liquid acetylene in cylinders not filled with a porous substance.
14. Gases, compressed and liquid
15. Hydrofluoric acid
16. Inflammable liquids, including motor spirits and turpentine
17. Inflammable solids, including resin, sulphur, camphor and naphthaline
18. Matches
19. Phosphorus
20. Potassium cyanide and other poisonous compounds
21. Solids giving off highly inflammable gases in contact with moisture, including carbides and mixtures containing the same
22. Solids liable to spontaneous combustion, including hay and cotton waste
23. Solids which take up water with the production of heat, including caustic soda, caustic potash, zinc chloride and unslaked lime
24. Vitriol

SECTION 24-THE INLAND WATERS SHIPPING
(DIMENSIONS AND TONNAGE) REGULATIONS
Regulations by the Minister Federal Government Notice 376 of 1961

1. These Regulations may be cited as the Inland Waters Shipping (Dimensions and Tonnage) Regulations.

2. In these Regulations, unless the context otherwise requires:

   "decked vessel" means a vessel which is decked-in to the extent of her overall length;

   "half-decked vessel" means a vessel which is not an open vessel nor a decked vessel;

   "open vessel" means a vessel which is not decked-in at the forward end to the extent of one-third of her overall length.

3. For the purpose of measuring the dimensions of a vessel, all calculations shall be made by the methods set out in the Schedule.

4. The tonnage of a vessel shall be ascertained by applying the formula:

   \[( \text{breadth in centimetres} + \text{girth in centimetres})^2 \times \text{length in centimetres} \times 0.002 \]

5. A surveyor may call upon the owner of a vessel to supply such information as may be necessary for the purpose of measuring the dimensions and tonnage of such vessel.

SCHEDULE

(Regulation 3)

METHODS OF ASSESSING DIMENSIONS OF A VESSEL

1. LENGTH

   The length of a vessel shall be measured from the forward edge of the stem along the centre line of the uppermost continuous deck to the outer edge of the plating or planking attached to that deck at the stern. In the case of a vessel having a pointed stern, the length shall be measured from the forward edge of the stem to the aftermost edge of the stern post, and in the case of a vessel having a transom (that is a square stern), the length shall be measured from the forward edge of the stem to the outer edge of the transom plating or planking.

2. BREADTH

   The breadth of a vessel shall be measured from the outer edge of the hull plating or planking on one side where attached to the uppermost continuous deck, to the outer edge of the hull plating or planking on the other side, such measurement being made at the point of mid-length of the vessel. In the case of a half-decked vessel, the breadth shall be measured between the outer edges of
the hull plating or planking where attached to the half-deck at the point of mid-length, and in the case of an open vessel, the breadth shall be measured between the outer edges of the hull plating or planking at the gunwale and at the point of mid-length.

3. GIRTH

The girth of a vessel shall be measured by marking on both sides of the vessel the height of the uppermost continuous deck at the point of mid-length, then by measuring from the mark on one side downwards in a direction perpendicular to the keel, across the bottom plating and up to the mark on the other side. This measurement should not take in such projections as rolling chocks (bilge keels) and bar keels. In the case of an open vessel or a half-decked vessel, the measurement shall be taken in a similar manner between the gunwales or the height of the half-deck.

4. DEPTH

The depth of a vessel shall be measured from the top of the keel to the underside of the deck plating or planking of the uppermost continuous deck at the point of mid-length. In the case of an open vessel or a half-decked vessel, it shall be measured from the top of the keel to a straight line drawn between the gunwales or half-deck on each side at the point of mid-length.

5. MEASUREMENT OF OPEN VESSELS

In ascertaining the tonnage of an open vessel, the upper edge of the upper strake is to form the boundary line of measurement, and the depth shall be taken from an athwartship line extended from upper edge to upper edge of the said strake at each division of the length.

SECTION 24—THE INLAND WATERS SHIPPING (TRIALS) REGULATIONS

Regulations by the Minister

Federal Government Notice
283 of 1962
Government Notice
249 of 1964
Statutory Instrument
6 of 1974

1. These Regulations may be cited as the Inland Waters Shipping (Trials) Regulations.

2. In these Regulations, unless the context otherwise requires—Interpretation

"certificate" means a certificate issued by a surveyor in terms of regulation 4;

"form" means the appropriate form prescribed in the Schedule;

"owner" means the owner of a vessel;

"vessel" means a vessel whose measurement exceeds 5.08 tonnes.

3. (1) An owner who wishes to test the seaworthiness of his vessel may apply for a certificate by completing Part I of Form No. 1 in duplicate.Application
(2) The owner shall send the application to the surveyor at least one month before he wishes the trials to begin.

(3) The application shall be accompanied by one copy of each of the constructional plans of the vessel.

4. (1) On receipt of the application the surveyor shall issue a certificate by completing Part II of Form No. 1. Issue of certificate

(2) The certificate shall specify the period not exceeding two weeks during which the trials may take place.

(3) On issuing the certificate the surveyor may impose such conditions upon the owner as he considers necessary or desirable.

(4) The surveyor shall return one copy of Form No. 1 to the owner.

5. (1) If an owner who is in possession of a certificate wishes to be granted a further period during which the trials may take place, he may request the surveyor in writing to grant such further period, giving his reasons for the request. Granting of further period to undergo trials

(2) The request shall be accompanied by the certificate.

(3) On receipt of the request the surveyor may grant a further period during which the trials may take place:

Provided that the surveyor shall not grant such further period where the total period during which the trials may take place would exceed twenty-eight days unless he has examined the vessel and satisfied himself that the extension is necessary.

(4) Where the surveyor grants a further period during which the trials may take place, he shall complete Part III of Form No. 1 and return the certificate to the owner.

6. (1) An owner shall not test a vessel for seaworthiness on inland waters - Owner to comply with certain conditions

(a) unless he is in possession of a certificate issued in respect of such vessel;

(b) unless the trials take place during the period specified in the certificate;

(c) unless he complies with the conditions imposed upon him by the surveyor;

(d) in an area other than the area specified in the certificate;

(e) in a harbour, anchorage area, shipping lane or channel;

(f) within 1.6 kilometres of a fishing vessel from which nets have been set.

(2) An owner shall not carry in a vessel undergoing trials-
(a) a greater number of persons than the number he is authorised by the certificate to carry;

(b) any cargo or ballast other than the ballast he is authorised by the certificate to carry.

7. An owner shall notify the surveyor in writing of the date on which the trials have been concluded and shall apply immediately thereafter for the survey and registration of his vessel.

8. (1) If at any time the surveyor examines a vessel in respect of which a certificate has been issued and considers her fit for registration, he shall notify the owner in writing accordingly.

(2) On receipt of the notification the owner shall immediately apply for the survey and registration of his vessel.

SCHEDULE
FORM NO. 1
THE INLAND WATERS SHIPPING ACT
PART I
APPLICATION FOR A CERTIFICATE FOR A VESSEL TO UNDERGO TRIALS FOR SEAWORTHINESS
(To be completed in duplicate)
To: The Surveyor of Vessels,
P.O. Box RW.38,
Lusaka.
I/We,
(full name of owner(s) in block capitals)
of , the owner(s)
(business address)
of , do hereby apply for
(name of vessel in block capitals)
a certificate for the vessel named above to undergo trials for seaworthiness for the period
beginning on
(date)
and ending on
(date)
The base from which and the radius of the area within which the trials are to take place will be
(name of base)
and
(radius in kilometres)
The vessel will carry .................... and
(number of persons) (type of ballast)
and appropriate weight)

Date

(Signature of owner)

Copies of the following constructional plans of the vessel are attached-

(a)

(b)

(c)

(d)

(e)

(Serial Nos. of plans)

(As amended by G.N. No. 249 of 1964)
PART II

CERTIFICATE FOR A VESSEL TO UNDERGO TRIALS FOR SEAWORTHINESS

I hereby certify that the vessel

(name of vessel)

is authorised to undergo trials for seaworthiness beginning on the

.........................................................., 19.......... and ending on the
19..........,

(date) (date)

and is accordingly exempted from the provisions of Part II of the Inland Waters Shipping Act during that period.

It is a condition of the issue of this certificate that-

(a) the total number of persons to be carried in the vessel at any one time during the trials shall not exceed

(number of persons)

(b) no cargo other than ballast shall be carried in the vessel during the trials;

(c) the type of ballast to be carried in the vessel during the trials shall be

(type of ballast)

(d) the fire-fighting appliances to be carried in the vessel during the trials shall be

..............................................................................

(number and type)

(e) the number of life-buoys to be carried in the vessel during the trials shall be

..............................................................................

(number of life-buoys)

(f) the number of life-jackets to be carried in the vessel during the trials shall be
(number of life-jackets)

(g) the base from which and the radius of the area within which the trials shall take place shall be

and ..............................................................

(name of base)   (radius in kilometres)

(h)

(any other conditions)

Date

(Signature of surveyor)

PART III

GRANT OF FURTHER PERIOD DURING WHICH TRIALS MAY TAKE PLACE

I certify that I have granted a further period during which the trials may take place from

the  19............. to the

(date)

..............................................................19..........

(date)

Date

(Signature of surveyor)

NOTE.—It should be noted that where the further period applied for would result in the total period of the trials exceeding 28 days, the surveyor is required to examine the vessel to satisfy himself that the extension is necessary. In this event the owner may be required to meet the costs of the surveyor's examination.
1. These Regulations may be cited as the Inland Waters Shipping (Certificates of Competency) (Forms) Regulations.Title

2. A certificate of competency to be issued under regulation 4 of the Inland Waters Shipping (Masters and Crews) Regulations shall be in the appropriate form set out for such certificate in the Schedule.Forms of certificates of competency

SCHEDULE

(Regulation 2)

FORMS OF CERTIFICATES OF COMPETENCY

A. No..................

REPUBLIC OF ZAMBIA

CERTIFICATE OF COMPETENCY AS MASTER

THE INLAND WATERS SHIPPING ACT

(Laws, Volume 26, Cap. 466)

To...

HAVING BEEN FOUND DULY QUALIFIED to fulfil the duties of Master, Class , of a vessel operating on the inland waters of the Republic of Zambia, the Minister of Transport, in exercise of his powers under the Inland Waters Shipping (Masters and Crews) Regulations hereby grants you this Certificate of Competency.

SIGNED BY AUTHORITY OF THE MINISTER and dated

this .day of........................................, 19..,..... LUSAKA

Permanent Secretary,
Signature of the person to whom this certificate is issued
Year of birth.
Place of birth.
This certificate is given upon-
(a) production of a certificate of competency-
(i) as

(ii) issued by

or;

(b) qualifying by examination, in terms of the Inland Waters Shipping (Masters and Crews) Regulations.

(delete inapplicable)

N.B.-Any person other than the rightful holder thereof coming into possession of this certificate should transmit it forthwith to the Ministry.
B. No. ............

REPUBLIC OF ZAMBIA

CERTIFICATE OF COMPETENCY AS ENGINEER

THE INLAND WATERS SHIPPING ACT

(Laws, Volume 26, Cap. 466)

To...

HAVING BEEN FOUND DULY QUALIFIED to fulfil the duties of Engineer, Class

of a vessel operating on the inland waters

of the Republic of Zambia, the Minister in exercise of his powers under the

Inland Waters (Masters and Crews) Regulations hereby grants you this Certificate

of Competency.

SIGNED BY AUTHORITY OF THE MINISTER and dated this

day of................................. , 19.............., LUSAKA

Permanent Secretary,

Signature of the person to whom this certificate is issued

Year of birth

Place of birth

This certificate is given upon-

(a) production of a certificate of competency-

   (i) as.

   (ii) issued by

or;

(b) qualifying by examination, in terms of the Inland Waters Shipping (Masters
    and Crews) Regulations.

(delete inapplicable)

N.B.-Any person other than the rightful holder thereof coming into possession of

this certificate should transmit it forthwith to the Ministry.
No. C..............

REPUBLIC OF ZAMBIA

CERTIFICATE OF COMPETENCY AS LAUNCHMASTER

THE INLAND WATERS SHIPPING ACT

(Laws, Volume 26, Cap. 466)

THIS IS TO CERTIFY THAT

LAUNCHMASTER, has been examined in terms of the Inland Waters Shipping (Masters and Crews) Regulations, and, subject to the provisions of regulation 4 of the said Regulations, has been found competent to be in charge as Launchmaster.

LUSAKA

Date:

Permanent Secretary,
D.No. ...............  

REPUBLIC OF ZAMBIA  

CERTIFICATE OF COMPETENCY AS ENGINE ATTENDANT  

THE INLAND WATERS SHIPPING ACT  

(Laws, Volume 26, Cap. 466)  

THIS IS TO CERTIFY that ENGINE ATTENDANT, has been examined in terms of the Inland Waters Shipping (Masters and Crews) Regulations, and subject to the provisions of regulation 4 of the said Regulations, has been found competent to attend internal combustion or compression ignition engines.  

LUSAKA  

Date:  

Permanent Secretary,
SECTION 24—THE INLAND WATERS SHIPPING (LIFE-SAVING APPLIANCES) REGULATIONS

Regulations by the Minister Federal Government Notices
378 of 1961
117 of 1962

1. These Regulations may be cited as the Inland Waters Shipping (Life-saving Appliances) Regulations.

2. These Regulations shall apply to all vessels, other than dug-out canoes, which are used on inland waters, including vessels which are exempted from the provisions of Part II of the Act.

(As amended by S.I. No. 93 of 1976)

3. In these Regulations, unless the context otherwise requires—

"buoyant apparatus" means flotation equipment, other than lifeboats, life-buoys and life-jackets, which is of a type approved by a surveyor;

"decked vessel" means a vessel which is decked-in to the extent of her overall length;

"half-decked vessel" means a vessel which is not an open vessel nor a decked vessel;

"open vessel" means a vessel which is not decked-in at the forward end to the extent of one-third of her overall length.

4. (1) A vessel of not more than 1524 centimetres in length overall shall carry sufficient buoyant apparatus or life-jackets to accommodate the total number of persons authorised by the surveyor's certificate to be carried in such vessel.

Life-saving appliances to be carried

(2) A vessel of more than 1524 centimetres but not more than 3084 centimetres in length overall shall carry—

(a) sufficient lifeboats and, either additionally or alternatively, buoyant apparatus to accommodate the total number of persons authorised by the surveyor's certificate to be carried in such vessel;

(b) a life-jacket for every person on board such vessel.

(3) A vessel of more than 3084 centimetres in length overall shall carry—

(a) not less than two lifeboats—

(i) of a type approved by a surveyor;

(ii) attached to davits;

(b) sufficient buoyant apparatus to accommodate, with such lifeboats, the total number of persons authorised by the surveyor's certificate to be carried in such vessel;
(c) a life-jacket for every person on board such vessel.

5. The vessels set out in the first column of the Schedule shall carry the number of life-buoys set out opposite thereto in the second column of that Schedule. Life-buoys

6. (1) A mechanically propelled vessel with an inboard engine shall carry Fire-fighting equipment to be carried by vessels with inboard engines

(a) in the case of a vessel of not more than 762 centimetres in length overall, one 0.9 kilograms dry powder fire-extinguisher;

(b) in the case of a vessel of more than 762 centimetres but not more than 1524 centimetres in length overall, two 0.9 kilograms dry powder fire-extinguishers and one 2.25 kilograms dry powder fire-extinguisher;

(c) in the case of a vessel of more than 1524 centimetres but not more than 2286 centimetres in length overall, three 0.9 kilograms dry powder fire-extinguishers and one 2.25 kilograms dry powder fire-extinguisher;

(d) in the case of a vessel of more than 2286 centimetres but not more than 3048 centimetres in length overall, four 0.9 kilograms dry powder fire-extinguishers and one 2.25 kilograms dry powder fire-extinguisher;

(e) in the case of a vessel of more than 3048 centimetres but not more than 4572 centimetres in length overall, two 0.9 kilograms dry powder fire-extinguishers and two 2.25 kilograms dry powder fire-extinguishers;

(f) in the case of a vessel of more than 4572 centimetres but not more than 6096 centimetres in length overall, four 0.9 kilograms dry powder fire-extinguishers and four 2.25 kilograms dry powder fire-extinguishers;

(g) in the case of a vessel of more than 6096 centimetres in length overall, six 0.9 kilograms dry powder fire-extinguishers and six 2.25 kilograms dry powder fire-extinguishers.

(2) A mechanically propelled vessel with an engine of 500 brake horse-power or more shall carry in addition-

(a) at least one 4.5 kilograms dry powder fire-extinguisher;

(b) two 2.25 kilograms dry powder fire-extinguishers for each 500 brake horse-power of the engine to a total of six such additional extinguishers:

Provided that foam, froth or carbon dioxide extinguishers of equivalent capacities may be substituted at the discretion of the surveyor.

7. A mechanically propelled vessel with an outboard motor shall carry one tetrachloride fluid extinguisher of the hand-pump type or one 0.9 kilograms dry powder fire-extinguisher. Vessels with outboard motors to carry a fire-extinguisher

8. All fire-extinguishers carried in terms of regulations 6 and 7 shall be tested not less than once in any two-year period and the owner shall satisfy the surveyor that such tests have been made by a responsible person and that such extinguishers are capable of efficient operation. Periodic testing of
fire-extinguishers

9. (1) A mechanically propelled vessel of more than 1524 centimetres but not more than 3048 centimetres in length overall shall be provided with at least one hand operated fire-pump of the rotary type complete with a sufficient length of fire-hose to direct a jet of water to any part of such vessel. Certain vessels to carry fire-pumps

(2) A mechanically propelled vessel of more than 3048 centimetres in length overall shall be provided with-

(a) at least one mechanically operated fire-pump;

(b) an additional fire-pump which shall not be required to be operated mechanically. Such additional pump shall-

(i) be permanently connected to the water service pipes, if any;

(ii) together with its source of power, if any, not be situated in the same compartment as the pump referred to in paragraph (a);

(iii) if a hand-pump, be of the rotary type;

(c) such additional water-pumps as the surveyor may consider necessary, having regard to the safety of the vessel, its cargo and passengers.

(As amended by F.G.N. No. 117 of 1962)

10. In a vessel equipped with a water-pump, a water suction valve shall be provided which shall be capable of being controlled from outside the machinery space.

11. A mechanically propelled vessel of more than 3048 centimetres in length overall shall be provided with hydrants and fire-hoses. The number and position of the fire-hydrants shall be such that at least one powerful jet of water may be directed into any part of the vessel by means of a fire-hose not exceeding 1828.8 centimetres in length. At least one hose shall be provided for each hydrant: Provision of hydrants and fire-hoses

Provided that the surveyor may, as an alternative to fire-hoses, approve the provision of water service pipes where these are of a sufficient diameter to enable an adequate supply of water to be provided for the efficient operation of at least one fire-hose.

(As amended by F.G.N. No. 117 of 1962)

12. The fire-hoses referred to in sub-regulation (1) of regulation 9 and regulation 11 shall be made of leather, seamless hemp, closely woven flax, canvas or other suitable material and shall be provided with couplings, conductors, other necessary fittings and with a nozzle suitable for dealing with all fires.

(As amended by F.G.N. No. 117 of 1962)

13. Hoses shall be stored, positioned and protected against damage to the satisfaction of the surveyor. Storage of hoses
14. Fire-fighting equipment shall be kept at hand and in good order so as to be ready for use at all times.

15. (1) Means for keeping a vessel clear of water shall be provided—Pumps and bailers

(a) in the case of an open vessel of not more than 3048 centimetres in length overall, by two bailers;

(b) in the case of an open vessel of more than 1524 centimetres but not more than 50 feet in length overall, by one hand operated bilge-pump of either the rotary or semi-rotary type and two bailers;

(c) in the case of a half-decked vessel of not more than 1524 centimetres in length overall, by one hand operated bilge-pump of either the rotary or semi-rotary type and two bailers;

(d) in the case of a decked vessel of not more than 1524 centimetres in length overall, by one hand operated bilge-pump of either the rotary or semi-rotary type;

(e) in the case of a vessel of more than 50 feet in length overall, by one power operated bilge-pump which may be worked by the main engine and one hand operated bilge-pump of either the rotary or semi-rotary type:

Provided that one bailer and one 9-litre bucket may be used instead of two bailers.

(2) Bilge pipes shall have an internal diameter of not less than 31.75 millimetres.

16. (1) A vessel authorised by the surveyor's certificate to carry—Certain vessels to carry radio apparatus

(a) 50 passengers or more; or

(b) 25 passengers or more if at any time whilst carrying passengers she proceeds more than 8 kilometres from the shore;

shall carry radio apparatus capable under normal operating conditions of transmitting and receiving—

(i) in the case of Lake Kariba, over a distance of 80 kilometres;

(ii) in the case of Lake Tanganyika, over a distance of 240 kilometres.

(2) The master or person in charge of such vessel shall cause a radio log to be kept in such vessel.

17. (1) In an emergency, the general emergency signal in a vessel of more than 1524 centimetres in length overall shall be sounded to muster the passengers at the passenger assembly stations for the purpose of abandoning the vessel.

General emergency signal

(2) The general emergency signal in a vessel referred to in sub-regulation (1) shall consist of a succession of six or more blasts followed by one long blast.
on the whistle or siren.

(3) The general emergency signal shall only be sounded on the instructions of the master.

18. A vessel authorised by the surveyor's certificate to carry more than 50 passengers shall carry the following information on cards displayed in the parts of such vessel used as passenger accommodation and printed in English and the appropriate vernacular:

(a) the passenger assembly stations of such passengers;
(b) the nature and meaning of the general emergency signal;
(c) the method of putting on a life-jacket.

Certain information to be displayed

19. The master of a vessel authorised by the surveyor's certificate to carry more than 100 passengers shall carry out boat drill and fire drill at least once a month. During such drill all equipment shall be thoroughly checked and particulars of such drill shall be recorded in the log of such vessel.

Boat drill and fire drill

20. The master of a vessel which is required to carry lifeboats in terms of sub-regulation (2) or (3) of regulation 4 shall appoint two competent members of the crew as lifeboatmen to take charge of each such lifeboat, of whom one, in the case of a lifeboat with a motor, shall be a competent member of the engine-room staff to operate the motor of such lifeboat.

Appointment of lifeboatmen

21. A lifeboat or buoyant apparatus shall be permanently marked to the satisfaction of the surveyor to indicate its dimensions and the number of persons it is authorised by the surveyor's certificate to carry.

Marking of lifeboats and buoyant apparatus

22. A lifeboat or buoyant apparatus shall be fully equipped before the vessel on which it is carried leaves harbour and the equipment shall-

(a) remain in such lifeboat or buoyant apparatus throughout the voyage; or
(b) be stowed in some convenient place where it will be immediately available in the case of an emergency.

Lifeboats and buoyant apparatus to be fully equipped

23. The master or person in charge of a vessel which is used upon inland waters and which is required to be registered in terms of Part II of the Act shall not use such vessel unless it complies with the provisions of these Regulations.

Duty of master or person in charge of a vessel to comply with these Regulations

24. A surveyor may exempt a vessel from any requirement of these Regulations to the extent that he is satisfied that compliance therewith would be unreasonable or impracticable in the circumstances and that the safety of the vessel or passengers or cargo carried therein would not be endangered by such exemption.

Exemptions

SCHEDULE
(Regulation 5)

LIFE-BUOYS

Minimum number of life-buoys

<table>
<thead>
<tr>
<th>Vessel length overall</th>
<th>Number of life-buoys</th>
</tr>
</thead>
<tbody>
<tr>
<td>609.6 cm to 914.4 cm</td>
<td>1</td>
</tr>
<tr>
<td>914.4 cm to 1066.8 cm</td>
<td>4</td>
</tr>
<tr>
<td>1066.8 cm to 1219.2 cm</td>
<td>6</td>
</tr>
<tr>
<td>1219.2 cm to 1524 cm</td>
<td>8</td>
</tr>
<tr>
<td>1524 cm to 3048 cm</td>
<td>10</td>
</tr>
<tr>
<td>More than 3048 cm</td>
<td>12</td>
</tr>
</tbody>
</table>

SECTION 24—THE INLAND WATERS SHIPPING (LOGS) REGULATIONS

Regulations by the Minister Federal Government Notice 379 of 1961

1. These Regulations may be cited as the Inland Waters Shipping (Logs) Regulations.

2. In these Regulations, unless the context otherwise requires—

   "master" means the master of a vessel referred to in paragraph (a) or (b) of
   regulation 3;

   "record" means a record which is required to be kept in terms of sub-regulation (3) of regulation 6.

3. The master of—

   (a) a vessel authorised by the surveyor's certificate to carry more than twenty-five passengers; or

   (b) a mechanically propelled vessel of 10.16 tonnes or more;
shall, subject to the provisions of regulation 6, keep a log in such vessel. Keeping of log

4. The log shall-

(a) not be of the loose-leaf type;

(b) be bound with hard covers;

(c) be of a size not less than quarto. Form of log

5. (1) The master shall enter in such log particulars of all matters relating to the operation of the vessel under his command, and in particular details of Particulars to be recorded

(a) any offence committed on board such vessel and any findings of a court in connection therewith;

(b) any illness or injury suffered by the master or a member of the crew;

(c) the discharge, resignation, retirement or death of a member of the crew;

(d) any shipping casualty deemed to have occurred in terms of subsection (1) of section seventeen of the Act.

(2) An entry in a log shall-

(a) be made as soon as possible after the event to which it relates;

(b) be dated to show the date of such event and of the entry;

(c) be signed by the master;

(d) be made in either ink or indelible pencil.

6. (1) When an application is made for the annual survey of a vessel for the purpose of renewing the certificate of registration, the master shall, within twenty-one days of such application, surrender his log to the registrar of vessels by whom such certificate of registration was issued. The registrar of vessels shall return the log to the master as soon as possible after he has inspected it. Surrender of log to registrar of vessels or board of inquiry

(2) When an inquiry is being held in terms of section seventeen of the Act or an offence is alleged to have been committed in terms of subsection (1) or (2) of section twenty-three of the Act and an entry in a log is required as evidence at the inquiry, or by the court trying the alleged offence, the master shall, on being required to do so by a person appointed to make inquiries or as a member of a board of inquiry in terms of subsection (2) or (3) of section seventeen of the Act or by the court, surrender his log to such person or court.

(3) Where a log has been surrendered in terms of sub-regulation (1) or (2), the master shall-

(a) keep a record of the particulars which he is required to enter in such log in terms of sub-regulation (1) of regulation 5;
(b) enter such particulars in the log as soon as possible after the log has
been returned to him.

(4) Entries in a record shall be made in accordance with the provisions of
paragraphs (a) to (d) of sub-regulation (2) of regulation 5.

7. (1) Where a log—Surrender of log no longer required

(a) has been filled; or

(b) is no longer necessary; or

(c) the vessel in which it was kept has been lost or abandoned and the log is
available;

the log shall be surrendered to the officer in charge of the central registry of
vessels within twenty-one days by the master of the vessel in which such log was
kept.

(2) The officer in charge of the central registry of vessels shall retain such
log in the central registry of vessels where it shall be open to inspection at
all reasonable times.

8. Where a log has been lost or destroyed, the master of the vessel in which
such log was kept shall immediately—

(a) report the fact of the loss to the officer in charge of the central
registry of vessels, together with a description of the circumstances in which
the loss or destruction occurred;

(b) replace such log with a new log;

(c) enter on the first page of such new log a record of the loss or
destruction of the previous log, a description of the circumstances in which the
loss or destruction occurred, the fact that the loss or destruction has been
reported in terms of paragraph (a) and the date on which such report was
made.

9. A person shall not—

(a) destroy or mutilate a log or record; or

(b) destroy, deface, mutilate, alter, erase or render illegible an entry in a
log or record; or

(c) make, procure to be made or assist in making a false or fraudulent entry
in or an omission from a log or record.

Offences

SECTION 24—THE INLAND WATERS SHIPPING
(MASTERS AND CREWS) REGULATIONS

Regulations by the Minister

Federal Government Notices
380 of 1961
1. These Regulations may be cited as the Inland Waters Shipping (Masters and Crews) Regulations.

2. (1) Subject to the provisions of regulation 3, a vessel which is used for hire or reward and which is of a class specified in Part I, II, III, IV, V or VI of the First Schedule shall not be used upon inland waters unless she carries the master and members of the crew specified in the first column of that Part of that Schedule.

   (2) Subject to the provisions of regulation 3 and of sub-regulation (2) of regulation 6, the master and members of the crew referred to in sub-regulation (1) and specified in the first column of the First Schedule shall hold the certificates of competency specified opposite thereto in the second column of that Schedule.

3. (1) The provisions of sub-regulation (1) of regulation 2 shall not apply to a vessel specified in Part VI of the First Schedule if she carries twelve passengers or less and—

   (a) she is not hired complete with crew; or
   
   (b) she is not used to operate a public transport system.

   (2) Subject to the provisions of sub-regulation (3), in the case of a vessel specified in Part III of the First Schedule—

   (a) if the master is the holder of both a Zambia Masters' Certificate and a Zambia Engineers' Certificate, the engineer may hold a Zambia Engine Attendants' Certificate;

   (b) if the mate is not required to be in sole charge of such vessel at any time when such vessel is under way, the mate need not hold the certificate of competency specified in the second column of that Part of that Schedule.

   (3) If a vessel specified in Part III, IV, V or VI of the First Schedule carries more than twelve passengers she shall carry the master and members of the crew prescribed for a vessel specified in Part II, III, IV or V respectively.

   (As amended by G.N. No. 249 of 1964)

4. (1) The Minister shall issue, upon receipt of a fee of two hundred and seventy-eight fee units, a certificate of competency specified in the first column of the Second Schedule to a person who holds—Issue of certificates of competency
(a) the United Kingdom certificate of competency specified opposite thereto in the second column of that Schedule; or

(b) a certificate of competency issued by an authority outside Zambia, other than an authority in the United Kingdom, which the Minister considers to be the equivalent of the United Kingdom certificate referred to in paragraph (a).

(2) The Minister shall issue, upon receipt of a fee of two hundred and seventy-eight fee units, the appropriate certificate of competency to a person who holds a certificate of competency issued by an authority in Zambia which the Minister considers to be the equivalent of a Zambia Masters' Certificate Class I, II or III, a Zambia Engineers' Certificate Class I, II or III, a Zambia Launchmasters' Certificate or a Zambia Engine Attendants' Certificate.

(3) The Minister shall issue a Zambia Masters' Certificate Class III, a Zambia Launchmasters' Certificate, a Zambia Engineers' Certificate Class II or Class III or a Zambia Engine Attendants' Certificate to a person who has passed the examination for such certificate.


5. (1) An examination for a certificate of competency referred to in sub-regulation (3) of regulation 4 shall be held by the person appointed as an examiner by the Minister. Examinations

(2) An application to sit an examination for a certificate of competency shall be made to the Ministry and shall be accompanied by the fee referred to in sub-regulation (3).

(3) The fee to sit an examination specified in the first column of the Third Schedule shall be the fee specified opposite thereto in the second column of that Schedule.

(4) An applicant for an examination shall have the appropriate qualifications set out in the Fourth Schedule.

(5) The syllabuses for the examination shall be the syllabuses set out in the Fifth Schedule.

(6) When the applicant has been notified by the Ministry the name and address of the examiner appointed by the Minister, the applicant shall satisfy the examiner of his qualifications to sit the examination.

(7) The examiner shall-

(a) on being satisfied with the qualifications of the applicant, notify the applicant of the time and place at which the examination shall be held; or

(b) if he is not satisfied with the qualifications of the applicant, notify the Ministry responsible for Transport.

(8) Where the Ministry responsible for Transport has been notified by the examiner that he is not satisfied with the qualifications of the applicant, the Ministry shall-
(a) notify the applicant accordingly;
(b) return the fee to the applicant.

(9) If the applicant passes the examination, the examiner shall notify the
Minister accordingly.

(As amended by G.N. No. 249 of 1964 and S.I. No. 155 of 1965)

6. (1) The Minister may—Suspension of certificate of competency
(a) suspend for such period as he thinks fit; or
(b) cancel;
a certificate of competency of a master or member of a crew who—
(i) has been found to be incompetent or negligent by a formal inquiry held in
terms of section seventeen of the Act; or
(ii) has been convicted of an offence under subsection (1) or (2) of section
twenty-three of the Act and whose appeal, if any, has been abandoned or
dismissed.

(2) A master or member of a crew whose certificate of competency has been
suspended or cancelled in terms of sub-regulation (1) shall not, during the
period of the suspension or after the cancellation of such certificate, hold any
post specified in the first column of the First Schedule which he was qualified
to hold before the suspension or cancellation of his certificate of competency
without the permission in writing of the Minister.

7. When the Minister suspends or cancels a certificate of competency issued
in terms of sub-regulation (1) of regulation 4 to a person who is the holder of
a certificate of competency issued by an authority outside Zambia, the Minister
shall notify such authority of the suspension or cancellation and the reasons
therefor.

(As amended by G.N. No. 249 of 1964)Suspension of certificate of competency
issued outside Zambia

8. If a certificate of competency has been lost or destroyed, the Minister
shall issue a duplicate certificate—
(a) if the Minister requires the production of an affidavit setting out the
fact of the loss and the circumstances connected therewith, upon receipt of such
affidavit;
(b) upon receipt of a fee of thirty fee units.

(As amended by Act No. 13 of 1994)Loss or destruction of certificate of competency

FIRST SCHEDULE
(Regulations 2, 3 and 6 (2))

VESSELS AND CREWS
PART I
VESSELS OF 609.6 TONNES OR MORE
Master and members of crew Certificate of competency
1. Master Zambia Masters' Certificate Class I
2. Mate Zambia Masters' Certificate Class I or II
3. Engineer Zambia Engineers' Certificate Class I

PART II
VESSELS OF UNDER 609.6 TONNES BUT NOT UNDER 152.4 TONNES
Master and members of crew Certificate of competency
1. Master Zambia Masters' Certificate Class I or II
2. Mate Zambia Masters' Certificate Class I, II or III
3. Engineer Zambia Engineers' Certificate Class I or II

VESSELS OF UNDER 152.4 TONNES BUT NOT UNDER 50.8 TONNES
Master and members of crew Certificate of competency
1. Master Zambia Masters' Certificate Class I, II or III
   Zambia Masters' Certificate Class I, II or III
2. Mate or
   Zambia Launchmasters' Certificate
3. Engineer Zambia Engineers' Certificate Class I, II or III

PART IV
VESSELS OF UNDER 50.8 TONNES BUT NOT UNDER 30.48 TONNES
Master and members of crew Certificate of competency
1. Master Zambia Masters' Certificate Class I, II or III
   Zambia Engineers' Certificate Class I, II or III
2. Engineer or
   Zambia Engine Attendants' Certificate

PART V
VESSELS OF UNDER 30.48 TONNES BUT NOT UNDER 10.16 TONNES
Master and members of crew  Certificate of competency

Zambia Masters' Certificate Class I, II or III

1. Master  
or

Zambia Launchmasters' Certificate

Zambia Engineers' Certificate Class I, II or III

2. Engineer  
or

Zambia Engine Attendants' Certificate

PART VI

VESSELS OF UNDER 10.16 TONNES BUT NOT UNDER 5.08 TONNES

Master and members of crew  Certificate of competency

Zambia Masters' Certificate Class I, II or III

1. Master  
or

Zambia Launchmasters' Certificate

(As amended by G.N. No. 249 of 1964)

SECOND SCHEDULE

(Regulation 4 (1))

UNITED KINGDOM CERTIFICATES

<table>
<thead>
<tr>
<th>Zambia certificate</th>
<th>United Kingdom certificate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zambia Masters' Certificate Class I</td>
<td>United Kingdom Masters' Foreign-going Certificate</td>
</tr>
<tr>
<td>Zambia Masters' Certificate Class II</td>
<td>United Kingdom Mates' Foreign-going Certificate</td>
</tr>
<tr>
<td>Zambia Engineers' Certificate Class I</td>
<td>United Kingdom Second Class Engineers' Certificate</td>
</tr>
</tbody>
</table>

(As amended by G.N. No. 249 of 1964)

THIRD SCHEDULE
EXAMINATION FEES

<table>
<thead>
<tr>
<th>Examination</th>
<th>Fee Units</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zambia Masters' Certificate Class III</td>
<td>28</td>
</tr>
<tr>
<td>Zambia Engineers' Certificate Class III</td>
<td>28</td>
</tr>
<tr>
<td>Zambia Launchmasters' Certificate</td>
<td>19</td>
</tr>
<tr>
<td>Zambia Engine Attendants' Certificate</td>
<td>19</td>
</tr>
</tbody>
</table>


FOURTH SCHEDULE

QUALIFICATIONS

1. ZAMBIA MASTERS' CERTIFICATE CLASS III

An applicant shall-

(a) be at least 21 years of age;

(b) produce proof that he has attained a Standard VIII (Grade 9) education, or such lower standard as the examiner may approve having regard to the applicant's nautical skill;

(c) be in possession of a Zambia Launchmasters' Certificate;

(d) have served a minimum of three years as a Launchmaster or, with this qualification, as a mate of a vessel specified in Part III of the First Schedule, or watch-keeping officer of a vessel specified in Part I or II of that Schedule;

(e) hold a first-aid certificate approved by the examiner;

(f) produce a reference as to his good conduct and sobriety.

2. ZAMBIA LAUNCHMASTERS' CERTIFICATE

An applicant shall-

(a) produce proof that he has attained a Standard VI (Grade 7) education or such lower standard as the examiner may approve having regard to the applicant's nautical skill;

(b) produce proof that he has served four years as an apprentice or deck hand in any capacity up to boatswain.

3. ZAMBIA ENGINEERS' CERTIFICATE CLASS II
An applicant shall—

(a) be at least 21 years of age;

(b) have served an apprenticeship of not less than four years as a fitter in an engineering workshop where compression ignition or steam engines are made or repaired;

(c) have—

(i) served for not less than one year as an assistant engineer in a vessel or vessels of not less than 150 tons; or

(ii) served for not less than six months as an assistant engineer in a vessel or vessels of not less than 150 tons whilst in possession of a Zambia Engineers' Certificate Class III:

Provided that of the qualifying service afloat no account shall be taken of any period exceeding two weeks during which the vessel was at her home port but shall include any refit period provided the applicant was actively engaged in such refit;

(d) produce—

(i) documentary proof that he has served the necessary apprenticeship and had the necessary qualifying service afloat;

(ii) a reference as to his good conduct and sobriety.

4. ZAMBIA ENGINEERS' CERTIFICATE CLASS III

An applicant shall—

(a) be at least 21 years of age;

(b) have served an apprenticeship of not less than four years as a fitter in an engineering workshop where compression ignition or steam engines are made or repaired;

(c) have served for not less than six months as an assistant engineer in a vessel or vessels of not less than 50 tons. Of this qualifying period no account shall be taken of any period exceeding two weeks during which the vessel was at her home port but shall include any refit period provided the applicant was actively engaged in such refit;

(d) produce—

(i) documentary proof that he has served the necessary apprenticeship and had the necessary qualifying service afloat;

(ii) a reference as to his good conduct and sobriety.

5. ZAMBIA ENGINE ATTENDANTS' CERTIFICATE

An applicant shall have served for one year as an assistant engine attendant and have had special training in internal combustion or compression ignition engines.
(As amended by G.N. No. 249 of 1964)

FIFTH SCHEDULE

(Regulation 5 (5))

SYLLABUSES

1. ZAMBIA MASTERS' CERTIFICATE CLASS III

An applicant shall-

(a)  be able to read and write either English or a vernacular;

(b)  have a knowledge of the Rule of the Road, the compass and the principles on which the compass works;

(c)  pass a sight and colour test;

(d)  be able to take a bearing by compass and lay a position and course off on a chart;

(e)  be able to read a chart;

(f)  have a knowledge of the marks on a lead-line and the use of lead on any particular area of inland water;

(g)  have a knowledge of the International Code of Signals in so far as, in the opinion of the examiner, it is necessary for him to know them, and of local signals;

(h)  know how to moor and unmoor a vessel, keep clear anchor, and how to carry out an anchor;

(i)  be able to manage a small steamship in rough weather on a lake;

(j)  be able to describe the effect produced on the direction of the ship's head by going ahead or astern, with a right- or left-handed screw, when the rudder is ported or starboarded;

(k)  be able to rig a sea-anchor;

(l)  be able to manage a ship's boat in rough sea;

(m)  have a knowledge of dunnaging and stowing cargo;

(n)  have a knowledge of the winds and currents and weather generally on a lake;

(o)  be able to answer questions also on-

(1)  seamanship, both theoretical and practical;

(ii)  such matters as fire-fighting, accidents and life-saving equipment.

2. ZAMBIA LAUNCHMASTERS' CERTIFICATE
An applicant shall-

(a) be able to read and write either English or a vernacular;
(b) pass a sight and colour test;
(c) have a knowledge of first-aid;
(d) have a knowledge of the Rule of the Road;
(e) be able to handle launches and boats;
(f) be able to answer questions in regard to seamanship and be able to knot and splice ropes and wires;
(g) be able to answer questions on fire-fighting, accidents and life-saving;
(h) be able to read and understand the compass and answer questions on local pilotage.

3. ZAMBIA ENGINEERS' CERTIFICATE CLASS II

An applicant shall-

(a) be able to read and write English;

(b) write a mathematics paper in which he will be required to know how to solve simple problems relating to-

(i) cubic capacity of fuel tanks;
(ii) specific gravity of liquids;
(iii) engine horse-power;
(iv) capacity of electrical generators;
(v) pressure on a bulkhead due to the flooding of a compartment;
(vi) fuel consumption;
(vii) capacity of plunger-type pumps and simple levers;

(c) in the case of an applicant for a Steam Certificate, write an engineering paper in which he may be called upon to-

(i) describe the process of raising steam from cold in a marine boiler and the precautions to be taken and the reasons for taking them;
(ii) describe the precautions to be taken on opening a steam valve under pressure and the reasons for taking them;
(iii) describe a boiler water gauge, its use and how it is operated and how to keep the correct working level in a boiler at all times, and what to do if the level falls below safety;
(iv) describe how to take over watch-keeping duties on a steamship, and what things to be especially careful to check before assuming responsibility;

(v) state how to deal with a fire in a coal bunker and in the boiler-room of an oil-burning ship, and what equipment should be used;

(vi) state what precautions should be taken before entering a coal or oil bunker and opening up and entering a steam boiler after it has been blown down;

(vii) sketch a "Scotch" boiler and show the positions of the furnaces, tubes, stays, combustion chambers, girders, etc., and describe all boiler mountings and their functions, and state what a tube stopper is and when it is used;

(viii) describe, with the aid of sketches, the following instruments, stating clearly what they are used for and the safe working limits when applicable: salinometer, pressure-gauge, battery hydrometer, vacuum-gauge, oil-fuel thermometer, voltmeter, ammeter;

(ix) describe the cycle of operations, stating pressures, temperatures and state of the operating medium, in a triple-expansion engine with surface condensing, independent air and feed pumps and marine boiler, stating clearly how vacuum is obtained, its use and causes of loss;

(x) sketch and describe a steam slide-valve, how it operates, and the meaning of "lap" and "lead", and describe any reverse gear;

(xi) sketch an oil-fuel installation, stating pressures and temperatures at various points in the system;

(xii) sketch and describe the working of any of the following equipment: steering engine, Edwards and common air-pump, electric generator, surface condenser, feed heaters (contact and surface), electric battery, steering gear, simplex feed-pump, duplex pump, switchboard, centrifugal pump, reduction valve, fire-extinguisher;

(xiii) assuming an engine breakdown, produce a properly dimensioned drawing of an engine part so that a workshop can make this part. The following is a list of parts which may be asked for: bottom end bolt, piston-rod, junk-ring stud, relief-valve spring, top end bolt, piston-valve, coupling bolt;

(d) in the case of an applicant for a Motor Certificate, write an engineering paper in which he may be called upon to-

(i) describe how to start up an engine by hand, by air and by electric starter, and the precautions to be taken and the reasons for taking them;

(ii) describe how to take over watch-keeping duties on a motorship and what things to be especially careful to check before assuming responsibility;

(iii) state the procedure to adopt if an engine will not start and state what action should be taken if an engine is running under load and the lubricating oil pressure fails suddenly;

(iv) state what precautions should be taken against fire in the engine-room and describe how to deal with any fire that did start and one type of chemical
fire-extinguisher;

(v) describe how to prepare an engine for a complete survey and detail the points to check for the information of the surveyor;

(vi) describe with the aid of sketches any of the following: starting air-bottle, lubricating oil-pump, supercharger, fuel-pump, starter-motor and electric battery, scavenge-pump, centrifugal separator, centrifugal pump, fuel injector;

(vii) describe with the aid of sketches the following instruments, stating clearly what they are used for and the safe working limits where applicable: pressure-gauge, pyrometer, voltmeter, thermometer, ammeter, battery hydrometer;

(viii) state the essential differences between a petrol and a diesel engine and how the fuel is utilised in both types of engine, describing two-stroke and four-stroke cycles in both cases;

(ix) describe an electric generator and how it produces electricity and, with the aid of sketches, the general layout of a main switchboard, stating how an "earth" should be dealt with;

(x) sketch and describe the timing of any four-stroke engine, showing where the valves are situated;

(xi) assuming an engine breakdown, produce a properly dimensioned drawing of an engine part so that a workshop can make this part. The following is a list of parts which may be asked for: bottom end bolt, cylinder cover stud, shaft coupling bolt, gudgeon-pin, relief-valve spring, pump spindle;

(xii) sketch and describe the fuel lines, tanks, etc., of a typical engine-room, showing clearly all necessary fittings and tracing the path of the fuel-oil from bunkers to injector and state how to clear air-locks from any part of the system;

(e) undergo a verbal examination in which he shall be required to-

(i) answer questions in amplification of any written paper;

(ii) answer any other questions the examiner may consider necessary to establish the candidate's competency.

4. ZAMBIA ENGINEERS's CERTIFICATE CLASS III

An applicant shall-

(a) be able to read and write English;

(b) in the case of an applicant for a Steam Certificate, answer a written paper on-

(i) the process of raising steam from cold in a marine boiler and the precautions to be taken;

(ii) the preparation for starting the main propelling and auxiliary machinery;
(iii) a boiler water-level gauge, its purpose, the correct method of testing and the procedure to be followed in the case of the water-level being either too high or too low;

(iv) the precautions to be taken against fire in the boiler and engine rooms and fuel bunkers; how to deal with any outbreak of fire and the maintenance of fire-fighting equipment and appliances;

(v) the precautions to be taken before entering any confined space particularly fuel bunkers and steam-boilers;

(vi) the precautions to be taken when blowing down, emptying and opening up a steam-boiler for cleaning and inspection;

(vii) the calculation of the amount of fuel in bunkers and fuel consumption.

On completion of the written paper the applicant shall answer orally further questions in amplification of his written paper and any other questions the examiner considers necessary to establish the applicant's competency;

(c) in the case of an applicant for a Motor Certificate, answer a written paper on-

(i) the preparation for starting the main and auxiliary machinery and precautions to be taken;

(ii) the care and maintenance of main and auxiliary machinery, including air-compressing plants and electrical installations;

(iii) the precautions to be taken against fire in the engine-room, how to deal with any outbreak of fire and the maintenance of fire-fighting equipment and appliances;

(iv) the precautions to be taken before entering any confined space particularly fuel tanks;

(v) the calculation of the amount of fuel in bunkers and fuel consumption.

On completion of the written paper an applicant shall answer orally further questions in amplification of his written paper and any other questions the examiner considers necessary to establish the applicant's competency.

5. ZAMBIA ENGINE ATTENDANTS' CERTIFICATE

An applicant shall-

(a) be able to read a fuel-tank indicator and estimate how many hours the fuel on board will carry the launch in good weather;

(b) be able to read intelligently all the gauges, and the engine-room telegraph if one is provided and be able to stop, start and reverse the engine;

(c) be able to name the principal parts of the engine;

(d) be able to change an injector;
(e) understand how to clean and clear a bilge-pipe or strum and know where all bilge-strums are located;

(f) be able to top up a battery;

(g) be able to take a simple deck bilge-pump apart and reassemble it;

(h) name all ship's side, inlet and outlet pipes, and the purpose of each valve on these pipes where fitted;

(i) know the correct procedure to follow in the case of a hot intermediate-shaft bearing and a hot stern-gland;

(j) know how to use a fire extinguisher;

(k) understand the necessity of obeying orders from the helmsman on deck quickly and correctly, the danger of naked lights in the engine-room or the fuel storage spaces, and that all greasing or oiling of the wheel, rudder lines and pulleys is his concern;

(l) know the correct procedure to follow in the case of the lubricating oil pressure falling below the safe minimum pressure and a failure of the cooling water;

(m) know the correct procedure to follow when preparing to start an engine and the checks to make after starting an engine.

(As amended by G.N. No. 249 of 1964)

THE INLAND WATERS SHIPPING (NAVIGATION) REGULATIONS

ARRANGEMENT OF REGULATIONS

PART I

PRELIMINARY

Regulation

1. Title

2. Application

3. Interpretation

4. Lights

5. Duties of masters in respect of lights, etc.

6. Departures from these Regulations

PART II

LIGHTS

7. Navigation lights to be carried by certain mechanically propelled
vessels

8. Navigation lights to be carried by other vessels
9. Certain vessels to carry spotlights or searchlights
10. Towing lights
11. Lights for vessels at anchor
12. Lights and shapes for vessels not under control

PART III

NAVIGATION

13. Speed to be moderate in fog, etc.
14. Sound signals in fog, etc.
15. Two sailing vessels approaching each other
16. Vessels meeting end on
17. Vessels crossing
18. Course and speed
19. Crossing ahead
20. Mechanically propelled vessels to keep out of the way of other vessels
21. Overtaking vessels
22. Mechanically propelled vessels in narrow channels
23. Vessels to keep out of the way of fishing vessels
24. Sound signals between vessels
25. Consideration for other vessels
26. Handling of vessels in a dangerous or reckless manner

PART IV

GENERAL

27. Action on receipt of a distress signal
28. Distress signals
29. Boom above Kariba Dam wall
30. Reporting of shipping casualties
31. Notices to mariners and shipping notices
SECTION 24—THE INLAND WATERS SHIPPING (NAVIGATION) REGULATIONS

Regulations by the Minister

Federal Government Notices
381 of 1961
119 of 1962
Government Notice
249 of 1964
Statutory Instrument
155 of 1965
94 of 1976

PART I

PRELIMINARY

1. These Regulations may be cited as the Inland Waters Shipping (Navigation) Regulations.

2. These Regulations shall apply to all vessels, other than dug-out canoes, used on inland waters except where such regulations conflict with regulations in force in a place or area designated as a harbour under subsection (3) of section twenty-four of the Act, in which case such harbour regulations shall apply.

(As amended by S.I. No. 94 of 1976)

Application

3. (1) In these Regulations, unless the context otherwise requires—

"height above the gunwale" means height above the uppermost continuous deck or gunwale;

"length of tow" means the length of tow measured from the stern of the towing vessel to the stern of the last vessel towed;

"prolonged blast" means a blast of from four to six seconds' duration;

"short blast" means a blast of about one second's duration;

"visible", when applied to lights, means visible on a dark night with a clear atmosphere;

"whistle" includes a siren.

Interpretation

(2) For the purposes of these Regulations—

(a) a mechanically propelled vessel which is under sail and is not being propelled mechanically shall be deemed to be a sailing vessel, and a vessel which is being propelled mechanically, whether under sail or not, shall be deemed to be a mechanically propelled vessel;

(b) a vessel on the water shall be deemed to be "under way" when she is not at anchor, made fast or aground.

4. (1) The regulations concerning lights shall be complied with in all weathers from sunset to sunrise.

Lights
Subject to the provisions of sub-regulation (3), the only lights other than the lights prescribed in these Regulations which a vessel shall display between sunset and sunrise shall be lights which cannot be mistaken for and which do not impair the visibility or distinctive character of such prescribed lights.

No vessel shall display red or green lights in any manner other than in the manner prescribed in these Regulations.

5. (1) The master or person in charge of a vessel shall cause—Duties of masters in respect of lights, etc.

(a) the lights and shapes prescribed in these Regulations to be displayed;
(b) the signals prescribed in these Regulations to be given;
(c) the actions prescribed in these Regulations to be taken;

in the vessel under his command or in his charge in accordance with the provisions of these Regulations.

(2) The master or person in charge of a vessel shall cause a proper look-out to be kept at all times in such vessel.

6. In complying with these Regulations, the master or person in charge of a vessel shall have due regard to all dangers of navigation and collision and to any other special circumstances which may render a departure from them necessary in order to avoid immediate danger. Departures from these Regulations

PART II

LIGHTS

7. A mechanically propelled vessel when under way shall display—

(a) in the case of a vessel of 3048 centimetres or more in length overall—Navigation lights to be carried by certain mechanically propelled vessels

(i) on or in front of the foremast, or, in the case of a vessel without a foremast, in the forepart of the vessel, at a height above the gunwale of not less than 609.6 centimetres, a bright white light so constructed as to show an unbroken light over an arc of the horizon of 20 points of the compass (225 degrees), so fixed as to show the light 10 points (112 1/2 degrees) on each side of the vessel, that is, from right ahead to 2 points (22 1/2 degrees) abaft the beam on either side, and of such a character as to be visible at a distance of at least 2 kilometres;

(ii) on the starboard side a green light so constructed as to show an unbroken light over an arc of the horizon of 10 points of the compass (112 1/2 degrees), so fixed as to show the light from right ahead to 2 points (22 1/2 degrees) abaft the beam on the starboard side, and of such a character as to be visible at a distance of at least 3.2 kilometres. Such light shall be fitted with an inboard screen so as to prevent it from being seen across the bows;

(iii) on the port side a red light so constructed as to show an unbroken light over an arc of the horizon of 10 points of the compass (112 1/2 degrees),
so fixed as to show the light from right ahead to 2 points (22 1/2 degrees) abaft the beam on the port side, and of such a character as to be visible at a distance of at least 3.2 kilometres. Such light shall be fitted with an inboard screen so as to prevent it from being seen across the bows;

(iv) when being overtaken by another vessel, from her stern towards such other vessel a white or flare-up light. The white light may be fixed and carried in a lantern but in such case the lantern shall be so constructed, fitted and screened that it shall throw an unbroken light over an arc of the horizon of 12 points of the compass, that is to say, for 6 points from right aft on each side of the vessel so as to be visible at a distance of at least 1.6 kilometres and such light shall be carried as nearly as practicable on the same level as the sidelights;

(b) in the case of a vessel of 762 centimetres or more but less than 3048 centimetres in length overall-

(i) in the forepart of such vessel or on or in front of the funnel where it can best be seen at a height above the gunwale of not less than 1524 centimetres, a bright white light constructed and fixed as provided in sub-paragraph (i) of paragraph (a) and of such a character as to be visible at a distance of at least 3.2 kilometres;

(ii) green and red sidelights constructed and fixed as provided in sub-paragraphs (ii) and (iii) of paragraph (a) and of such a character as to be visible at a distance of at least 1.6 kilometres, or a combined lantern showing a green light and a red light from right ahead to 2 points (22 1/2 degrees) abaft the beam on the starboard and port sides respectively. Such lantern shall be carried not less than 91.5 centimetres below the white light:

Provided that a vessel of 762 centimetres or more but less than 1066.8 centimetres in length overall may display, in lieu of the lights referred to in sub-paragraphs (i) and (ii), a combined tricolour lantern so constructed as to show the lights to the extent required by the provisions of sub-paragraphs (i), (ii) and (iii) of paragraph (a).

8. A vessel, other than a dumb barge or a mechanically propelled vessel referred to in regulation 7, when under way shall-

(a) in the case of a vessel of 762 centimetres or more in length overall, display an all round white lantern at a reasonable height above the gunwale visible at a distance of 1.6 kilometres;

(b) in the case of a vessel of less than 762 centimetres in length overall, only be required to have ready at hand an electric torch or a lighted lantern showing a white light which shall be displayed in sufficient time to prevent a collision.

9. A mechanically propelled vessel of 762 centimetres or more in length overall used on Lake Kariba shall carry an efficient spotlight or searchlight kept ready for use.

10. (1) A mechanically propelled vessel of 762 centimetres or more in length overall when-Towing lights

(a) towing one or more vessels; and
(b) the length of the two exceeds 9144 centimetres;

shall, in addition to the lights referred to in regulation 7, display a second white light 121.92 centimetres vertically below the white light referred to in sub-paragraph (i) of paragraph (a) or in sub-paragraph (i) of paragraph (b) of regulation 7 and similar to it. For the purpose of towing, such mechanically propelled vessel may display a white light on her stern for the vessel being towed to steer by but such light shall not be visible forward of the beam.

(2) A dumb barge being towed when the length of the tow exceeds 9144 centimetres shall display the sidelights referred to in sub-paragraph (ii) of paragraph (b) of regulation 7.

(3) The sternmost of any vessels, other than a dinghy, being towed when the length of the tow exceeds 9144 centimetres shall display from her stern an all round white light of such a character as to be visible at a distance of at least 1.6 kilometres.

11. A vessel when at anchor or made fast in or near a navigable channel shall display forward where it can best be seen at a height above the gunwale of not more than 1524 centimetres a white light in a lantern so constructed as to show a clear, uniform and unbroken light visible all round the horizon at a distance of at least 1.6 kilometres.

Lights for vessels at anchor

12. (1) A vessel of 1524 centimetres or more in length overall which is not under control and which is in or near a navigable channel shall display, in lieu of the light referred to in sub-paragraph (i) of paragraph (a) or sub-paragraph (i) of paragraph (b) of regulation 7, where they can best be seen, two red lights in a vertical line, one over the other, not less than 182.88 centimetres apart and of such a character as to be visible all round the horizon at a distance of at least 3.2 kilometres. By day she shall carry in a vertical line, one over the other, not less than 1862 centimetres apart where they can best be seen, two black balls or shapes each not less than 182.88 centimetres in diameter.

Lights and shapes for vessels not under control

(2) Such vessels shall only display sidelights when making way through the water.

(3) The lights and shapes referred to in sub-regulation (1) shall be taken by other vessels as signals that the vessel showing them is not under control and cannot therefore get out of the way but not as signals of a vessel in distress and requiring assistance.

(4) A vessel of less than 1524 centimetres in length overall shall, when not under control, have ready at hand either an electric torch or a lighted lantern showing a white light which shall be exhibited in sufficient time to prevent a collision.

PART III

NAVIGATION

13. (1) A vessel shall, in fog, mist, heavy rainstorms or any other conditions similarly restricting visibility, proceed at a moderate speed having careful regard to the existing circumstances and conditions. Speed to be moderate in fog, etc.
(2) A vessel hearing, during such weather conditions, the sound signals of a vessel forward of her beam but whose exact position cannot be ascertained shall take such precautions as reducing speed and stopping or reversing engines as the circumstances dictate, and shall then navigate with caution until danger of collision is past.

14. (1) A mechanically propelled vessel of 1524 centimetres or more in length overall shall be provided with – Sound signals in fog, etc.

(a) an efficient bell;

(b) a klaxon horn or an efficient whistle, hand, power or mouth operated and audible at a distance of 1.6 kilometres.

(2) A mechanically propelled vessel referred to in sub-regulation (1) shall make the following sound signals in fog, mist, heavy rainstorms or any other conditions similarly restricting visibility, whether by day or night–

(a) when making way, at intervals of not more than two minutes, a prolonged blast;

(b) when under way, but stopped and making no way through the water, at intervals of not more than two minutes, two prolonged blasts with an interval of about one second between them;

(c) when at anchor or made fast in or near a navigable channel, a vessel shall, at intervals of not more than one minute–

(i) ring her bell rapidly for about five seconds; or

(ii) sound three blasts in succession, namely one short, one prolonged and one short blast;

(d) when towing, engaged in laying or picking up a navigation mark, engaged on survey operations, under way and unable to get out of the way of an approaching vessel or unable to manoeuvre, at intervals of not more than one minute, three blasts in succession, namely one prolonged blast followed by two short blasts;

(e) when aground, at intervals of not more than one minute, three blasts in succession, namely, one prolonged blast followed by two short blasts and three separate and distinct strokes on the bell immediately before and after each such signal;

to give warning of her position.

(3) A vessel other than a vessel referred to in sub-regulation (1) shall, in similar circumstances, not be obliged to give the signals referred to in sub-regulation (2), but if she does not she shall make some other efficient signal at intervals of not more than one minute.

15. When two sailing vessels are approaching one another so as to involve risk of collision, one of them shall keep out of the way of the other as follows:

(a) a vessel which is running free shall keep out of the way of a vessel
which is close-hauled;

(b) a vessel which is close-hauled on the port tack shall keep out of the way of a vessel which is close-hauled on the starboard tack;

(c) when both are running free, with the wind on different sides, the vessel which has the wind on the port side shall keep out of the way of the other;

(d) when both are running free with the wind on the same side, the vessel which is to windward shall keep out of the way of the vessel which is to leeward;

(e) a vessel which has the wind aft shall keep out of the way of the other vessel.

Two sailing vessels approaching each other

16. (1) When two mechanically propelled vessels are meeting end on, or nearly end on, so as to involve risk of collision, each shall alter her course to starboard, so that each may pass on the port side of the other.

Vessels meeting end on

The provisions of sub-regulation (1) shall only apply to cases where vessels are meeting end on or nearly end on in such a manner as to involve risk of collision and shall not apply to two vessels which must, if both keep on their respective courses, pass clear of each other.

17. (1) When two mechanically propelled vessels are crossing, the vessel which has the other on her own starboard side shall keep out of the way of the other.

Vessels crossing

(2) When a mechanically propelled vessel and a sailing vessel are approaching one another so as to involve risk of collision, the mechanically propelled vessel shall keep out of the way of the sailing vessel.

18. Where one of two vessels is required by these Regulations to keep out of the way of another, the other shall keep her course and speed:

Provided that when a vessel which is required to keep her course and speed finds that a collision cannot be avoided by the action of the giving-way vessel alone, such vessel shall take such action as will best avert a collision.

19. A vessel which is required to keep out of the way of another vessel shall, if the circumstances of the case permit, avoid crossing ahead of the other.

20. A mechanically propelled vessel which is required by these Regulations to keep out of the way of another vessel shall, on approaching her, if necessary slacken her speed, stop or reverse.

Mechanically propelled vessels to keep out of the way of other vessels

21. (1) Notwithstanding anything contained in these Regulations, every vessel overtaking another vessel shall keep out of the way of the overtaken vessel.

Overtaking vessels

(2) A vessel coming up with another vessel from any direction more than 2 points (22 1/2 degrees) abaft her beam, that is, in such a position, with reference to the vessel which she is overtaking, that at night she would be unable to see either of that vessel's sidelights, shall be deemed to be an
overtaking vessel, and no subsequent alteration of the bearing between the two vessels shall make the overtaking vessel a crossing vessel within the meaning of these Regulations, or relieve her of the duty of keeping clear of the overtaken vessel until she is finally past and clear.

(3) If the overtaking vessel cannot determine with certainty whether she is forward of, or abaft, the direction referred to in sub-regulation (2) from the other vessel, she shall assume that she is an overtaking vessel and keep out of the way.

22. In narrow channels a mechanically propelled vessel shall, when it is safe and practicable, keep on that side of the fairway, or mid-channel, which lies on the starboard side of such vessel. Mechanically propelled vessels in narrow channels

23. (1) A vessel not engaged in fishing shall, when under way, keep out of the way of a vessel fishing with nets, lines or trawls. Vessels to keep out of the way of fishing vessels

(2) Nothing in this regulation shall confer upon a vessel engaged in fishing the right to obstruct a navigable channel used by vessels other than fishing vessels.

24. (1) When vessels are in sight of one another, a mechanically propelled vessel of 50 feet or more in length overall when under way, in taking any action authorised or required by these Regulations to be taken, shall indicate that action by the following signals on her whistle or klaxon: Sound signals between vessels

(a) one short blast to mean "I am altering my course to starboard";

(b) two short blasts to mean "I am altering my course to port";

(c) three short blasts to mean "My engines are going astern".

(2) When a mechanically propelled vessel of 1524 centimetres or more in length overall which is required to keep her course and speed is in sight of another vessel and is in doubt whether sufficient action is being taken by the other vessel to avert a collision, she may indicate such doubt by giving at least five short and rapid blasts on the whistle or klaxon. The giving of such a signal shall not relieve a vessel of her duty-

(a) to take any action required by these Regulations to be taken;

(b) to indicate that action by the signals referred to in sub-regulation (1).

25. A vessel shall extend courtesy by reducing speed or stopping engines if necessary so as not to inconvenience or endanger another vessel by her wash. Consideration for other vessels

26. (1) A person in charge of a vessel shall not navigate such vessel in a manner or at a speed likely to -Handling of vessels in a dangerous or reckless manner

(a) endanger the safety of any person in that or any other vessel;

(b) cause damage to any other vessel or to any moorings, jetty or other
(2) A person shall not conduct himself in a manner likely to-

(a) endanger the safety of any person in any vessel;
(b) cause damage to any vessel, or to any moorings, jetty or other property.

PART IV

GENERAL

27. (1) The master or person in charge of a vessel, on receiving a signal of distress or information from any source that a vessel or aircraft is in distress, shall proceed with all speed to the assistance of such vessel or aircraft, informing it and any monitoring station, if possible, that he is doing so, unless—

Action on receipt of a distress signal

(a) he is unable to do so; or

(b) in the special circumstances of the case it is unreasonable for him to do so; or

(c) he is released under the provisions of sub-regulation (2).

(2) The master or person in charge of a vessel shall be released from the obligation imposed upon him by sub-regulation (1) when—

(a) he is informed by—

(i) the vessel or aircraft in distress; or

(ii) the master or person in charge of a vessel which has reached the distressed vessel or aircraft;

that assistance is no longer necessary; or

(b) he is informed by any monitoring station that his services are no longer required; or

(c) he is informed by the master or person in charge of another vessel that such other vessel is proceeding to the aid of the vessel or aircraft in distress and reasonably expects to reach the vessel or aircraft in distress before he will be able to do so.

(3) If—

(a) the master or person in charge of a vessel, on receiving a signal of distress or information from any source that a vessel or aircraft is in distress, is unable; or

(b) in the special circumstances of the case, it is unreasonable for such master or person in charge of a vessel;

to go to the assistance of the vessel or aircraft in distress, he shall forthwith cause a statement to be entered in the log of the vessel or, if there
is no log, cause other record to be kept of his reasons for not going to the assistance of such vessel or aircraft.

28. (1) Nothing in this regulation shall prevent the use by a vessel in distress of any means at its disposal to attract attention, make known its position and obtain help. Distress signals

(2) When a vessel on the water is in distress and requires assistance from other vessels or from the shore, the following shall be the signals to be used or displayed by her, either together or separately:

(a) a gun or other explosive signal fired at intervals of about a minute;
(b) a continuous sounding of whistle, klaxon or bell;
(c) rockets or shells, throwing red stars, fired one at a time at short intervals;
(d) a signal made by radiotelegraphy or by any other signalling method consisting of the group . . . - - - . . . in the Morse Code;
(e) a signal sent by radiotelephony consisting of the spoken word "Mayday";
(f) the International Code Signal of distress indicated by N.C.;
(g) a signal consisting of a square flag having above or below it a ball or anything resembling a ball;
(h) flames on the vessel as from a burning tar or oil barrel;
(i) a rocket parachute flare showing a red light.

(3) No person shall use any of the signals referred to in sub-regulation (2) or any signals which may be confused with such signals except for the purpose of indicating that a vessel is in distress.

29. No vessel shall proceed nearer than a point 91.44 metres upstream from the boom above the Kariba Dam wall without the permission of the Minister. Boom above Kariba Dam wall

30. When a shipping casualty is deemed to have occurred in terms of subsection (1) of section seventeen of the Act, the master or person in charge of the vessel involved and any witness to such casualty shall, within 48 hours of such casualty, report the circumstances to the nearest surveyor, registrar of vessels, police officer or harbourmaster who shall, if he considers the circumstances warrant such action, immediately notify the Permanent Secretary.

(As amended by G.N. No. 249 of 1964 and S.I. No. 155 of 1965) Reporting of shipping casualties

31. (1) The Minister may publish from time to time by Gazette notice such "Notices to Mariners" and "Shipping Notices" as he may consider necessary for the conveying of instructions and information to mariners. Notices to mariners and Shipping notices

(2) The owners, masters and persons in charge of vessels shall comply with any
instructions given by notice published in terms of sub-regulation (1).

(As amended by F.G.N. No. 119 of 1962
and G.N. No. 249 of 1964)

SECTION 24-THE INLAND WATERS SHIPPING (NAVIGATIONAL AIDS) REGULATIONS

Regulations by the Minister Federal Government Notice 45 of 1963

1. These Regulations may be cited as the Inland Waters Shipping (Navigational Aids) Regulations.Title

2. In these Regulations, unless the context otherwise requires—Interpretation

"navigational aid" means—

(a) a red or green light, whether such light is flashing or continuous, or a flashing white light; or

(b) a marker buoy or beacon;

designed for the purpose or capable of guiding a person in charge of a vessel, whether erected on the land or situated in or on the water.

3. The Minister may erect and maintain such navigational aids as, in his opinion, traffic justifies or risk requires.Erection of navigational aids

4. (1) No person shall erect a navigational aid without the prior approval of the Minister in writing.Approval of Minister

(2) A navigational aid erected in terms of sub-regulation (1) shall be erected to the satisfaction of the Minister.

5. (1) No person shall obscure either partly or wholly a navigational aid erected in terms of regulation 3 or 4.Navigational aids not to be obscured

(2) If the Minister is of the opinion that any object is obscuring a navigational aid either partly or wholly, he may, by notice in writing, order the person responsible for the object obscuring the navigational aid to remove the object or to alter it so that it ceases to obscure the navigational aid.

(3) Where a person has received an order from the Minister in terms of sub-regulation (2) he shall, within seven days of the receipt of the order, remove the object or alter it so that it ceases to obscure the navigational aid.

(4) Where a person fails to remove or alter the object in terms of sub-regulation (3), the Minister may cause such object to be removed or altered so that it ceases to obscure the navigational aid.

6. A navigational aid erected in terms of regulation 4 shall be—Navigational aids maintained

(a) maintained in good working order by the person who erected it;

(b) removed if, in the opinion of the Minister, it is not satisfactorily maintained;
(c) modified, resited or adjusted if, in the opinion of the Minister, it is necessary in the interests of the safety of shipping.

Maintenance of navigational aids

7. No person shall modify, remove, extinguish or resite a navigational aid erected in terms of regulation 4 without the prior approval of the Minister in writing.

Modification, etc., of navigational aids

8. No person shall display, from sunset to sunrise, a red or green light, whether such light is flashing or continuous, or a flashing white light if-

(a) in the case of a red, green or white light situated in or on the water, such light is not a navigational aid or a light displayed in terms of the Inland Waters Shipping (Navigation) Regulations;

(b) in the case of a red, green or white light erected on the land, such light is situated so that, in the opinion of the Minister, it is likely to confuse a person navigating a vessel.

Display of lights forbidden in certain circumstances

SECTION 24-THE INLAND WATERS SHIPPING (SECTION 24 (3) HARBOURS) DESIGNATION NOTICE

Notice by the Minister

Federal Government Notice
383 of 1961
Statutory Instrument
109 of 1986
49 of 1993

1. This Notice may be cited as the Inland Waters Shipping (Section 24 (3) Harbours) Notice.

Title

2. The area described in the Schedule is hereby designated as a harbour for the purposes of subsection (3) of section twenty-four of the Act.

Designation of harbour

SCHEDULE

(Paragraph 2)

MPULUNGU HARBOUR

Starting from Beacon H.502, the boundary passes in a straight line southwards to Beacon H.500; thence in a straight line westwards for a distance of 274.32 metres; thence in a straight line north-westwards to the lake shore; thence continuing in the same straight line across the waters of the lake to the southern shore of Mkombula Island; thence eastwards along the lake shore for a distance of 1.6 kilometres; thence in a straight line south-eastwards across the waters of the lake to Beacon N; thence in a westerly direction along the lake shore to the point of starting; which area is delineated and bordered green on a plan numbered LA816, signed by the Director of Surveys and dated the 17th day of September, 1929, a copy whereof is deposited at the office of the Resident Secretary, Northern Province.
MULAMBA HARBOUR

Starting from point j on the bank of the canal the boundary proceeds eastwards for a distance of 10 metres to Beacon J on bearing 273.29.42 degrees; continuing eastwards on the same bearing for a distance of 526.23 metres to Beacon H; thence on a bearing of 199.30.40 degrees for a distance of 128.20 metres to Beacon G; thence on a bearing of 163.24.10 degrees for a distance of 89.77 metres to Beacon F; thence on a bearing of 73.20.50 degrees for a distance of 49.31 metres to Beacon E; thence on a bearing of 166.20 degrees for a distance of 126.66 metres to Beacon D; thence on a bearing of 189.05.50 degrees for a distance of 87.72 metres to Beacon C; thence on a bearing of 202.51.10 degrees for a distance of 112.75 metres to Beacon B; thence on a bearing of 141.12.30 for a distance of 168.25 metres to Beacon A; thence continuing north-westwards for a distance of 2 metres on a bearing of 141.12.30 degrees to point a on the east bank of the canal; thence along the bank of the canal to point j, the point of starting, which area is delineated and bordered red on Diagram No. 406/1986, signed by the Government Surveyor and dated 15th April, 1986, copy whereof is deposited at the office of the Surveyor-General, Lusaka, Zambia.

(As amended by S.I. No. 109 of 1986)

NARRATIVE DESCRIPTION OF STAND NO. 607 SIAVONGA HARBOUR

Starting from Beacon A the boundary follows a straight line on a bearing of 285 27'10" for a distance of 72.63 metres to Beacon B; thence from Beacon B the boundary follows a straight line on a bearing of 242 52'00" for a distance of 51.07 metres to Beacon C; thence from Beacon C the boundary follows a straight line on a bearing of 265 06'10" for a distance of 73.80 metres to Beacon D; thence from Beacon D the boundary follows a straight line on a bearing of 4 07'50" for a distance of 118.96 metres to Beacon E; thence from Beacon E the boundary follows a straight line on a bearing of 77 07'28" for a distance of 274.19 metres to Beacon F; thence from Beacon F the boundary continues in a straight line on the same bearing for a distance of 2 metres to a point "f" on the shore of Lake Kariba; thence from "f" the boundary follows the Lake Kariba shore line to a point "a"; from point "a" the boundary follows a straight line on a bearing of 285 27'10" for a distance of 2 metres to Beacon A, the point of starting, which area in extent 2.0504 Hectares is delineated and bordered red on Diagram No. 83/1993 signed by the Government Surveyor and dated 18th February, 1993, a copy whereof is deposited at the office of the Surveyor-General, Lusaka, Zambia.

(As amended by S.I. No. 49 of 1993)

THE INLAND WATERS SHIPPING (SECTION 24 (3) HARBOURS) REGULATIONS

ARRANGEMENT OF REGULATIONS

PART I

PRELIMINARY

Regulation

1. Title
2. Interpretation

PART II

POWERS OF HARBOURMASTERS

3. Harbourmasters may give directions
4. Harbourmasters' directions to be obeyed
5. Harbourmasters may enforce compliance
6. Harbourmasters may order persons to leave harbour
7. Cutting lines in emergency
8. Removal of obstructions in harbours
9. Places for repairs or beaching
10. Parking places
11. Entry and departure permits
12. Closing of roads and wharves, etc.
13. Exercise of powers of harbourmasters by assistants

PART III

CONTROL OF VESSELS IN HARBOURS

14. Notification of arrival of a vessel
15. Berthing and movement within harbour
16. Vessels' moorings
17. Buoys and marks
18. Displaced moorings
19. Speed in harbour
20. Small craft to give way
21. Dangerous goods
22. Provision of a gangway

PART IV

LOADING OR UNLOADING OF CARGOES

Regulation
23. Manifest of cargo
24. Shipping of goods and documents
25. Payment of fees
26. Fees to be prepaid
27. Storage of goods

PART V

GENERAL

28. Warehouses
29. Trespassers
30. Entrances to harbours
31. Fire-fighting operations
32. Animals
33. Objects dangerous to shipping
34. Smoking: vessels carrying dangerous goods
35. Smoking prohibited
36. Guns and explosives
37. Divers
38. Discharging of bilge water

SCHEDULE—Prescribed fees

SECTION 24—THE INLAND WATERS SHIPPING (SECTION 24 (3) HARBOURS) REGULATIONS

Regulations by the Minister

Federal Government Notices
382 of 1961
157 of 1962
218 of 1962
Government Notices
249 of 1964
497 of 1964
Statutory Instruments
6 of 1974
57 of 1977
5 of 1978
192 of 1979
Act No.
PART I

PRELIMINARY

1. These Regulations may be cited as the Inland Waters Shipping (Section 24 (3) Harbours) Regulations. Title

2. In these Regulations, unless the context otherwise requires—Interpretation

"dangerous goods" means any goods specified in the Schedule to the Inland Waters Shipping (Dangerous Goods) Regulations;

"foreshore" means the lake shore between the high and low seasonal watermarks;

"harbour" means a place or area designated as a harbour under subsection (3) of section twenty-four of the Act;

"harbourmaster" means a person appointed by the Minister in terms of subsection (1) of section eighteen of the Act to administer and manage a harbour;

"small craft" means a vessel of under 1524 centimetres in length overall, a dug-out canoe or a dhow;

"warehouse" includes any building, place, vessel or vehicle used in a harbour for the purpose of warehousing or depositing goods.

(As amended by G.N. No. 249 of 1964)

PART II

POWERS OF HARBOURMASTERS

3. A harbourmaster may give directions for the carrying into effect of the provisions of these Regulations. Harbourmasters may give directions

4. (1) Subject to the provisions of sub-regulation (2), all persons within a harbour shall comply with the directions referred to in regulation 3. Harbourmasters' directions to be obeyed

(2) The master or person in charge of a vessel may, if he reasonably believes that such directions will endanger the safety of the vessel under his command or in his charge, refuse to comply with such directions.

5. (1) Subject to the provisions of sub-regulation (2) of regulation 4, in the case of refusal or neglect to comply with the directions of the harbourmaster, such harbourmaster may do or cause to be done all acts necessary for the purpose of carrying such directions into effect. Harbourmasters may enforce compliance

(2) All reasonable expenses incurred in his doing such acts may be recovered from the persons refusing or neglecting to comply with such directions.

6. A harbourmaster may direct any person within the harbour to leave such harbour. Harbourmasters may order persons to leave harbour

7. A harbourmaster may, in the case of an emergency, cut or cause to be cut
any rope, warp, cable or hawser endangering the safety of any vessel in the
harbour. Cutting lines in emergency

8. A harbourmaster may order the removal of any object in the harbour which,
in his opinion, obstructs or impedes the use of or work in any part of such
harbour. Removal of obstructions in harbours

9. (1) A harbourmaster shall set aside in the harbour a place where vessels
may be repaired and small craft may be beached. Places for repairs or beaching

(2) No person shall repair a vessel or beach a small craft in any place outside
the place set aside by such harbourmaster for repairs or beaching without the
permission of such harbourmaster.

10. (1) A harbourmaster shall set aside in the harbour places where vehicles
may be parked. Parking places

(2) No person shall park a vehicle in a place outside the places set aside by
such harbourmaster for parking without the permission of such harbourmaster.

11. (1) A harbourmaster may issue to owners or crews of vessels or individuals
who wish to enter or leave a harbour entry or departure permits prescribed in
the Schedule hereto. Entry and departure permits

(2) No person shall enter or leave a harbour unless he is in possession of a
permit issued by the harbourmaster in terms of sub-regulation (1) authorising
him to enter or leave such harbour.

(As amended by S.I. No. 57 of 1977)

12. A harbourmaster may close or impose conditions upon the use of any road,
wharf, jetty, quay or warehouse or any part thereof within the harbour. Closing
of roads and wharves, etc.

13. All acts or directions authorised by the Act or these Regulations to be
done or given by a harbourmaster may, subject to his control, be done or given
by a deputy or assistant of such harbourmaster. Exercise of powers of
harbourmasters by assistants

PART III

CONTROL OF VESSELS IN HARBOURS

14. The owners or agents of a vessel proposing to call at a harbour for the
purpose of loading or unloading cargo weighing 20.32 tonnes or more shall, at
least twenty-four hours before the arrival of such vessel, give notice to the
harbourmaster of the expected date and time of arrival of such vessel and
particulars of the nature and quantity of cargo to be loaded or
unloaded. Notification of arrival of a vessel

15. A vessel shall occupy the berth assigned to her by the harbourmaster and
shall move to any other berth if directed to do so by such
harbourmaster. Berthing and movement within harbour

16. (1) Ropes shall only be made fast to dolphins, buoys, mooring posts or
bollards provided for that purpose and no wire-rope shall be used unless the
bollards and the edge of the coping of the wharf or jetty are protected from
Vessels' moorings

(2) Chain cables shall only be used for mooring alongside a wharf or jetty with the permission of the harbourmaster.

17. (1) A vessel shall only use mooring buoys which are the property of the Government with the permission of the harbourmaster.

(2) No buoys shall be laid down and no leading marks shall be erected within a harbour without the permission of the harbourmaster.

(As amended by G.N. No. 249 of 1964)

18. (1) Where a mooring buoy has been dragged from its position or damaged by a vessel, the master or owner of such vessel shall bear the cost of replacing it.

(2) The master of a vessel which hooks or gets foul of a mooring buoy which is the property of the Government shall not, except in the case of an emergency, lift such buoy for the purpose of unhooking or getting clear but shall immediately report the occurrence to the harbourmaster and await his directions.

(As amended by G.N. No. 249 of 1964)

19. (1) Subject to the provisions of sub-regulation (2), no vessel shall proceed at a speed of more than five knots within a harbour.

(2) A vessel may proceed at a speed of more than five knots within a harbour if such vessel is only able to maintain steerage way at a speed of more than five knots.

20. Small craft within a harbour shall at all times make way for-

(a) vessels of 1524 centimetres or more in length overall which are under way; or

(b) vessels engaged in towing.

Small craft to give way

21. (1) Notice in writing of the arrival of a vessel carrying dangerous goods shall be given by the agent of such vessel to the harbourmaster before her arrival or by the master of such vessel immediately on her arrival.

(2) The International Code Flag "B" shall be displayed conspicuously in a vessel carrying, loading or unloading dangerous goods and shall be kept flying-

(a) until such dangerous goods are unloaded; or

(b) if such dangerous goods are being carried or loaded, until such time as she leaves harbour.

(3) No dangerous goods shall be loaded or unloaded-

(a) without the permission of the harbourmaster;

(b) at a time and place other than the time and place appointed by the harbourmaster.
(4) notwithstanding anything contained in this regulation, a vessel carrying
dangerous goods which-

(a) weigh less than 22.5 kilogrammes;

(b) are packed in a magazine or container designed for the carriage of
dangerous goods;

need not comply with the provisions of this regulation.

22. (1) The master of a vessel of 50.8 tonnes or more at anchor or berthed in
a harbour shall provide a safe and proper gangway so arranged as to admit a free
and safe passage to and from the vessel.

(2) The master of a vessel referred to in sub-regulation (1) shall place a
life-buoy with line attached near each gangway and at night shall attach a
Holmes or similar light to such life-buoy.

(3) In the case of vessels embarking or disembarking passengers, the gangway
shall be provided with a guest-warps.

PART IV

LOADING OR UNLOADING OF CARGOES

23. (1) The master or agent of a vessel, if required to do so by the
harbourmaster, shall, within twenty-four hours of the vessel's arrival in a
harbour, deliver to such harbourmaster a copy in duplicate of the manifest or
report of cargo inwards giving detailed weights or measurements and the value of
such cargo.

(2) The master or agent, if required to do so by the harbourmaster, shall,
within twenty-four hours after the vessel's departure, furnish a manifest in
duplicate of the cargo shipped or transhipped to such vessel and the value of
such cargo.

(3) The master or agent shall, as soon as possible, notify the harbourmaster of
subsequent amendments to any outward or inward manifest.

24. A harbourmaster may require a person desiring to ship goods to deliver
them to a place appointed by such harbourmaster not less than three hours before
the scheduled departure of the vessel on which they are to be conveyed, together
with consignment notes specifying the respective marks or numbers on the
packages or articles to be shipped, their number, description and weight, the
name and address of the consignee and the port or railway station of
destination.

25. A person shall pay the fees for any services within a harbour which are
specified in the Schedule.

26. (1) Fees payable to a harbourmaster upon goods to be landed, shipped or
transhipped shall be paid or sufficient security furnished for their payment
before orders will be given for their shipment, delivery or forwarding.

(2) A harbourmaster may prevent the removal of any goods if the fees payable by
the consignee are unpaid.

(3) Fees shall be collected by the harbourmaster on all cargo loaded or unloaded across or upon any wharf, jetty, quay or foreshore:

Provided that such fees shall not be collected on cargo loaded into or unloaded from a dug-out canoe.

27. (1) Goods for shipment or collection shall be stored at the places directed by the harbourmaster.

(2) The harbourmaster may refuse to store any goods because-

(a) of their size; or

(b) of the way in which they are packed; or

(c) he considers that they are dangerous or harmful.

(3) The storage of goods shall be at the risk of the owner of such goods.

PART V

GENERAL

28. No person shall enter a warehouse except for the purpose of collecting or depositing goods or any matter connected therewith without the permission of the person in charge of such warehouse.

29. No person shall climb upon the roof of any shed or upon any crane, lighthouse, signal station or navigation mark or cut or remove any timber, wood, vegetation or growth or remove any sand, stone, ballast or shingle in or from a harbour without the permission of the harbourmaster.

30. No person entering or leaving a harbour shall do so except through the harbour entrances or exits provided for the purpose, except in the case of an emergency.

31. A person in a harbour shall not-

(a) disregard the directions of the fire-master, police officer or harbourmaster in the event of an outbreak of fire; or

(b) obstruct or in any way interfere with the fire-fighting operations.

32. The owner or person in charge of an animal shall ensure that such animal is properly secured at all times when it is within a harbour.

33. (1) A person shall not place any object likely to be a danger to vessels in the waters of a harbour.

(2) If an object referred to in sub-regulation (1) falls into the water from a vessel in the harbour, the master or person in charge of such vessel shall recover such object from the water or, if he is unable to do so, shall notify the harbourmaster immediately of the location of such object.
34. A person shall not smoke or use a naked light in the hold or near an open hatch of a vessel carrying, loading or unloading dangerous goods. Smoking: vessels carrying dangerous goods

35. A person shall not smoke within a shed or within any part of a harbour where no smoking notices are exhibited. Smoking prohibited

36. A person shall not fire a gun or rocket or cause an explosion in a harbour without the permission of the harbourmaster. Guns and explosives

37. A diver shall not work within a harbour without the permission of the harbourmaster. Divers

38. A person shall not discharge water from the bilges of a mechanically propelled vessel in a harbour.

(F.G.N. No. 218 of 1962) Discharging of bilge water
FIRST SCHEDULE
PART 1

(Regulation 11)

PRESCRIBED FORMS

FORM 1

(Section 24(3))

(Regulation 11)

THE INLAND WATERS SHIPPING ACT

ENTRY PERMIT FOR VESSELS

Name of vessel.

Nationality.

Name of captain or owner

Number of passengers

Vessel arriving from

Date of arrival

Date Signature of

    harbourmaster.

    Harbour

(As amended by S.I. No. 57 of 1977)
FORM 2

(Section 24(3))

(Regulation 11)

THE INLAND WATERS SHIPPING ACT

DEPARTURE PERMIT FOR VESSELS

Name of vessel

Nationality

Name of captain or owner

Number of passengers

Vessel departing for

Date of departure.

Date Signature of

harbourmaster.

Harbour

(As amended by S.I. No. 57 of 1977)

FIRST SCHEDULE

PART II

(Part 2)

(PRESCRIBED FEES)

PART II

FEES PAYABLE AT MULAMBA HARBOUR

Storage Charges

1. Any person who deposits any consignment of merchandise goods, personal effects, motor-cycles or motor vehicles within any warehouse or harbour area for a period of twenty-four hours or part thereof shall pay storage charges at the following rates:

Weight of Consignment Fee units

(a) Less than 25 kilogrammes  1

(b) 25 kilogrammes but under 30 kilogrammes  1

(c) 30 kilogrammes but under 40 kilogrammes  1
(d) 40 kilogrammes but under 50 kilogrammes  1
(e) 50 kilogrammes but under 60 kilogrammes  1
(f) 60 kilogrammes but under 70 kilogrammes  2
(g) 70 kilogrammes but under 80 kilogrammes  2
(h) 80 kilogrammes but under 90 kilogrammes  2
(i) 90 kilogrammes but under 100 kilogrammes  2

<table>
<thead>
<tr>
<th>Weight of Consignment</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>(j) 100 kilogrammes</td>
<td>4</td>
</tr>
<tr>
<td>(k) for each kilogramme in excess of 100 kilogrammes</td>
<td>1</td>
</tr>
<tr>
<td>(l) for each baggage of personal effects</td>
<td>2</td>
</tr>
<tr>
<td>(m) for each motor-cycle</td>
<td>8</td>
</tr>
<tr>
<td>(n) for each motor vehicle</td>
<td>141</td>
</tr>
</tbody>
</table>

2. Any consignment of merchandise goods, personal effects, motor-cycles or motor cars deposited for a period in excess of fourteen days from the date of deposit shall pay an extra 25 per cent of the applicable rates set out in paragraph 1 for each extra twenty-four hours or part thereof.

(As amended by Act No. 13 of 1994)

SECOND SCHEDULE

(Regulation 2)

PRESCRIBED FEES

PART II

FEES PAYABLE AT MULAMBA HARBOUR

Storage Charges

1. Any person who deposits any consignment of merchandise goods, personal effects, motor-cycles or motor vehicles within any warehouse or harbour area for a period of twenty-four hours or part thereof shall pay storage charges at the following rates:

<table>
<thead>
<tr>
<th>Weight of Consignment</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) Less than 25 kilogrammes</td>
<td>10.00</td>
</tr>
<tr>
<td>(b) 25 kilogrammes but under 30 kilogrammes</td>
<td>10.40</td>
</tr>
<tr>
<td>(c) 30 kilogrammes but under 40 kilogrammes</td>
<td>20.00</td>
</tr>
</tbody>
</table>
(d) 40 kilogrammes but under 50 kilogrammes    24.00
(e) 50 kilogrammes but under 60 kilogrammes    30.00
(f) 60 kilogrammes but under 70 kilogrammes    34.00
(g) 70 kilogrammes but under 80 kilogrammes    40.00
(h) 80 kilogrammes but under 90 kilogrammes    50.00
(i) 90 kilogrammes but under 100 kilogrammes   60.00
(j) 100 kilogrammes                               100.00
(k) for each kilogramme in excess of 100 kilogrammes  10.00
(l) for each baggage of personal effects          50.00
(m) for each motor-cycle                          200.00
(n) for each motor vehicle                        350.00

2. Any consignment of merchandise goods, personal effects, motor-cycles or motor
cars deposited for a period in excess of fourteen days from the date of deposit
shall pay an extra 25 per cent of the applicable rates set out in paragraph 1
for each extra twenty-four hours or part thereof.


SECTION 24-THE INLAND WATERS SHIPPING (SURVEY AND REGISTRATION) REGULATIONS

Regulations by the Minister

Federal Government Notices
386 of 1961
120 of 1962
282 of 1962
197 of 1963
Government Notice
249 of 1964
Statutory Instrument
155 of 1965
36 of 1984
48 of 1992
70 of 1996
Act No.
13 of 1994

PART I

PRELIMINARY

1. These Regulations may be cited as the Inland Waters Shipping (Survey and
   Registration) Regulations.

2. In these Regulations, unless the context otherwise requires-Interpretation
"buoyant apparatus" means flotation equipment, other than life-buoys or life-jackets, designed to support persons who are in the water;

"decked vessel" means a vessel which is decked-in to the extent of her overall length;

"fee" means the appropriate fee prescribed in the First Schedule;

"form" means the appropriate form prescribed in the Second Schedule;

"half-decked vessel" means a vessel which is not an open vessel nor a decked vessel;

"identity mark" means the number allocated to a vessel by the registrar of vessels in terms of sub-regulation (2) of regulation 7;

"open vessel" means a vessel which is not decked-in at the forward end to the extent of one-third of her overall length.

PART II

EXEMPTED VESSELS

3. The prescribed tonnage for the purposes of subsection (1) of section three of the Act shall be 5.08 tonnes.

4. (1) The vessels exempted for the purposes of paragraph (d) of subsection (3) of section three of the Act shall be:

(a) dug-out canoes of 7.62 metres or more in length overall which are used for hire or reward;

(b) a vessel owned by the Lake Kariba Co-ordinating Committee which is not ordinarily used for the carriage of members of the public or their goods;

(c) a vessel:

(i) whose measurement exceeds 5.08 tonnes;

(ii) whose owner is in possession of a certificate issued by a surveyor in terms of regulation 4 of the Inland Waters Shipping (Trials) Regulations;

(iii) which is undergoing trials for seaworthiness during the period specified in the certificate.

(2) Lifeboats or tenders which are carried in or attached to a registered vessel and which are surveyed during the course of the survey of such vessel and are specified in the survey certificate of such vessel shall be exempted from separate registration.

(As amended by F.G.N. No. 282 of 1962 and G.N. No. 249 of 1964)

PART III

SURVEY AND REGISTRATION OF VESSELS

5. (1) An application for registration...
(a) the initial survey and registration of a vessel; or
(b) the annual survey of a vessel for the purpose of renewing the certificate of registration; or
(c) the survey of a vessel where an amendment in the certificate of registration of such vessel is required to be accompanied by a valid surveyor's certificate in terms of subsection (2) of section nine of the Act;

shall be made by the owner of such vessel on Form 1 to the surveyor for the nearest port of registry on the inland waters on which the home port of such vessel is or is to be situated.

(2) An application in terms of sub-regulation (1) shall be accompanied by the appropriate fee.

6. (1) If the surveyor is satisfied that the vessel is seaworthy and is equipped in accordance with the provisions of the Act, he shall issue a certificate by completing the reverse side of Form 1 accompanied by three copies of Form 2 completed on the obverse side. Surveyor's certificate

(2) The surveyor shall forward the certificate and the three copies of Form 2 to the registrar of vessels for the nearest port of registry and shall retain a fourth copy of Form 2 for his records.

(3) A surveyor's certificate shall be valid for three months from the date of survey.

7. (1) Upon receipt of the surveyor's certificate and the three copies of Form 2, the registrar of vessels shall issue the owner with a certificate of registration by completing the reverse side of one copy of Form 2. Registration of vessels

(2) The registrar of vessels shall, on first issuing a certificate of registration, allocate to the vessel an identity mark.

(3) The certificate of registration shall be valid for one year from the date of issue.

(As amended by F.G.N. No. 120 of 1962)

8. The register of vessels prescribed for the purposes of subsection (2) of section six of the Act shall consist of the copy of Form 1 sent to the registrar of vessels by the surveyor and one copy of Form 2 duly completed by such registrar on the reverse side. Register of vessels

9. (1) There shall be established at the Ministry a Central Registry of Vessels. Central registry of vessels

(2) The officer in charge of the central registry of vessels shall be the Permanent Secretary.

(3) The functions of the central registry of vessels shall be-

(a) to maintain a register of vessels which are required to be registered in terms of Part II of the Act. The register shall consist of the third copy of
Form 2 sent to the registrar of vessels by the surveyor, duly completed by such registrar and sent by him to the officer in charge of such central registry;

(b) to keep a record of all certificates of competency issued by the Minister under regulation 4 of the Inland Waters Shipping (Masters and Crews) Regulations;

(c) to retain all logs surrendered to the officer in charge of such central registry under regulation 7 of the Inland Waters Shipping (Logs) Regulations.

(As amended by G.N. No. 249 of 1964 and S.I. No. 155 of 1965)

PART IV

IDENTITY MARKS AND NAMES

10. (1) The identity mark allocated to a vessel shall not be required to be exhibited by a vessel of more than thirty tons. Identity marks

(2) The identity mark allocated to a vessel shall, in the case of a vessel of thirty tons or less, be clearly and legibly exhibited by such vessel upon each bow so that there shall be not less than 76.2 millimetres and not more than 127 millimetres between the top of the identity mark and the gunwale, and-

(a) in the case of a vessel of 5.08 tonnes or less, the identity mark shall be not less than 76.2 millimetres in height;

(b) in the case of a vessel of more than 5.08 tonnes but not more than 30.48 tonnes, the identity mark shall be not less than 254 millimetres in height;

(c) in the case of a sailing vessel, the identity mark shall, in addition, be exhibited upon each side of the mainsail of such vessel.

(3) Lifeboats and tenders which have not been registered separately and which are carried in or attached to a vessel shall bear the name and port of registry of the vessel in which they are carried or to which they are attached.

11. (1) A vessel of more than 30.48 tonnes shall have her name on each bow and her name and port of registry on the stern in letters of not less than 76.2 millimetres in height. Names

(2) A vessel of 30.48 tonnes or less which has been registered in terms of Part II of the Act shall have her name and port of registry on the stern in letters of not less than 76.2 millimetres in height.

(3) Life-buoys and buoyant apparatus shall bear the name of the vessel in which they are carried.

12. The identity mark or name to be exhibited on a vessel shall-

(a) be painted in white paint on a dark background; or

(b) be painted in black paint on a light background; or

(c) consist of a metal plate attached to the hull on which are raised white metal or brass characters;
and shall not be defaced, covered or concealed in any manner whatsoever. Manner in which identity mark or name to be exhibited

PART V

GENERAL

13. If, in the opinion of a surveyor, a vessel cannot properly be surveyed without being removed from the water, the surveyor may require the owner to remove such vessel from the water. Removal of vessels from the water

14. If a certificate of registration has been lost or destroyed, the registrar of vessels who issued such certificate shall issue a duplicate certificate-

(a) if the registrar of vessels requires the production of an affidavit setting out the fact of the loss and the circumstances connected therewith, upon receipt of such affidavit;

(b) upon receipt of the appropriate fee. Duplicate certificates

15. When a certificate of registration is required to be amended in terms of section nine of the Act, such certificate, on being submitted by the owner to the registrar of vessels for amendment, shall be accompanied by the appropriate fee. Amendment of certificates of registration

16. (1) The owner or person in charge of a vessel which has been registered in terms of Part II of the Act shall display, where it is clearly visible to passengers carried in such vessel, a notice stating-

(a) the maximum number of passengers;

(b) the maximum weight of cargo in tonnes;

which such vessel is registered to carry.

(2) No person shall-

(a) carry in a vessel which has been registered in terms of Part II of the Act more than-

(i) the maximum number of passengers;

(ii) the maximum weight of cargo;

which such vessel is registered to carry;

(b) use a vessel which has been registered in terms of Part II of the Act for a service other than a service for which such vessel has been registered.

(E.G.N. No. 120 of 1962)
FIRST SCHEDULE
(Regulation 25)

PART I

PRESCRIBED FEES

<table>
<thead>
<tr>
<th>Subsequent</th>
<th>First Survey Fee units</th>
<th>Survey or Registration Fee units</th>
</tr>
</thead>
</table>

1. For the survey of vessel other than raft or a dumb barge—
(a) of 200 tonnes or more 167 150
(b) of less than 200 tonnes but not less than 100 tonnes 139 111
(c) of less than 100 tonnes but not less than 15 tonnes 128 103
(d) a decked vessel or half decked vessel of less than 15 tonnes not propelled by oars, paddles or poles 111 83
(e) an open vessel of less than 15 tonnes but more than 4595 millimetres in length over all, not propelled by oars, paddles or poles 100 56
(f) an open vessel less than 15 tonnes not propelled by oars, paddles or poles 83 56
(g) a vessel of less than 15 tonnes propelled by oars, paddles or poles 83 56

2. For the survey of a raft 56 50

3. For the survey of a dumb barge—
(a) of 100 tonnes or more 67 56
(b) of less than 100 tonnes but not less than 15 tonnes 44 42
(c) of less than 15 tonnes 44 42

4. For the registration of vessel 56 50

PART II
5. For the issue of a duplicate certificate of registration - 22
6. For the amendment of a certificate of registration - 19

PART III
Launch Master's Certificate - 139
English Attendant's Certificate - 139
Master Class III Certificate - 167
Master Class II Certificate - 194

SECOND SCHEDULE
(Regulation 2)
(Obverse) FORM 1
THE INLAND WATERS SHIPPING ACT
TO: THE SURVEYOR OF VESSELS,

...........................................

(Part of registry)

I/We,

(full name in block capitals)
of

(business address)

(business address)

and ,

(residential address)
the owner(s) of the vessel described below, do hereby apply for-

(a) the survey of that vessel for-

   (i) first registration;

   (ii) renewal of certificate of registration;

   (iii) an alteration in the dimensions, superstructure or tonnage or a
         permanent alteration in the method of propulsion of the vessel or the
         addition of a superstructure to the vessel;

   (iv) change of use;

(delete inapplicable)

(b) registration of that vessel by the Registrar of Vessels at

(Port of registry)
in terms of Part II of the Inland Waters Shipping Act.

Description of vessel—
(a) name of vessel
(b) location of vessel awaiting survey
(c) purpose for which it is intended to use vessel

(d) built by

(e) date of construction

Date

(Signature of owner)

(Reverse)

THE INLAND WATERS SHIPPING ACT
SURVEYOR'S CERTIFICATE
To: The Registrar of Vessels,

(Port of registry)

I certify that the vessel described overleaf and in the attached Form 2 No. ............... has been surveyed by me and found to be seaworthy and in a fit and proper condition to perform the services set out in Part III of that Form.

This certificate is valid for a period of three months from

and may now be registered in terms of Part II of

(date of survey)

the Inland Waters Shipping Act.

(Signature of Surveyor of Vessels)
THE INLAND WATERS SHIPPING ACT

DETAILS OF VESSEL

PART I

PURPOSE OF SURVEY

The purpose of this survey is for-

(a) first registration;
(b) renewal of certificate of registration;
(c) an alteration in the dimensions, superstructure or tonnage or a permanent alteration in the method of propulsion of the vessel or the addition of a superstructure to the vessel;
(d) change of use.

(delete inapplicable)

PART II

DESCRIPTION OF VESSEL

Name of vessel Date of construction.................................
Builders.
Full name of owner(s)
Residential and business addresses of owner(s)

Port of registry Identity mark.................................
Type of construction
Method of propulsion
Tonnage Length
overall................Breadth.......................Depth.................
Girth.................Hull condition
Freeboard (minimum) when loaded to full permissible capacity
Hand-pumps (number and type) .................................................. Condition

Fire-extinguishers (number and type)

Oars (number) Anchors (number) .............. ........... Cable (length, condition and cross-sectional diameter of links)

Navigation lights (number and type)

Sound signals (number and type)

Lifeboats (number and type)

to carry (number of persons)

Fire-buckets (number) Bailers (number) ........................................................

Life-jackets (number of persons)

Buoyant apparatus (number and type)

to carry (number of persons)

Machinery (items and condition)

Details of superstructure (if any)

PART III

SERVICES FOR WHICH VESSEL IS TO BE USED

Nature of services

Number of crew

Maximum number of passengers Maximum cargo (tonnes) .....................

Standards of competency: Master

Mate..............................................................

Engineer..........................................................

(Date) (Signature of Surveyor of Vessels)
THE INLAND WATERS SHIPPING ACT

REGISTRATION CERTIFICATE

I hereby certify that the vessel

(name of vessel)

described overleaf has been registered and shall only be used for

(nature of services)

for one year from the , 19.....................

The identity mark allocated to the vessel is

(Registrar of Vessels)

Port of Registry

AMENDMENTS

1. Date............................... Port of registry

   (Registrar of Vessels)

2. Date............................... Port of registry

   (Registrar of Vessels)

3. Date............................... Port of registry

   (Registrar of Vessels)

SECTION 24 (2)(d) - THE INLAND WATERS SHIPPING
(IDENTITY MARKS) REGULATIONS
Regulations by the Minister Statutory Instrument
115 of 1991

1. These Regulations may be cited as the Inland Waters Shipping (Identity Marks) Regulations.

2. The identity marks set out in the Schedule to these Regulations are allocated to the vessels operating in the area specified in the Schedule.

<table>
<thead>
<tr>
<th>Area</th>
<th>Identity Mark</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shimungalu (Mazabuka Kafue River)</td>
<td>KF</td>
</tr>
<tr>
<td>Kasaka (Kafue River)</td>
<td>KS</td>
</tr>
<tr>
<td>Namwala (Kafue River)</td>
<td>KN</td>
</tr>
<tr>
<td>Mpolungu (Lake Tanganyika)</td>
<td>LT</td>
</tr>
<tr>
<td>Nchelenge (Lake Mweru)</td>
<td>LM</td>
</tr>
<tr>
<td>Samfya (Lake Bangweulu)</td>
<td>LB</td>
</tr>
<tr>
<td>Siavonga (Lake Kariba)</td>
<td>KG</td>
</tr>
<tr>
<td>Chipepo (Lake Kariba)</td>
<td>KG</td>
</tr>
<tr>
<td>Sinazongwe (Lake Kariba)</td>
<td>KZ</td>
</tr>
<tr>
<td>Mongu (Zambezi River)</td>
<td>ZM</td>
</tr>
<tr>
<td>Zambezi (Zambezi River)</td>
<td>ZZ</td>
</tr>
<tr>
<td>Livingstone (Zambezi River)</td>
<td>ZL</td>
</tr>
<tr>
<td>Chirundu (Zambezi River)</td>
<td>ZC</td>
</tr>
<tr>
<td>Luangwa (Luangwa/Zambezi Rivers)</td>
<td>ZLL</td>
</tr>
<tr>
<td>Waya (Lukanga Swamps)</td>
<td>LS</td>
</tr>
<tr>
<td>Lunsemfwa (Lunsemfwa River)</td>
<td>LR</td>
</tr>
<tr>
<td>Kabompo (Kabompo River)</td>
<td>KR</td>
</tr>
<tr>
<td>Safwa (Chambeshi River)</td>
<td>CR</td>
</tr>
<tr>
<td>Kampinda (Lake Mweru Wantipa)</td>
<td>LN</td>
</tr>
<tr>
<td>Copperbelt (Copperbelt Province)</td>
<td>CB</td>
</tr>
<tr>
<td>Lusaka City</td>
<td>LC</td>
</tr>
</tbody>
</table>
ZAMBEZI RIVER AUTHORITY Act No. 17 of 1987

An Act to give effect to certain provisions of an interstate agreement relating to the utilisation of the Zambezi River concluded between the governments of the Republics of Zambia and Zimbabwe; to repeal Part III of the Federation of Rhodesia and Nyasaland (Dissolution) Order in Council, 1963; to repeal the Central African Power Act; and to provide for matters connected with or incidental to the foregoing.

[24th September, 1987]

1. (1) This Act may be cited as the Zambezi River Authority Act.Short title

2. In this Act unless the context otherwise requires—Interpretation
"Agreement" means the agreement between the Republic of Zambia and the Republic of Zimbabwe relating to the utilisation of the Zambezi River, which agreement is set out in the Schedule;

"appointed date" means the date appointed by the Minister under section one as the date of commencement of this Act;

"assets" includes rights of any description;

"Authority" means the Zambezi River Authority continued in existence by section four;

"Corporation" means the Central African Power Corporation constituted by section thirty-six of the Order in Council.

"Council" means the Council of Ministers continued in existence by section three;

"Higher Authority for Power" means the Higher Authority for Power constituted by section thirty-three of the Order in Council;

"National Electricity Undertakings" means the Zambia Electricity Supply Corporation and the Zimbabwe Electricity Supply Authority and includes any successor organisation and references to a National Electricity Undertaking shall be construed accordingly;

"obligations" includes obligations of any description, whether statutory, contractual, delictual or otherwise;

"Order in Council" means the Federation of Rhodesia and Nyasaland (Dissolution) Order in Council, 1963, of the United Kingdom;

"the two states" means the Republic of Zambia and the Republic of Zimbabwe and reference to a state shall be construed accordingly.

3. (1) The Higher Authority for Power constituted by section thirty-three of the Order in Council shall, notwithstanding section ten, continue in existence and shall, on and after the appointed date, be known as the Council of Ministers.

(2) The composition, functions, and procedure of the Council shall be as set out in Articles 4, 5 and 6 of the Agreement.

4. (1) Notwithstanding section ten the Corporation shall continue to exist as a body corporate as if established under this Act with a common seal and capable of suing and being sued, in its corporate name, and with power, subject to the provisions of the Agreement, this Act or any law, of doing all such acts and things as a body corporate may do or perform.

(2) On and after the appointed date the Corporation shall be known as the Zambezi River Authority.

(3) The composition, functions, administration, financial procedures, privileges and immunities of the Zambezi River Authority shall be as set out in Articles 8, 9, 10, 11, 12, 13, 14, 15 and 17 of the Agreement.
5. (1) On and after the appointed date, any reference to the Higher Authority for Power in any written law or other legal document shall, where appropriate, be construed as a reference to the Council. References to Higher Authority for Power and to Corporation in written law or other documents.

(2) On and after the appointed date, any reference to the Central African Power Corporation in any written law or other legal document shall, where appropriate, be construed as a reference to the Authority.

6. The Authority shall in accordance with Article 29 of the Agreement, transfer or take such steps as are necessary to effect the transfer of such of its employees as may be appropriate in order to give effect to that Article. Transfer of employees.

7. (1) The Authority shall transfer, or take such steps as are necessary to effect the transfer of any of its assets, liabilities and obligations to the two states and their respective National Electricity Undertaking, in accordance with such agreement or agreements as the two states may enter into for the purpose. Transfer of assets, liabilities and obligations.

(2) For the purposes of any transfer under this section—

(a) all agreements, instruments and working arrangements giving rise or otherwise related to any asset, liability or obligation which subsisted immediately before the date of transfer shall, on and after that date have effect and be enforceable as if references therein to the Corporation or the Authority, as the case may be, were references to the state or National Electricity Undertaking to which the asset, liability or obligation is transferred and, where the Authority, whether under its old or new name, was a party thereto, as if the state or National Electricity Undertaking concerned had been a party thereto instead of the Authority;

(b) any legal proceeding or cause of action connected with any transferred asset, liability or obligation which was pending or existing by or against the Authority, whether under its old or new name, immediately before the date of transfer may be continued by or against the state or National Electricity Undertaking to which the asset, liability or obligation is transferred as though the state or National Electricity Undertaking concerned were the Authority.

(3) Where title to any immovable property or any right or obligation relating to such property is transferred to a state or National Electricity Undertaking under this section, it shall not be necessary for the Registrar of Deeds or any other authority responsible for registering any document to make any alterations or endorsements on title deeds or other documents in his registers in respect of such immovable property or any right or obligation relating to such property:

Provided that whenever he is requested in writing to do so by the state or National Electricity Undertaking concerned, or by any other person having an interest in such property or in a right or obligation relating to it, he shall make the necessary alterations or endorsements at no cost to the state, National Electricity Undertaking or other person so requesting.

8. The Minister shall lay a copy of each annual report of the Authority before the National Assembly within thirty days after receiving it: Laying of annual reports of Authority before National Assembly.
Provided that, if by reason of the prorogation or dissolution of Parliament, this section cannot be complied with within the stipulated time, the Minister shall lay the annual report before the National Assembly within thirty days after the date on which the National Assembly first meets.

9. No action, whether civil or criminal shall lie against the Authority, its Board members, employees or agents in respect of anything done in good faith and without negligence in accordance with the provisions of the Agreement or this Act: Limitation of liability of Authority and its officials

Provided that the protection from liability afforded by this section shall not have the effect of preventing any person from obtaining redress in a court of competent jurisdiction for any breach of contract.

10. (1) Part III of the Federation of Rhodesia and Nyasaland (Dissolution) Order in Council, 1963, of the United Kingdom is repealed in so far as it applies to Zambia. App. 1 Repeal of Part III of Order in Council and of Cap. 812 of the old edition

(2) The Central African Power Act is repealed. Cap. 812 of the old edition


(a) anything done, or any determination or decision made, by the Higher Authority for Power including any order or directive given by it to the Corporation under that Part or that Act which, immediately before the appointed date, had, or was capable of acquiring, legal effect shall, on and after that date, with necessary modifications have or be capable of acquiring the same legal effect as if it had been duly done or made by the Council under this Act;

(b) anything done, or any determination or decision made, by the Corporation under that Part or that Act which, immediately before the appointed date had, or was, capable of acquiring legal effect shall, on or after that date, with necessary modifications, have or be capable of acquiring the same legal effect as if it had been done or made by the Authority under this Act as read with any appropriate agreement or agreements made for the purpose under this Act;

(c) subject to section seven, all assets, liabilities and obligations of the Corporation which vested in or subsisted against the Corporation immediately before the appointed date shall, on and after that date, continue to vest in or subsist against the Authority;

(d) subject to section six any person who, immediately before the appointed date, was employed by the Corporation shall, on and after that date, continue to be employed by the Authority;

(e) any legal proceeding pending or cause of action existing immediately before the appointed date by or against the Corporation may, subject to sections six and seven, be continued by or against the Authority.

(2) The Council may amend or revoke any decision, order or directive saved under paragraph (a) of subsection (1).

(3) The Authority may amend or revoke any determination or decision saved under paragraph (b) of subsection (1).
AGREEMENT BETWEEN THE REPUBLIC OF ZAMBIA AND THE REPUBLIC OF ZIMBABWE CONCERNING THE UTILISATION OF THE ZAMBEZI RIVER

The Republic of ZAMBIA and the Republic of ZIMBABWE, desiring to obtain, for the economic industrial and social development of the two countries, the greatest possible benefit from the natural advantages offered by the waters for the Zambezi River and to improve and intensify the utilisation of the waters for the production of energy and for any other purpose beneficial to the two countries, have decided, pursuant to the resolution of the Higher Authority for Power relative to the future operations of the Central African Power Corporation and the provisions of the Inter-Governmental Agreement of 14th February, 1986, to conclude the present Agreement.

ARTICLE 1

For the purposes of this Agreement and unless the context otherwise requires, it shall be understood that:

"Authority" means the Zambezi River Authority referred to in Article 7;

"Board" means the Board of Directors referred to in Article 8;

"Contracting State" means the Republic of Zambia or the Republic of Zimbabwe and "State" shall be construed accordingly;

"Council" means the Council of Ministers referred to in Article 4;

"functions" includes powers and duties;

"installations", in relation to the Zambezi River, means those installations or civil engineering structures owned by the Authority;

"Kariba Complex" means-

(i) Kariba Dam and reservoir;

(ii) all telemetering stations relating to the Kariba Dam;

(iii) any other installations owned by the Authority at Kariba.

"Resident" in relation to either Contracting State, means any person who is permanently or ordinarily resident in that State;

"Zambezi Scheme" means the Kariba Complex and any additional dams, reservoirs and installations that may be constructed or installed on the Zambezi River;

"National Electricity Undertakings" means the Zambia Electricity Supply Corporation Limited and the Zimbabwe Electricity Supply Authority or any successor national undertakings thereto;

"Zambezi River" means that part of the Zambezi River common to the borders of the two States;
"ZESA" means the Zimbabwe Electricity Supply Authority;
"ZESCO" means the Zambia Electricity Supply Corporation Limited.

ARTICLE 2

1. The Contracting States agree that-

(a) the Inter-Governmental Agreement dated the 25th of November 1963, relating to the Central African Power Corporation;

(b) the Inter-Governmental Agreement dated the 14th February, 1986, relating to the re-establishment and reconstitution of the Central African Power Corporation;

(c) the Memoranda of Understandings dated 30th November, 1977, and 18th July, 1985, respectively;

shall, by virtue of this Article, terminate as from the date of the coming into operation of this Agreement.

2. Each Contracting State agrees to-

(a) repeal Part III of the Federation of Rhodesia and Nyasaland (Dissolution) Order in Council 1963, in respect of its own territory; and

(b) repeal the legislation specifically relating to the Central African Power Corporation and replace it with new legislation which is more suitable to the new arrangements specified in this Agreement; and

(c) where necessary, amend any of its other existing laws to give full effect to the provisions of this Agreement.

3. The provisions of the new legislation referred to in sub-article 2 (b) shall be similar in effect and be in such terms as will be agreed between the Contracting States.

4. Each Contracting State undertakes not to amend the legislation referred to in sub-article 2 (b) or any regulations made thereunder without the prior approval of the proposed amendments by the other Contracting State.

ARTICLE 3

The Contracting States, recognising that the operation and maintenance of the Zambezi Scheme is an economical and effective means of providing water for the generation of electric power and for other purposes which the Contracting States may decide upon have, accordingly, agreed to utilise, operate and maintain the said Scheme.

ARTICLE 4

1. The Contracting States undertake to ensure, through their respective laws referred to in paragraph (b) of sub-article 2 of Article 2, the continued existence of the Higher Authority for Power as the Council of Ministers.

2. The Council shall consist of four members, two of whom shall be Ministers of
the Government of the Republic of Zambia and two Ministers of the Government of the Republic of Zimbabwe designated by their respective Governments to be the members of the Council.

3. The Council shall in each calendar year elect a Chairman to preside over its meetings. The Chairmanship shall be held alternately by a Minister of the Government of the Republic of Zambia and a Minister of the Government of the Republic of Zimbabwe.

4. The Council shall regulate its own procedure and shall meet for the transaction of its business at least once every twelve months at such places and at such times as it may decide.

5. No decision of the Council shall have effect unless it is unanimous. In the absence of such unanimity the matter shall be referred to the Governments of the Contracting States for resolution.

6. The four members of the Council shall form a quorum.

7. The Council shall appoint a person employed in the public service of either Contracting State as its Secretary.

ARTICLE 5

The Council shall-

(a) be responsible to the Contracting States for all matters of policy relating to the use of the Zambezi River and any installations thereon;

(b) give such directions to the Authority as will ensure the most efficient use of the Zambezi River and its installations;

(c) generally supervise the operations of the Authority and may order any enquiries into the activities of the Authority;

(d) consider and approve-

(i) development plans of the Authority;

(ii) the annual budget of the Authority and the schedule of dates for payments relating thereto;

(iii) the appropriation of surplus funds of the Authority, if any;

(iv) the raising and investment of funds by the Authority;

(e) advise the Contracting States on any matter relating to the use of the Zambezi River and its installations;

(f) carry out such other functions as are provided for in this Agreement or are incidental or conducive to the better performance of its functions under this Agreement.

ARTICLE 6

1. The Council may make rules prescribing anything which, in the opinion of the Council, is necessary or convenient to be so prescribed for the better exercise
of functions of the Authority, under this Agreement.

2. Rules made by the Council under this Article may provide for-

(a) the manner in which the Authority shall perform any particular function conferred or imposed on it by this Agreement;

(b) the manner in which the Authority shall conduct its finances and in which its accounts shall be audited;

(c) the terms and conditions of service of Board members;

(d) the manner in which the Authority shall prepare reports for submission to the Council.

ARTICLE 7

1. The Contracting States undertake to ensure, through their respective laws referred to in paragraph (b) of sub-article 2 of Article 2, the continued existence of the Central African Power Corporation as the Zambezi River Authority.

2. The Authority shall have juridical personality with capacity to contract, acquire and dispose of immovable and movable property, institute legal proceedings and do or perform such other acts or things as a body corporate may by law do or perform.

ARTICLE 8

1. There shall be a Board of Directors which, subject to the overall direction of the Council, shall be responsible for the policy, control and management of the Authority.

2. The Board shall consist of-

(a) three members appointed by the Government of the Republic of Zambia; and

(b) three members appointed by the Government of the Republic of Zimbabwe; and

(c) until such time as the loan dated 12th July, 1956, from the Commonwealth Development Corporation is fully repaid, one member who shall be appointed by the Council and be acceptable to the Commonwealth Development Corporation.

3. In appointing the Board members referred to in sub-article 2 the appointing authority shall-

(a) appoint an alternate in respect of each member;

(b) have regard to the desirability of appointing persons with recognised competence in industry, engineering, the energy sector, finance or management or with such other technical experience or qualifications as are directly relevant to the running of the affairs of the Authority;

(c) not appoint as a Board member a member of its national Parliament.

4. A Board member shall hold office for a period of four years or for such other period as the Council may determine and shall be eligible for re-appointment.
5. The Board shall in each calendar year elect a Chairman to preside over its meetings. The Chairmanship shall be held alternately by a Board member appointed by the Government of the Republic of Zambia and the Government of the Republic of Zimbabwe.

6. The Board shall regulate its own procedure and shall meet for the transaction of its business at least once every three months at such places and at such times as it may decide.

7. Decisions of the Board shall be by a majority of the members present and voting at the meeting and in the event of an equality of votes, the matter shall be referred to the Council for its determination.

8. Four members, two from each Contracting State, shall form a quorum provided, however, that the validity of any proceedings, act or decision of the Board shall not be affected by any vacancy in the membership of the Board or any defect in the appointment of any member or the fact that any person not entitled so to do took part in the proceedings.

9. If a Board member is present at a meeting of the Board at which any matter is the subject of consideration and in which matter the Board member or his spouse is directly or indirectly interested in a private capacity, he shall, as soon as practicable after the commencement of the meeting, disclose such interest and shall not, unless the Board otherwise directs, take part in the consideration or discussion of, or vote on, any question touching on such matter.

10. Each Board member shall be paid out of the funds of the Authority such remuneration and allowances, if any, as the Council may determine.

ARTICLE 9

The function of the Authority shall be to-

(a) operate, monitor and maintain the Kariba Complex;

(b) in consultation with the National Electricity Undertakings investigate the desirability of constructing new dams on the Zambezi River and make recommendations thereon to the Council;

(c) subject to the approval of the Council construct, operate, monitor and maintain any other dams on the Zambezi River;

(d) collect, accumulate and process hydrological and environmental data of the Zambezi River for the better performance of its functions and for any other purpose beneficial to the Contracting States;

(e) in consultation with the National Electricity Undertakings regulate the water level in the Kariba reservoir and in any other reservoir owned by the Authority;

(f) make such recommendations to the Council as will ensure the effective and efficient use of the waters and other resources of the Zambezi River;

(g) liaise with the National Electricity Undertakings in the performance of its functions that may affect the generation and transmission of electricity to the Contracting States;
(h) subject to the provisions of Article 13, recruit, employ and provide for the training of such staff as may be necessary for the performance of its functions under this Agreement;

(i) from time to time and subject to the approval of the Council, make such revisions of salaries, wages and other remuneration to its employees as it considers appropriate;

(j) submit development plans and programmes to the Council for approval;

(k) give effect to such directions, as may, from time to time, be given by the Council;

(l) carry out such other functions as are provided for in this Agreement or are incidental or conductive to the better performance of its functions.

ARTICLE 10

1. The Authority may make by-laws prescribing anything which in the opinion of the Board is for the better exercise of the functions of the Authority and such by-laws may provide for-

(a) the manner in which the staff of the Authority may be recruited;

(b) the terms and conditions of service of employees of the Authority;

(c) the fees chargeable to the Authority for any service performed or any facilities provided by the Authority;

(d) the construction, operation, protection control and inspection of works, plant, machinery, apparatus, appliances and equipment relating to the Zambezi River.

2. By-laws made by the Authority shall only have legal force if they have been approved by the Council and published in the Gazette of each Contracting State in which shall be specified the commencement date of such by-laws.

ARTICLE 11

1. There shall be a Chief Executive to the Authority who shall, subject to the approval of the Council, be appointed by the Board and shall be a national or resident of the Contracting State other than that in which the Authority's Head Office is situated. The provisions of paragraph (b) of Article 13 shall apply as appropriate in relation to the appointment of the Chief Executive.

2. Subject to the approval of the Council, the terms and conditions of service of the Chief Executive shall be determined by the Board.

3. With the approval of the Council, the Board may dismiss, suspend or reprimand the Chief Executive for any reason which it considers sufficient.

4. Subject to the control of the Board, the Chief Executive shall be responsible for the day-to-day management of the operations and property of the Authority.

5. Subject to the approval of the Council, the Board may delegate to the Chief Executive such of its functions as it considers fit.
ARTICLE 12

There shall be a Secretary to the Authority who shall be appointed by the Board on such terms and conditions as the Board may determine.

ARTICLE 13

In appointing the Secretary and any other employees, the Authority shall:

(a) except with the approval of the Council, not appoint any person who is not a national or resident of either of the Contracting States;

(b) in order to ensure the highest standard of performance in the operations of the Authority, only appoint persons of high integrity sufficient qualifications and experience, having regard to the desirability of maintaining an equitable distribution of appointments from among the nationals of the two States.

ARTICLE 14

1. The funds of the Authority shall consist of:

   (a) moneys paid to the Authority pursuant to sub-articles 2 and 3;

   (b) tariffs, fees or other charges which it may, with the approval of the Council, charge for services rendered or facilities provided by the Authority;

   (c) grants, donations, loans or other similar disbursements from any source whatsoever approved by the Council;

   (d) interest from investments and loans to its employees.

2. The annual budget of the Authority shall be financed by payments made by the Contracting States in equal shares after taking into account funds available to the Authority under paragraphs (b), (c) and (d) of subarticle 1.

3. Payments by the Contracting States to the Authority shall be made upon the approval by the Council of each annual budget in accordance with the schedule of payments approved in relation thereto.

4. Payments by the Contracting States shall be made in their own currencies and the Authority shall maintain an equalisation account in that regard.

ARTICLE 15

1. The Authority shall, subject to the general directions of the Council, conduct its business affairs on a sound financial basis.

2. The financial year of the Authority shall commence on the first day of July of each calendar year and end on the thirtieth day of June of the next following calendar year.

3. The Board shall, prior to the commencement of each financial year, cause to be prepared and submitted for the approval of the Council, a budget of the Authority for such financial year.

4. The Board shall ensure that accounts and other records in relation thereto
are kept by the Authority and shall prepare in respect of each financial year of
the Authority a Statement of accounts.

5. The accounts of the Authority in respect of each financial year shall, in
accordance with auditing principles consistently applied, be audited by such
independent auditors as the Board may, subject to the approval of the Council,
appoint for the purpose.

6. As soon as the accounts of the Authority have been prepared and audited,
which should not be later than six months after the end of each financial year,
the Board shall submit to the Council and to the Minister responsible for energy
in each Contracting State an annual report which shall consist of-

(a) an income and expenditure account, a balance sheet, the report of the
auditors to the authority and details of any directions which may have been
given to the Authority by the Council in terms of this Agreement;

(b) a statement of capital expenditure certified as correct by the auditors to
the Authority and showing the general heads of such expenditure compared with
the figures therefore in any budget approved for that financial year in terms of
clause 3 of this Article together with variations therefrom:

Provided that if the Authority cannot submit the accounts within six
months
after the end of any financial year, the Board may inform the Council of the
reason.

7. The Authority may subject to the approval of the Council and subject to such
terms and conditions as the Council may impose in respect thereof, establish and
administer specific reserves of funds for the purposes of carrying out its
functions or for the benefit of its employees.

8. The Authority shall, except as provided in this Agreement, be exempt from the
provisions of any legislation of the Contracting States regarding the audit and
control of public accounts, and in particular exempt from provisions in such
legislation regarding:

(a) the payment of surplus moneys to the Consolidated Revenue Funds or the
equivalent funds of the Contracting States;

(b) the submission of capital budgets;

(c) the submission of revenue and expenditure budgets;

(d) the submission of annual reports and accounts;

(e) the powers of the Controller and Auditor-General or the official carrying
out similar duties in each Contracting State.

ARTICLE 16

The Contracting States shall expedite the granting of work and residence permits
and duty passes to employees of the Authority who require them for the purpose
of the performance of their duties, and may not unreasonably withhold such
permits or passes. The Authority may, where appropriate seek the assistance of
the Council in obtaining the grant of the said permits or passes.
ARTICLE 17

1. Each Contracting State undertakes, subject to the provisions of this Article, to exempt the Authority from payment of taxes on capital income or profits.

2. The exemption from the payment of income tax under this Article shall not extend to the salaries, wages, allowances, other remuneration or pensions paid to the Board members, agents or employees of the Authority.

3. Customs and excise duties paid by the Authority or by importers on goods imported and subsequently purchased by the Authority will, so far as is practicable, be recorded and shared equally between the Contracting States.

4. When goods owned by the Authority are removed permanently from one State to the other-

   (a) if the rate of duty applicable to such goods is the same in both Contracting States, no duty shall be collected or refunded in the importing and exporting States;

   (b) in other cases, whether the goods are new or used, a refund shall be made of any duty paid in the exporting State and any duty payable shall be collected in the importing State. For the purpose of both refund and collection of duty, the value for duty purposes shall be:

       (i) in the case of imported goods, the original import value;

       (ii) in the case of goods grown, manufactured or produced in either of the States, the original value, less an appropriate allowance in the case of used goods.

5. The detailed application of special customs arrangements in respect of the goods owned by the Authority shall be the subject of agreement between the two States, in consultation with the Authority.

ARTICLE 18

1. So as to ensure the efficient and equitable use of the waters of the Zambezi River, the Contracting States undertake to-

   (a) keep each other informed of any proposals approved by them for the abstraction of water from the Kariba Dam or any other dam that may be constructed on the Zambezi River or for the impounding or abstraction of water from the sources of the said dam or other future dams for irrigation or other purposes;

   (b) consult the Authority on any proposals for the impounding or abstraction of substantial quantities of water from the Kariba Dam or any other dams that may be constructed on the Zambezi River and seek the approval of each other before approving such impounding or abstraction;

   (c) consult with each other and the Authority, if so requested by the Authority through the Council in regard to any problems arising from the abstraction of water from the Kariba Dam or any other future dams that may be constructed on the Zambezi River, or the impounding or abstraction of water from the sources of the said Dam or other future dams.
2. They further undertake to ensure that the Ministers responsible for energy in their respective territories liaise and co-ordinate with each other on all matters affecting the public interest of their two territories in relation to the ownership, management, control and operation of the Authority.

ARTICLE 19

The two States undertake to protect the Authority, its Board members, employees and agents from civil or criminal liability in respect of anything done in good faith and without negligence pursuant to the provisions of this Agreement, save that such protection from liability shall not have the effect of preventing any person from obtaining redress in a court of competent jurisdiction for any breach of contract.

ARTICLE 20

1. The Contracting States undertake to declare for public utility the areas necessary for the hydroelectric development, its ancillary works and their operation, and to execute, within the areas of their respective jurisdiction, all administrative and judicial acts required to expropriate property and its improvements or to establish servitudes or easements thereon.

2. Subject to sub-article 3, each Contracting State undertakes to acquire by purchase, expropriation or other means in accordance with its own laws, any properties and rights connected therewith within its territory that may be necessary for the operations of the Authority.

3. The Contracting States undertake to meet the costs of compensation in respect of any expropriation, purchase or any other means of acquisition under this Article in equal shares with the expropriation of water rights being charged to the cost of operation and maintenance as appropriate.

ARTICLE 21

The Contracting States, by means of additional protocols or unilateral acts limited to their respective jurisdiction, shall take all measures necessary for the implementation of this Agreement.

ARTICLE 22

1. The Contracting States undertake to ensure co-operation between the National Electricity Undertakings in securing working arrangements for the operation and maintenance of the interconnected systems for the generation and transmission of energy within the two States.

2. Until such time as other working arrangements relating to the co-operation referred to in sub-article 1 are devised and agreed to by the National Electricity Undertakings the working arrangements set out in Annexure 1 shall form the basis of that co-operation.

3. In addition to the working arrangements referred to in sub-articles 1 and 2 the National Electricity Undertakings may also devise and agree on specific working arrangements for the operation and maintenance of the interconnectors at Kariba Dam and at any other future dams constructed on the Zambezi River.

ARTICLE 23
1. The Contracting States undertake to share all the available energy from the Kariba Dam equally in accordance with the procedures set out in Annexure 2.

2. The Contracting States undertake to share all the energy from dams that may be constructed on the Zambezi River in proportions to be determined by the Contracting States, having regard to their respective shares in the construction costs relative thereto, provided that, where one Contracting State has borne more than half of the construction costs of any future dam, the other Contracting State shall have the right to make a contribution or further contribution to such costs and thereby acquiring a right to an appropriate proportion, not exceeding half, of the available energy from that dam.

3. Each Contracting State shall be entitled to sell to the other Contracting State at prices to be fixed by agreement, any part of its share of the available energy referred to in sub-articles 1 and 2. In the event of one Contracting State wishing to sell any of its surplus energy, the other Contracting State shall have the right of first refusal in respect of such sale.

ARTICLE 24

To the extent that those rights will not be inconsistent with the constitutional rights of private individuals in each State, the rights of the Contracting States in the use of the Zambezi River shall take precedence over all private rights and each Contracting State shall, within its territory, take such steps as are necessary to ensure the observance of such rights.

ARTICLE 25

1. The Contracting States shall, jointly and individually, provide the Authority, at its request, guarantees in respect of all local and foreign loans in the proportion of fifty per cent to fifty per cent respectively, and in like manner, they shall ensure the foreign exchange convertibility necessary for payment of the obligations assumed by the Authority.

2. In the event of the Council agreeing that the Authority be provided with additional capital from the Contracting States or that guarantees should be given by the States in respect of loans or credits to be obtained by the Authority from other sources, such additional capital or guarantees shall be jointly provided or given by the Contracting States in equal proportions.

ARTICLE 26

1. The Contracting States shall make whatever grants are necessary for the carrying out of any investigations and studies relating to any future development of the Zambezi River, such expenditure being deemed to be part of the cost of installations.

2. The cost of the operation and maintenance of future dams and associated installations shall be divided between the Contracting States in proportions to be determined by the Authority having regard to their respective shares in the construction costs relative thereto.

ARTICLE 27

The competent courts of law for the Authority with respect to natural or juridical persons domiciled in Zambia or Zimbabwe shall be those of Zambia and Zimbabwe, respectively. Accordingly, each Contracting State shall apply its own
laws, taking into account the provisions of this Agreement.

ARTICLE 28

1. The Contracting States shall further the activities of the Authority in every possible way.

2. Where this Agreement provides for rights and obligations which the Authority cannot directly exercise or fulfil, the Contracting States shall take steps to ensure that the rights are exercised and the obligations fulfilled.

ARTICLE 29

1. The Authority shall, immediately after entry into force of this Agreement transfer or take such steps as are necessary to effect the transfer of certain of its employees to the National Electricity Undertakings in accordance with such directions as the Council may give for the purpose.

2. The Contracting States undertake to enforce the following minimum conditions in respect of the transfer of any employees of the Authority to their respective National Electricity Undertakings-

(a) where any employee of the Authority is transferred to a National Electricity Undertaking in terms of this Article, his or her service with the Authority shall be treated as continuous service with the National Electricity Undertaking to which he or she is transferred for the purposes of determining any issue relating to his or her conditions of employment and where the employee was immediately before his or her transfer, serving a period of notice of discharge, resignation or retirement which period of notice expires after his or her transfer, that notice shall be treated as if it has been given by or to the National Electricity Undertaking concerned;

(b) the conditions of employment applicable to any employee of the Authority immediately after his or her transfer to the employment of a National Electricity Undertaking shall, when taken as a whole, be no less favourable than the conditions of employment, taken as a whole that were, applicable to him or her before his or her transfer.

ARTICLE 30

The Contracting States undertake to-

(a) distribute the assets of the Central African Power Corporation on the basis of the general principle that immovable assets in the territory of each State will be allocated to the National Electricity Undertaking of such State and other assets will be allocated having regard to the responsibilities of the Authority and the respective National Electricity Undertakings;

(b) carry out the valuation of such assets on the basis of principles and methodologies mutually agreed between the Contracting States; and

(c) assign or allocate liabilities of the Central African Power Corporation to each State, the Authority and the respective National Electricity Undertakings, as the case may be after obtaining consents required in regard thereto.

ARTICLE 31
If, for compelling reasons, and in particular as a result of legislative action by either Contracting State, it should become necessary to modify or supplement the arrangements provided in this Agreement in order to protect the interests of the two Contracting States as established in those arrangements, such modifications or additions shall be agreed on in a spirit of mutual trust and co-operation.

ARTICLE 32

1. In the event of disagreement between the Contracting States with respect to interpretation of the provisions of this Agreement, the provisions of any legislation enacted under Article 2 or any matter referred to them in terms of sub-article 5 of Article 4, such disagreement shall be referred to an Arbitrator or Board of Arbitrators appointed by the Contracting States. The decision of such arbitrator or Board of Arbitrators shall be binding on the Contracting States.

2. In the event of a disagreement arising between the Contracting States over any other question or matter arising from this Agreement, such disagreement may, if the two States agree, be referred to an Arbitrator or Board of Arbitrators appointed by the Contracting States. The decision of such Arbitrator or Board of Arbitrators shall be binding on the Contracting States.

3. The costs of any arbitration under this Article shall be borne equally by the two States.

ARTICLE 33

Notwithstanding the date of signature and the date of exchange of instruments of ratification, this Agreement shall enter into force on the date of commencement of the new legislation referred to in sub-article 2 (b) of Article 2 which legislation shall come into operation simultaneously within the jurisdiction of the two States.

IN WITNESS WHEREOF, the undersigned, duly authorised thereto by their respective Governments, have signed this Agreement.

Done at Harare this 28th day of July, 1987 in two originals, in the English language, both texts being equally authentic.

G.K. CHINKULI

For the Government of the Republic of Zambia

K.M. KANGAI

For the Government of the Republic of Zimbabwe

ANNEXURE 1 (Article 22)

WORKING ARRANGEMENTS FOR THE OPERATION AND MAINTENANCE OF THE INTERCONNECTED SYSTEMS

1. Joint ZESA/ZESCO control will be established so as to ensure the efficient operation and maintenance of the interconnected systems and to maintain supply within the statutory limits of voltage and frequency in the two States.
2. To give effect to the joint ZESA/ZESCO control, a Joint Technical Committee with equal representation from ZESA and ZESCO shall be established. The Joint Technical Committee shall supervise the implementation of these working arrangements and in that connection, may, in the interest of efficient operation of interconnected systems, issue general guidelines to be complied with by the National Control Centres (hereinafter called "the NCCs") of the two Undertakings.

3. The Joint Technical Committee shall meet regularly to review the implementation process and initiate or co-ordinate any joint studies, tests, etc., undertaken in the interest of the efficient operation of the interconnected systems.

4. Subject to paragraph 5, the following guidelines shall apply in giving effect to the working arrangements:

   (i) Frequency Control—ZESA and ZESCO NCCs will consult each other and agree on the expected load and station loading patterns each week for the week following. ZESCO NCC will issue operating instructions on a day-to-day basis to stations in Zambia as will ZESA NCC in Zimbabwe.

       Minute by minute frequency control will be done by Kafue Gorge or Kariba South depending on which station is agreed to be on the best position to do so.

       The time error should not exceed plus or minus 10 seconds.

   (ii) Voltage Control—Voltage Control is the joint responsibility of the two NCCs and shall be carried out in close mutual liaison.

   (iii) Spinning Reserve—Spinning Reserve shall be agreed to annually but will not be less than the capacity of the largest unit on the interconnected systems. The spinning reserve will be shared in the ratio of the largest generator units in each country. The speed droop governor characteristics will be adjusted to ensure the required response.

   (iv) Reserve Capacity—Each Undertaking will be responsible for providing its own reserve operating capacity.

   (v) Load Shedding and Restoration of Supply—During emergencies which require load shedding, the request to shed load shall be initiated by the NCC in whose country the disturbance has originated in accordance with agreed procedures.

       The load will be shed in the approximate proportion of the respective system maximum demand in each country.

   (vi) Generation Plant and Line Outages—ZESA and ZESCO will agree on an annual plant and line outages programme for the interconnected systems. The two NCC's will maintain close co-operation on outages. In particular, generation plant and line outage will not be implemented without prior agreement.

   (vii) Tests—ZESA and ZESCO agree not to introduce changes on present system characteristics, e.g. governor drop settings or protection relay settings, in the generating stations and on the 330 kV system, until agreement to any changes is reached.
(viii) Safety Rules and Procedures—ZESA and ZESCO will continue the present practice on Safety Rules and Procedures (covering the 330kV and 11 kV interconnectors between the two systems). These procedures will be a subject of Systems Operations Memoranda.

(ix) ZESA/ZESCO System Operation Memoranda—ZESA/ZESCO will each produce their own System Operations Memoranda. Where it is agreed that Joint System Operations Memoranda are necessary, these will be jointly produced.

(x) Load Flow Diagrams—ZESA and ZESCO will separately, but simultaneously by arrangement, carry out load flow surveys for the Zimbabwean and Zambian 330kV systems respectively. The surveys will, normally be carried out on a routine monthly basis over a peak period, the date to be decided mutually. Each NCC will also be responsible for producing its own load flow survey to cover and record abnormal operating conditions affecting the load flow distribution of the system.

Copies of load flow diagrams will be exchanged between ZESA and ZESCO as soon as possible after their completion.

(xi) Exchange of Information—ZESA and ZESCO shall exchange information of common interest related to the interconnected systems, as agreed by the Joint Technical Committee.

5. ZESA and ZESCO shall, from time to time, review the appropriateness of these arrangements and may, where they consider it desirable in the interests of the efficient operation of the interconnected systems to do so, amend or repeal and replace the working arrangements.

6. In the event of any dispute over the interpretation or implementation of these working arrangements, the dispute shall be referred to the Council for resolution.

ANNEXURE 2 (Article 22)

WORKING ARRANGEMENTS FOR THE SHARING OF ENERGY FROM KARIBA DAM

1. The available energy shall be shared in the form of the water that is forecast to be available for the production of energy within each period of twelve months, commencing on the 1st August, of each year.

2. The Authority shall, at the commencement of each period of twelve months referred to above, submit a written statement to ZESA and ZESCO advising them of the amount of water it forecasts will be available for the production of energy during that period. The written statement shall show in summary how the Authority arrived at its forecast, and that forecast shall be reviewed every three months in the light of current hydrological predictions.

3. The existing maximum and minimum operating levels of 408.5m and 475.5m. (Kariba datum) for the reservoir are set as the limiting operating levels for the purposes of these working arrangements.

4. In determining the amount of water that the Authority forecasts to be available for the production of energy in a given period, the Authority shall take into account the next but one rainy season (i.e. the period of eighteen months as from the 1st August of the period concerned).
5. For the purposes of determining the equal apportionments of water to be shared, the generated energy from the Dam will be converted to water in accordance with the average daily generation related to an agreed typical load/efficiency curve for each generating station, taking into account their turbine conversion efficiency.

6. If either country foresees that is unlikely to use a portion of its full annual water allocation, it may offer such portion to the other country for the latter's utilisation at rates to be agreed from time to time in import/export tariff agreements. If the annually allocated water is not utilised it will be forfeited.

7. In the spirit of acquiring maximum benefit for the two States, the Kariba generating schemes shall, as much as is reasonably practicable, be operated in conjunction with the other generating schemes (e.g. Hwange, Kafue Gorge and any other future schemes). The resulting transfer of energy from one scheme to other will be chargeable at rates to be agreed from time to time through electricity import/export tariff agreements.

8. In the event of any dispute over the interpretation or implementation of these working arrangements, the dispute shall be referred to the Council for resolution.

SUBSIDIARY LEGISLATION

ARTICLE 10-THE ZAMBEZI RIVER AUTHORITY (TERMS AND CONDITIONS OF SERVICE) BY-LAWS

By-laws by the Council of Ministers Statutory Instrument 2 of 1995
90 of 1997

PART I

PRELIMINARY

1. These By-laws may be cited as the Zambezi River Authority (Terms and Conditions of Service) By-laws.

(As amended by S.I. No. 90 of 1997)Title

2. In these By-laws, unless inconsistent with the context-Interpretation

"Authority" means the Zambezi River Authority established by the Zambezi River Authority Act; Cap. 467

"basic pay" means the salary of an employee, excluding any allowance that may be payable to that employee, and "basic monthly pay" and "basic annual pay" shall be construed accordingly;

"employee" means a person confirmed in a post specified in the Second Schedule;

"Head of Department" means the person having the overall responsibility for any particular department within the Authority or in the absence of such person, any person designated to act in his place;
"leave" means leave of absence from duty;

"length of service" means the continuous period of service the employee has served with the Authority or its predecessor, which period shall be calculated from the original date of engagement;

"pay" means the salary of an employee together with such allowances as may be payable to him;

"dependant" means-

(a) a spouse of an employee;

(b) any child of an employee including an illegitimate and adopted child or step-child who is of, or below the age of 18 years or below the age of 25 years and undergoing full-time education and wholly dependant on him;

"retirement age" means the age of retirement as specified in by-law 6;

"working day" means any day of the week except Saturday, Sunday, and public holidays.

(As amended by S.I. No. 90 of 1997)

PART II

GENERAL

3. (1) Subject to this section every person entering the service of the Authority shall serve a probationary period of six months unless the Authority expressly appoints him to the service without him having to serve such probationary period.Probation

(2) The period referred to in sub-by-law (1) may be reduced or extended by the Authority, so however, that no probationary period shall, save in exceptional circumstances, exceed twelve months.

(3) A person serving on probation may resign by giving 24 hours notice of his intention to do so or his service may be terminated by the Authority upon like notice.

(4) A person shall not be confirmed to the service of the Authority unless he has passed a medical examination by a medical practitioner appointed or specifically approved by the Authority.

4. Save as may otherwise be prescribed, an employee shall not be entitled to additional remuneration in respect of any duty or work which he is required to perform whether during or after the normal hours of work.Additional remuneration

5. The normal hours of work shall be as laid down from time to time by the Authority.Hours of work

6. (1) Subject to by-law 9 an employee may retire from service with the Authority on his 55th birthday or at any time thereafter and shall retire not later than his 60th birthday unless the Authority extends his retirement age in accordance with sub-by-law (2).Retirement
(2) The Chief Executive may, upon application made by an employee, at any time during six months following his 59th birthday, extend the employee's retirement age to a date not later than his 65th birthday.

(3) By-law 9 relating to period of notice shall apply, with necessary modifications, to an employee wishing to retire in terms of this section:

Provided that for an employee listed in Parts C, D and E of the Second Schedule whose service has been extended under sub-by-law (2), the period of notice shall be three months.

(As amended by S.I. No. 90 of 1997)

7. (1) Where a post of an employee becomes surplus due to the re-organisation or re-structuring of the Authority or any station of the Authority the employee shall be declared redundant or be retrenched and such employees shall be paid:

- a severance benefit of three months current basic pay;

and

- a redundancy package calculated as follows:

<table>
<thead>
<tr>
<th>Completed Years of Service</th>
<th>Rate of Compensation</th>
</tr>
</thead>
<tbody>
<tr>
<td>0-4</td>
<td>2 years current basic pay</td>
</tr>
<tr>
<td>5-10</td>
<td>2.5 years current basic pay</td>
</tr>
<tr>
<td>10 or more</td>
<td>3 years current basic pay</td>
</tr>
</tbody>
</table>

(2) Where the Authority requires an employee to be deployed or transferred to another station on account of the re-organisation or re-structuring of the Authority or any station of the Authority and such employee is unable to be redeployed or transferred due to special circumstances, the Board may pay a severance benefit to such employee in accordance with sub-by-law (1).

8. (1) When an employee retires, becomes redundant or is retrenched from the service of the Authority or is discharged on medical grounds, the Authority shall meet the cost of transport for the employee and up to six dependants to the employee's home district:

Provided that where the employee chooses not to be repatriated to his home district, the Authority shall meet the cost of repatriation to his chosen destination subject to the cost not exceeding that to his home district.

(2) Where an employee dies in service the Authority shall repatriate the dependants of the employee in accordance with sub-by-law (1).

(3) Where an employee's service is terminated by the Authority or where he resigns from the service of the Authority, the Authority may meet the cost of road transport for the employee and up to six dependants to the employee's home district.

(As amended by S.I. No. 90 of 1997)
9. (1) An employee who wishes to resign from the service of the Authority shall give notice, in writing, to his Head of Department, of his intention to do so. Notice of resignation

(2) The period of notice to be given in terms of sub-by-law (1) shall be-

(a) in the case of an employee in a grade listed in Part A or B of the Second Schedule, three calendar months;

(b) in the case of any employee in a grade listed in Part C, D or E of the Second Schedule, one calendar month or such longer period as the Authority may determine at the time of such employee's appointment:

Provided that-

(i) the Authority may permit an employee to resign without giving notice or upon giving such shorter notice as the Authority may determine;

(ii) any period spent on annual leave shall not form part of the last month of the period of notice; and

(iii) an employee shall surrender one month's salary in lieu of notice.

10. (1) The Authority may at any time terminate the service of an employee by giving him— Termination

(a) such period of notice in writing as is equivalent to the period of notice which that employee is required to give in accordance with sub-by-law (2) of by-law 9; or

(b) one month's salary in lieu of notice.

(2) The Authority may take any action as described in sub-by-law (10) of by-law 13 against any employee whom the Authority has found guilty of misconduct after considering-

(a) a report by his Head of Department on the conduct of the employee; and

(b) any written representation made by such employee in relation to the alleged misconduct:

Provided that no action against the Chief Executive, Chief Engineer or Corporate Secretary/Chief Accountant in terms of sub-by-law (10) of by-law 13 may be taken without the permission of the Board.

11. (1) An employee shall be guilty of misconduct for any of the acts specified in the First Schedule. Misconduct

(2) An employee who is convicted and sentenced as specified in paragraph 40 of the First Schedule shall be deemed to have forfeited his post and his employment shall ipso facto be terminated by the Authority with effect from the date he was so sentenced and without recourse to the disciplinary machinery and procedures provided for in these By-laws.

(3) The code of conduct, disciplinary and grievances procedures shall be laid down in rules as determined by the Authority and such rules shall be made available to the employees of the Authority.
(4) An employee shall, on receipt of any rules specified under sub-by-law (3), sign such rules as acknowledgement of receipt of the rules.

12. If an employee or his spouse-

(a) acquires or holds direct or indirect pecuniary interest in any contract or knowingly acquires or holds any direct or indirect pecuniary interest in any firm or company applying or negotiating for a contract with the Authority;

(b) owns any immovable property in, or has direct or indirect pecuniary interest in, any firm or company and such ownership or interest results in the private interest of the employee coming into or likely to come into conflict with his official duties; or

(c) has otherwise, in his private capacity, any other direct or indirect pecuniary interest in any business of the Authority;

the employee shall forthwith report the fact to the Authority and shall thereafter comply with such direction in connection therewith as the Authority may, from time to time, give him.

(As amended by S.I. No. 90 of 1997) Conflict of interest

13. (1) An employee suspected of misconduct or against whom criminal proceedings have been instituted may be prohibited by the Head of Department from carrying out the duties of his post, and the prohibition shall remain in force until cancelled by the Head of Department or otherwise under these By-Laws. Prohibition and suspension

(2) Where a Head of Department prohibits an employee from carrying out the duties of his post under sub-by-law (1) the Head of Department shall immediately thereafter refer the matter to the Chief Executive of the Authority.

(3) On receipt of a matter referred to him under sub-by-law (2) the Chief Executive of the Authority may order the suspension of such employee.

(4) When the Chief Executive orders the suspension of an employee who has been prohibited from carrying out the duties of his post the prohibition by the Head of Department under sub-by-law (1) shall be deemed to be cancelled with effect from the date of the Chief Executive's order.

(5) An employee prohibited from carrying out his duties under sub-by-law (1) shall be entitled to the full amount of his salary for the period of the prohibition.

(6) Notwithstanding sub-by-laws (1), (2) and (3), the Chief Executive may on his own motion, where an employee is suspected of misconduct or against whom criminal proceedings have been instituted-

(a) prohibit that employee from carrying out the duties of his post; or

(b) order the suspension of that employee.

(7) An employee in respect of whom an order of suspension has been made under sub-by-law (3) or (6) shall be entitled to half his salary for the period of such suspension.
(8) If after an investigation relating to any alleged act of misconduct, the Chief Executive decides that no misconduct is disclosed or the matter is trivial then any prohibition or suspension made under this by-law shall be cancelled with effect from the date of the Chief Executive's decision and the employee shall, in the case of a suspension, thereupon be entitled to be paid the full amount of his salary for the period of the suspension less the amount paid to him under sub-by-law (7).

(9) If an employee against whom a prohibition or order of suspension has been made under this by-law on the ground that criminal proceedings were instituted against him and-

(a) he is acquitted of the crime; or

(b) he is not brought to trial;

the prohibition or order of suspension shall remain in force pending the conclusion of any proceedings that may have been taken against him on a charge of misconduct and if no proceedings are initiated by the Chief Executive against the employee, then the Chief Executive shall cancel the prohibition or order of suspension and in the case of a suspension, the employee shall thereupon be entitled to be paid the full amount of his salary for the period of suspension less the amount paid to him under sub-by-law (7).

(10) If an employee who is charged with misconduct is found guilty by the Chief Executive, the Chief Executive may cancel any prohibition or order of suspension in force under this by-law in relation to the employee and-

(a) issue a written warning;

(b) issue a final written warning;

(c) issue a final written warning plus 5 days suspension without pay;

(d) reprimand him and-

(i) transfer him to another post or grade, the salary of which is less than that received by him at the date he is found guilty of misconduct; and

(ii) order a reduction in any allowance to which he may be entitled;

(e) call upon the employee to resign with effect from a specified date, failing which he shall be deemed to be dismissed as from that date; or

(f) dismiss the employee.

(11) The Chief Executive may delegate any of his powers under this by-law to any authorised employee of the Authority.

14. (1) Subject to this by-law an additional one month's basic salary shall be payable annually to an employee and shall be included with the salary paid in December each year. Additional one month's salary

(2) Subject to this by-law where an employee enters the service of the Authority during the calendar year he shall be entitled to a proportion of the additional one month's basic salary based on the number of completed calendar
months' service in that calendar year.

(3) No payment or proportionate payment of the additional month's basic salary shall be paid to an employee who resigns or is dismissed from the service of the Authority during the course of a calendar year.

(4) The additional one month's basic salary shall not apply for the purpose of calculating overtime or shift allowance.

(5) For the purpose of the Central African Power Corporation Pension and Life Assurance Fund and the Zambezi River Authority Pension and Life Assurance Scheme, pension contributions shall be deducted from the additional one month's basic salary.

15. (1) A salary advance may be granted to an employee at the discretion of Management. Salary advances

(2) A salary advance shall be interest free and up to a maximum of one month's salary which shall be repayable over a maximum period of three months:

Provided that a salary advance shall only be granted where a previous advance has been fully repaid.

(3) Where an employee proceeds on leave and his leave period extends over one or more pay days, he may elect to receive a salary advance equivalent to his estimated net pay for the duration of the leave period.

16. Where the Authority does not provide accommodation to an employee or where an employee elects not to occupy accommodation provided by the Authority, the Authority shall pay the employee a housing allowance of an amount to be determined by the Authority. Housing allowance

17. An employee referred to in Part E of the Second Schedule who works a standard 42.5 hours per week shall be entitled to claim overtime pay for hours worked in excess of the normal hours for each day calculated at the following rates:

(a) overtime worked from Monday to Saturday shall be paid at one and half times the normal rate:

Provided that the minimum amount of overtime worked shall exceed 30 minutes per each period;

(b) where an employee is required to work on a Sunday or a public holiday he shall be paid overtime at double the normal rate for the hours worked:

Provided that the monthly basic salary shall not include any allowance or the 13th cheque. Overtime

18. The Authority shall pay a critical area allowance, as determined by the Authority, to professionally and technically qualified employees as designated by the Authority. Critical area allowance

19. Every employee who spends at least 25 per cent of the normal working hours in a month in a designated danger zone shall be entitled to a danger allowance as determined by the Authority. Danger allowance
20. (1) An employee required to perform temporarily a job in a higher grade shall receive an acting allowance which shall be equivalent to the difference between his substantive salary and entry point of the grade he is acting in, or a minimum allowance of at least 5 per cent of the basic salary, whichever is the higher:

Acting and responsibility allowance

Provided such allowance shall only be paid for acting periods of 30 days or more but not exceeding 6 months.

(2) Where an employee is not confirmed or does not revert to a substantive grade a responsibility allowance equal to 2 incremental notches of his substantive grade or the next higher grade, whichever the higher, shall be paid.

(As amended by S.I. No. 90 of 1997)

21. A special skill allowance, as determined by the Authority, shall be paid to any employee who acquires additional skills outside his normal scope of work and who utilises his skills to the benefit of the Authority.

(As amended by S.I. No. 90 of 1997)

Special skill allowance

22. (1) A standby allowance of 1 per cent of the monthly basic pay shall be paid to an employee for each day he is on standby:

Standby allowance

Provided that an employee on standby who is actually called out shall, in addition to the standby allowance, be paid an overtime allowance in accordance with by-law 17.

(2) For purposes of this by-law, a day on standby shall mean the time from the end of one shift to the beginning of the next shift on the next day, when working normally, and for 24 hours of the day on an off-day or a public holiday.

23. A location allowance, as determined by the Authority, shall be paid to employees at designated locations.

Location allowance

24. An out of pocket allowance per day, as determined by the Authority shall be paid to all management representatives and other employees attending the Inter-Governmental Committee of Officials, Board or Council of Ministers, meetings.

Out of pocket allowance

25. (1) The Authority shall pay a long service allowance, as determined by the Authority, to any employee listed in Part E of the Second Schedule who shall have completed at least 10 years service with the Authority.

Long service allowance

(2) When an employee retires the long service allowance paid under sub-by-law (1) shall be added to the employee's basic pay for the purpose of calculating the employee's pension.

26. (1) An employee of the Authority who is an artisan by trade shall provide his own tools to enable him perform his duties.

Tool allowance

(2) The Authority shall pay to an artisan a tool allowance in accordance with the statutory provisions of a Contracting State.

27. The Authority shall pay a settling-in allowance of 50 per cent of the monthly basic salary to an employee on engagement.

Settling-in allowance
28. (1) The Authority shall pay to an employee, in accordance with his grade, an education allowance as determined by the Authority. Education and school uniform allowance

(2) The Authority shall pay to an employee an annual school uniform allowance as determined by the Authority.

29. The Authority shall pay a disturbance allowance, as determined by the Authority, to an employee who is transferred from one station to another. Disturbance allowance

30. (1) The Authority shall pay to all employees an electricity and water allowance as determined by the Authority. Electricity and water allowance

(2) Any person who has retired from the service of the Authority and who is resident within Contracting States shall be entitled, during his lifetime, to refunds for electricity and water within the limits determined under sub-by-law (1).

31. (1) Subject to availability of transport, employees not eligible to personal to holder vehicles and who reside more than 2 km from the place of work shall be provided with transport to and from work provided that they assemble at designated places and at a time specified by the Authority. Transport and transport allowance

(2) Any employee not provided with transport shall be paid a transport allowance as determined by the Authority.

32. When an employee is required to travel on Authority business for a distance exceeding 30km from his normal place of work, and is permitted by the Head of Department to use his own vehicle, he shall be paid a kilometre allowance as determined by the Authority. Kilometre allowance

33. (1) An employee travelling on business within the Contracting States shall be provided with full board and lodging in a guest house of the Authority or in a hotel. Local travel

(2) The Authority shall pay an employee, in accordance with his grade, when travelling on business within the Contracting States, an out-of-pocket allowance per night, as determined by the Authority.

(3) Where an employee is not accommodated in a guest house of the Authority or in a hotel, the Authority shall pay to the employee a meal allowance and a subsistence allowance as determined by the Authority.

34. (1) An employee travelling outside the Contracting States shall be paid a business allowance to cover his expenses at rates determined by the Authority. Foreign travel

(2) Where an employee attends a residential training course or undertakes a fully sponsored trip outside the Contracting States he shall be paid 50 per cent of the business allowance referred to in sub-by-law (1).

35. (1) Employees shall be covered by medical schemes available in each Contracting State which costs shall be met by the Authority. Medical scheme
(2) Where no medical schemes are available, an employee shall be refunded, by the Authority, the cost of in-patient treatment:

Provided that claims in any one calendar year shall be limited to a maximum of one month's salary.

36. Where an employee or his registered dependant is referred for specialist treatment outside the Contracting States, the Authority may, with the approval of the Chairman of the Board, pay for the treatment and may pay such subsistence and travel allowances as may be applicable. Specialist treatment

37. An employee who retires from the service of the Authority, and his spouse, shall continue to receive medical aid benefits: Medical aid for pensioners

Provided that such employee and his spouse continue to reside within the Contracting States.

38. If an employee dies while in service, a benefit amounting to three times the employee's annual basic salary shall be paid to the employee's dependant. Group Life Assurance Scheme

39. The Authority shall operate pension schemes in the Contracting States. Pension scheme

PART III

LEAVE

40. (1) Subject to the other provisions of this Part, a Head of Department may grant leave, with pay, to an employee who has completed more than six months' service and subject to his being confirmed in service. Grant or refusal of leave

(2) All leave is granted subject to the needs of the Authority and no employee is entitled to take leave at any particular time.

41. (1) Subject to this by-law and by-law 62 an employee who commenced service with the Authority after 6th January, 1989, shall be granted for each calendar year of service, annual leave with pay at the rates specified hereunder for each part as listed in the Second Schedule. Annual leave

<table>
<thead>
<tr>
<th>Number of working days</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) Part A - 48</td>
</tr>
<tr>
<td>(b) Part B - 42</td>
</tr>
<tr>
<td>(c) Part C - 36</td>
</tr>
<tr>
<td>(d) Part D - 30</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Length of service</th>
<th>working days</th>
</tr>
</thead>
</table>
(e) Part E

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>First 5 years service</td>
<td>18</td>
</tr>
<tr>
<td>Second 5 years service</td>
<td>21</td>
</tr>
<tr>
<td>Third 5 years service</td>
<td>23</td>
</tr>
<tr>
<td>Over 15 years service</td>
<td>25</td>
</tr>
</tbody>
</table>

(2) If in any calendar year an employee does not complete a calendar year's service, the leave which may be granted to the employee in terms of sub-by-law (1) shall, for each calendar month of service, be for:

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of</td>
<td>working days</td>
</tr>
<tr>
<td>Part A</td>
<td>4</td>
</tr>
<tr>
<td>Part B</td>
<td>31/2</td>
</tr>
<tr>
<td>Part C</td>
<td>3</td>
</tr>
<tr>
<td>Part D</td>
<td>21/2</td>
</tr>
</tbody>
</table>

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of</td>
<td>working days</td>
</tr>
<tr>
<td>Part E</td>
<td></td>
</tr>
<tr>
<td>First 5 years</td>
<td>11/2</td>
</tr>
<tr>
<td>Second 5 years</td>
<td>13/4</td>
</tr>
<tr>
<td>Third 5 years</td>
<td>111/12</td>
</tr>
<tr>
<td>Over 15 years</td>
<td>21/12</td>
</tr>
</tbody>
</table>

42. (1) Subject to this Part, no employee may be granted leave for a continuous period longer than that specified hereunder for each Part as listed in the Second Schedule:

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Maximum continuous</td>
<td>period of annual leave</td>
</tr>
<tr>
<td>Part A</td>
<td>140 days</td>
</tr>
<tr>
<td>Part B</td>
<td>120 days</td>
</tr>
<tr>
<td>Part C</td>
<td>105 days</td>
</tr>
<tr>
<td>Part D</td>
<td>90 days</td>
</tr>
<tr>
<td>Part E All grades</td>
<td>60 days</td>
</tr>
</tbody>
</table>

(2) Subject to this Part no employee may accumulate leave days in excess of the days specified hereunder for each Part as listed in the Second Schedule:
Maximum accumulation (days)

(a) Part A - 140
(b) Part B - 120
(c) Part C - 105
(d) Part D - 90
(e) Part E All grades - 60

(3) Where an employee applies for leave and his application is not approved because of the needs of the Authority, he shall be entitled to accumulate leave above the amount of days specified in sub-by-law (2) and he shall be entitled to commute for cash at the end of each leave any accumulation beyond the maximum accumulation:

Provided that any leave which has been commuted for cash shall not be converted back into leave at a later date.

(4) Where any employee has been granted only part of the total leave which he has earned, he may be granted the balance later together with any further leave which he may then have earned:

Provided that an employee does not at any one time take more than the maximum amount of leave specified in sub-by-law (1).

(5) An employee may have his leave commuted for cash at the discretion of the Authority upon proceeding on leave for at least 12 working days calculated at the rate of pay received by him on his last day of duty:

Provided that commutation shall only be allowed once in a period of 12 months.

(6) An employee who is on leave shall continue to accrue leave days as if he was at work.

(7) Where an employee has been served with notice of termination of employment, he may only proceed on leave upon written permission of the Chief Executive.

(As amended by S.I. No. 90 of 1997)

43. (1) Sick leave may be granted to an employee—Circumstances in which sick leave may be granted:

(a) who is ill or injured, if his illness or injury is not caused by own negligence or misconduct;

(b) who has undergone dental treatment;

(c) who is on leave, if he is confined to his house or to hospital or some similar institution for a period of not less than fourteen days, but only for the period during which he is so confined.

(2) Subject to the provision of sub-by-laws (3) and (4) an employee may be
granted sick leave with pay or sick leave with half-pay or sick leave without pay.

(3) No employee may be granted leave, during the period of two years ending on the last day of the sick leave he applies for, more than a total of 184 days paid sick leave.

(4) An employee in part E of the Second Schedule shall be entitled to sick leave of 26 working days on full pay and a further 26 working days on half pay per annum and thereafter sick leave without pay may be granted.

44. (1) Sick leave for a period not exceeding three days may be granted to an employee by a Head of Department without the production of a medical certificate: Grant of sick leave

Provided that a sick leave application form for approval by the Head of Department shall be submitted by the employee within forty-eight hours of his return to work.

(2) Sick leave:

(a) of more than three days and not exceeding a continuous period of ninety days; or

(b) which, together with sick leave previously granted to an employee in the period of twelve months ending on the last day of the sick leave applied for, does not exceed a total of ninety days;

may be granted by a Head of Department to an employee on production of a certificate of a registered medical practitioner or a registered dental surgeon or if the Head of Department or Chief Executive of the Authority so requires, of a certificate of the medical practitioner appointed by the Authority, stating that–

(i) the employee is unfit to discharge his duties; and

(ii) the period of leave applied for is necessary for the recovery of the employee's health.

(3) Notwithstanding the provisions of sub-by-law (2) but subject to sub-by-law (3) of by-law 43 a Head of Department may grant to an employee sick leave for any period recommended by a medical practitioner appointed by the Authority which is in excess of the period specified in sub-by-law (2) where the medical practitioner certifies, in writing, that the employee is likely to be able to resume duty after such further period of sick leave.

45. Notwithstanding receipt of a written opinion by the medical practitioner appointed by the Authority under sub-by-law (2) of by-law 44 to the effect that it is probable that an employee who is already on sick leave will not be able to resume duty at the end of any period of sick leave and should be discharged on grounds of ill health the Authority may, subject to the provisions of sub-by-law (3) of by-law 43, grant a further period of sick leave pending a decision on the findings of a majority of three medical practitioners of whom two shall be nominated by the Authority and one by the employee. Further sick leave pending decision of medical practitioners

46. An employee who has exhausted his paid sick leave entitlement under
sub-by-law (3) of by-law 43 may, if he wishes, apply for and be granted such annual leave, with pay, as he may have earned in lieu of unpaid sick leave. Grant of annual leave in lieu of sick leave

47. (1) If an employee is absent from duty because of illness or injury for a period which is likely to exceed fourteen days or for a period the exact duration of which cannot be determined he shall within fourteen days from the first day of his absence forward or cause to be forwarded to the Secretary of the Authority a duly completed certificate of absence in the form prescribed by the Authority. Reporting of absence from duty

(2) A Head of Department shall arrange for the completion and the forwarding of the certificate referred to in sub-by-law (1) if, owing to the serious nature of the employee's illness and the absence of any member of his family, the employee has been unable to comply with the provisions of that sub-by-law.

(3) Where an employee is absent from duty for a period of three days the Head of Department shall report immediately such absence to the Secretary of the Authority.

48. An employee shall submit himself for medical examination by a medical practitioner appointed by the Authority when so required by the Authority. Employee to submit to medical examination when required by the Authority.

49. (1) Subject to this by-law an employee who is not eligible for leave or is eligible for leave but considers that the leave due to him is insufficient, and who wishes to be absent from duty for urgent personal reasons may apply to his Head of Department for leave for urgent personal reasons giving full details of the circumstances involved. Leave for urgent personal reasons

(2) A Head of Department, with the approval of the Chief Executive may-

(a) grant paid leave for urgent personal reasons for a period not exceeding ninety days;

(b) where he considers it necessary to grant further leave for urgent personal reasons which is in excess of that granted under paragraph (a), grant such further period of unpaid leave as he considers adequate for the purpose.

(3) An employee shall be granted leave for urgent personal reasons if such leave is taken in conjunction with any annual leave that may be available to him.

(4) Leave for urgent personal reasons with pay granted to an employee under this by-law shall be deducted from annual leave accumulated by that employee after his return to duty and if he retires or resigns from, or is discharged by, the Authority before accumulating a period of annual leave equivalent to a period of leave so granted the pay paid to him in respect of that period of leave for urgent personal reasons shall be a debt due by him to the Authority.

(As amended by S.I. No. 90 of 1997)

50. (1) Special leave may be granted by a Head of Department to an employee—Special leave

(a) for the purpose of sitting an examination necessary for his advancement
in the service of the Authority:

Provided that a Head of Department shall not, except at the direction of the Authority, grant special leave to an employee sitting an examination outside the Contracting States;

(b) who, in circumstances approved by the Authority on the recommendation of a medical practitioner is absent from duty because of contact with a person having an infectious disease.

(2) Special leave not exceeding ninety days in duration may be granted to a female employee who is pregnant, commencing not more than forty-five days before the expected date of her baby and such leave may be granted only once in any one period of 24 months.

(3) Special leave granted to an employee in accordance with sub-by-law (1) and (2) will be granted with pay.

51. (1) Study leave may be granted at management's discretion to employees for study purposes in accordance with the Authority's rules. Study leave

(2) Study leave shall not be granted outside the Contracting States for employees who have not completed their probation.

52. (1) In addition to the benefit stipulated in by-law 39, on the death of an employee who has served for not less than one year there shall be paid to his surviving spouse or in the absence of a surviving spouse, to his dependents, as the Authority may decide, the cash equivalent to annual leave, if any, earned by him calculated at the rate of pay received by him at the date of his death. Benefit payable on death

(2) If an employee dies before receiving an additional one month's basic salary in terms of by-law 14, the surviving spouse of that employee, or in the absence of the surviving spouse, his dependents, shall be paid a proportion of one month's basic salary based on the number of completed calendar months' service of the employee in the calendar year in which he dies.

(3) On the death of the employee, the employee's spouse or dependant or biological or legal parent of the employee or his spouse, the Authority shall provide a coffin, transport and a funeral grant as determined by the Authority.

53. (1) Subject to sub-by-law (2) an employee who has served for not less than six months and who is to be discharged on grounds of ill health may be granted, at his option, either - Benefit on discharge for ill health

(a) such annual leave as he may have earned; or

(b) the cash equivalent of such annual leave as he may have earned, calculated at the rate of pay received by him on his last day on duty.

(2) An employee who elects to go on leave in accordance with paragraph (a) of sub-by-law (1) but who will reach retirement age before the expiry of such annual leave shall be granted-

(a) a period of annual leave which is necessary to enable him to attain his retirement age; and
(b) the cash equivalent of the balance of any annual leave as he may have earned.

(As amended by S.I. No. 90 of 1997)

54. Subject to by-law 42 an employee who, having completed twelve months service and having complied with any provisions applicable to him with regard to the giving of notice of retirement, retires from the service shall be granted the cash equivalent of such annual leave as may have been earned by him calculated at the rate of pay received by him on his last day of duty. Leave benefits on retirement

55. Subject to by-law 42 an employee who, having completed twelve months' service and having complied with any provisions applicable to him with regard to the giving of notice on resignation, resigns from the service shall be granted the cash equivalent of such annual leave as may have been earned by him calculated at the rate of pay received by him on his last day of duty. Leave benefits on resignation

56. An employee who-

(a) is dismissed on grounds of misconduct;

(b) resigns or is called upon to resign in order to avoid dismissal on grounds of misconduct; or

(c) is dismissed because he fails to perform his work in an efficient and competent manner;

shall be granted annual leave or the cash equivalent of annual leave accrued on leaving the service calculated at the rate of pay received by him on his last day of duty.

(As amended by S.I. No. 90 of 1997) Leave benefits on termination

57. An application for annual leave, leave for urgent personal reasons, sick leave or special leave shall be made in the form prescribed by the Authority.

(As amended by S.I. No. 90 of 1997) Application for leave to be in form prescribed

58. A Head of Department shall ensure, by monthly return, that the Secretary is advised of the grant of leave to an employee. Secretary to be advised of the grant of leave

59. A Head of Department shall report, without delay, to the Secretary, the failure by an employee to resume duty on the expiry of his leave. Secretary to be informed of failure to resume duty after leave

60. (1) An employee to whom annual leave has been granted shall not return to duty before the expiry of that leave except with the consent of his Head of Department. Resumption of duty before expiry of leave

(2) If any employee to whom annual leave has been granted returns to duty before the expiry of that leave in accordance with sub-by-law (1) he shall be credited with the balance of the annual leave days originally granted but not utilised.
PART IV

EMPLOYEES RETAINED FROM CENTRAL AFRICAN POWER CORPORATION

61. Notwithstanding the revocation of the Central African Power Corporation Conditions of Service Rules, any matter relating to the service of an employee with the Central African Power Corporation and with the Authority before 1989, shall be determined in accordance with the Central African Power Corporation Conditions of Service Rules and any other relevant rules then in force.

Former conditions of service

62. (1) Irrespective of the classification in the Second Schedule an employee of the Central African Power Corporation retained by the Authority after the 1st October, 1987, and earning leave at the rate specified in the first column, shall earn leave at the rate specified in the by-law as listed in the second column hereunder:

<table>
<thead>
<tr>
<th>First Column</th>
<th>Second Column</th>
</tr>
</thead>
<tbody>
<tr>
<td>Previous rate with Authority</td>
<td>New rate with Corporation</td>
</tr>
</tbody>
</table>

(i) Part A, B, C and D Employees

- 40 working days per annum by-law 41 (1) (a)
- 35 working days per annum by-law 41 (1) (b)
- 30 working days per annum by-law 41 (1) (c)
- 25 working days per annum by-law 41 (1) (d)

(ii) Part E Employees

- 18 working days per annum by-law 41 (1) (e)
- 21 working days per annum by-law 41 (1) (e)
- 23 working days per annum by-law 41 (1) (e)
- 25 working days per annum by-law 41 (1) (e)

(2) Accrued leave carried forward at the date specified in sub-law (1) shall be converted on the following basis:

(a) annual leave due to former Category "A" and "C" employees multiplied by five and divided by six;

(b) vacation leave due to former Category "B" employees multiplied by five and divided by seven;

(c) occasional leave due to former Category "B" employees at full value and converted to annual leave.
(3) There shall be no loss of accrued leave if after conversion at the rates set out in sub-by-law (2) the total exceeds the maximum stated in sub-by-law (2) of by-law 42.

(4) In the case of former Category "B" employees the maximum number of leave days stated in by-laws 54 and 55 shall be 200 working days.

63. The Zambezi River Authority Terms and Conditions of Service By-Laws, 1989 are hereby revoked. Revocation of S.I. No. 1 of 1989

FIRST SCHEDULE

(By-law 11)

ACTS OF MISCONDUCT

(1) Absents himself from duty on a working day without permission or valid excuse.

(2) Absents himself from place of work during the normal hours of work without permission or valid excuse.

(3) Performs his work carelessly, negligently, inefficiently or incompetently.

(4) Displays laziness in the performance of his duties.

(5) Neglects his duties.

(6) Is found sleeping or loafing during normal working hours.

(7) Reports late for work without permission or valid excuse.

(8) Leaves the place of work or stops work before the normal stopping time without permission or valid excuse.

(9) Extends his tea or lunch break without permission or valid excuse.

(10) Refuses to perform any work or duty lawfully assigned by an immediate superior or other senior Authority official.

(11) Disobeys lawful instructions by an immediate superior, or other senior Authority official.

(12) Wilfully fails, neglects or refuses to comply with any of the Authority's regulations, laid down policies or procedures, written standing instructions or rules.

(13) Refuses, without valid reason, to give evidence during any investigation, inquiry or hearing relating to the operations of the Authority.

(14) Engages in a fight at the place of work.

(15) Assaults or threatens violence against any employee or person at the place of work.

(16) Uses abusive, insulting or obscene language against any employee or person at the place of work.
(17) Is rude, discourteous, impolite or disrespectful to any employee or person at the place of work.

(18) Hinders or obstructs any other employee from performing his duties.

(19) Engages in any action or fails to take any action which results in abuse of office or position.

(20) Conducts himself or behaves in a manner which brings or is likely to bring the name of the Authority into disrepute or which will or is likely to tarnish the image of the Authority.

(21) Wilfully fails to observe and abide by any of the terms or conditions of the contract of employment with the Authority.

(22) Engages in any occupation or undertakes any work outside the scope of normal duties which conflicts or is likely to conflict with the interest of the Authority without the permission of the Chief Executive or the Board of Directors.

(23) Discloses classified or confidential information relating to the affairs of the Authority to an unauthorised person.

(24) Unlawfully gains access to classified or confidential information or unlawfully obtains information and discloses it to unauthorised persons.

(25) Discloses personal details of, or gives the personal file of, any other employee, to an unauthorised person.

(26) Issues, without permission or authority, press statements or information concerning the affairs of the Authority.

(27) Wilfully or negligently causes damage to property belonging to the Authority or to property which is in the possession of the Authority.

(28) Wilfully or negligently losses or causes the loss of property or fails to take reasonable care of property belonging to the Authority or to property which is in the possession of the Authority.

(29) Misuses or disposes or makes unauthorised use of property belonging to the Authority or to property which is in the possession of the Authority.

(30) Permits or causes an unauthorised person to make use of property belonging to the Authority or to property which is in the possession of the Authority.

(31) Takes and converts or attempts to take and convert to one's private or use property or monies belonging to the Authority or property which is in the possession of the Authority.

(32) Fails to account for property or monies belonging to the Authority or property which is in the possession of the Authority.

(33) Drinks intoxicating liquor or takes habit forming drugs other than those prescribed by a registered medical practitioner at the place of work during the normal hours of work.
(34) Is under the influence of intoxicating liquor or habit forming drugs other than those prescribed by a registered medical practitioner at the place of work during normal hours of work.

(35) Engages in habitual consumption of intoxicating liquor or habit forming drugs to such an extent as to be incapable of performing duties efficiently or properly.

(36) Makes any false claim or return.

(37) Gives false or misleading information on one's educational and professional qualifications, work experience or other personal details before, on or after appointment to a grade within the service of the Authority.

(38) Falsifies any official document or record of the authority or records or causes to be recorded therein false or misleading information.

(39) Willfully gives false or misleading information at a hearing relating to the affairs of the Authority.

(40) Is convicted of any criminal offence and is sentenced to a term of imprisonment without the option of a fine.

(41) Practices or attempt to practice nepotism or favouritism in making or recommending the appointment or promotion of any person to a grade within the Authority.

(42) Solicits, accepts or receives any bribe, commission, reward or favour, other than ordinary gifts from personal friends, in connection with the discharge of his duties, from any person with whom the employee conducts or is likely to conduct business of the Authority.

(43) Sexually harasses any employee at the place of work.

(44) Participates or incites any other employee to participate in any unlawful industrial action.

(45) Becomes bankrupt or insolvent.

(46) Fails without reasonable excuse to place his time at the disposal of the Authority after normal hours of work when so required.

(47) Conducts himself in a manner or is addicted to any habits unbecoming or inconsistent with the discharge of his official duties or likely to bring the Authority into disrepute.

(48) Except with the consent of the Authority and in accordance with such directions as may be given to him, from time to time, accepts valuable presents from persons with whom he is likely to come into contact with in the discharge of his duties.

(49) Is a person to whom by-law 12 applies, fails to carry out the obligations imposed on him by that by-law.

SECOND SCHEDULE

(By-laws 2 and 41)
<table>
<thead>
<tr>
<th>Grade</th>
<th>Job Title</th>
<th>Leave Days</th>
</tr>
</thead>
<tbody>
<tr>
<td>PART A</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.</td>
<td>Chief Executive</td>
<td>48</td>
</tr>
<tr>
<td>2.</td>
<td>Corporate Secretary</td>
<td>48</td>
</tr>
<tr>
<td></td>
<td>Chief Accountant</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Chief Engineer</td>
<td></td>
</tr>
<tr>
<td>PART B</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td>Senior Engineer</td>
<td>42</td>
</tr>
<tr>
<td></td>
<td>Accountant</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Internal Auditor</td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td>Assistant Secretary (Administration)</td>
<td>42</td>
</tr>
<tr>
<td></td>
<td>Assistant Secretary (Legal)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Resources and Water Right Engineer</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Hydrologist</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Computer Engineer</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Section Civil Engineer</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Dam Safety Monitoring Engineer</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Section Engineer-Construction</td>
<td></td>
</tr>
<tr>
<td>PART C</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5.</td>
<td>Junior Engineer-Water Rights</td>
<td>36</td>
</tr>
<tr>
<td></td>
<td>Junior Engineer-Pollution and Environment</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Junior Engineer-Kariba</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Assistant Accountant</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Dam Safety Monitoring Officer</td>
<td></td>
</tr>
<tr>
<td>6.</td>
<td>Hydro Technician</td>
<td>36</td>
</tr>
<tr>
<td></td>
<td>Maintenance Supervisor</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Superintendent Construction</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Site Technician</td>
<td></td>
</tr>
</tbody>
</table>
Chief Draughtsperson
Telemetry Technician
Field Technician
Personnel Officer
Administrative Officer
Private Secretary

PART D

7. Programming Officer 30
Draughtsperson
Senior Survey Assistant
Technical Assistant
Foreman Electrical
Foreman Mechanical
Supplies Officer
Administrative Assistant
Accounting Officer
Stores Controller

8. Foreman Plumbing 30
Motor Mechanic
Foreman Dam Wall
Foreman Maintenance
Personal Secretary

9. House Keeper 30
Accounts Assistant
Assistant Supplies Officer
Accounting Data Operator
Stenographer

10. Accounts Clerk/Cashier 30
Survey Assistant
Registry Supervisor
Stores Assistant

11. Typist 30

Registry Clerk
Supplies Clerk
Typist/Receptionist

PART E

Grade Job Title Leave Days

11. Assistant Mechanic 18, 21, 23 or 25 depending on the length of service

10. Plant Operator
   Journeyman's Assistant
   Houseboat Captain

9. Carpenter
   Plumber
   Bus Driver
   Metal Worker
   Vehicle Maintenance Assistant

8. Bricklayer
   Driver (Class II)
   Survey Attendant
   Gang-In-Charge
   Painter

7. Driver (Class IV)
   Clerk
   Technical Attendant
   Housing Attendant
   Guest House Cook
Stores Assistant (Junior)

6. Insecticide Sprayer
   Workshop Attendant

5. Anti-Corrosive Painter
   Assistant Cook
   Compressor Operator
   Mixer Operator
   Crusher Operator

4. Roller Operator
   Fencer
   Sub-Stores Clerk
   Messenger
   Domestic Worker
   Stone Pitcher

3. Guest House Attendant
   Guage Reader
   Drawing Office Assistant
   Journeyman's Attendant
   Houseboat Attendant

2. Survey Hand
   Office Orderly
   Senior General Worker
   Gardener

1. Junior General Worker

(As amended by S.I. No. 90 of 1997)

REPUBLIC OF ZAMBIA
THE MERCHANT SHIPPING
(TEMPORARY PROVISIONS) ACT
CHAPTER 468 OF THE LAWS OF ZAMBIA
CHAPTER 468 THE MERCHANT SHIPPING (TEMPORARY PROVISIONS) ACT

ARRANGEMENT OF SECTIONS

PART I

PRELIMINARY

Section

1. Short title
2. Interpretation
3. Application of Merchant Shipping Acts, 1894 to 1965

PART II

REGISTRATION

4. Application of Part I of Merchant Shipping Act, 1894
5. Zambian ship
6. Registration of Zambian ship
7. Registrar of Shipping
8. Restriction of powers of mortgagee
9. Zambian flag
10. Provisional registration of Zambian ship
11. Registration of mortgages executed overseas
12. Execution of instruments

PART III

MASTERS AND SEAMEN

13. Application of Part II of Merchant Shipping Act, 1894, etc.
14. Certificates of competency
15. Reference to certain Commissioners not to apply
16. Seaman's book
17. Foreign medical reports on certain seamen
18. Extended application of agreements with crew

PART IV
SAFETY OF SHIPPING

Section

19. Application of Part V of Merchant Shipping Act, 1894, etc.
20. Application of collision regulations and rules
21. Application of load line rules
22. Application of rules relating to construction, etc.
23. Application of tonnage regulations and load line rules
24. Adherence to international conventions
25. Power to issue certificates of compliance with Safety Conventions

PART V

SHIPPING INQUIRIES AND COURTS

26. Application of Part VI of Merchant Shipping Act, 1894
27. Rules as to investigations and inquiries
28. Rules for procedure of court of survey, etc.
29. Power for Minister to order an inquiry upon request

PART VI

LIABILITY OF SHIPOWNERS

30. Application of Part VIII of Merchant Shipping Act, 1894, etc.

PART VII

LEGAL PROCEEDINGS

31. Application of Part XIII of Merchant Shipping Act, 1894

PART VIII

MISCELLANEOUS

32. Application of Part XIV of Merchant Shipping Act, 1894, etc.
33. Power to appoint, etc., ship surveyors
34. Power for Minister to exempt persons or things
35. Delegation of power
36. Power exercisable by Order in Council may be exercised by order
37. Prescribed fees

SCHEDULE—Application of Merchant Shipping Acts, 1894 to 1965

CHAPTER 468

MERCHANT SHIPPING
(TEMPORARY PROVISIONS) 13 of 1969

An Act to make temporary provision for the application in Zambia of certain Acts of the Parliament of the United Kingdom relating to merchant shipping.

[13th May, 1969]

PART I

PRELIMINARY

1. This Act may be cited as the Merchant Shipping (Temporary Provisions) Act. Short title

2. (1) In this Act and in the application of the Code by this Act, unless the context otherwise requires—

"the Code" means the Merchant Shipping Acts, 1894 to 1965, of the United Kingdom, and these Acts to the extent of their application by this Act to Zambia shall be construed as one Act;

"person qualified", in relation to the ownership of a Zambian ship, includes any person wholly owning a ship declared to be a Zambian ship under section five;

"principal Act" means the Merchant Shipping Act, 1894, of the United Kingdom, and any amendments as part of the Code applied by this Act;

"Registrar of Shipping" has the meaning assigned thereto in section seven;

"related Acts" means any part of the Code as applied by this Act, but does not include the principal Act;

"Representative of Zambia" means any person having diplomatic or consular status and acting in that behalf for Zambia;

"ship" includes vessel. Interpretation

(2) The interpretation provisions of the Code shall, to the extent necessary to give effect to this Act and where not inconsistent with the laws of Zambia, apply to this Act.

(3) References in the Code to British ships shall be read as references to Zambian ships.

(4) References in the Code to British subjects and to the British Islands, the United Kingdom or England shall be read as references to citizens of Zambia and to Zambia unless in either case the context otherwise requires.

(5) References in the Code to the Summary Jurisdiction Acts and procedure shall be read as references to summary jurisdiction proceedings in Zambia.
(6) References in the Code to the Secretary of State or to the Minister of Transport and Civil Aviation (as replacing the Board of Trade) or to the Commissioners of Customs shall be read as references to the Minister under this Act.

(7) References in the Code to the Mercantile Marine Fund shall be read as references to the general revenues of the Republic.

(8) References in the Code to Local Marine Boards or to the superintendent of mercantile marine offices or to the superintendent shall be read as references to the Registrar of Shipping.

(9) References in the Code to the Registrar-General of Shipping and Seamen shall, where the context so requires, be read as references to the Registrar of Shipping under this Act, or to any other person appointed for purposes other than the registration of ships.

(10) References in the Code to a British Consular officer shall be read as references to any person authorised to exercise consular functions on behalf of Zambia.

(11) References in the Code to the Marine Department shall be read as references to the department of Government responsible for communications.

(12) References in the Code to any court shall be read as references to the High Court.

(13) References in the Code to the Treasury shall be read as references to the Minister responsible for finance.

(14) References in the Code to the currency of the United Kingdom shall be read as references to the currency of Zambia lawfully issued prior to the 16th January, 1968.

(15) Any Act cited in the Code shall not thereby be deemed to be part of the laws of Zambia unless the context so requires or its application under the laws of Zambia so admits.

(16) Nothing in this Act shall apply in relation to the regulation of inland water transport.

3. (1) Subject to the provisions of this Act, the Merchant Shipping Acts, 1894 to 1965, of the United Kingdom (in this Act referred to as "the Code") to the extent set out in the Schedule shall mutatis mutandis apply and be part of the law of Zambia. Application of Merchant Shipping Acts, 1894 to 1965

(2) Nothing in the Interpretation Act, 1889, of the United Kingdom shall, unless the context otherwise requires, apply for interpretation of the Code in its application by this section to Zambia.

PART II

REGISTRATION

4. The application of Part I of the principal Act as part of the Code shall be read subject to the provisions of sections five to eleven of this
5. A ship shall be deemed to be a Zambian ship if-

(a) it is owned wholly by persons qualified to be owners of a Zambian ship, namely-

(i) a person who is resident in Zambia;

(ii) a body corporate incorporated under and subject to the laws of Zambia and having its principal place of business in Zambia;

(iii) the Government;

(b) the Minister, with the consent of any person wholly owning such ship, declares by statutory order that such ship shall be deemed to be a Zambian ship.

6. (1) Every Zambian ship shall, unless exempted from registry, be registered under this Act at such place in Zambia or elsewhere as the Minister may, by statutory order, designate and such place so designated shall be the port of registry of such ship for the purposes of this Act.

(2) Any ship required to be registered under this Act which is not so registered shall not be recognised as a Zambian ship.

7. References to registration under the Code shall be read as references to registration under this Part, and the Registrar of Shipping, for the purposes of this Act, shall be such public officer as the Minister shall, by Gazette notice, designate as Registrar of Shipping.

8. The power of sale conferred upon a mortgagee under the principal Act shall not be exercised without the leave of the High Court.

9. References in the Code to the British flag, and red ensign or any other flag permitted, shall be read and construed exclusively as references to the National Flag of Zambia or to any other flag authorised by the Minister, by statutory order, for use on any ship.

10. (1) Where a ship is purchased outside Zambia, the bill of sale may be deposited with a Representative of Zambia, who shall forthwith notify the Registrar of Shipping, and when deposited with the Representative of Zambia under this section the ship shall, for a period of six months, be deemed to be provisionally registered under this Part: Provisional registration of Zambian ship

Provided that registration under this section may, upon application by the owner, be extended by the Minister for one further period of six months.

(2) The fee payable for provisional registration shall be one-half the prescribed fee and, save where the Minister otherwise directs, no allowance shall be made on final registration for any fee paid under this section on provisional registration.

11. (1) Any mortgage for the purpose of this Act executed outside Zambia may be deposited with a Representative of Zambia. The Representative of Zambia shall, where he is satisfied that the mortgage appears to be in proper order and
fully executed, and on payment of the registration fee, forthwith notify the Registrar of Shipping of the deposit of the mortgage and the names of the parties with the amount secured, and the mortgage and the registration fee shall be posted to the Registrar of Shipping.

Registration of mortgages executed overseas

(2) Where the Registrar of Shipping receives notice of the deposit of a mortgage with a Representative of Zambia, the mortgage shall be deemed to be registered on that day under this Part and the Registrar of Shipping shall make an appropriate entry in his register.

(3) For the purposes of this section, "mortgage" includes a transfer of a mortgage.

12. Every instrument to be registered under this Part shall—

(a) if executed in Zambia, be attested in accordance with the laws of Zambia;

(b) if executed within the Commonwealth, be attested before a Representative of Zambia or a notary public;

(c) if executed elsewhere, be attested before a Representative of Zambia.

Execution of instruments

PART III

MASTERS AND SEAMEN

13. The application of Part II of the principal Act and related Acts as part of the Code shall be read subject to the provisions of sections fourteen to eighteen of this Act.

Application of Part II of Merchant Shipping Act, 1894, etc.

14. The Registrar of Shipping may, where he is satisfied, accept certificates of competency issued by any authority outside Zambia, and where so accepted a certificate of competency shall for all the purposes of this Act be recognised as valid in Zambia and be deemed to have been issued under this Act.

Certificates of competency

Provided that nothing in this section shall prohibit the issue in Zambia of a certificate of competency in any proper case.

15. References to the National Debt Commissioners shall have no application in Zambia.

Reference to certain Commissioners not to apply

16. (1) The Registrar of Shipping may issue a book (in this section called a seaman's book) for use under this Act in a form approved by the Minister, or may approve any seaman's book issued by any competent authority outside Zambia.

Seaman's book

(2) No person shall be engaged as a member of the crew of a Zambian ship unless he has in his possession or obtains from the Registrar of Shipping a valid seaman's book issued or approved by the Registrar of Shipping under subsection (1).

(3) The entry of the engagement and discharge of a seaman shall be attested by the Registrar of Shipping in the seaman's book.
(4) The record of every entry in a seaman's book attested by the Registrar of Shipping shall be sufficient evidence of the facts.

17. In the case of a foreign seaman, the Registrar of Shipping may accept a report from any foreign medical inspector appearing to him to be duly qualified where it relates to the fitness of that foreign seaman for duty at sea. Foreign medical reports on certain seamen

18. References in sections 113 and 115 of the principal Act to agreements with the crew shall, where the case so requires, be deemed to refer to more than one agreement in respect of any one ship. Extended application of agreements with crew

PART IV

SAFETY OF SHIPPING

19. The application of Part V of the principal Act and related Acts as part of the Code shall be read subject to the provisions of sections twenty to twenty-five of this Act. Application of Part V of Merchant Shipping Act, 1894, etc.

20. Rules made under the provisions of section 418 of the principal Act and in force at the commencement of this Act shall be deemed to have been made by the Minister under this Part. Application of collision regulations and rules

21. Rules made under the provisions of section 42 of the Merchant Shipping (Safety and Load Line Conventions) Act, 1932, of the United Kingdom, and in force on the 9th May, 1967, shall be deemed to have been made by the Minister under this Part. Application of load line rules

22. Rules made under the provisions of section 1, 2, 3, 5 or 6 of the Merchant Shipping (Safety Convention) Act, 1949, of the United Kingdom, and in force on the 9th June, 1964, shall be deemed to have been made by the Minister under this Part. Application of rules relating to construction, etc.

23. Regulations made under section 1, and rules made pursuant to section 2, of the Merchant Shipping Act, 1965, of the United Kingdom, and in force on the 9th May, 1967, shall be deemed to have been made by the Minister under this Part. Application of tonnage regulations and load line rules

24. Whenever the Government of Zambia adheres to any international convention relating to merchant shipping, the Minister may do all things necessary to give effect thereto and for such purposes the Minister may, by statutory instrument, make rules and regulations. Adherence to international conventions

25. Where a power is conferred to issue certificates under the Merchant Shipping (Safety Convention) Act, 1949, of the United Kingdom, the power may be exercised by the Minister or by any person authorised in that behalf by the Minister. Power to issue certificates of compliance with Safety Conventions

PART V

SHIPPING INQUIRIES AND COURTS

26. The application of Part VI of the principal Act as part of the Code shall be read subject to the provisions of sections twenty-seven and twenty-eight of
27. The power conferred upon the Lord Chancellor by section 479 of the principal Act may be exercised by the Minister:

Rules as to investigations and inquiries

Provided that until rules are made for Zambia under the provisions of this Act any rules made and in force on the commencement of this Act shall mutatis mutandis be deemed to have been made under this Act, and the provisions of subsection (3) of section 479 of the principal Act shall have no application to any rules so made and in force.

28. The power conferred upon the Lord Chancellor by section 489 of the principal Act may be exercised by the Chief Justice:

Rules for procedure of court of survey, etc.

Provided that until rules are made for Zambia under the provisions of this Act any rules made and in force on the commencement of this Act shall mutatis mutandis be deemed to have been made under this Act.

29. Where any government or competent authority so requests, the Minister may order an inquiry into any shipping casualty:

Power for Minister to order an inquiry upon request

PART VI

LIABILITY OF SHIPOWNERS

30. Part VIII of the principal Act as part of the Code and related Acts shall be read without modification other than this Act:

Application of Part VIII of Merchant Shipping Act, 1894, etc.

PART VII

LEGAL PROCEEDINGS

31. The application of Part XIII of the principal Act as part of the Code shall be read without modification other than this Act:

Application of Part XIII of Merchant Shipping Act, 1894

PART VIII

MISCELLANEOUS

32. The application of Part XIV of the principal Act and related Acts as part of the Code shall be read without modification other than this Act:

Application of Part XIV of Merchant Shipping Act, 1894, etc.

33. The Minister may appoint and remove surveyors of ships for any of the purposes of this Act:

Power to appoint, etc., ship surveyors

34. Where there is power to exempt any person or thing from all or any of the provisions of this Act or of the Code, as applied by this Act, the Minister may by writing under his hand exercise that power:

Power for Minister to exempt persons or things

35. The Minister in his discretion may by writing under his hand delegate all
or any of his powers under this Act or of the Code, as applied by this Act, to the Registrar of Shipping or any other person: Delegation of power

Provided that nothing in this section shall apply to the power to make any statutory instrument for the purposes of the Code, as applied by this Act.

36. (1) The President may make statutory orders under this Act for the purposes of the Code, as applied by this Act, and references to any power to be exercised by Order in Council shall, unless otherwise prescribed by this Act, be read as references to any statutory order made by the President. Power exercisable by Order in Council may be exercised by order

(2) The power conferred by this section shall be deemed to include the power to authorise a reprint of any subsidiary or subordinate legislation applied by this Act. Any reprint made under this subsection may include amendments necessary for the purposes of this Act and, when published by authority, shall for all purposes be received and acted upon as subsidiary legislation made under this Act.

37. Fees payable under any part of the Code applied by this Act shall, unless otherwise provided under this Act, be the fees payable under the Code and in force on the commencement of this Act. Prescribed fees

SCHEDULE

(Section 3 (1))

APPLICATION OF MERCHANT SHIPPING ACTS, 1894 TO 1965

<table>
<thead>
<tr>
<th>Title of Act Applied</th>
<th>Extent of Application</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Merchant Shipping Act, 1894 (57 and 58 Vict. c.60)</td>
<td></td>
</tr>
</tbody>
</table>
The Merchant Shipping Act, 1897
(60 and 61 Vict. c.59)

The Merchant Shipping (Mercantile Marine Fund) Act, 1898
(61 and 62 Vict. c.44)

The Merchant Shipping (Liability of Shipowners and Others) Act, 1900
(63 and 64 Vict. c.33)

The Shipowners' Negligence (Remedies) Act, 1905
(5 Edw. 7 c.10)

The Merchant Shipping Act, 1906
(6 Edw. 7 c.48)

The Merchant Shipping (Seamen's Allotment) Act, 1911
(1 and 2 Geo. 5 c.8)

The Maritime Conventions Act, 1911
(1 and 2 Geo. 5 c.57)
The Merchant Shipping (Certificates) Act, 1914
   (4 and 5 Geo. 5 c.42)

The Merchant Shipping Act, 1921 (11 and 12 Geo. 5 c.28)

The Fees (Increase) Act, 1923
   (13 Geo. 5 c.4)

The Merchant Shipping Acts (Amendment) Act, 1923
   (13 and 14 Geo. 5 c.40)

The Merchant Shipping (Equivalent Provisions) Act, 1925
   (15 and 16 Geo. 5 c.37)

The Merchant Shipping (International Labour Conventions) Act, 1925
   (15 and 16 Geo. 5 c.42)

The Merchant Shipping (Safety and Load Line Conventions) Act, 1932
   (22 Geo. 5 c.9)
The Merchant Shipping Act, 1937
(1 Edw. 8 and 1 Geo. 6 c.23)

The Merchant Shipping Act, 1948
(11 and 12 Geo. 6 c.44)

The Merchant Shipping (Safety Convention) Act, 1949
(12 and 13 Geo. 6 c.43)

The Merchant Shipping Act, 1950
(14 Geo. 6 c.9)

The Merchant Shipping Act, 1952
(15 and 16 Geo. 6 and 1 Eliz. 2 c.14)

The Merchant Shipping (Liability of Shipowners) Act, 1958
(6 and 7 Eliz. 2 c.62)

The Merchant Shipping Act, 1965
(13 and 14 Eliz. 2 c.47) Part I except sections 1, 2, 3, 22, 77, 78, 79, 80, 81, 84, 88, 89, 90 and 91;
Part II except sections 125, 148, 151, 152, 153, 154, 165, 181, 182, 183, 205, 214, 215, 217, 244, 245, 248, 259, 261 and 264;
Part V;
Part VI except sections 476, 478, 480, 481, 482, 483, 484, 485 and 486;

Part VIII except sections 508 and 509;

Part XII;

Part XIII except sections 685, 688, 692, 693, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711 and 712;

Part XIV except sections 727, 735, 736, 737 and 740;

All Schedules except the seventh and twenty-second.

The whole Act.

Sections 1 (1) (a), 3 and 9.

The whole Act except section 1.

The whole Act.

Sections 2, 6, 9, 13, 15, 16, 19, 25, 26, 27,
28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 69, 72, 75, 76, 78, 79, 80, 84 and 86 and the First Schedule.
The whole Act.

The whole Act except section 9 (1).

The whole Act.

The whole Act.

Sections 2 and 11.

The whole Act.

Sections 1 and 3.

Sections 1, 2, 3, 4, 5 and 7 and First Schedule.

Sections 5, 8, 9, 12, 23, 24, 27, 29, 30, 31,
Sections 1 and 3.

Sections 1, 2, 3, 4, 5, 6, 7, 8, 11 and 12.

Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 31, 33, 34, 35, 36 and 37 and the Schedules.

Sections 2, 4, 7 and 8 and the Second Schedule.

The whole Act.

The whole Act except sections 5, 10 and 11.

The whole Act except sections 3, 5 and 6.

SUBSIDIARY LEGISLATION

SECTION 6—MERCHANT SHIPPING (TEMPORARY PROVISIONS)
(PORT OF REGISTRATION) ORDER

Order by the Minister Statutory Instrument
132 of 1984

1. This Order may be cited as the Merchant Shipping (Temporary Provisions) (Port of Registration) Order.

    Title

2. The port of registration of every ship registered in Zambia shall be Lusaka.

    Designation of port of registration

REPUBLIC OF ZAMBIA

THE TELECOMMUNICATIONS ACT

CHAPTER 469 OF THE LAWS OF ZAMBIA

CHAPTER 469 THE TELECOMMUNICATIONS ACT

ARRANGEMENT OF SECTIONS

PART I

PRELIMINARY

Section

1. Short title

2. Interpretation

PART II

THE COMMUNICATIONS AUTHORITY

3. Establishment of the Authority and the Board

4. The Controller and other staff

5. Functions of the Authority

PART III

LICENCES

6. Service licence

7. Supplier's licence

8. Conditions of licences

9. Duration of licences

10. Licences not transferable
11. Unauthorised activities
12. Revocation of licences or refusal of renewal
13. Appeal

PART IV

TELECOMMUNICATIONS AND TELECOMMUNICATION SERVICES

14. Unauthorised erection, maintenance or use of telecommunication system
15. Wilful damage to or interference with telecommunications
16. Unlawful transmission of messages
17. Unauthorised disclosure of messages

PART V

MISCELLANEOUS

Section

18. Powers of inspection
19. Users Advisory Committee
20. Information to be supplied by licensees and applicants
21. Miscellaneous offences
22. Regulations
23. Amendment of Act No. 18 of 1987 and savings

FIRST SCHEDULE-The Authority and the Board
SECOND SCHEDULE-Telecommunication Officers
THIRD SCHEDULE-Savings and Transitional Provisions

CHAPTER 469

TELECOMMUNICATIONS23 of 1994
13 of 1994

An Act to regulate the provision of telecommunication services to, from and within Zambia; and to provide for matters connected with or incidental to the foregoing.

[3rd June, 1994]
1. This Act may be cited as the Telecommunications Act.

2. In this Act, unless the context otherwise requires:

"Authority" means the Communications Authority established by section three;

"Board" means the Board of Regulators of the Authority established under this Act;

"Company" means Post and Telecommunications Limited, a company registered under the Companies Act; Cap. 388

"Controller" means the Controller of Communications appointed under section four;

"Deputy Controller" means the Deputy Controller of Communications appointed under section four;

"licensee" means any person to whom a licence has been issued under this Act;

"message" means any communication sent, received or made by telecommunication or given to a telecommunication officer to be sent by telecommunication;

"operator's licence" means a licence under section six;

"supplier's licence" means a licence under section seven;

"telecommunication" means the transmission of:

(a) speech, music or other sounds;

(b) visual images;

(c) electronic or other data;

(d) signals capable of being interpreted as or converted to sounds, images or data; or

(e) signals for the actuation or control of machinery or apparatus;

by telephone, facsimile, telex, teleprinter or any other device or means (other than radiocommunication, as defined in the Radiocommunications Act, 1994, or telegraphy) whose principle utilises electrical, magnetic, electromagnetic or electrochemical energy or any combination of them;

"telecommunication apparatus" means apparatus or facilities constructed or adapted for use as part of, or for the purposes of, a telecommunication system;

"telecommunication officer" means an officer appointed under section four;

"telecommunication service" means a service, delivered by means of a telecommunication system owned or provided by the person providing the service, whereby customers using the service are able to transmit telecommunications or have telecommunications transmitted for them, and includes any service ancillary thereto, such as—
(a) the installation, maintenance, adjustment, repair, alteration, removal, relocation or replacement of telecommunication apparatus related to the relevant telecommunication system; and

(b) any directory information service;

but does not include a service prescribed by the Minister by regulation as being outside the scope of this definition;

"telecommunication system" means a network of telecommunication apparatus used or capable of being used to provide a telecommunication service.

PART II

THE COMMUNICATIONS AUTHORITY

3. (1) There is hereby established the Communications Authority, which shall be a body corporate with a common seal, capable of suing and being sued and, subject to the provisions of this Act, capable of performing all such acts as a body corporate may by law do or perform.Establishment of the Authority and the Board

(2) The powers and functions of the Authority shall be exercised and performed by a Board of Regulators appointed by the Minister.

(3) The First Schedule applies in respect of the Authority and the Board.

4. (1) There shall be a Controller of Communications appointed by the Minister on the recommendation of the Board, who shall be a public officer and the Chief Executive Officer of the Board, and shall be responsible for the implementation of resolutions of the Board.The Controller and other staff

(2) There shall be a Deputy Controller of Communications appointed by the Minister on the recommendation of the Board, who shall be a public officer whose functions shall be-

(a) to assist the Controller in the exercise and performance of his powers and functions;

(b) to exercise and perform the powers and functions of the Controller whenever the office of Controller is vacant or the Controller is absent or is for any other cause unable to act.

(3) The Controller shall, with the approval of the Board, appoint such other officers and staff as may be necessary for the exercise and performance of the functions of the Authority.

(4) The Second Schedule applies in respect of the Controller, the Deputy Controller and other telecommunication officers.

5. (1) The Authority shall supervise and promote the provision of telecommunication services throughout Zambia.Functions of the Authority

(2) Without limiting the generality of the forgoing, the Authority shall have the following functions:
(a) to take all reasonable steps to extend the provision, throughout all urban and rural areas of Zambia, of such telecommunication services as satisfy all reasonable demands for them including, in particular, emergency services, public call box services, directory information services and maritime services;

(b) to promote the interests of consumers, purchasers and other users of telecommunication services (including, in particular, those who are disabled or of pensionable age) in respect of the prices charged for, and the quality and variety of, such services and apparatus supplied for the purposes of such services;

(c) to promote and maintain competition among persons engaged in commercial activities for or in connection with the provision of telecommunication services, and promote efficiency and economy on the part of persons so engaged;

(d) to promote research into telecommunications and the development and use of new techniques in telecommunications;

(e) to encourage major investors in and users of telecommunication services carrying on business outside Zambia to invest in and use telecommunication services, and to carry on business, in Zambia;

(f) to promote the provision of international transit services (that is, services conveying sounds, visual images or signals that have been conveyed from, and are to be conveyed to, places outside Zambia) by persons providing telecommunication services in Zambia;

(g) to enable persons providing telecommunication services in Zambia to compete effectively in the provision of such services outside Zambia; and

(h) to enable persons producing telecommunication apparatus in Zambia to compete effectively in the supply of such apparatus both inside and outside Zambia.

(3) The Authority shall have and may exercise and perform such other powers and functions as may be conferred or imposed on it by or under this or any other Act.

(4) In the exercise and performance of its powers and functions, the Authority shall be subject to the control and direction of the Minister.

(5) The Board may in writing delegate any of the powers and functions of the Authority to the Controller or any telecommunication officer.

PART III

LICENCES

6. (1) Any person may apply to the Authority for a licence under this section. Service licence

(2) A licence under this section may authorise the licensee-

(a) to establish a telecommunication system of the kind or description specified in the licence and to provide a telecommunication service by means of that system; or
(b) to connect to a telecommunication system specified in the licence any telecommunication apparatus so specified, and to work that apparatus for the purposes of a telecommunication service provided by means of that system.

(3) The licence may in express terms grant to the licensee for a term of years the exclusive privilege of undertaking, subject to any limitations contained in the licence, the activities permitted to be carried on under the licence, and such terms shall have effect as though the Authority, being lawfully entitled so to do, had thereby granted such an exclusive privilege by agreement under seal.

(4) The licence shall be issued by the Authority on payment to the Authority by the applicant of such fees as may be prescribed by the Minister by regulation, if the Board is satisfied that the applicant meets the financial criteria and any other criteria so prescribed.

7. (1) Any person may apply to the Authority for a licence under this section. Supplier's licence

(2) A licence under this section authorises the licensee to supply telecommunication apparatus in accordance with the provisions of this Act and the conditions of the licence.

(3) The licence shall be issued by the Authority on payment to the Authority by the applicant of such fees as may be prescribed by the Minister by regulation.

8. (1) A licence is subject to such conditions as the Board thinks fit to specify in the licence when it is granted and to any variation thereof or addition thereto in accordance with subsection (3). Conditions of licences

(2) Without limiting the generality of subsection (1), the conditions of a licence may include conditions-

(a) requiring the payment to the Authority of a fee on grant of the licence and of annual or other periodic licence fees;

(b) making provision with respect to the fees and charges imposed for services provided under the licence;

(c) requiring the publication by the licensee of notices specifying the method of calculating or otherwise determining the charges and other terms and conditions applying to the service to be provided under the licence;

(d) requiring the licensee or any other person concerned in providing the service authorised by the licence to furnish to the Authority, in such manner and at such times as the Board may reasonably require, such documents, accounts, returns, estimates and other information as the Board may require for the purposes of exercising or performing the powers and functions of the Authority under this Act;

(e) requiring the licensee not to show undue preference to, or exercise undue discrimination against, particular persons or persons of any class or description (including persons in rural areas) as regards any aspect of the service to be provided under the licence;

(f) requiring the licensee, as regards any service provided under the licence, to provide, at no additional charge, such additional or special facilities for customers who are blind or otherwise disabled as are reasonably
appropriate to meet their needs;

(g) requiring the licensee to refer specified matters to the Authority for determination;

(h) requiring the licensee to comply with directions given by the Authority from time to time in relation to specified matters;

(i) providing for arbitration of disputes arising in connection with the terms and conditions of, or otherwise concerning, the licence; and

(j) requiring and regulating the payment of fines and penalties by the licensee for breaches of any or any specified terms and conditions of the licence.

(3) Where a licensee has on repeated occasions contravened the conditions of the licence, or has been the subject of such complaints by users of the service provided by the licensee as, in the opinion of the Board, warrant action under this section, the Authority, by notice in writing to the licensee, may vary the conditions of the licence or attach new conditions to the licence.

(4) Notwithstanding any other provision of this section, it shall be deemed to be a condition of every licence that the licensee shall abide by the provisions of this Act and any statutory instrument made under this Act.

9. A licence remains in force, subject to this Act, for the period specified in the licence and may, subject to this Act, be renewed on its expiry on payment to the Authority of such fees as the Minister may be regulation prescribe. Duration of licences

10. A licence shall not be capable of being bought, sold, leased, mortgaged or charged or in any manner assigned, demised or encumbered. Licences not transferable

11. (1) A person who, not being the holder of an operator's licence authorising him to do so—Unauthorised activities

(a) establishes or provides or offers to provide a telecommunication service; or

(b) connects any telecommunication apparatus to a telecommunication system or works any such apparatus for the purposes of a telecommunication system;

shall be guilty of an offence.

(2) A person who, not being the holder of a supplier's licence, supplies or offers to supply any telecommunication apparatus, shall be guilty of an offence.

(3) Any person guilty of an offence under this section shall be liable on conviction to a fine not exceeding twenty thousand penalty units or to imprisonment for a term not exceeding three years, or to both.

(4) Nothing in this section applies to—

(a) a telecommunication service whose only electromagnetic medium is light and the communications conveyed by which are capable of perception with the naked eye; or
(b) a telecommunication service—

(i) provided, otherwise than for fee or reward from users of the service; and

(ii) used only for domestic or work purposes within a dwelling or workplace;

by means of a telecommunication system that is not connected to any other telecommunication system.

(5) A prosecution for an offence under this section shall not be instituted or continued except with the consent of the Director of Public Prosecutions.

(As amended by Act No. 13 of 1994)

12. (1) For the purposes of this section, a licensee is in default if the licensee—Revocation of licence or refusal of renewal

(a) has on repeated occasions contravened the conditions of the licence;

(b) has at any time contravened a condition of the licence that is expressed in the licence to be a condition whose contravention may result in revocation of the licence; or

(c) has been the subject of such complaints by the public as, in the opinion of the Board, to warrant action under this section.

(2) Where a licensee is in default, the Authority may—

(a) by notice in writing to the licensee, revoke the licence; or

(b) refuse to renew the licence on its expiry.

(3) The Authority shall refuse to renew a licence if the Minister, being of the opinion that the service provided under the licence is no longer necessary in the public interest, so directs.

(4) A licence shall not be revoked, nor shall its renewal be refused, without giving the licensee a reasonable opportunity to be heard.

13. (1) Any person aggrieved by the revocation of his licence, or by the Authority's refusal to renew his licence, may appeal to the High Court within the time and in the manner prescribed by the regulations.Appeal

(2) Due lodgment of an appeal stays any revocation against which the appeal is brought, pending the outcome of the appeal, and in the case of a refusal of renewal, the licence if expired shall be deemed to have been renewed on the same terms and conditions pending that outcome.

PART IV

TELECOMMUNICATIONS AND TELECOMMUNICATION SERVICES

14. (1) Any person who—Unauthorised erection, maintenance or use of telecommunication system
(a) causes or permits the unlawful erection, maintenance, use or reconnection of any telecommunication system; or

(b) fails to comply with any notice from the Authority to dismantle or remove any such system and associated apparatus;

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding twenty thousand penalty units or to imprisonment for a term not exceeding twelve months, or to both.

(2) The court before whom any person is convicted of an offence under this section may order that the whole or part of the apparatus used for the system be forfeited to the Republic, whereupon it may be destroyed or otherwise disposed of in accordance with any directions of the court.

(As amended by Act No. 13 of 1994)

15. (1) Any person who without lawful authority—Wilful damage to or interference with telecommunications

(a) destroys, damages or removes any telecommunication apparatus;

(b) disturbs, obstructs or impedes in any way the free and proper use or working of any such apparatus or of any telecommunication system;

(c) wilfully intercepts or taps into any telecommunication not intended to be heard or received by him;

(d) affixes or attaches any line, cable, wire, conductor or other thing to any such apparatus or system; or

(e) wilfully interferes with or hinders the construction, alteration, restoration, maintenance or examination of any such system;

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding twenty thousand penalty units or to imprisonment for a term not exceeding six years, or to both:

Provided that a person shall not be guilty of an offence by virtue of a contravention of paragraph (c) to the extent that the person’s activities are authorised by or under any Act.

(2) Any person who witnesses any other person contravening or attempting to contravene this section may, without warrant, arrest that person.

(3) A person who arrests another person under subsection (2) shall forthwith notify that other person of the cause of the arrest.

(4) Any person arrested under subsection (2) shall as soon as possible be brought to a police station and shall there be detained until further dealt with according to law:

Provided that a person so arrested shall not be detained for a period longer than twenty-four hours unless a warrant for his further detention is obtained.

(5) Nothing in subsection (4) limits or affects the operation of any law providing for the release on bail of a person under detention.
16. Any person who, knowing or having reason to believe that a telecommunication service is being provided in contravention of this Act—Unlawful transmission of messages

(a) transmits or receives any message by means of that service;

(b) delivers any message for transmission by that service; or

(c) performs any service incidental thereto;

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding twenty thousand penalty units or to imprisonment for a term not exceeding twelve months, or to both.

17. (1) Any person operating or employed in connection with a telecommunication service who—Unauthorised disclosure of messages

(a) unlawfully discloses the contents or existence of any telecommunication message; or

(b) makes use for his own purposes of any knowledge he may acquire, in the course of his duties, of the contents of a telecommunication message;

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding twenty thousand penalty units or to imprisonment for a term not exceeding twelve months, or to both.

(2) For the purposes of subsection (1), disclosure is lawful only if it is compellable under any law or given for purposes of the administration of justice.

PART V

MISCELLANEOUS

18. (1) A telecommunications officer authorised in writing by the Authority, or a police officer, may require a person who he has reasonable cause to suspect is a person required under this Act to be the holder of a licence to produce his licence. Powers of inspection

(2) If authorised by warrant issued under the hand of a magistrate, a telecommunication officer or a police officer may at all reasonable times enter premises—

(a) on which any authorised operator or authorised supplier carries on business; or

(b) which are owned or occupied by a person who he has reasonable cause to suspect is using the premises for the carrying on of a business or activity for which a licence is required under this Act;
and shall have power to make such examination, inspection and inquiry and do such things as may appear to him necessary for ascertaining whether or not the provisions of this Act or the regulations under this Act are being complied with:

Provided that nothing in this subsection shall require a warrant to be obtained for entry to premises or any part of premises which, in the ordinary course of business, are open to the public.

(3) All books, records and documents required to be kept by a licensee shall be open to inspection at all reasonable times by a telecommunication officer or by a police officer.

(4) A telecommunication officer or police officer may seize—

(a) any telecommunication apparatus which he has reasonable cause to suspect is being used by or is in the possession or under the control of a person in contravention of this Act; and

(b) any book, record or document which he has reasonable cause to suspect will afford evidence of the commission of an offence under this Act.

(5) A telecommunication officer may order a person to cease using, pending inquiry by the Authority, any telecommunication apparatus which, in his opinion, is being operated otherwise than in accordance with this Act, the regulations or the terms and conditions of a licence.

(6) Any person who obstructs or hinders a telecommunication officer or police officer in the exercise of his powers under this section, or who neglects or fails to comply with an order under subsection (5), shall be guilty of an offence and shall be liable on conviction to a fine not exceeding twenty thousand penalty units or to imprisonment for a term not exceeding twelve months, or to both.

(As amended by Act No. 13 of 1994)

19. (1) The Minister shall establish a Telecommunications Users Advisory Committee, whose principal function shall be to consider complaints and comments from users of telecommunication services.

(2) The Committee shall be responsible to the Minister and shall have such other functions and responsibilities as the Minister may by statutory instrument prescribe.

20. (1) A licensee and any person applying for a licence shall furnish the Authority with such documents, accounts, estimates or other information as the Board may reasonably require for the purposes of exercising the powers and functions of the Authority under this Act or as may be prescribed by regulation.

(2) A licensee or applicant who neglects or fails to comply with a requirement of the Authority under this section shall be guilty of an offence and shall be liable on conviction to a fine not exceeding twenty thousand penalty units or to imprisonment for a term not exceeding twelve months, or to both.

(As amended by Act No. 13 of 1994)
21. A person who—

(a) fails or refuses to furnish a return or to supply information in the manner and in the time prescribed or furnishes a false or misleading return or supplies false or misleading information;

(b) on being required to do so, fails or refuses to produce to a telecommunications officer or a police officer a licence or certificate issued under this Act or a book, record or document relating to any telecommunication equipment which is in his possession or under his control;

(c) fails or refuses, without reasonable cause, to give information to a telecommunications officer or a police officer when required to do so under this Act or gives false or misleading information;

(d) for the purpose of obtaining, whether for himself or any other person, the issue of a licence, makes a declaration or statement which he knows to be false in any material particular or does not believe to be true or knowingly makes use of a declaration, statement or document containing the same;

(e) wilfully interferes with, hinders or impedes in any way the carrying on of a telecommunication service;

(f) affixes or attaches a wire, conductor or other thing to any telecommunication apparatus;

(g) interferes with, hinders or impedes in any way the establishment, erection, alteration, maintenance or inspection of any telecommunication apparatus;

(h) knowingly transmits or causes to be transmitted a message of a blasphemous, indecent, obscene or offensive nature;

(i) without lawful excuse, by any means interferes with or obstructs the carrying on of a telecommunication service; or

(j) reproduces or divulges the contents or substance of a message not intended to be received by him, whether received voluntarily or involuntarily, to another person or uses it for any purpose whatsoever,

shall be guilty of an offence and shall be liable to a penalty not exceeding twenty thousand penalty units or to imprisonment for a term not exceeding two years, or to both.

(As amended by Act No. 13 of 1994) Miscellaneous offences

22. (1) The Minister, on the recommendation of the Authority, may make regulations prescribing all matters that by this Act are required or permitted to be prescribed or that are necessary or convenient to be prescribed for carrying out or giving effect to this Act.

Regulations

(2) Without prejudice to the generality of subsection (1), the regulations may—

(a) prescribe procedures for licensing under this Act;

(b) prescribe the fees payable for the issue of licences and for any service
provided by the Authority, the Board or any telecommunication officer under this Act;

(c) regulate and adjust the respective rights of licensees, consumers and persons having any interest in land in relation to the exercise by a licensee of its functions, the operation of its telecommunication system and matters incidental thereto; and

(d) effect such savings and make such transitional provisions as may seem appropriate in consequence of the enactment of this Act and the amendment by this Act of the Posts and Telecommunications Act, 1987. Act No. 18 of 1987

(3) The regulations may create offences punishable by fines not exceeding five thousand penalty units for any contravention of the regulations.

(As amended by Act No. 13 of 1994)

23. (1) Part IV (sections thirty-seven to fifty-three of the Posts and Telecommunications Act, 1987, and section sixty-eight, paragraph (c) of section sixty-nine and section seventy to seventy-four of that Act, are hereby repealed. Amendment of Act No. 18 of 1987 and savings

(2) The Third Schedule has effect in respect of the Company and otherwise in respect of the amendment of the Posts and Telecommunications Act, 1987 by this section.

24. On a date fixed by the Minister by statutory instrument, being a date not earlier than the commencement of this Act or the commencement of the Postal Services Act, 1994, the un-repealed portion of the Telecommunications Act, 1987, shall be repealed. Repeal of remainder of Act No. 18 of 1987

FIRST SCHEDULE

(Section 3)

THE AUTHORITY AND THE BOARD

1. (1) The Board shall consist of nine members appointed by the Minister, being-

(a) one person nominated by the Ministry responsible for communications;
(b) one person nominated by the Ministry responsible for defence;
(c) one person nominated by the Ministry responsible for home affairs;
(d) one person nominated by the National Farmers Union;
(e) one person nominated by the Zambia Consumers Protective Association;
(f) one person nominated by the Law Association of Zambia;
(g) one person nominated by the Engineering Institution of Zambia;
(h) one person nominated by a trade union representing staff employed by the Company; and
(i) one person having, in the opinion of the Minister, relevant qualifications or experience.

(2) One of the members shall, in and by the terms of his appointment be appointed as the Chairman of the Board:

(3) One of the members (other than the Chairman) shall be appointed by the members of the Board as the Vice-Chairman of the Board.

(4) The appointment of a member of the Board shall be terminated on the fifteenth sitting day of Parliament next succeeding the date of his appointment unless, on or before that sitting day, Parliament by resolution confirms the appointment.

(5) A person shall not be appointed as a member of the Board if he-

(a) is an undischarged bankrupt;

(b) has been convicted of an offence under this Act;

(c) has been convicted of an offence involving fraud or dishonesty;

(d) has been convicted of an offence against any other written law and sentenced to a term of imprisonment of not less than six months without the option of a fine; or

(e) is the holder of a licence or has any interest in a licence or in the holder of a licence.

The Board

2. (1) A member of the Board shall subject to the provisions of this Schedule, hold office for a term of not more than three years.

(2) A member of the Board shall be eligible for re-appointment upon the expiry of his term of office.

(3) Upon the expiration of the term for which a member is appointed he shall continue to hold office until his successor has been appointed, but in no case shall any such extension of the term exceed three months.

(4) The office of a member shall be vacated-

(a) upon his death;

(b) if he is adjudged bankrupt;

(c) if he is absent from three consecutive meetings of the Board without the prior approval of the Board;

(d) upon the expiry of one month's notice of his intention to resign his office given by him in writing to the Minister;

(e) upon the expiry of one month's notice of his removal given to him in writing by the Minister;

(f) if he becomes mentally or physically incapable of performing his duties as a member;
(g) if he is convicted of an offence under this Act;

(h) if he is convicted of an offence under any other written law and sentenced therefor to imprisonment for a term of six months or more without the option of a fine; or

(i) if he becomes the holder of a licence or acquires any interest in a licence or in the holder of the licence.

(5) The Board may act notwithstanding any vacancy of office among its members.

Term of office and vacancy

3. (1) Subject to the other provisions of this Act, the Board may regulate its own procedure.

(2) The Board shall meet as often as necessary or expedient for the conduct of its business and such meetings shall be held at such places, times and days as the Board may determine.

(3) The Chairman may at any time call a meeting of the Board and shall call a special meeting to be held within seven days of receipt of a written request for that purpose addressed to him by at least three members of the Board.

(4) There shall preside at any meeting of the Board-

(a) the Chairman;

(b) in the absence of the Chairman, the Vice-Chairman; and

(c) in the absence of both the Chairman and Vice-Chairman, such member as the members present may elect for the purpose of the meeting.

(5) The decision of the Board shall be by a majority of votes and in addition to an original vote, the Chairman or other person presiding at the meeting shall have a casting vote in any case in which the voting is equal.

(6) Five members of the Board shall form a quorum.

(7) Minutes of each meeting of the Board shall be kept and shall be confirmed as soon as practicable thereafter at a subsequent meeting.

Business of the Board

4. (1) The Board may for the purpose of performing the functions of the Authority establish committees and delegate to any such committee such of its functions as it considers necessary.

(2) The Board may appoint as members of a committee persons who are or are not members of the Board and such person shall hold office for such period as the Board may determine.

(3) Subject to any specific or general direction of the Board, a Committee may regulate its own procedure.

(4) Each committee shall keep minutes of its meetings and shall keep the Board informed of its activities and shall conduct its proceedings in such manner as the Board may direct.
(5) Meetings of a committee shall be held at such times and places as the committee may determine or as the Board shall direct.

Committees

5. A member of the Board or any committee thereof shall be paid such travelling and subsistence allowances, if any, as the Board with the approval of the Minister may determine.

Allowances

6. If any person is present at a meeting of the Board or any committee of the Board at which any matter is the subject of consideration and in which matter that person is directly or indirectly interested, he shall as soon as is practicable after the commencement of the meeting, disclose the interest and shall not, unless the Board or the committee otherwise directs, take part in any consideration or discussion of, or vote on, any question touching that matter.

Disclosure of interest

7. The financial year of the Authority shall be the period of twelve months ending on 31st March in each year.

Financial year

8. (1) The Board shall cause proper accounts to be kept of the assets and liabilities of the Authority and of the income and expenditure of the authority for each financial year.

(2) The accounts of the Authority for each financial year shall be audited by one or more persons who publicly carry on the profession of accountants in Zambia, and who shall be appointed auditors to the Authority by the Board with the approval of the Minister.

Accounts and audit

9. For the purposes of this Act, the Authority shall be funded by-

(a) such sums as may be appropriated from time to time by Parliament for the purposes of the Authority;

(b) such sums as may be paid to the Authority by way of licence grants or donations; and

(c) such sums of money or such other assets as may accrue to or vest in the Authority from time to time.

Authority's funds

10. The Board shall, not later than 30th September in any year, submit to the Minister a report of the activities of the Authority and the Minister shall, not later than fourteen days after the first sitting of the National Assembly next after the receipt of the report, lay it before the National Assembly.

Annual report

11. (1) The seal of the Authority shall be such device as may be determined by the Board.

(2) The Board may use a wafer or rubber stamp in lieu of the seal.

(3) The affixing of the seal shall be authenticated by the Chairman or the Vice-Chairman of the Board together with two other persons authorised in that behalf by a resolution of the Board.

(4) Any contract or instrument which is entered into or executed by a natural person would not require to be under seal may be entered into or executed without seal on behalf of the Authority by the Controller or by any other person generally or specifically authorised by the Board in that behalf.
(5) Any document purporting to be a document executed under the seal of the Authority or issued on behalf of the Authority shall be received in evidence and shall be deemed to be so executed or issued, as the case may be, without further proof unless the contrary is proved.

SECOND SCHEDULE

(Section 4)

TELECOMMUNICATION OFFICERS

1. (1) The controller and Deputy Controller shall, subject to this paragraph, each hold office for such period, not exceeding four years, as may be specified in the terms of their respective appointments and shall each be eligible for re-appointment:

Provided that no person shall hold office as Controller or Deputy Controller for more than two consecutive terms.

(2) The Controller or Deputy Controller may resign from office on giving at least three months' notice thereof in writing to the Minister.

(3) The Controller or Deputy Controller may be removed from office by the Minister on three months' notice thereof in writing given by the Minister or on payment of three months' salary in lieu of such notice.

(4) The Minister may remove the Controller or Deputy Controller from office at any time-

(a) for misconduct or incompetence; or

(b) for such a conflict of interest as, in the opinion of the Minister, warrants his removal from office.

Terms of appointment of Controller and Deputy Controller

2. (1) The terms and conditions of employment of telecommunication officers shall be such terms as may be specified by the Board, with the approval of the Minister, in their respective contracts of employment.

(2) Without limiting the generality of subparagraph (1), the terms and conditions of employment of a telecommunication Officer may make provision for or with respect to the maintenance of schemes (whether contributory or not) for the payment to such officers and their dependants of such retirement benefits, gratuities or other allowances as it may determine.

Terms of appointment of other telecommunication officers

THIRD SCHEDULE

(Section 23)

SAVINGS AND TRANSITIONAL PROVISIONS

1. In this Schedule-

"the Act of 1987" means the Posts and Telecommunications Act, 1987;
"the repealed provisions" means the provisions of the Act of the 1987 repealed by this Act. Interpretation Act No. 18 of 1987

2. On the commencement of this Act, the company shall be deemed to be the holder of an operator's licence which shall, subject to this Act, remain in force for such period as the Minister may by statutory instrument prescribe. Company deemed to hold licence

3. Every telecommunication line or cable that, immediately before the commencement of this Act, was placed under, over, along, across, in or upon any land for the purposes of a telecommunication system then established shall, to the extent that its placement complied with the Act of 1987, be deemed to be placed in compliance with this Act. Existing lines and cables

4. (1) The Minister may from time to time, by statutory instrument—

(a) identify any part of the undertaking of the Company (not being any part of its postal service undertaking or its telecommunication undertaking);

(b) identify any liabilities or obligations of the Company that, in the opinion of the Minister, subsist in relation to that part of its undertaking; and

(c) declare that, on and from a date specified in the instrument, all property and rights of the company in connection with that part of its undertaking, and all liabilities and obligations subsisting in relation thereto, shall be transferred to, and shall vest in or subsist against, a company formed in accordance with subparagraph (2);

and thereupon, by virtue of the statutory instrument and without further assurance, all such property, rights, liabilities and obligations shall be transferred accordingly.

(2) The Minister responsible for Finance may form one or more companies having share capital (in this Schedule called "transferee companies") under the Companies Act, or any Act amending or replacing that Act, whose first members shall be the Minister responsible for Finance and the Republic and whose shares shall be held originally in the name of the Republic, for the purpose of holding a part of the undertaking of the Company transferred by statutory instrument under this paragraph and, if the Minister responsible for finance thinks fit, for the purpose of carrying on that part of the Company's undertaking thereby transferred.

(3) Every deed, bond or agreement (other than an agreement for personal services) to which the Company was a party immediately before a statutory instrument takes effect under subparagraph (1), whether in writing or not, and whether or not of such a nature that rights, liabilities and obligations thereunder could be assigned, shall, if it related to any undertaking, property or right affected by the instrument, have effect as from the date of the assignment thereof, as if—

(a) the transferee company had been a party thereto;

(b) for any reference to the Company there were substituted, as respects anything falling to be done after the statutory instrument takes effect, a reference to the transferee company; and
(c) for any reference to any other officer or employee of the Company not being a party thereto and beneficially interested therein there were substituted, as respects anything falling to be done after the statutory instrument takes effect, a reference to such officer of the transferee company as that Minister shall designate.

Vesting of assets and transfer of liabilities

Cap. 388

5. (1) Where-

(a) under this Schedule any part of the undertaking of the Company, and any associated property, rights, liabilities or obligations of the Company are transferred; and

(b) in respect of the transfer, any written law provides for registration;

the Company shall make application in writing to the appropriate registration authority for the registration of the transfer.

(2) The relevant registration authority shall make such amendments to the appropriate register, cancel such documents and do and attend to such other matters and things as seem to him necessary to give effect to or record the transfer and, where appropriate, shall-

(a) issue to the transferee company a certificate of title in respect of any property or rights affected by the transfer; and

(b) on presentation thereof, make such endorsements as seem to him proper to be made on any deeds, documents or records relating to the title, right, liability or obligation concerned.

(3) In default of compliance by the Company with subparagraph (1), or in default of such compliance within a reasonable time, the powers conferred by subparagraph (2) on a registration authority may be exercised by that registration authority of his own motion.

(4) No registration fee, stamp duty or other duties shall be payable in respect of any transfer effected pursuant to this Schedule or any thing done, made or issued in pursuance of this paragraph.

Registration of property to be transferred by Company

6. (1) The Minister responsible for finance may approve of arrangements under which all or some of the persons who, before a statutory instrument under paragraph four took effect, were in the service of the Company in connection with a part of its undertaking that was transferred by the instrument to a transferee company are transferred to the service of the transferee company.

(2) Where a person is transferred in accordance with arrangements made under this paragraph to the service of a transferee company, his terms and conditions of service with that company shall be no less favourable than those he enjoyed while in the service of the Company, and for the purpose of determining his rights to or eligibility for any pension, gratuity, leave or other benefits, his previous service with the Company shall be treated as service with the transferee company.

Terms of service of employees of Company upon transfer

7. Without prejudice to the other provisions of this Schedule, where any right, liability or obligation vests in or subsists against a transferee company by
virtue of this Schedule, that company and all other persons affected thereby shall, as from the date of transfer, have the same rights, powers and remedies (and in particular the same rights as to the institution or defence of any legal proceedings or the making or resisting of applications to any authority) for ascertaining, perfecting or enforcing that right, liability or obligation of the transferee company.

LEGAL PROCEEDINGS

SUBSIDIARY LEGISLATION

SECTION 22-THE TELECOMMUNICATIONS (RESALE OF SERVICE) REGULATIONS

Regulations by the Minister Statutory Instrument 129 of 1994

1. These Regulations may be cited as the Telecommunications (Resale of Service) Regulations.

2. In these Regulations, unless the context otherwise requires-

"customer" means the proprietor of an institution referred to under Regulation three.

3. These Regulations shall apply to hotels, lodges, guest houses, hostels or any public house where there is no provision of a public payphone, but shall not apply to a person licensed to provide a public payphone of any kind.

4. A customer may charge a fee for the use of a telephone service calculated according to the formular described in the Schedule.

5. A customer who charges a fee above the value chargeable in the Schedule shall be committing an offence under section twenty-one of the Act.

SCHEDULE

(Regulations 4 and 5)

The chargeable value shall be calculated in accordance with the following formula:

Charge = Rate + (Rate x 0.25)

Where rate is the operator rate obtaining at the time for the call to that destination.

REPUBLIC OF ZAMBIA

THE POSTAL SERVICES ACT

CHAPTER 470 OF THE LAWS OF ZAMBIA

CHAPTER 470 POSTAL SERVICES ACT

ARRANGEMENT OF SECTIONS
PART I

PRELIMINARY

Section

1. Short title
2. Interpretation

PART II

THE POSTAL SERVICES CORPORATION

3. Establishment of Corporation
4. Functions of Corporation

PART III

POSTAGE AND POSTAL SERVICES

5. Operation of postal services
6. Postal charges
7. Articles posted by mistake
8. Underpaid and unpaid postage
9. Postal charges remaining unpaid
10. Issue and withdrawal of postage stamps
11. Opening and returning of postal articles
12. Prohibited articles
13. Precedence of postal articles
14. Detention for customs, excise, duty or tax
15. Postal articles relating to an offence
16. Insufficiently stamped postal articles
17. Registration of postal articles
18. Parcel post
19. Cash-on-delivery system
20. List of mail bags
21. Agents of the Corporation
PART IV
MONEY ORDERS, ETC.

Section

22. Money orders, postal orders, warrants and other orders
23. Such order, etc., to be security
24. Refusal to issue or pay such orders, etc.

PART V
TELEGRAM SERVICES

25. Telegram service
26. Precedence of telegrams
27. Unlawful telegram services

PART VI
MISCELLANEOUS

28. Forgery, possession and misuse of stamps and money orders
29. Offences relating to postage stamps and post marks
30. Fraudulent use of official marks
31. General offences relating to mail
32. False entries relating to mail
33. Offences relating to postal articles
34. Theft of or interference with mail
35. Transmission of dangerous substances and endangerment of post office or telegraph office
36. Tampering with mail
37. Unauthorised notices as to reception of letters, etc.
38. Trespass upon, and disorderly behaviour in, post office or telegraph office
39. Offences relating to money orders, postal orders, etc.
40. Theft, forgery, etc. of telegrams
41. Impersonation of officers
42. False declarations
CHAPTER 470
POSTAL SERVICES

An Act to regulate the provision of postal services into, out of and within Zambia; to constitute a Postal Services Corporation and to define its functions; and to provide for matters connected with or incidental to the foregoing.

[3rd June, 1994
13 of 1994

PART I
PRELIMINARY

1. This Act may be cited as the Postal Services Act. Short title

2. (1) In this Act, unless the context otherwise requires-

"addressee", in relation to any postal article, means the person to whom the postal article is addressed;

"authorised officer" means a postal officer authorised in writing by the Corporation to do the thing in relation to which the expression is used;

"Company" means Posts and Telecommunications Corporation Limited, a company registered under the Companies Act or any Act amending or replacing that Act;

"Corporation" means the Postal Services Corporation constituted by this Act;

"courier service" means a service by which a document, letter, parcel or any article (other than a telegram) is conveyed from door to door without a postage stamp;

"franking machine" means a machine used for making impressions on postal articles to denote payment of postage and includes any meter and any franking or
datestamping die used in connection with postal franking;

"mail" means every postal article and every mail bag, container or conveyance of any kind by which a postal article is carried, whether or not it contains a postal article;

"mail bag" means any bag, box, basket, parcel, hamper or other container or covering in which a postal article is conveyed, whether or not it contains a postal article for the time being;

"money order" means a money order-

(a) issued under this Act; or

(b) issued by any postal authority for payment under this Act;

"postal article" means every article collected for conveyance by post, and includes a telegram;

"postal officer" means any person appointed by the Corporation as a postal officer for the purposes of this Act;

"postal service" means the conveyance of letters to their addressees or to another person for delivery to their addressee, or the collection thereof for such conveyance or delivery, or any associated service;

"sender" of a postal article means the person from whom the postal article purports to have come;

"telegram" means any message transmitted by means of telegraphy and delivered to the addressee;

"telegraph office" means any place used by the Corporation for the handling of telegrams;

"transmission", in relation to a telegram, includes the reception as well as the sending of the telegram.

Interpretation

Cap. 388

(2) For the purposes of this Act—

(a) a postal article shall be deemed to be in the course of conveyance by post from the time it is delivered to the proper postal officer or deposited in a letter box or other receptacle stationed by or with the approval of the Corporation for that purpose, to the time it is delivered to the addressee, or is returned to the sender, or is otherwise disposed of under this Act;

(b) a postal article shall be deemed to have been delivered to a post office if it is placed in any letter box or other receptacle stationed by or with the approval of the Corporation for the deposit of postal articles or is delivered to the proper postal officer;

(c) a postal article shall be deemed to have been delivered to the addressee if it is delivered to his house or place of work, into his private box or his post office box or to his servant or agent or, where the addressee is a guest at an hotel, if it is delivered to that hotel:
Provided that in the case of a telegram, where a residential or office address is given, the telegram shall have been delivered to the address so indicated.

PART II

THE POSTAL SERVICES CORPORATION

3. (1) There is hereby established the Postal Services Corporation, which shall be a body corporate with a common seal capable of suing and being sued and, subject to the provisions of this Act, capable of performing all such acts as a body corporate may by law do or perform. Establishment of Corporation

(2) The First Schedule has effect in respect of the constitution of the Corporation, the appointment of a Postmaster-General and related matters.

4. (1) The Principal function of the Corporation shall be to conduct a postal service and telegram service for the Republic. Functions of Corporation

(2) The Corporation shall have such other powers and functions as are conferred on it by or under this Act.

PART III

POSTAGE AND POSTAL SERVICES

5. (1) Any person other than the Corporation who - Operations of Postal Services

(a) operates or offers to operate a postal service; or

(b) collects, conveys, delivers or deals with any letter otherwise than as permitted by or under this section;

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding two thousand five hundred penalty units or to imprisonment for a term not exceeding three months, or to both, for every letter in respect of which the offence is committed.

(2) The Corporation may prescribe, by statutory instrument, either generally or in any particular case, the terms and conditions under which letters may be collected, conveyed or delivered otherwise than by or on behalf of the Corporation, whether for dispatch by post or not.

(3) Nothing in this section prohibits -

(a) the conveyance and delivery of a letter by the sender himself;

(b) the conveyance and delivery of a letter by any person otherwise than for fee or reward;

(c) the conveyance and delivery of a letter concerning the affairs of the sender or his agent, client or customer, or of the addressee or his agent, client or customer, by means of a message sent for that purpose;

(d) the conveyance and delivery of a letter, solely concerning goods or property commercially sent by water, land or air, to be delivered with the goods or property, if the letter is open to inspection and has inscribed on it the words "consignee's letter" or other words of similar import;
(e) the conveyance and delivery of a letter exceeding the prescribed
dimensions for a letter;

(f) the conveyance and delivery of a letter containing any document issuing
out of a court or of any return or answer thereto; or

(g) the conveyance and delivery of a letter in such circumstances, and on
such conditions, as may be prescribed by the Corporation by statutory
instrument.

(4) Subsection (3) does not operate so as to-

(a) authorise any person to make a collection of letters for the purpose of
their being conveyed or delivered in any manner authorised by any of paragraphs
(b) to (f) of that subsection, where the collection is made from the letters of
more than one person or authority; or

(b) authorise a common carrier by land or his servant or agent to collect
letters or convey or deliver a letter, whether or not for fee or reward, except
for such letters as are mentioned in paragraph (d) of that subsection.

(5) Nothing in this section prohibits the establishment and maintenance by a
council of a district postal service in accordance with the Local Government
Act.Cap. 281

(6) Nothing in this section prohibits the operation of, or any person's
participation in, a licensed courier service.

(7) In this section, "letter" includes a postcard.

(As amended by Act No. 13 of 1994)

6. (1) The Corporation, with the consent of the Minister may determine all
fees and charges in connection with the transmission of articles by post.Postal
charges

(2) The following communications, however, shall be exempt from all such fees
and charges:

(a) petitions and addressees to the President; and

(b) such other postal articles, in such circumstances, as the Corporation may
determine.

7. If any article is posted by mistake and liable to postage, and evidence is
adduced to the satisfaction of any authorised officer that the article has been
posted by mistake, an authorised officer may open and return that article to the
sender without charge:Articles posted by mistake

Provided that if the article contains any letter or manuscript liable to
postage, the authorised officer shall retain it until the postage has been paid.

8. (1) Except as otherwise provided by this section, where insufficient or no
postage has been paid, the addressee shall pay the postage or other sum due on
the postal article on his accepting delivery unless he forthwith returns it
unopened.Underpaid and unpaid postage
Where the addressee refuses to accept delivery or returns the postal article, or if the addressee is dead or cannot be found, the sender shall pay the postage or other sum due on it.

If the postal article appears to the satisfaction of an authorised officer to have been sent for the purpose of annoying the addressee, the authorised officer may waive or remit the postage or other sum due on it under subsection (1).

If any person refuses to pay any postage or other sum which is payable by him in respect of any postal article, an authorised officer may dispose of the postal article in such manner as may be prescribed.

Such postage or other sum may be recovered by the Corporation in any court.

The Corporation may, with the consent of the Minister, provide such postage stamps as it thinks necessary for the purposes of this Act and may, with like consent, withdraw any issue of such postage stamps.

Notification of the withdrawal of any issue of postage stamps shall be given by the Corporation by notice published in the Gazette and in one or more newspapers circulating throughout Zambia.

With effect from such date as the Corporation may appoint by a notice under subsection (2), not being earlier than one month after the publication of the notice, postage stamps of the issue described in the notice shall ceased to be postage stamps for the purposes of this Act and no claim shall lie against the Corporation in respect of any postage stamps to which the notice relates.

Except as otherwise provided by this Act, no person other than an authorised officer shall, after any postal article has been delivered to a post office, open the postal article or return it to any person.

Except as otherwise provided by this Act and subject to such conditions as may be prescribed, no person may send by post any prohibited article:

(a) opium, morphine, cocaine or any narcotic, or any substance the possession of which is prohibited by any law;

(b) any explosive, inflammable, dangerous, filthy, noxious or harmful substance;

(c) any sharp instrument not properly protected;

(d) any noxious living creature;

(e) any creature, article or thing which is likely to injure any person or damage any postal article.

Any postal article found to have been sent in contravention of this section may, on such terms and conditions as may be prescribed, be destroyed or otherwise disposed of by an authorised officer.
13. Where the dispatch or delivery of any letters from a post office would be
delayed by the dispatch or delivery at the same time of another class or other
classes of postal article, any or any class of them may, subject to such
conditions as may be prescribed, be retained in the post office for dispatch or
delivery at a later time or date. Precedence of postal articles

14. (1) An authorised officer may detain any postal article suspected to
contain goods liable to customs, excise or any other duty or tax and may in the
presence of the addressee or the addressee's representative open and examine
that postal article. Detention for customs, excise, duty or tax

(2) If on any such examination no goods liable to any duty or tax are
discovered in the postal article, the postal article shall be delivered to the
person to whom it is addressed or to his representative, on payment of the
postal charges, if any, payable thereon.

(3) If on any such examination any goods are found to be liable to customs,
excise or other duty or tax, the postal article may be withheld from delivery
until payment of the duty or tax and the postage, if any, payable thereon.

(4) The authorised officer shall deliver the article to the authority
responsible for the collection of the relevant duty or tax for examination if
the authorised office is not certain that goods are not so liable.

15. (1) Where an authorised officer suspects that any postal article contains
anything in respect of which an offence has been or is being committed, he
shall- Postal articles relating to an offence

(a) detain the postal article; and

(b) by notice in writing, served personally or by post request the addressee
or the sender, or any agent thereof duly appointed in writing, to attend at a
post office at a time specified in the notice and open the postal article in the
presence of the authorised officer.

(2) If any person on whom a written notice has been served under subsection (1)
fails to attend or, having attended in person or by his agent, refuses to open
the postal article, the authorised officer shall open the postal article.

(3) Any postal article opened under this section shall thereafter, unless it is
required for the purpose of any criminal investigations or proceedings, be
forwarded or delivered to the addressee with an explanation of the opening of
the article.

16. Where a postal article received by post from outside Zambia, or posted
within Zambia-

(a) bearing a fictitious stamp; or

(b) purporting to be prepaid with any postage stamp which has been previously
used;

section fifteen shall, with any necessary modifications, apply to the postal
article: Insufficiently stamped postal articles

Provided that where a postal article is received from outside Zambia, the sender
shall not be required to attend at the post office.
17. (1) Subject to this Act and on payment, in addition to ordinary postage, of such fee as may be determined by the Corporation, the sender of a postal article may have the postal article registered.

Registration of postal articles

(2) A postal article shall be registered at the post office at which it is posted.

(3) The postal officer registering a postal article shall issue a receipt for the postal article.

(4) In the event of the loss of any postal article which is registered under this Act or the loss of the contents of any such article while the postal article is in the custody of the Corporation, the Corporation shall, on such terms and conditions as may be prescribed, pay compensation in respect of the loss.

18. The Corporation may establish a parcel post and in that respect may from time to time determine-

(a) the conditions under which parcels may be sent, conveyed, delivered, returned to sender or otherwise disposed of;

(b) the form of declaration to be made by any person or his agent desiring to send or receive any parcel; and

(c) subject to any law relating to customs, excise or any other duty or tax, the arrangements for the collection of such customs, excise, duty or tax.

Parcel post

19. (1) The Corporation may, by statutory order, direct that of subject to this Act and the payment of the appropriate fee fixed by the Corporation, an amount equal to the value of the contents of a postal article at the time of posting (as specified in writing by the sender of the postal article) shall be recovered by a postal officer on delivery of the postal article to the person to whom it is addressed.

Cash-on-delivery system

(2) Any amount received under subsection (1) shall be remitted to the sender of the postal article.

(3) No liability shall attach to the Corporation or any postal officer in respect of any amount referred to in this section unless that amount has been received from the addressee.

20. Every mail bag conveyed shall be entered on such list or way-bill as may be prescribed.

List of mail bags

21. The Corporation may make and enter into contracts and arrangements for the conveyance of postal articles or mail bags through or by means of any shipping line, vessel, railway or vehicle or other carrier whatsoever.

Agents of the Corporation

PART IV

MONEY ORDERS ETC.

22. (1) The Corporation shall, on such terms and conditions as it may
determine, provide for the remittance of money by post by means of money order, postal order or other like warrant or order. Money orders, postal orders, warrants and other orders

(2) Money orders, postal orders or other warrants or orders shall be issued and paid at such post offices and in such manner as the Corporation may determine.

(3) The Corporation shall be liable for the amount of any postal order, money order or other warrant or order only if a claim is made within three years after the date of issue.

23. (1) A money order, postal order or other warrant or order issued under this Act shall be deemed to be an order for payment of money and a valuable security within the meaning of any law relating to forgery or theft. Such orders, etc., to be security

(2) An unissued postal order, money order or other warrant or order shall be deemed to be money of the Corporation.

24. (1) When an authorised officer is satisfied from any advertisement, letter, circular, or other documentary evidence that a person Refusal to issue or pay such orders, etc.

(a) is conducting, or assisting as agent or otherwise in conducting, a lottery other than a lottery promoted and conducted in accordance with any law; or

(b) is dealing in indecent or obscene matter;

the authorised officer may refuse to pay in favour of that person, or to issue for payment to that person, any money order, postal order or other warrant or order under this Act.

(2) Any postal order, money order or other warrant or order issued under this Act the payment of which is refused under this section:

(a) may, if issued within Zambia, be returned to the person to whom it was originally issued; and

(b) shall, if issued outside Zambia, be returned to the appropriate postal authority of the country in which it was issued.

PART V

TELEGRAM SERVICES

25. The Corporation shall, on such terms and conditions as it may determine, operate and provide a telegram service.

26. Telegrams shall, as far as practicable, be transmitted in the order in which they are received, but telegrams relating to the safety of human life, the preservation of peace in Zambia or in any other country, the arrest of criminals, the discovery or the prevention of crime or any other matter related to the administration of justice and, when so required, telegrams sent by or on behalf of the Government, shall have precedence over all other telegrams: Precedence of telegrams
Provided—

(a) nothing in this section prevents precedence being given to any class of telegrams under such conditions and upon payment of such special rates as may be determined by the Corporation; and

(b) no person shall be permitted to occupy a telecommunication line in such manner as to impede unreasonably the transmission of other telegrams.

27. Any person other than the Corporation who operates a telegram service shall be guilty of an offence and shall be liable on conviction to a fine not exceeding two thousand five hundred penalty units or to imprisonment for a term not exceeding three months, or to both, for every telegram in respect of which the offence is committed.

(As amended by Act No. 13 of 1994) Unlawful telegram services

PART VI

MISCELLANEOUS

28. (1) This section applies to—Forgery, possession and misuse of stamps and money orders

(a) any postage stamp, date stamp, mark, figure, or franking machine used in or for the purposes of a postal service provided by the Corporation; and

(b) any money order, postal order or other warrant or order for the payment of money through the Corporation.

(2) Any person who, without lawful authority or excuse—

(a) makes, engages, alters, reproduces, purchases or otherwise obtains, imports into Zambia or has in his possession or custody anything to which this section applies; or

(b) uses, issues, sells, offers for sale, sends by post, deals in or otherwise disposes of any such thing;

shall be guilty of an offence and shall be liable on conviction to imprisonment for a term not exceeding seven years.

(3) Any person who has in possession or uses, deals in or otherwise disposes of anything to which this section applies, knowing it to have been made, engraved, altered, reproduced, purchased, obtained or imported into Zambia in contravention of this section, shall be guilty of an offence and shall be liable on conviction to imprisonment for a term not exceeding seven years.

(4) Any article mentioned in subsection (1)(a) used by or found in the possession of any person in contravention of this section shall, on conviction of the person, be forfeited to the Republic and may be destroyed or otherwise disposed of by the Corporation in accordance with directions given by the Minister.

29. (1) Any person who, with intent to defraud—Offences relating to postage stamps and post marks
(a) removes any postage stamp from any postal article or from any document used for the purposes of the Corporation;

(b) removes from any postage stamp which has previously been used any mark or impression which has been made thereon at any post office; or

(c) uses, cuts, scraps, defaces, obliterates, adds to or alters any mark or impression upon any postal article, money order, postal order or other warrant, order, paper or material whatsoever provided, used or made for the purposes of the Corporation;

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding two thousand penalty units or to imprisonment for a term not exceeding twelve months, or to both.

(2) Any person who sells any postage stamp from which any mark or impression put thereon at any post office for the purposes of the Corporation has been removed shall be guilty of an offence and shall be liable on conviction to a fine not exceeding two thousand penalty units or to imprisonment for a term not exceeding twelve months, or to both.

(3) For the purposes of this section, the sender of a postal article shall, until the contrary is proved, be deemed to be the person by whom the postage stamp was affixed upon that article.

(As amended by Act No. 13 of 1994)

30. Any postal officer who, with intent to defraud, puts any incorrect official mark on a postal article shall be guilty of an offence and shall be liable on conviction to a fine not exceeding four thousand penalty units or to imprisonment for a term not exceeding two years, or to both.

(As amended by Act No. 13 of 1994)

Fraudulent use of official marks

31. A person authorised to receive or in any way handle mail who-

(a) willfully or negligently loses, destroys, detains, delays, misdelivers or omits to dispatch mail;

(b) unlawfully communicates or divulges the contents of any postal article;

(c) while in charge of any mail—General offences relating to mail

(i) permits an unauthorised person to have access to that mail;

(ii) is intoxicated; or

(iii) willfully misspends time and thereby delays the arrival of such mail at its proper destination;

(d) through negligence or misconduct, endangers the safety of mail;

(e) gives false information of an assault upon him or of theft or attempted theft from him, at any time when he was in charge of mail; or

(f) without lawful authority, collects, receives or delivers any postal article otherwise than in the ordinary course of his duties;
shall be guilty of an offence and shall be liable on conviction to a fine not exceeding one thousand penalty units or to imprisonment for a term not exceeding six months, or to both.

(As amended by Act No. 13 of 1994)

32. Any postal officer carrying mail and required to keep any record relating to that mail who makes any false entry in that record, knowing the entry to be false, shall be guilty of an offence and shall be liable on conviction to a fine not exceeding two thousand penalty units or to imprisonment for a term not exceeding twelve months, or to both.

(As amended by Act No. 13 of 1994) False entries relating to mail

33. Any person who-

(a) in purported compliance with any requirement under this Act, makes any false statement as to the contents of any postal article;

(b) sends by post-Offences relating to postal articles

(i) any article in or upon which there is any indecent or obscene matter or anything of a profane, libellous or grossly offensive character; or

(ii) correspondence dealing with any fraudulent or immoral business or undertaking;

(c) without due authority, places any placard in or against any post office or telegraph office;

(d) wilfully damages or disfigures any post office or telegraph office or wilfully damages, disfigures or tampers with any card, notice or other property of, or which is being used by or on behalf of, the Corporation;

(e) commits a nuisance with respect to a post office or telegraph office or any card, notice or other property referred to in paragraph (d); or

(f) by any false representation, induces any postal officer to deliver to him or to any other person any postal article not addressed to or intended for him or for that other person;

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding two thousand penalty units or to imprisonment for a term not exceeding twelve months, or to both.

(As amended by Act No. 13 of 1994)

34. Any person who-

(a) steals any mail;

(b) steals from any mail or post office or telegraph office, or from the custody or possession of a postal officer, any postal article or any of the contents of a postal article;

(c) unlawfully destroys mail or any postal article or any of the contents of
(d) receives any mail or postal article or any of the contents of a postal article, knowing it to have been stolen;

(e) unlawfully searches mail; or

(f) stops mail with intent to steal or unlawfully to search the mail;

shall be guilty of an offence and shall be liable on conviction to imprisonment for a term not exceeding ten years.

Theft of or interference with mail

35. Any person who puts into or places against any post office or telegraph office, or any letter box or other receptacle for the receipt of mail, any fire, match or light, or any explosive, dangerous, noxious or harmful substance or fluids, shall be guilty of an offence and shall be liable on conviction to imprisonment for a term not exceeding fourteen years.

Transmission of dangerous substances and endangerment of post office or telegraph office

36. Any person who unlawfully opens or tampers with or conceals any postal article shall be guilty of an offence and shall be liable on conviction to imprisonment for a term not exceeding seven years.

Tampering with mail

37. Any person who, without the authority of the Corporation, places or maintains in or on any building, wall, box, pillar or other place any words, letters or symbols which signify, or imply, or are likely to be taken to signify or imply, that any house or place is a post office or a place where things in the exclusive privilege of the Corporation may be done shall be guilty of an offence and shall be liable on conviction to a fine not exceeding two thousand penalty units or to imprisonment for a term not exceeding twelve months, or to both.

(As amended by Act No. 13 of 1994)

Unauthorised notices as to reception of letters, etc.

38. (1) Any person who—

Trespass upon, and disorderly behaviour in, post office or telegraph office

(a) without the permission of an authorised officer, enters any part of a post office or telegraph office which is not open to the public;

(b) behaves in a disorderly manner in a post office or telegraph office; or

(c) wilfully obstructs, hinders, or delays any postal officer in the execution of his duty;

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding two thousand penalty units or to imprisonment for a term not exceeding twelve months, or to both.

(2) Any person who contravenes this section and who, on being required to leave a post office or telegraph office by a postal officer, fails to leave the place within a reasonable time may be removed by the officer with such force as may be reasonably necessary in the circumstances.

(As amended by Act No. 13 of 1994)
39. Any person who, with intent to defraud—

(a) issues, reissues, utters or passes off, or presents to any other person or at any post office, any money order, postal order or other warrant or order for the remittance of money through the post; or

(b) sends by post any letter, telegram or other communication or message concerning anything referred to in paragraph (a);

shall be guilty of an offence and shall be liable on conviction to imprisonment for a term not exceeding seven years. Offences relating to money orders, postal orders, etc.

40. Any person who—

(a) with intent to defraud, takes any telegram from the possession of any postal officer or other person having the custody of it, or from any post office or telegram office;

(b) steals, conceals or destroys any telegram or any part thereof;

(c) receives any telegram, or any part thereof, knowing it to have been stolen;

(d) forges a telegram or fraudulently and knowing it to be forged or to contain false information utters a telegram;

(e) with intent to defraud, gives verbally or delivers for transmission as a telegram any message or communication which he knows to be forged or the information given or contained in which he knows to be false;

shall be guilty of an offence and shall be liable on conviction to imprisonment for a term not exceeding seven years. Theft, forgery, etc. of telegrams

41. Any person who, with intent to defraud, by words or conduct pretends to be a postal officer shall be guilty of an offence and shall be liable on conviction to a fine not exceeding one thousand penalty units or to imprisonment for a term not exceeding six months, or to both.

(As amended by Act No. 13 of 1994) Impersonation of officers

42. Any person who, in any declaration required to be made under this Act, makes any false statement shall be guilty of an offence and shall be liable on conviction to a fine not exceeding one thousand penalty units or to imprisonment for a term not exceeding six months, or to both.

(As amended by Act No. 13 of 1994) False declarations

43. In any legal proceedings for the recovery of any sum payable under this Act in respect of a postal article—

(a) the official stamp or mark on it denoting the sum due shall be prima facie evidence that such sum is due in respect of the postal article;

(b) the production of any postal article having on it a post office stamp or mark denoting that delivery of the postal article has been refused or that the person to whom it is addressed is dead or cannot be found, shall be prima facie
evidence of that fact; and

(c) the person from whom the postal article purports to have come shall, until the contrary is proved, be deemed to be the sender.

44. No action or other proceedings shall lie or be instituted against the Postmaster-General or any postal officer for or in respect of any act or thing done or omitted to be done in good faith in the exercise or purported exercise of his functions under this Act.

Immunity to officers

45. The principal moneys received in respect of money orders and postal orders, or any other warrant or order for remitting money by post, shall not form part of the postal revenue unless, in the case of money orders and postal orders, their period of currency has lapsed.

Revenue for money orders, postal orders, etc.

46. (1) Any postal article which—

Delivery of postal articles to public prosecutors

(a) is reasonably suspected by a postal officer of containing anything which may afford evidence of the commission of a criminal offence; or

(b) is reasonably suspected of being sent in order to further the concealment of the commission of a criminal offence;

shall be detained by the officer in charge of any post office or telegraph office in which it is or through which it passes, and that officer shall, if authorised by the Director of Public Prosecution, cause the postal article to be handed over to a public prosecutor.

(2) The Director of Public Prosecutions may, by statutory notice, delegate the powers contained in subsection (1) to State Advocates or public prosecutors generally or specifically.

47. (1) The Minister, on the recommendation of the Corporation, may make regulations, not inconsistent with this Act, for or with respect to any matter that by this Act is required or permitted to be prescribed, or that is necessary or convenient to be prescribed for carrying out or giving effect to this Act.

Regulations

(2) Without limiting the generality of subsection (1), the regulations may make provision for or with respect to—

(a) the licensing of operators of courier services; and

(b) articles which may be sent by post as packet, parcels, letters, postcards, patterns, samples, printed or commercial papers or newspapers.

48. (1) Parts II and III of the Posts and Telecommunications Act, 1987, and sections 75, 77 and 78 of that Act, are hereby repealed.

Amendment of Act No. 18 of 1987 and savings

(2) The Second Schedule has effect in respect of the Company, its property and employees and otherwise in respect of the amendment of the Posts and Telecommunications Act, 1987, by this section.

FIRST SCHEDULE
(Section 3)

THE CORPORATION

1. (1) The Corporation shall consist of a board of directors comprising eight members, being the Postmaster-General (who shall, ex officio, be a member of the board) and nominees from organisations, as follows:

(a) one person nominated by the Federation of Employers of Zambia;

(b) one person, being a member of a trade union representing postal officers, nominated by the Zambia Council of Trade Unions;

(c) one person nominated by the Zambia Council of Commerce and Industry;

(d) one person nominated by the Law Association of Zambia;

(e) one person nominated by the Zambia Institute of Certified Accountants;

(f) one person nominated by an organisation which, in the opinion of the Minister, would best represent the interests of consumers;

(g) one person nominated by the Minister of Legal Affairs.

(2) The members of the Corporation, other than the Postmaster-General, shall be nominated by their respective organisations and shall be appointed by the Minister.

(3) Two of the members shall, in and by the terms of their respective appointments or by other instruments executed under the hand of the Minister, be appointed as the Chairman and Vice-Chairman of the Corporation.

(4) A person shall not be appointed or hold office as a member of the Corporation if he-

(a) is an undischarged bankrupt;

(b) has been convicted of an offence under this Act

(c) has been convicted of an offence involving fraud or dishonesty; or

(d) has been convicted of an offence against any other written law and sentenced to a term of imprisonment of not less than six months without the option of a fine.

2. (1) A member of the Corporation shall, subject to the provisions of this Schedule, hold office for a term of not more than three years.

(2) A member of the Corporation shall be eligible for reappointment upon the expiry of his term of office.

(3) Upon the expiration of the term for which a member is appointed he shall continue to hold office until his successor has been appointed, but in no case shall any such extension of the term exceed three months.

(4) The office of a member shall be vacated-
(a) upon his death;
(b) if he is adjudged bankrupt;
(c) if he is absent from three consecutive meetings of the Corporation without the prior approval of the Corporation;
(d) upon the expiry of one month's notice of his intention to resign his office given by him in writing to the Minister;
(e) upon the expiry of one month's notice of his removal given to him in writing by the Minister;
(f) if he becomes mentally or physically incapable of performing his duties as a member;
(g) if he is convicted of an offence under this Act; or
(h) if he is convicted of an offence under any other written law and sentenced therefor to imprisonment for a term of six months or more without the option of a fine.

(5) The Corporation may act notwithstanding any vacancy of office among its members.

Term of office and vacancy

3. (1) The Corporation shall appoint a Postmaster-General, who shall be the chief executive of the Corporation.

(2) Subject to subclause (3), the Postmaster-General shall perform such of the functions of the Corporation as are for the time being delegated to him by the Corporation.

(3) The Postmaster-General shall not exercise any function generally delegated to him by the Corporation under subclause (2) without the express specific approval of the Corporation in relation to-

(a) any matter in respect of which the Corporation may not exercise its powers under this Act without the prior consent or approval of the Minister;

(b) the sale, disposal or writing off of any property or assets of the Corporation the value of which exceeds ten million kwacha; or

(c) any general variation of the salaries, wages or allowances of postal officers.

(4) The Postmaster-General shall furnish the Minister, through the Corporation, with all such information relating to the activities and undertakings of the Corporation as the Minister may at any time require.

Postmaster -General

4. (1) Subject to the other provisions of this Act, the Corporation may regulate its procedure.

(2) The Corporation shall meet as often as necessary or expedient for the conduct of its business and such meetings shall be held at such places, times and days as the Corporation may determine.
(3) The Chairman may at any time call a meeting of the Corporation and shall call a special meeting to be held within seven days of receipt of a written request for that purpose addressed to him by at least one-third of the members of the Corporation.

(4) There shall preside at any meeting of the Corporation—

(a) the Chairman;

(b) in the absence of the Chairman, the Vice-Chairman; or

(c) in the absence of both the Chairman and Vice-Chairman, such member as the members present may elect for the purpose of the meeting.

(5) The decision of the Corporation shall be by a majority of votes and in addition to an original vote, the Chairman or other person presiding at the meeting shall have a casting vote in any case in which the voting is equal.

(6) Five members of the Corporation shall form a quorum.

(7) Minutes of each meeting of the Corporation shall be kept and shall be confirmed as soon as practicable thereafter at a subsequent meeting.

Business of the Corporation

5. (1) The Corporation may for the purpose of performing its functions under this Act establish committees and delegate to any such committee such of its functions as it considers necessary.

(2) The Corporation may appoint as members of a Committee established under subclause (1) persons who are or are not members of the Corporation and such persons shall hold office for such period as the Corporation may determine.

(3) Subject to any specific or general direction of the Corporation, any committee established under subclause (1) may regulate its own procedure.

(4) Each committee shall keep minutes of its meetings and shall keep the Corporation informed of its activities and shall conduct its proceedings in such manner as the Corporation may direct.

(5) Meetings of a committee shall be held at such times and places as the committee may determine or as the Corporation shall direct.

Committees

6. A member of the Corporation or any committee thereof shall be paid such travelling and subsistence allowances, if any, as the Minister may, in his case, fix.

Allowances

7. If any person is present at a meeting of the Corporation or any committee of the Corporation at which any matter is the subject of consideration and in which matter that person is directly or indirectly interested, he shall as soon as is practicable after the commencement of the meeting, disclose the interest and shall not, unless the Corporation or the committee otherwise directs, take part in any consideration or discussion of, or vote on, any question touching that matter.

Disclosure of interest

8. (1) To the extent that they are not otherwise determined by law, the Corporation may determine the terms and conditions of employment of postal officers.
(2) Without limiting the generality of subclause (1), the Corporation may make arrangements for or with respect to the provision and maintenance of schemes (whether contributory or not) for the payment to its employees and their dependents of such retirement benefits, gratuities or other allowances as it may determine.

Staff of the Corporation

9. The Corporation shall be funded by-

(a) such sums as may be payable to the Corporation from time to time from moneys appropriated by Parliament for the purpose;

(b) such sums as may be payable to the Corporation under this Act or any other written law;

(c) such sums as may be levied by the Corporation by way of postal charges, transaction commissions and any other levies imposed; and

(d) such sums of money or such other assets as may accrue to or vest in the Corporation from time to time, whether in the course of the exercise of its functions or otherwise.

Corporation's funds

10. The financial year of the Corporation shall be the period of twelve months ending on 31st March in each year.

Financial year

11. (1) The Corporation shall cause proper accounts to be kept of its assets and liabilities and of its income and expenditure for each financial year.

(2) The accounts of the Corporation for each financial year shall be audited by one or more persons who publicly carry on the profession of accountants in Zambia, and who shall be appointed auditors to the Corporation by the Corporation with the approval of the Minister.

Accounts and audit

12. The Corporation shall, not later than six months after the end of each financial year of the Corporation, submit to the Minister a report of its activities, together with a copy of its audited accounts for that financial year, and the Minister shall, not later than fourteen days after the first sitting of the National Assembly next after the receipt of such report, lay it before the National Assembly.

Annual report

SECOND SCHEDULE

(Section 48)

SAVINGS AND TRANSITIONAL PROVISIONS

1. (1) On the commencement of this Act, there shall be transferred to, and shall vest in or subsist against the Corporation by virtue of this Act and without further assurance-

(a) such part of the undertaking of the Company as, immediately before the commencement of this Act, pertained to a postal service; and

(b) all property, rights, liabilities and obligations that, immediately before the commencement of this Act, were the property, rights, liabilities and obligations of the Company in relation to that part of its undertaking.
(2) Where any doubt or dispute arises as to whether any particular property, right, liability or obligation vested in or subsisting against the Company is so vested or subsists in relation to the part of its undertaking referred to in paragraph (a) of subclause (1) or otherwise, the Minister may, by statutory instrument, declare whether it is or is not vested or does or does not subsist in relation to that part of its undertaking, and this clause shall apply accordingly.

(3) For the purposes of subclause (2), any property, right, liability or obligation that appears to the Minister to be vested in or to subsist against the Company both in relation to the part of its undertaking referred to in paragraph (a) of subclause (1) and in relation to some other part of its undertaking shall be taken to be the subject of a doubt or dispute of the kind mentioned in subclause (2).

(4) Every deed, bond or agreement (other than an agreement for personal services) to which the Company was a party immediately before the commencement of this Act, whether in writing or not, and whether or not of such a nature that rights, liabilities and obligations thereunder could be assigned, shall, if it related to the part of the Company's undertaking referred to in paragraph (a) of subclause (1), have effect as from the date of the assignment thereof, as if-

(a) the Corporation had been a party thereto;
(b) for any reference to the Company there were substituted, as respects anything falling to be done on or after the commencement of this Act, a reference to the Corporation; and
(c) for any reference to any officer or employee of the Company not being a party thereto and beneficially interested therein there were substituted, as respects anything falling to be done on or after the commencement of this Act, a reference to such postal officer as the Corporation shall designate.

(5) Documents other than those referred to in subclause (4) and which refer specifically or generally to the Company shall be construed in accordance with that subclause as far as applicable.

Vesting of assets and transfer of liabilities

2. (1) Where-

(a) under this Schedule any property, rights, liabilities or obligations of the Company are transferred; and
(b) in respect of the transfer, any written law provides for registration;

the Company shall make application in writing to the appropriate registration authority for the registration of the transfer.

(2) The relevant registration authority shall make such amendments to the appropriate register, cancel such documents and do and attend to such other matters and things as seem to him necessary to give effect to or record the transfer and, where appropriate, shall-

(a) issue to the transferee concerned a certificate of title in respect of any property affected by the transfer; and
(b) on presentation thereof, make such endorsements as seem to him proper to
be made on any deeds, documents or records relating to the title right, liability or obligation concerned.

(3) In default of compliance by the Company with subclause (1), or in default of such compliance within a reasonable time, the powers conferred by subclause (2) on a registration authority may be exercised by that registration authority of his own motion.

(4) No registration fee, stamp duty or other duties shall be payable in respect of any transfer effected pursuant to this Schedule or anything done, made or issued in pursuance of this clause. Registration of property to be transferred by Company

3. (1) The Corporation may approve of arrangement under which all or some of the persons who, before the commencement of this Act, were in the service of the Company in connection with that part of its undertaking that related to a postal service are transferred to the service of the Corporation, whether as postal officers or otherwise.

(2) Where a person is transferred in accordance with arrangements made under this clause to the service of the Corporation, his terms and conditions of service with the Corporation shall be no less favourable than those he enjoyed while in the service of the Company, and for the purpose of determining his rights to or eligibility for any pension, gratuity, leave or other benefits, his previous service with the Company shall be treated as service with the Corporation. Terms of service of employees of Company upon transfer

4. Without prejudice to the other provisions of this Schedule, where any right, liability or obligation vests in or subsists against the Corporation by virtue of this Schedule, the Corporation, and all other persons affected thereby, shall, as from the commencement of this Act, have the same rights, powers and remedies (and in particular the same rights as to the institution or defence of any legal proceedings or the making or resisting of applications to any authority) for ascertaining, perfecting or enforcing that right, liability or obligation of the Corporation, as the case may be. Legal proceedings

5. Notwithstanding the repeal of any provision of the Posts and Telecommunications Act, 1987, by this Act, any regulation or other statutory instrument made for the purposes of the provision so repealed shall, with any necessary modifications, be deemed to have been made under and for the purposes of this Act.
PRELIMINARY

Section

1. Short title
2. Interpretation

PART II

THE NATIONAL ROAD SAFETY COUNCIL

3. Establishment of National Road Safety Council
4. Seal of Council
5. Composition of the Council
6. Tenure of office and vacancy
7. Remuneration and allowances
8. Functions of Council
9. Proceedings of Council
10. Committees of Council
11. Disclosure of interest

PART III

ADMINISTRATION

12. Director and Deputy Director
13. Other staff
14. Conditions of service of staff of Council
15. Prohibition of publication or disclosure of information to unauthorised persons

PART IV

FINANCIAL AND OTHER PROVISIONS

Section

16. Funds of Council
17. Financial year
18. Accounts
CHAPTER 471
NATIONAL ROAD SAFETY COUNCIL
Act No.
35 of 1995

An Act to establish the National Road Safety Council, to define its functions and to provide for matters connected with or incidental to the foregoing.

[29th December, 1995]

PART I

PRELIMINARY

1. This Act may be cited as the National Road Safety Council Act.

2. In this Act, unless the context otherwise requires:

"Chairperson" means the person elected Chairperson under section five;

"committee" means a committee established under section ten;

"Council" means the National Road Safety Council established under section three;

"Deputy Director" means the person appointed Deputy Director of the Council under section thirteen;

"Director" means the chief executive officer appointed by the Council under section thirteen;

"Highway Code" means the code prescribed by the Minister which contains directions as appear to him to be proper for the guidance of persons using roads;

"member" means a member of the Council;

"road" means any highway and any other road to which the public have access and includes any public place to which vehicles have access and any residential area, whether access to it is restricted or not, which is part of a local authority area;

"traffic" includes a vehicle, pedestrian procession and marching troops and all animals being ridden, driven or led on the road; and

"Vice-Chairperson" means the person elected Vice-Chairperson under section five.
PART II

THE NATIONAL ROAD SAFETY COUNCIL

3. There is hereby established the National Road Safety Council, which shall be a body corporate with perpetual succession and a common seal, capable of suing and being sued in its corporate name and with power, subject to the provisions of this Act, to do all such acts and things as a body corporate may be law do or perform.

Establishment of National Road Safety Council

4. (1) The seal of the Council shall be such device as may be determined by the Council and shall be kept by the Director.

Seal of Council

(2) The affixing of the seal shall be authenticated by the Chairperson or the Vice-Chairperson, and the Director or any other person authorised in that behalf by a resolution of the Council.

5. (1) The Council shall consist of the following members:

Composition of the Council

(a) a representative of the Medical Council of Zambia;
(b) a representative of the Law Association of Zambia;
(c) a representative of the Motor Trade Association;
(d) a representative of the Motor Sports Association;
(e) a representative of the Engineering Institution of Zambia holding a Roads or Automobile Engineering practising certificate;
(f) a representative of the Engineering Institution of Zambia holding a Roads or Automobile Engineering practising certificate;
(g) an engineer representing the Local Government Association of Zambia;
(h) an insurance broker representing the Registrar of Insurance;
(i) a representative of the Passenger, Pedestrian and Cyclist Association;
(j) a representative of the Road Transport Association;
(k) a representative of the handicapped recommended by the Ministry of Community Development and Social Welfare;
(l) a representative of the Chartered Institute of Transport; and
(m) two persons appointed by the Minister who have experience in the management of a transport enterprise and who have demonstrated interest in road safety matters.

(2) The Permanent Secretary of the Ministry responsible for transport, the Director of Road Transport, and the Director of Roads, shall be ex-officio members of the Council.

(3) An organisation or association referred to in paragraphs (a) to (j) of sub-section (1) shall—
(a) nominate a member to the Council; and

(b) nominate an alternative member who shall attend the meetings of the Council in place of the members at any time the member is unable to attend.

(4) The Minister shall appoint the persons nominated under sub-section (3) as members and alternate members of the Council.

(5) There shall be a Chairperson and Vice-Chairperson elected by the Council from amongst its members.

6. (1) Subject to the other provisions of this section a member shall hold office for a period of three years from the date of the member's appointment and may be re-appointed, upon the expiration of that period.

(Tenure of office and vacancy)

(2) On the expiration of the period for which a member is appointed, the member shall continue to hold office until a successor has been appointed but in no case shall such further period exceed four months.

(3) A member may, resign upon giving one month's notice, in writing, to the organisation or association which nominated him and to the Minister and may be removed by the Minister on the recommendation of the Council.

(4) The office of a member shall become vacant-

(a) if the member is absent without reasonable excuse from three consecutive meetings of the Council of which the member has had notice;

(b) if the member is lawfully detained or the member's freedom of movement is restricted for a period exceeding six months;

(c) on ceasing to be a representative of the organisation or association which nominated the member;

(d) if the member is an undischarged bankrupt; or

(e) if the member becomes, in the opinion of a medical expert, mentally or physically incapable of performing the duties of a member.

7. A member shall be paid such remuneration or allowances as the Council may, with the approval of the Minister, determine.

8. (1) Subject to the other provisions of this Act the functions of the Council shall be to do all such things as are necessary to protect the lives of all road users through the introduction of appropriate road safety measures.

(Foreign and Council

(2) Notwithstanding the generality of sub-section (1) the functions of the Council shall be to-

(a) conduct road safety education and through publicity campaigns, undertake and assist in the dissemination of information on road safety for the benefit of all sections of the community;

(b) co-ordinate road safety programmes;
(c) formulate and update the training programmes required for driving instructors;

(d) review and publish accident statistics and analyse causes of major accidents at regular intervals so as to recommend to the Government new road safety measures and proposals for road safety policy, taking into account technological development, legal requirements and social and economic conditions;

(e) review and publish reports on the effectiveness of road safety operations conducted by the police officers and road traffic inspectors;

(f) provide guidelines for the safe use of public roads, speedways and racecourses by motor clubs;

(g) undertake period reviews of existing road safety legislation with a view to advising the Government with regard to all necessary amendments;

(h) review and recommend to the Minister the updating of the Highway Code, where necessary;

(i) set the minimum specification for vehicles so as to comply with road safety standards and submit these specification to the minister for publication under statutory instrument;

(j) make recommendations to the Minister on the fees, allowances or remuneration to be paid for services rendered with regard to road safety under any provision of this Act;

(k) review and publish reports of safety measures that may be considered during the planning, designing and building of new roads and the upgrading of existing roads in order to promote orderly traffic flow and the creation of a road safety consciousness amongst all road users;

(l) review and publish standards of road fitness that vehicles must comply with in order to be fit to be driven on the roads;

(m) affiliate to and liaise with road safety organisations in other countries, seek road safety education information and materials from any source and arrange for the representation of the Council at any congress, conference or meetings connected with road safety; and

(n) deal with any other matter relating to road safety.

9. (1) Subject to the other provisions of this Act, the Council may regulate its own procedure. Proceedings of Council

(2) The Council shall meet for the transaction of business at least once every three months at such places and at such times as the Chairperson may determine.

(3) Upon giving notice of not less than fourteen days, a meeting of the Council may be called by the Chairperson and shall be called if not less than four members so request in writing:

Provided that if the urgency of any particular matter does not permit the giving of such notice, a special meeting may be called by the Chairperson upon giving a
shorter notice.

(4) Seven members shall form a quorum at any meeting of the Council.

(5) There shall preside at any meeting of the Council the Chairperson or in his absence, the Vice-Chairperson, or in their absence, such member as the other members present may elect for the purpose of that meeting.

(6) A decision of the Council on any question shall be by a majority of the members present and voting at the meeting and, in the event of an equality of votes, the person presiding at the meeting shall have a casting vote in addition to his deliberative vote.

(7) The Council may invite any person, whose presence is in its opinion desirable, to attend and to participate in the deliberation of a meeting of the Council but such person shall have no vote.

(8) The validity of any proceedings, act or decision of the Council shall not be affected by any vacancy in the membership of the Council or by any defect in the appointment of any member or by reason that any person not entitled so to do, took part in the proceedings.

(9) The Council shall cause minutes to be kept of the proceedings of every meeting of the Council and every meeting or any committee established by the Council.

10. (1) The Council may, for the purpose of performing its functions under this Act, establish committees and delegate to any such committee such of its functions as it thinks fit.

   Committees of Council

   (2) The Council may appoint as members of a committee established under sub-section (1) persons who are or are not members of the Council and such persons shall hold office for such period as the Council may determine.

   (3) Subject to any specific or general direction of the Council any committee established under sub-section (1) may regulate its own procedure.

11. (1) If any person is present at a meeting of the Council or any committee of the Council at which any matter is the subject of consideration and in which matter that person or that person's spouse is directly or indirectly interested in a private capacity, that person shall as soon as practicable after the commencement of the meeting, disclose such interest and shall not, unless the Council otherwise directs, take part in any discussion of, or vote on, any question touching such matter.

   Disclosure of interest

   (2) A disclosure of interest made under this section shall be recorded in the minutes of the meeting at which it is made.

PART III

ADMINISTRATION

12. (1) The Council shall appoint on such terms and conditions as it may determine, a Director who shall be the Chief Executive Officer of the Council, and who, subject to the control of the Council, shall be responsible for the affairs of the Council.
(2) The Director shall perform such of the functions of the Council as are, for the time being, delegated to him by the Council.

(3) The Council may appoint on such terms and conditions as it may determine, a Deputy Director to assist the Director.

(4) The Director, or in his absence the Deputy Director, shall attend meetings of the Council and may address such meetings but shall not vote on any matter.

13. The Council may appoint, on such terms and conditions as it may determine, such consultants, administrative and other staff as it considers necessary for the performance of its functions under this Act. Other staff

14. The conditions of service, or any alteration of such conditions of the Director, Deputy Director and all other staff of the Council shall be approved by the Minister before being effected. Conditions of service of staff of Council

15. (1) A person shall not, without the consent in writing give by or on behalf of the Council, publish or disclose to any person, otherwise than in the course of the person's duties, the contents of any document, communication or information whatsoever which relates to, and which has come to the person's knowledge in the course of the person's duties under this Act. Prohibition of publication or disclosure of information to unauthorised persons

(2) Any person who knowingly contravenes the provisions of sub-section (1), shall be guilty of an offence and be liable to a fine not exceeding five thousand penalty units or to imprisonment for a term not exceeding six months, or to both.

PART IV

FINANCIAL AND OTHER PROVISIONS

16. (1) The funds of the Council shall consist of such moneys as may be-Funds of Council

(a) appropriated by Parliament for the purposes of the Council;

(b) paid to the Council by way of grants or donations;

(c) such moneys as the Ministry of Finance may allocate specially for road safety; and

(d) interest on investment of cash balances belonging to the Council.

(2) The Council may-

(a) accept money by way of grants or donations from any source in Zambia;

(b) raise by way of loans or otherwise from any source in Zambia and subject to the approval of the Minister, from any source outside Zambia, such moneys as it may require for the discharge of its functions; and

(c) charge and collect fees in respect of training and other services provided by the Council.

(3) There shall be paid from the funds of the Council-
(a) salaries, allowances, loans gratuities and pensions to the staff of the Council;

(b) such reasonable travelling and subsistence allowances for members or members of any committee of the council when engaged on the business of the council at such rates as the Minister may determine; and

(c) any other expenses incurred by the Council in the performance of its functions.

(4) The Council may invest in such manner as it deems fit such of its funds as it does not immediately require for the performance of its functions.

17. The financial year of the Council shall be the period of twelve months ending on 31st December in each year.

18. (1) The Council shall cause to be kept proper books of accounts and other records relating to its accounts.

(2) The accounts of the Council shall be audited by independent auditors appointed by the Council with the approval of the Minister.

(3) The auditors fees shall be paid by the Council.

19. (1) As soon as practicable, but not later than six months after the expiry of the financial year, the Council shall submit to the Minister a report concerning its activities during that financial year.

(2) The report referred to in sub-section (1) shall include information on the financial affairs of the Council and these shall be appended thereto-

(a) an audited balance sheet;

(b) an audited statement of income and expenditure; and

(c) such other information as the Minister may required.

(3) The Minister shall, not later than seven days after the first sitting of the National Assembly next after the receipt of the report referred to in sub-section (1), lay it before the National Assembly.

20. The Minister may, by statutory instrument, make regulations for the better carrying out of the provisions of this Act, and in particular, and without prejudice to the generality of the foregoing power, such regulations may prescribe-

(a) the books, registers and other records to be kept by the Council and for the inspection thereof; and

(b) the forms to be used for the purposes of this Act.

21. Part IA and IB of the Roads and Road Traffic Act are hereby repealed.

CHAPTER 475
AN ACT TO CONFER ON HER MAJESTY IN COUNCIL POWERS REQUISITE TO PROVIDE FOR THE DISSOLUTION OF THE FEDERATION OF RHODESIA AND NYASALAND, OR THE SECESSION THEREFROM OF ANY OF THE TERRITORIES COMPRISED IN THE FEDERATION; AND FOR PURPOSES CONNECTED WITH THE MATTERS AFORESAID.

[31st July, 1963]

1. (1) Her Majesty may by Order in Council provide for the dissolution of the Federation of Rhodesia and Nyasaland (hereinafter referred to as "the Federation"), with the consequential distribution of functions of the Federal Government and Legislature among the Territories; and an Order in Council under this section may make, or authorise the making of, such incidental, supplemental and consequential provisions as appear necessary or expedient for the purposes of the Order.

Provision for dissolution of Federation

(2) Without prejudice to the generality of the foregoing subsection, the incidental, supplemental and consequential provisions which may be made by or under an Order under this section shall include provisions—

(a) for the apportionment and transfer of property, rights, liabilities, powers or duties of the Federation or the Government or Legislature thereof or of institutions operating for Federal purposes;

(b) as to the armed forces and public service of the Federation and persons being members or former members thereof and as to other persons employed or formerly employed for the purpose of institutions operating for Federal purposes (including provision for the discharge of obligations to, or otherwise compensating, such persons and for the apportionment of liabilities arising therefrom);

(c) for the determination of matters pending before Federal courts and tribunals;
(d) for the continuance, as respects any of the Territories, of existing law as in force in the Territory immediately before dissolution, subject however to the powers of the authority having power to legislate for the Territory after dissolution and to any modifications or adaptations prescribed, by any authority in the Territory designated by Order under this section, in the exercise of powers conferred by such an Order;

(e) for modifying or adapting any Act of Parliament (and in particular the enactments relating to citizenship) or any instrument having effect under an Act of Parliament, so however that this section shall not authorise the amendment of the constitution of any of the Territories;

and if it is agreed between the Governments of all or any two of the Territories that it is expedient that provision should be made by Order in Council for the exercise, from the dissolution of the Federation or from any earlier date, of judicial or executive functions specified in the agreement by institutions or bodies constituted jointly for those Territories, Her Majesty may by Order in Council make that provision.

(3) In so far as appears expedient for facilitating the transition to the state of affairs which will be produced by the dissolution of the Federation, an Order under this section may be made so as to make provision for any matter falling within the foregoing subsection, and specified in the Order, as from such time before the dissolution as may be so specified.

(4) The power conferred by subsection (1) of this section shall include power by Order in Council to make provision whereby any of the Territories ceases to be included in the Federation, and references in the foregoing provisions of this section to the dissolution of the Federation shall be construed accordingly.

Supplementary provisions as to Orders

2. (1) Any Order in Council under this Act may be varied or revoked by a subsequent Order in Council, or, to such extent as may be specified by Order in Council, in such other manner as may be so specified.

(2) No recommendation shall be made to Her Majesty in Council to make an Order under this Act unless a draft of the Order has been laid before Parliament and approved by Resolution of each House of Parliament.

(3) The foregoing subsection shall not apply in relation to the making of an Order at any time before the 1st October, 1963, but any Order so made shall be subject to annulment in pursuance of a Resolution of either House of Parliament.

3. (1) This Act may be cited as the Rhodesia and Nyasaland Act, 1963.

Short title and interpretation

(2) In this Act-

"the Federation" has the meaning assigned by section 1 (1) of this Act, and "Federal" shall be construed accordingly;

"the Territories" means Southern Rhodesia, Northern Rhodesia and Nyasaland, and "Territory" shall be construed accordingly.

(3) The powers conferred by this Act shall be in addition to, and not in derogation of, the powers conferred by any other enactment.
AT THE COURT AT BUCKINGHAM PALACE, THE 20TH DAY OF DECEMBER, 1963

Present:

THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL

WHEREAS the Governments of the Territories or, as the case may require, the Governments of Southern Rhodesia and Northern Rhodesia have agreed that it is expedient that provision hereinafter contained should be made by Order in Council for the exercise of certain functions by institutions or bodies constituted jointly for those Territories:

NOW, THEREFORE, HER MAJESTY, in pursuance of sections 1 and 2 (1) of the Rhodesia and Nyasaland Act, 1963, and of all other powers enabling Her in that behalf, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered as follows:

PART I

DISSOLUTION OF THE FEDERATION

1. The Federation of Rhodesia and Nyasaland and, with it, the Federal Government, the Federal Legislature and, except as provided in section 19, the other Federal authorities established by the Constitution of the Federation shall be dissolved immediately before 1st January, 1964; and accordingly the Constitution of the Federation shall, except as aforesaid, thereupon cease to have effect. Dissolution of the Federation

2. (1) Subject to the provisions of this section, all law in force in a Territory immediately before the dissolution of the Federation shall continue to have effect as respects that Territory, subject however to amendment or repeal by the Legislature of the Territory or other authority empowered in that behalf. Continuation and adaptation of existing law

   (2) The Governor of a Territory may, by order made before the dissolution of the Federation, declare that any law of the Federal Legislature specified in the order shall cease to have effect as respects that Territory on the dissolution of the Federation, and that law shall cease to have effect accordingly.

   (3) The Governor of a Territory may, by regulation made before 1st July, 1964, make as respects that Territory such modifications or adaptations in any law made by the Legislature of the Territory or the Federal Legislature in force immediately before the dissolution of the Federation and continuing to have effect in that Territory as appear to him necessary or expedient in consequence of any provision of this Order:

   Provided that this subsection shall not have effect in relation to any of the Acts specified in section 68.

   (4) Subsections (1), (2) and (3) shall have effect subject to the other provisions of this Order.
(5) A regulation made under subsection (3) shall have effect from such time, not being earlier than the dissolution of the Federation, as may be specified therein:

Provided that where by virtue of any such regulation a power is conferred to make any regulation, order or appointment or to do any other act, the power may be exercised at any time after the making of the first-mentioned regulation, so however that any regulation, order or appointment made or other act done under the power shall not have effect before the first-mentioned regulation has effect.

(6) In this section, any reference to a law made by any legislature includes a reference to any instrument having the force of law made under such a law.

3. (1) There is hereby constituted jointly for the Territories an authority which shall be known as the Liquidating Agency.

Constitution of Liquidating Agency

(2) The Liquidating Agency shall consist of three members, namely the persons for the time being holding or acting in the office of Secretary to the Treasury of Southern Rhodesia, Permanent Secretary to the Ministry of Finance of Northern Rhodesia, and Secretary to the Treasury of Nyasaland, or any office which may be substituted therefor.

(3) A person referred to in subsection (2) may act through a deputy appointed by him.

4. The Liquidating Agency shall be a body corporate and capable of suing and being sued and of purchasing or otherwise acquiring, holding and alienating movable or immovable property and, subject to the provisions of this Order, of doing all such acts as a body corporate may perform.

Agency to be a body corporate

5. (1) The Liquidating Agency shall determine its own procedure; and the question whether it has acted in accordance with the procedure so determined shall not be inquired into by any court.

Procedure and exemptions of Agency

(2) The Liquidating Agency shall be exempt from any law of a Territory imposing taxation, stamp duties or other duties, or registration fees.

6. (1) It shall be the general function of the Liquidating Agency to wind up the affairs of the Federation and, subject to the provisions of this Order, to dispose of its assets and liabilities.

Functions of Agency

(2) The Liquidating Agency shall have the following particular functions:

(a) to apportion and distribute as may be agreed between the Governments of the Territories the assets and liabilities of the Federation or of any other body vesting in or devolving upon the Agency by virtue of any provision of this Order;

(b) to exercise until 31st March, 1965, the functions of the Commissioner of Taxes of levying and collecting taxes on income or profits under the Income Tax Act, 1954, or other Act of the Legislature of the Federation, and Territorial surcharge under the Territorial Surcharges Act, 1959, of the Federation, in respect of periods of assessment up to and including the period ended on 31st
March, 1963; and

(c) to collect excise duty and surtax payable under section 122 of the Customs and Excise Act, 1955, of the Federation in respect of any month up to and including December, 1963.

(3) The Liquidating Agency shall have such further functions as are conferred by any other provision of this Order or, if within the scope of subsection (1), by agreement between the Governments of the Territories.

7. The Liquidating Agency shall have power to do anything which is calculated to facilitate the discharge of its functions or which is incidental or conducive thereto, including in particular, but without prejudice to the generality of the foregoing power, power-

(a) to declare forfeit to the Agency, after three months' notice, any unclaimed moneys or other property held to the order of the Exchange Control Suspense Account of the Federation;

(b) to dispose of outstanding matters in relation to the Commonwealth Assistance Loan under the Federation of Rhodesia and Nyasaland Credit Agreement, 1962;

(c) to pay to the Government of a Territory any expenditure incurred by it in the performance of functions on behalf of Territories jointly;

(d) to invest moneys in such bonds, stock or other securities as it may think fit;

(e) to borrow sums required by it for meeting any of its obligations or discharging any of its functions;

(f) to write off debts or settle claims;

(g) to delegate the exercise of any of its functions or powers; and

(h) to arrange for the audit of accounts relating to the winding up of the affairs of the Federation.

Powers of Agency

8. (1) Any law in force in a Territory immediately before the dissolution of the Federation shall continue in force in that Territory so far as may be necessary to enable the Liquidating Agency to discharge its functions and exercise its powers under this Order and shall be construed with such modifications and adaptations as may be required for that purpose.

Performance of functions and powers of Agency

(2) In particular, any provision in any such law conferring or imposing rights, powers or duties on any officer in relation to any matter shall be construed as conferring or imposing such rights, powers or duties on the Liquidating Agency so far as may be necessary to enable it to discharge its functions and exercise its powers in relation to that matter; and the rights, duties and liabilities (including criminal liabilities) of all persons in relation to that matter shall remain as provided by that law.

(3) Nothing in this section shall be construed as giving any person a right of recourse to any court or tribunal mentioned in section 19.
9. When the Liquidating Agency is satisfied, with the concurrence of the Governments of the Territories, that it has completed the performance of its functions and made any other arrangements necessary for bringing the Agency to an end, it shall so certify, and thereupon the Agency shall cease to exist.

10. (1) Freehold property of the Federation situate in a Territory shall on the dissolution of the Federation vest in Her Majesty, or such other person or authority as the Governor of the Territory may by order have designated, for the purposes of the Government of the Territory; and any such property not so situate shall on the dissolution of the Federation vest in the Liquidating Agency.

(2) The movable property of the Federation including currency notes, coin, bonds, securities, money in any bank and other funds shall, unless otherwise provided by this Order or allocated to the Government of a Territory by agreement made before the dissolution of the Federation, vest on the dissolution in the Liquidating Agency.

(3) Property vested in this section shall be vested subject to any liabilities or obligations relating to that property existing immediately before the dissolution of the Federation.

(4) The officer having charge of any register relating to property vested by this section shall, on application, make the required alterations in the register, and endorsements on the deeds relating to the property, if presented therefor; and no stamp duty or other duties or fees shall be payable in respect thereof.

(5) In this section "property of the Federation" means property vested immediately before the dissolution of the Federation in the Federal Government or Her Majesty or any other person or authority for the purposes of that Government, and includes any rights in respect of such property.

11. (1) Save as otherwise provided by this Order, sums of whatsoever nature due to be paid to or by the Federal Government before the dissolution of the Federation and any sum payable after the dissolution in respect of a period before the dissolution, shall be paid to or by the Liquidating Agency, or to or by the Government of a Territory if that Government so agrees with the Liquidating Agency; and any right of action in respect of such sums, or otherwise in contract, tort or delict, by or against the Federal Government existing immediately before the dissolution of the Federation may be prosecuted by or against the Liquidating Agency, or the Government of a Territory if that Government so agrees with the Liquidating Agency.

(2) In any action brought in pursuance of this section any defence which would have been available to or against the Federal Government shall be available to
or against the Liquidating Agency or the Territorial Government, as the case may be.

12. (1) The liabilities of the Federation in respect of each of the loans raised in the Federation and specified in Parts A, B and C of Schedule I are hereby apportioned amongst the Territories as follows:

Outstanding internal public debt of the Federation

(a) those in Part A as to 52.120 per cent. to Southern Rhodesia, 37.127 per cent. to Northern Rhodesia, and 10.753 per cent. to Nyasaland;

(b) those in Part B as to 50.000 per cent. to Southern Rhodesia and 50.000 per cent. to Northern Rhodesia; and

(c) those in Part C, in the manner set out in that Part.

(2) The liabilities of the Federation as apportioned by subsection (1) are hereby transferred to the respective Territories in accordance with the provisions of this section.

(3) The Government of each Territory, to the extent of the liability apportioned to it by subsection (1), is hereby authorised to and shall issue bonds or stock of that Government in substitution for any bonds or stock (in this section referred to as "original bonds or stock") issued under any Act of the Federal Legislature in respect of any loan referred to in subsection (1).

(4) Any document of title relating to original bonds or stock shall be valid as against the Territories in proportion to the liability apportioned to them by subsection (1) in respect of the loan concerned until such time as new documents of title are issued in substitution therefor.

(5) In respect of bonds or stock issued under this section—

(a) interest thereon shall be paid at the place stated therein and in the currency of the Territory of issue, and on the dates and at the percentage rate and on the terms and conditions applicable to the payment of interest on the original bonds or stock;

(b) they shall be redeemable or repayable at the place stated therein and in the currency of the Territory of issue, and otherwise be redeemable or repayable on the terms and conditions applicable to the original bonds or stock; and

(c) they shall be held by the holder in the same right and on the same trusts and subject to the same powers, privileges, charges, restraints and liabilities as those in, on or subject to which he held the original bonds or stock, and any provision of any deed, will, disposition or other instrument shall have the same effect in relation to the bonds or stock issued under this section as it would have had in relation to the original bonds or stock.

(6) In relation to any loans in respect of which no bonds or stock have been issued the lenders shall, subject to the provisions of subsection (1) and of any agreement entered into with the respective Territories, continue to enjoy the same rights as they enjoyed immediately before the dissolution of the Federation, except that interest on the loans shall be paid, and the loans shall be redeemed or repaid, both in, and in the currency of, the respective Territories.
(7) The Government of each Territory, to the extent of the liability apportioned to it by subsection (1), shall establish a sinking fund for any bonds or stock for which a sinking fund was required to be established by the Federal Government, and on the same terms and conditions, and shall maintain the sinking fund until the bonds or stock for which it was established are redeemed or repaid.

(8) The sinking funds established by the Federal Government in respect of any loan referred to in subsection (1) are hereby apportioned amongst the Territories in the same proportions as the relevant loans are apportioned by that subsection and shall be transferred accordingly to the appropriate sinking funds established under subsection (7).

(9) The trustees of any such sinking fund established by the Federal Government shall-

(a) as soon as may be after the dissolution of the Federation, submit to the Government of each Territory a full account of the assets of the fund subsisting immediately before the dissolution of the Federation;

(b) take such steps as may be necessary to give effect to the provisions of subsection (8); and

(c) continue to have all the powers that at present appertain to them in relation to the fund until effect is given to the provisions of subsection (8) in relation to that fund;

and no stamp duty, transfer fee or any other duty shall be payable in respect of anything done for the purposes of subsection (8).

(10) Notwithstanding any other provision of this section, the liabilities apportioned and transferred by subsections (1) and (2) shall be calculated to the nearest penny, and bonds or stock issued under subsection (3) shall be expressed in units of one pound nominal or multiples thereof, so however that the aggregate amount of bonds or stock issued shall be of the same face value as the bonds or stock for which they are substituted, and shall be issued to each holder in proportion to the liability in respect of the loan apportioned to the Territory by subsection (1).

13. The sums standing to the credit of the Tax Reserve Certificates Fund of the Federation immediately before the dissolution of the Federation are hereby vested in the Liquidating Agency, and the Agency shall redeem any Federal Tax Reserve certificates unredeemed before dissolution. Federal tax reserve certificates.

14. (1) The assets and liabilities of the Post Office Savings Bank of the Federation as existing immediately before the dissolution of the Federation are hereby vested in the Liquidating Agency and, subject to the provisions of this section, the Agency shall be responsible for the management of the assets and liabilities in accordance with the laws of the Federal Legislature relating thereto immediately before the dissolution. Post Office Savings Bank.

(2) The Liquidating Agency shall apportion the liabilities of the Savings Bank amongst the Territories according to the Territory in which the passbook held by a depositor was issued or, if a new passbook was issued to him in replacement of a lost passbook, according to the Territory in which the lost passbook was
issued; and the assets of the Savings Bank shall be apportioned in accordance with the liabilities.

(3) The Liquidating Agency shall transfer to the Territories the assets and liabilities existing immediately before the transfer in accordance with such apportionment, and on such transfer the functions of the Liquidating Agency under this section shall cease.

15. The liabilities of the Federation in respect of Post Office savings certificates issued under the Post Office Savings Bank and Savings Certificates Act, 1954, of the Federation are hereby apportioned and transferred to the Government of Southern Rhodesia, and the assets of the Post Office Savings Certificates Fund established by the said Act are hereby vested in that Government. Post Office savings certificates

16. (1) The liabilities of the Federation in respect of each of the loans raised outside the Federation and specified in Parts D, E, F and G of Schedule I are hereby apportioned amongst the Territories as follows:

Outstanding external public debt of the Federation

(a) those in Parts D and E as to 52.120 per cent. to Southern Rhodesia, 37.127 per cent. to Northern Rhodesia, and 10.753 per cent. to Nyasaland;

(b) those in Part F as to 50.000 per cent. to Southern Rhodesia and 50.000 per cent. to Northern Rhodesia; and

(c) those in Part G, in the manner set out in that Part.

(2) The liabilities of the Federation as apportioned by subsection (1) are hereby transferred to the respective Territories.

(3) In respect of any of the said loans-

(a) any bonds or stock issued under any Act of the Federal Legislature shall continue to be valid and, subject to the provisions of subsection (1) and of any agreement entered into by the respective Territories with the lenders in relation to the loans specified in Part H of Schedule I, continue to confer on the holders thereof the same rights as those enjoyed by the holders immediately before the dissolution of the Federation; and

(b) in relation to which no bonds or stock have been issued the lenders shall, subject to the provisions of subsection (1) and of any agreement entered into by the respective Territories with the lenders in relation to the loans so specified, continue to enjoy the same rights as they enjoyed immediately before the dissolution of the Federation.

(4) The sinking funds established by the Federal Government in respect of the loans specified in Part D of Schedule I shall continue in existence and the Territories shall, to the extent of the liabilities apportioned to them in respect of those loans by subsection (1), discharge the liabilities of the Federal Government in relation to the said sinking funds.

(5) The existing trustees of the sinking funds referred to in subsection (4) shall continue as trustees on the existing terms and conditions and shall administer each sinking fund until the stock for which it is established is redeemed or repaid.
(6) If before the dissolution of the Federation the Governments of the United Kingdom, the Federation and the Territories agree that the liability in respect of any loan apportioned amongst the Territories by subsection (1) should be transferred to the Territories in accordance with the provisions of section 12 instead of this section, then the provisions of section 12 (except subsection (1)) shall apply to that loan in substitution for the provisions of subsections (2) to (5) of this section but subject to the following modifications:

(a) the references to subsection (1) of section 12 shall be construed as references to subsection (1) of this section;

(b) the references in subsection (5) to the Territory of issue shall be construed as references to the place of issue;

(c) in subsection (6) the words "except that interest on the loans shall be paid, and the loans shall be redeemed or repaid, both in, and in the currency of, the respective Territories" shall be omitted;

(d) in subsection (8) the reference to any loan referred to in subsection (1) shall be construed as a reference to the loan which is the subject of the agreement under this subsection; and

(e) in subsection (10) for the words "be expressed in units of one pound nominal or multiples thereof, so however that" there shall be substituted the words "issued so that".

(7) The Government of the Territories shall cause notice of any agreement under subsection (6) in respect of a loan to be given to the lenders in such manner as they consider appropriate.

(8) Notwithstanding anything to the contrary contained in the Colonial Stock Acts, 1877 to 1948, the Trustee Investments Act, 1961, or any other law, the registration under the said Colonial Stock Acts of the stock relating to loans specified in Part D of Schedule I shall have the same effect as if the stock had been issued by the Territories and any stock issued by virtue of subsection (6) in substitution therefor shall be deemed to be registered under those Acts, and the stock shall continue to be, or as the case may be, shall be investments in which a trustee may invest.

17. (1) This section applies to the following bodies, that is to say-Winding up of certain bodies established by Federal law

(a) the Agricultural Marketing Council established by the Agricultural Marketing Council Act, 1956, of the Federation;

(b) the Cold Storage Commission established by the Cold Storage Commission Act, 1960, of the Federation;

(c) the Dairy Marketing Board established by the Dairy Produce Marketing and Levy Act, 1961, of the Federation;

(d) the Federal Broadcasting Corporation established by the Broadcasting Act, 1957, of the Federation;

(e) the Grain Marketing Board established by the Grain Marketing Act, 1957, of the Federation;
(f) the Pig Industry Board established by the Pig Industry Act, 1959, of the Federation;

(g) the North-Eastern Tobacco Marketing Board established by the Tobacco Marketing and Levy Act, 1960, of the Federation;

(h) the South-Western Tobacco Marketing Board established by the said Tobacco Marketing and Levy Act; and

(i) the Tobacco Export Promotion Council of Rhodesia and Nyasaland established by the said Tobacco Marketing and Levy Act.

(2) Each body to which this section applies shall, for the purpose of winding up its affairs before the dissolution of the Federation, and notwithstanding anything in the Act relating to it, have power to do anything which is necessary or expedient for that purpose or is incidental thereto, including in particular, but without prejudice to the generality of that power, power to enter into and carry out agreements for the transfer of its property, rights, liabilities and obligations to any other body or person.

(3) On the dissolution of the Federation each body to which this section applies shall be dissolved, and any property of the body remaining undisposed of shall vest in the Liquidating Agency.

(4) The provisions of subsections (3) and (4) of section 10 shall apply to any property vested in the Liquidating Agency by this section, and the provisions of the said subsection (4) shall apply to any property transferred under subsection (2), as they apply to property vested by section 10.

(5) The provisions of section 11 shall apply in relation to sums due to or by a body to which this section applies and in relation to any right of action by or against such a body as they apply in relation to sums due to or by, and rights of action by or against, the Federal Government.

18. (1) In any legal proceedings pending on the dissolution of the Federation there shall be made such substitution of one party for another as may be necessary to take account of any transfer by this Order of functions, rights, liabilities or obligations. Pending legal proceedings

(2) Any appeal brought after the dissolution of the Federation against a decision given in any legal proceedings before the dissolution of the Federation may be brought by or against the party who should, by virtue of subsection (1), have been the appellant or respondent if the proceedings had continued after the dissolution of the Federation.

19. (1) For the purpose of hearing and determining proceedings pending before them immediately before the dissolution of the Federation, except any such proceedings in respect of matters arising from Nyasaland—Temporary continuation of certain Federal courts

(a) the Federal Supreme Court,

(b) the Court Martial Appeal Court,

(c) the Special Court for income tax appeals, and

(d) the Patents Tribunal,
(in this section referred to as "the courts") shall, subject to the provisions of this section, continue in existence notwithstanding the dissolution of the Federation; and accordingly the persons holding the offices of the Chief Justice of the Federation, the Federal Justices, the President of the Special Court for income tax appeals and the President of the Patents Tribunal immediately before the dissolution of the Federation shall, subject as aforesaid, continue to hold their respective offices and to enjoy, or be subject to, all the terms and conditions of service which applied to them immediately before the dissolution of the Federation.

(2) In relation to the Federal Supreme Court as continued in existence by this section, paragraph (6) of Article 47 and Articles 48 and 49 of the Constitution of the Federation shall apply as if references therein to the Governor-General were references to the Secretary of State and as if in the said paragraph (6) the words "by instrument under the public seal of the Federation" and the words "on an address from the Federal Assembly praying for his removal" were omitted.

(3) For the purpose of the performance of functions requiring to be performed in order to give effect to this section in relation to the other courts continued in existence thereby, the laws of the Federal Legislature hereinafter mentioned shall be modified as follows:

(a) section 120 of the Defence Act, 1955 (providing for the appointment of a Registrar of the Court Martial Appeal Court), shall apply as if the reference to the Minister of Defence were a reference to the Chief Justice of the Federation;

(b) section 57 of the Income Tax Act, 1954 (providing for the establishment of the Special Court for income tax appeals), shall apply as if the reference in subsection (1) to the Governor-General were a reference to the Chief Justice of the Federation, the reference in subsection (3) to the Minister of Home Affairs after consultation with the President were a reference to the President of the Special Court, the reference in subsection (4) to the Governor-General were a reference to the Liquidating Agency, and the reference in subsection (5) to the Minister were a reference to the Chief Justice of the Federation;

(c) section 71 of the Patents Act, 1957 (providing for the establishment of a Patents Tribunal), shall have effect as if the reference in subsection (1) to the Minister were a reference to the Chief Justice of the Federation, the reference in subsection (4) to the Minister acting with the approval of the Minister of Finance were a reference to the Liquidating Agency, and the reference in subsection (5) to the Minister were a reference to the President of the Patents Tribunal.

(4) The administrative expenses of the courts, including all remuneration and allowances payable to the judges, officers and servants of the courts, shall be paid out of money in the hands of the Liquidating Agency; and any fees or other moneys taken by the courts shall be paid to the Agency.

(5) The provisions of the Constitution of the Federation and of any law or rules of court in force immediately before the dissolution of the Federation with respect to the jurisdiction, powers, practice and procedure of the courts shall continue to have effect for the purpose of the hearing and determining by the courts of proceedings pending before them immediately before the dissolution of the Federation; and the courts and authorities of Southern Rhodesia and Northern Rhodesia shall continue to act in aid of the courts in respect of such proceedings.
(6) When the Chief Justice of the Federation is satisfied that the Federal Supreme Court or any other court continued in existence by this section has disposed of all business which can in his opinion be reasonably dealt with by it under the provisions of this Order he shall, by writing under his hand, so certify, whereupon the court shall cease to exist; and any business outstanding shall be dealt with in accordance with such provision as may be made by the law of Southern Rhodesia or Northern Rhodesia in relation to matters arising from that Territory.

(7) If the Special Court for income tax appeals or the Patents Tribunal continue in existence after the Federal Supreme Court has ceased to exist, the function conferred by subsection (6) on the Chief Justice of the Federation shall be performed by the President of the Special Court or the President of the Patents Tribunal, as the case may be.

PART II

THE PUBLIC SERVICE

20. (1) This section applies to any person who is an officer of the public service of the Federation immediately before the dissolution of the Federation and who is at that time employed on secondment in the public service of a Territory, or is so employed as from the dissolution (hereinafter referred to as a "seconded officer").

Temporary provision for seconded Federal officers

(2) A seconded officer shall, subject to the provisions of this Part, continue as from the dissolution of the Federation to enjoy or be subject to all the terms and conditions of service which applied to him immediately before the dissolution, so however that he may accept any other terms and conditions in substitution therefor.

(3) This section shall cease to apply to any person on 1st June, 1964, or before that date if his employment on secondment is terminated by transfer to the public service of a Territory or otherwise.

* Staff Authority and Staff Commission appointed by Government Notice No. 440 of 1963.*

21. (1) There is hereby constituted an authority which shall be known as the Staff Authority and shall consist of a person appointed before the dissolution of the Federation by the Federal Government with the concurrence of the Governments of the Territories.

Constitution of Staff Authority and Staff Commission

(2) There is hereby constituted an authority which shall be known as the Staff Commission and shall consist of a person appointed before the dissolution of the Federation by the Federal Government with the concurrence of the Governments of the Territories.

(3) The person constituting the Staff Commission may at any time, with the consent of the Liquidating Agency, appoint to the Commission, on such terms as he may determine, not more than two further persons.

(4) In the event of the death of the person appointed to be the Staff
Authority, or appointed under subsection (2) to be the Staff Commission, or in the event of his becoming incapable of performing his functions, the Governments of the Territories jointly may appoint another person in his place, but before doing so they shall, in the case of an appointment to the Staff Authority, consult the Staff Commission, and in the case of an appointment to the Staff Commission, consult the Staff Authority.

(5) The Staff Authority and the Staff Commission shall cease to exist on 1st June, 1964.

*Staff Authority and Staff Commission appointed by Government Notice No. 440 of 1963.

22. (1) The Staff Authority may exercise in relation to seconded officers such powers of or relating to their disciplinary control, suspensions from duty, discharge, and resignation and otherwise as to their conditions of service as were vested immediately before the dissolution of the Federation in the Governor-General of the Federation. Powers of Staff Authority and Staff Commission in relation to seconded officers

(2) The Staff Commission may exercise in relation to seconded officers such of the said powers as were then vested in the Federal Public Service Commission or any other Federal authority not being the Governor-General.

(3) The Staff Commission shall further have general responsibility for the welfare of seconded officers.

(4) The Staff Authority and the Staff Commission shall exercise their powers under subsections (1) and (2) in relation to any seconded officer as nearly as may be in accordance with the provisions applicable to him immediately before the dissolution of the Federation.

23. (1) The Staff Authority and the Staff Commission respectively may, with the approval of the Liquidating Agency, employ staff to assist them in the discharge of their functions and determine the terms and conditions of service of members of such staff. Staff and expenses of Staff Authority and Staff Commission

(2) The expenses of the Staff Authority and the Staff Commission, including all remuneration and allowances payable to the persons constituting the Authority and the Commission and to members of their staffs, shall be paid out of moneys in the hands of the Liquidating Agency.

24. (1) There is hereby established a Fund to be called the Central African Pension Fund (hereinafter referred to as "the Fund"). Establishment of Central African Pension Fund

(2) The purposes of the Fund shall be the payment of pensions, sums by way of commutation of pension and refund of pension contributions, and gratuities, allowances and other benefits to or in respect of persons employed or formerly employed in the public service of the Federation and other persons, in accordance with the provisions of Schedule II.

25. (1) The Fund shall consist of: Assets of Fund

(a) the sums and other assets standing immediately before the dissolution of the Federation to the credit of the Federal Pension Fund established by the
Federal Pension Fund Act, 1956, of the Federation;

(b) all sums paid into the Fund in accordance with Part VII of Schedule II;

(c) such sums as may be provided for the purposes of the Fund by the Government of the United Kingdom or the Government of a Territory or any other authority; and

(d) any other sums or assets which vest in or accrue to the Fund in the course of the operation of the Fund or otherwise.

(2) Sums accruing to the Fund shall be exempt from income tax and any other tax imposed by the law of a Territory.

26. (1) The Fund shall vest in trustees (hereinafter referred to as "the Trustees") to be appointed by the Governments of the United Kingdom, the Federation, Southern Rhodesia, Northern Rhodesia and Nyasaland jointly. Vesting of Fund in Trustees

(2) The Trustees shall be domiciled in the United Kingdom.

(3) If the Trustees are not appointed before the dissolution of the Federation, the function of the Federal Government under subsection (1) shall be discharged by the Staff Authority, and the Fund shall on dissolution vest in the Liquidating Agency, which shall perform the functions of the Trustees until the latter are appointed.

(4) If the Fund so vests in the Liquidating Agency, the Fund shall, on the appointment of the Trustees, vest in them.

(5) The Governments of the Territories may at any time jointly appoint new trustees of the Fund.

27. (1) There is hereby established a Central African Pension Agency (hereinafter referred to as "the Pension Agency") which shall consist of the officer for the time being performing the functions of Pensions Officer of the Government of Southern Rhodesia. Establishment of Central African Pension Agency

(2) In carrying out the duties of the Pension Agency such officer shall not be deemed to be acting on behalf of the Government of Southern Rhodesia; and the Pension Agency shall so far as possible, in any matter concerning persons resident in either Northern Rhodesia or Nyasaland, act through the agency of the Pensions Officer of the Government of Northern Rhodesia or of Nyasaland, as the case may be.

(3) The Governments of the three Territories may at any time, in accordance with any representations made by or otherwise with the agreement of the Trustees, jointly appoint another person or body to be the Pension Agency.

28. (1) The Trustees shall—Functions of Trustees

(a) invest such moneys in the Fund as are available for investment, and shall have power to realise or vary any investment:

Provided that they shall not realise or vary investments representing any of the loans described in section 12 before maturity unless it is in their opinion
necessary to do so to meet the outgoings of the Fund;

(b) make available to the Pension Agency out of the Fund such sums as the Agency may require to make the payments described in section 29;

(c) make periodical reports to the Governments of the United Kingdom and the Territories as to the state of the Fund, with a view to the payment into the Fund by such Governments of such amounts as may be required to meet any deficit in the Fund; and

(d) arrange for the audit of the accounts of the Pension Agency.

(2) The Trustees shall have power to borrow money for the purposes of the Fund, to charge remuneration for their services, and such further functions (if any) in relation to the Fund as may be provided by instrument executed by the Trustees and the Governments of the United Kingdom and the Territories.

29. (1) There shall be charged on the Fund, and paid by the Pension Agency, the pensions, gratuities and other payments provided for in Schedule II and required by the provisions of the Schedule to be paid out of the Fund. Charges on Fund

(2) There shall further be charged on the Fund-

(a) the expenses incurred by the Trustees and the Pension Agency in performing their functions under this Order, and any charges or losses incurred by the Fund; and

(b) any remuneration payable to the Trustees, the Pension Agency and the staff of the Pension Agency.

30. (1) The Pension Agency shall have, for the purposes of this Order, the powers conferred by any law of the Federal Legislature or instrument made thereunder in force immediately before the dissolution of the Federation or by any contract of service on the Governor-General of the Federation, the Speaker of the Federal Assembly, the Federal Minister of Finance or any other authority of the Federal Government in relation to the payment, discontinuance, suspension, forfeiture, withholding or commutation of a pension or other benefit. Further powers and duties of Pension Agency

(2) The Pension Agency shall furnish the Trustees with such information as they may from time to time require to enable them to perform their functions under this Order.

31. (1) The contributions required by Schedule II to be paid to the Fund shall be paid to the Pension Agency. Contributions to Fund

(2) The Pension Agency may apply contributions so received to meet the payments chargeable to the Fund, and shall pay over any contributions not so applied to the Trustees for payment into the Fund.

32. (1) The Fund shall be valued by an actuary appointed by the Trustees at intervals not exceeding five years, and the Trustees shall communicate the actuary's report to the Governments of the United Kingdom and the Territories if so required by them. Valuation by actuary

(2) The actuary shall state in his report what in his opinion is the cause of
any surplus or deficit in the Fund.

PART III
Repealed by Act No 17 of 1987 now Chapter 467

PART IV

CIVIL AIR TRANSPORT

47. (1) There is hereby constituted jointly for the Territories an authority which shall be known as the Higher Authority for Civil Air Transport. Constitution of Higher Authority for Civil Air Transport

(2) The Higher Authority shall consist of three members, of whom one shall be a Minister of the Government of Southern Rhodesia, one a Minister of the Government of Northern Rhodesia and one a Minister of the Government of Nyasaland, appointed by their respective Governments.

48. (1) The Higher Authority shall have such functions in relation to air services and the control of the Corporation as are conferred by this Part of this Order or any law. Functions of Higher Authority

(2) (Repealed by Act No. 38 of 1967)

(3) The Higher Authority may, after consultation with the Corporation, give to it such directions as to the performance of its functions in accordance with the provisions of this Part of this Order and any law as appear to the Higher Authority to be requisite, and the Corporation shall give effect to any such directions.

49. (1) Subject to the provisions of this Part of this Order and of any law, the Higher Authority shall determine its own procedure. Procedure of Higher Authority

(2) No decision of the Higher Authority shall have effect unless it is unanimous.

50. There is hereby constituted jointly for the Territories a corporation, to be known as the Central African Airways Corporation, which shall be a body corporate with a common seal and capable of suing and being sued and, subject to the provisions of this Order and any law, of doing all such acts as a body corporate may perform. Constitution of Central African Airways Corporation

51. (1) The Corporation shall consist of—Membership of Corporation

(a) a Chairman who shall be appointed on the first occasion by the Governments of the Territories jointly and thereafter by the Higher Authority;

(b) five other members, of whom two shall be appointed by the Government of Southern Rhodesia, two by the Government of Northern Rhodesia, and one by the Government of Nyasaland; and

(c) so long as the agreement between the Central African Airways Corporation and the Colonial Development Corporation concluded on 6th September, 1954, so requires, one additional member who shall be appointed by the Higher Authority with the approval of the Commonwealth Development Corporation.
(2) Each member of the Corporation shall be paid out of the funds of the Corporation such remuneration and allowances, if any, and, subject to the provisions of this Part of this Order, shall have such other conditions of service, as the Higher Authority may determine.

52. No person shall be appointed to be a member of the Corporation who-

(a) is a member of the Legislature of a Territory; or

(b) has, under any enactment in force in any part of the Commonwealth—Disqualifications for membership

(i) been adjudged or otherwise declared bankrupt or insolvent and has not been discharged or rehabilitated; or

(ii) made an assignment to, or arrangement or composition with, his creditors which has not been rescinded or set aside; or

(c) has within the immediately preceding five years served a sentence of imprisonment (by whatever name called) exceeding six months imposed (otherwise than as an alternative to, or in default of, the payment of a fine) in any part of the Commonwealth, and has not received a free pardon in respect of the offence for which he was sentenced.

53. (1) Subject to the provisions of this section, a member of the Corporation shall hold his office for a period of three years from the date of his appointment or such shorter period as may be specified in his instrument of appointment. Tenure of office of members

(2) The office of a member shall become vacant—

(a) if he resigns by notice in writing given to the Higher Authority; or

(b) if any circumstances arise which, if he were not a member, would cause him to be disqualified for appointment as a member under paragraph (a) or (b) of section 52; or

(c) if he begins to serve a sentence such as is referred to in paragraph (c) of section 52; or

(d) if the Higher Authority removes him from office for improper conduct as a member or failure to perform efficiently the functions of his office (whether due to infirmity of body or mind or any other cause) or to take all possible steps to cause the Corporation to comply with any court order requiring it to remedy a default; or

(e) in the case of a member other than the Chairman, if he is absent without the permission of the Chairman from three successive meetings of the Corporation of which he has had notice; or

(f) if the Higher Authority is satisfied that the private interests of the member conflict with his duties as a member and that consequently it is inexpedient for him to continue to hold office as such a member.

(3) A notice of resignation given in terms of paragraph (a) of subsection (2) shall take effect on the expiration of one month, or such shorter period as may
be agreed between the Higher Authority and the member concerned, from the date on which it is given.

(4) A member vacating his office may, unless disqualified for appointment, be again appointed as a member from time to time.

54. If a member of the Corporation is unable to perform the functions of his office by reason of illness, absence from the Territories, or any other cause, the authority by which that member was appointed may appoint any person, not being a person disqualified for appointment as a member, to act in his place; and any person so appointed shall, subject to the provisions of section 53, continue so to act until the expiration of such period as may be specified in his instrument of appointment or until that member resumes the performance of those functions, whichever is the earlier. Acting appointments

55. (1) Subject to the provisions of this Part of this Order and of any law and to any direction given to the Corporation by the Higher Authority, the Corporation shall determine its own procedure. Procedure of Corporation

(2) If at a meeting of the Corporation the Chairman and any person appointed to act as Chairman are absent, the members present may elect one of their number to preside as chairman of the meeting.

(3) Not less than four members shall form a quorum at a meeting of the Corporation.

(4) Decisions of the Corporation shall be made according to the majority of the votes of the members present and voting at a meeting of the Corporation at which a quorum is present, and in the event of an equality of votes, the member presiding shall have a casting vote.

(5) Decisions taken in accordance with the provisions of subsection (4) shall be valid notwithstanding any vacancy among the members of the Corporation or that some person who was not entitled so to do voted or otherwise acted as a member.

56. (1) In this section-

"former Corporation" means the Central African Airways Corporation established by the Central African Airways Corporation Act, 1960, of the Federation;

"new Corporation" means the Corporation constituted by section 50. Dissolution of former Corporation and vesting of assets and liabilities in new Corporation

(2) On the dissolution of the Federation, the former Corporation shall be dissolved and all assets, rights, liabilities and obligations of the former Corporation shall vest in the new Corporation by virtue of this section, and accordingly-

(a) all agreements and instruments giving rise or otherwise relating to such assets, rights, liabilities or obligations which were subsisting immediately before the dissolution shall on and after the dissolution have effect and be enforceable as if references therein to the former Corporation were references to the new Corporation and, where the former Corporation was a party thereto, as if the new Corporation had been a party thereto instead of the former Corporation;
(b) in any legal proceedings connected with such assets, rights, liabilities or obligations which were pending immediately before the dissolution by or against the former Corporation, the new Corporation shall be substituted for the former Corporation as a party.

(3) Where any person who was in the service of the former Corporation immediately before the dissolution becomes by virtue of this section a person in the service of the new Corporation, his service under the former Corporation shall be treated as service under the new Corporation for the purposes of determining rights to or eligibility for pension, gratuity or leave in respect of his service.

(4) Where title to any immovable property or any right or obligation relating to such property is vested in the new Corporation by virtue of this section, and such title, right or obligation or any deed relating thereto has been registered before the dissolution under any law, the officer having charge of the register concerned shall, on application by the new Corporation or any person having an interest in such property, make the necessary alterations in the register and, if presented therefor, endorsements on the deeds relating to the title, right or obligation concerned; and no stamp or other duties shall be payable in respect thereof.

(5) The provisions of subsection (2) shall have effect subject to any agreement entered into or instrument executed by virtue of section 58.

57. (1) The Corporation shall have such functions within the Territories, within one or more Territories, or outside the Territories, as are conferred by this Part of this Order or any law.

(2) The general function of the Corporation shall be to supply the needs of the Territories for air services within, into, from and through the Territories to the fullest possible extent consistent with the resources of the Corporation.

58. Notwithstanding any other provision in this Order, the Corporation may, before 1st January, 1964, enter into any agreement, execute any instrument or do any other thing which it deems necessary to enable it to assume its functions on that date.

59. The provisions of this Part of this Order may, as respects each Territory, be amended or revoked by a law of the Legislature of the Territory.

60. In this Part of this Order, unless inconsistent with the context:

"air services" includes ancillary services and ancillary transport services;

"Corporation" means the Central African Airways Corporation constituted by section 50;

"Higher Authority" means the Higher Authority for Civil Air Transport constituted by section 47.

PART V

AGRICULTURAL RESEARCH
61-65. (Repealed by Act No. 56 of 1967)

PART VI
Obsolete.

PART VII
Obsolete.

PART VIII

MISCELLANEOUS

74. (1) As from the dissolution of the Federation the British Nationality Acts, 1948 and 1958, shall have effect as if—Modification of British Nationality Acts

(a) in section 1 (3) of the Act of 1948 (which, as amended by the Act of 1958, includes the Federation among Commonwealth countries with separate citizenship from that of the United Kingdom and Colonies) for the words "the Federation of Rhodesia and Nyasaland" there were substituted the words "Southern Rhodesia"; and

(b) any reference in those Acts to a period of residence in a protectorate included any period of residence in Northern Rhodesia or Nyasaland before the dissolution of the Federation, any period of residence in Northern Rhodesia after the dissolution of the Federation but before 24th October, 1964, and any period of residence in Nyasaland after the dissolution of the Federation but before 6th July, 1964.

(2) Notwithstanding anything in the British Nationality Acts, 1948 and 1958, any person who immediately before the dissolution of the Federation is a citizen of the Federation but is not a citizen of the United Kingdom and Colonies shall become a citizen of the United Kingdom and Colonies on the dissolution of the Federation unless he then becomes a citizen of Southern Rhodesia.

(As amended by section 3 of the Zambia Independence Act, 1964)


76. (1) In this Order, except where the context otherwise requires—

"the Federation" means the Federation of Rhodesia and Nyasaland;

"functions" includes duties and powers;

"Governor" includes any person who, under and to the extent of any authority to act therein, is for the time being performing the functions of the office of Governor;

"law" means any provision having the force of law in any Territory;

"the Territories" means Southern Rhodesia, Northern Rhodesia and Nyasaland, and
"Territory" shall be construed accordingly. Interpretation

(2) Any reference in this Order to an Act of the Federation or an Act or Ordinance of a Territory shall be construed as a reference to that Act or Ordinance as amended by any Act or Ordinance passed before the dissolution of the Federation.

(3) Where any law ceases to have effect by virtue of any provision of this Order, section 38(2) of the Interpretation Act, 1889, shall apply to the cesser of that law as it applies to the repeal of an Act of Parliament.

(4) Any reference in this Order to a Schedule, section, subsection or paragraph not otherwise identified is a reference to that Schedule to, or section of, this Order, or to that subsection or paragraph of the section or Schedule in which the reference occurs, as the case may be.

(5) Any regulations or order made under the provisions of this Order shall be published in the official Gazette of the Territory in which they have effect.

(6) The Interpretation Act, 1889, shall apply, with the necessary adaptations, for the purpose of interpreting this Order and otherwise in relation thereto as it applies for the purpose of interpreting, and in relation to, Acts of Parliament.

77. The Federation of Rhodesia and Nyasaland Order in Council, 1963, is hereby revoked, but without prejudice to any law or regulation made or other thing done by virtue of that Order. Revocation

78. (1) This Order may be cited as the Federation of Rhodesia and Nyasaland (Dissolution) Order in Council, 1963. Citation and commencement

(2) Save as provided in subsection (3), this Order shall come into operation immediately before 1st January, 1964.

(3) Sections 2 (except subsection (1)) and 17 (2), the provisions of Part III except sections 42, 43 and 45, the provisions of Part IV except sections 48 (2), 56, 57 and 59, and section 69 shall come into operation on 21st December, 1963.

W. G. AGNEW

SCHEDULE I

(Sections 12 and 16)

PUBLIC DEBT OF THE FEDERATION

PART A

Federation of Rhodesia and Nyasaland 41/2% Local Registered Stock, 1970-73.
Federation of Rhodesia and Nyasaland 41/2% Local Registered Stock, 1969-71.
Federation of Rhodesia and Nyasaland 5% Local Registered Stock, 1974-76.
Federation of Rhodesia and Nyasaland 51/4% Local Registered Stock, 1975-77.
Federation of Rhodesia and Nyasaland 53/4% Local Registered Stock, 1979-81.
Federation of Rhodesia and Nyasaland 5% Local Registered Stock, 1964.
Federation of Rhodesia and Nyasaland 6% Local Registered Stock, 1976-79.
Federation of Rhodesia and Nyasaland 51/4% Local Registered Stock, 1964.
Federation of Rhodesia and Nyasaland 61/4% Local Registered Stock, 1980-85.
Federation of Rhodesia and Nyasaland 61/2% Local Registered Stock, 1981-86.
Federation of Rhodesia and Nyasaland 61/2% Local Registered Stock, 1982-87.
Federation of Rhodesia and Nyasaland 51/2% Local Registered Stock, 1965.
Federation of Rhodesia and Nyasaland 61/2% Local Registered Stock, 1982-87 (No. 3/62).
Federation of Rhodesia and Nyasaland 5% Local Registered Stock, 1965 (No. 4/62).
Federation of Rhodesia and Nyasaland 5% Local Registered Stock, 1966 (No. 1/63).


PART B

British South Africa Company Loan: 5%, 1966-85.
Federation of Rhodesia and Nyasaland 5% Local Registered Stock, 1977.
Federation of Rhodesia and Nyasaland 5% Local Registered Stock, 1978.
Federation of Rhodesia and Nyasaland 5% Local Registered Stock, 1959-79.
Federation of Rhodesia and Nyasaland 5% Local Registered Stock, 1960-80.
Federation of Rhodesia and Nyasaland 41/2% Local Registered Development Bonds, 1957-84.
Federation of Rhodesia and Nyasaland 41/2 Local Registered Development Bonds, 1958-85.
Federation of Rhodesia and Nyasaland 41/2% Local Registered Development Bonds, 1959-86.
Federation of Rhodesia and Nyasaland 41/2% Local Registered Development Bonds, 1960-87.
Federation of Rhodesia and Nyasaland 41/2% Local Registered Development Bonds, 1961-88.
Federation of Rhodesia and Nyasaland 41/2% Local Registered Development Bonds, 1962-89.

PART C

British South Africa Company Investments Limited Loan: 5%, 1966-78-to Southern Rhodesia.
Housing Loan from Southern Rhodesia Government: 41/2%, 1975-to Southern Rhodesia.
Housing Loan from Northern Rhodesia Government: 41/2%, 1974-to Northern Rhodesia.

Federal Government Promissory Notes for Internal Floating Debt—as follows:

Of the total amount of Federal Government Floating Debt (Promissory Notes) outstanding at the date of dissolution, the portion relating to expenditure from Federal Loan Account up to 30th June, 1963, and to Funded Debt redemptions during the period 1st July, 1963, to 31st December, 1963, to an amount not exceeding 7,410,070 pounds, shall be apportioned

52.120% to Southern Rhodesia.
37.127% to Northern Rhodesia.
10.753% to Nyasaland.

Any balance of Floating Debt outstanding as ascertained by the Liquidating Agency shall be apportioned between the Territories in direct relation to the net expenditure from Federal Loan Votes in or on behalf of each Territory during the period 1st July, 1963, to 31st December, 1963, except that such of the balance as is outstanding in respect of money lent by the Federal Government to statutory corporations shall be apportioned by the Liquidating Agency amongst the Territories.

PART D

Federation of Rhodesia and Nyasaland 4% Registered Stock, 1972-74.
Federation of Rhodesia and Nyasaland 5% Registered Stock, 1975-80.
Federation of Rhodesia and Nyasaland 6% Registered Stock, 1976-79.
Federation of Rhodesia and Nyasaland 6% Registered Stock, 1978-81.

PART E

The Standard Bank Limited Credit 53/4%, 1964.

PART F

International Bank Loan (197 R.N.), 1961-76.

PART G

(b) United Kingdom/Federation of Rhodesia and Nyasaland Credit Agreement, 1962-as follows:

The liability of 1,140,000 pounds outstanding at 30th June, 1963, is apportioned 52.120% to Southern Rhodesia, 37.127% to Northern Rhodesia and 10.753% to Nyasaland; the further liability incurred in the period 1st July, 1963, to 31st December, 1963, to be apportioned between the Territories in direct relation to the net Loan Vote Expenditure by the Federal Government in or on behalf of the Territories in this period, as ascertained by the Liquidating Agency.
(c) Foreign Operations Administration, Rhodesia Railways Loan, 1957-76-

The liability to be apportioned as agreed between Southern Rhodesia, Northern Rhodesia, and the lenders.

PART H

International Bank Loan (197 R.N.), 1961-76.
Foreign Operations Administration, Rhodesia Railways Loan, 1957-76.
The Standard Bank Limited Credit 53/4%, 1964.

SCHEDULE II

(Sections 24 (2), 25 (1) (b), 29 (1) and 31 (1))

PENSIONS AND OTHER BENEFITS FOR THE FEDERAL PUBLIC SERVICE

PART I

INTERPRETATION OF TERMS
1. (1) In this Schedule, unless inconsistent with the context—

"Branch IV employee" means a person who immediately before the dissolution of the Federation was—

(a) employed in Branch IV of the Federal Public Service; or

(b) a Federal Assembly employee;

"date of the termination of his services", in relation to an officer, employee, Prison officer or member who is not transferred to the service of the Government of a Territory, means the date of the dissolution of the Federation or, if he is seconded to such service, the date of the termination of his secondment;

"employee" means a Public Service employee or Federal Assembly employee;

"established officer" means an officer who was an established officer or confirmed employee under the Public Service Regulations or the Federal Assembly Regulations;

"established Prison officer" means a Prison officer who was an established officer under the Prisons Regulations;

"Federal Assembly employee" means a person who immediately before the dissolution of the Federation was employed in a non-pensionable post in the Federal Assembly;

"Federal Assembly officer" means a person who immediately before the dissolution of the Federation was employed in a pensionable post in the Federal Assembly, whether or not he was contributing towards a pension;

"the Fund" means the Fund established by section 24;

"home Territory", in relation—

(a) to an officer who is not a Rhodesia House employee or Mocambique employee or to a Prison officer, means—

(i) if he was born within a Territory, the Territory in which he was born:

Provided that if, immediately prior to his joining the service of the Federal Government he was serving the Government of a Territory other than that in which he was born, that Territory shall be his home Territory;

(ii) if he was not born within a Territory, the Territory in which he has had the longest Government service, whether with the Federal Government or in the service of the Government of a Territory:

Provided that—

(A) if his periods of service in two Territories differ by less than twelve months and his service, if any, in the third Territory is less than his service in either of those two Territories, he may choose either of those two Territories as his home Territory; and

(B) if he joined the service of the Government of a Territory before he
joined the service of the Federal Government, he may choose that Territory as his home Territory;

(b) to a Rhodesia House employee or Mocambique employee, means Southern Rhodesia;

(c) to a member means—

(i) in the case of an African member serving in—

(A) the King's African Rifles or the Northern Rhodesia Regiment, the Northern Rhodesia and Nyasaland Command;

(B) the Rhodesian African Rifles, Southern Rhodesia;

(C) a corps, other than the Corps of Infantry, or in the Royal Rhodesian Air Force, such Territory as he may elect;

(ii) in the case of a European member serving in the Rhodesian Light Infantry, the Rhodesian Special Air Service or the Royal Rhodesian Air Force, Southern Rhodesia;

(iii) in the case of a European member not referred to in sub-paragraph (ii) of this paragraph, such Territory as he may choose:

Provided that a European member shall not be eligible to choose Nyasaland as his home Territory unless—

(I) he is or has been on the posted or permanently attached strength of the King's African Rifles or of the Headquarters, Nyasaland area, and its ancillary units; or

(II) he has connections with Nyasaland; or

(III) he intends to take a short service commission or engagement for service in Nyasaland;

"member" means a person who immediately before the dissolution of the Federation was an officer, non-commissioned officer or soldier of the Regular Force of the Army or the Air Force of the Federation, but does not include any person who was—

(a) appointed to honorary commissioned rank; or

(b) the holder of an honorary appointment;

"Mocambique employee" means a person who immediately before the dissolution of the Federation was employed in Portuguese East Africa by the Federal Government in the Customs Department of the Federal Public Service in Portuguese East Africa and was subject to the provisions of the Federal Public Service (Mocambique Permanent Employees) Regulations, 1963, of the Federation;

"Northern Prison officer" means a person who immediately before the dissolution of the Federation was a Prison officer who was a "northern officer" as defined in the Prisons (Senior and Junior Officers) (Pensions) Regulations, 1963, of the Federation and who had not made the election provided for by section 34 of the said Regulations;
"Nyasaland member" means a member who was not born or is not domiciled in Nyasaland and whose home Territory is Nyasaland;

"Nyasaland officer" means an officer or Prison officer who was not born or is not domiciled in Nyasaland and whose home Territory is Nyasaland;

"officer" means a Public Service officer or Federal Assembly officer;

"pensionable emoluments", in relation to an officer, Prison officer or member, means his pensionable emoluments for the purposes of the Pensions Regulations;

"pensionable service", in relation to an officer, Prison officer or member, means pensionable service for the purposes of the Pensions Regulations;

"pension under contract" means a person who immediately before the dissolution of the Federation was employed by the Federal Government or Federal Assembly on contract and who was not an officer or an employee;

"Prison officer" means a person who immediately before the dissolution of the Federation was an officer of the Federal Prison Service established by the Prisons Act, 1955, of the Federation;

"Public Service employee" means a person who immediately before the dissolution of the Federation was in the employment of the Federal Government and who was-

(a) a Branch IV employee; or

(b) an "other Government servant" as defined in section 2 (1) of the Federal Public Service Act, 1959, of the Federation and was not a Rhodesia House employee or Mocambique employee;

"Public Service officer" means a person who immediately before the dissolution of the Federation-

(a) was not employed in Branch IV of the Federal Public Service; and

(b) was an officer or employee as defined in the Public Service Regulations or had elected to remain subject to his Territorial Regulations and was subject to the Old Territorial Regulations;

"Rhodesia House employee" means a person who immediately before the dissolution of the Federation was a permanent employee on pensionable conditions of service employed by the Federal Government in Rhodesia House, London;

"teacher" means a Public Service officer who immediately before the dissolution of the Federation was appointed to a grade in the Nurse, Matron or Teaching Branch in the Education Group in the Federal Public Service;

"the Federal Assembly Regulations", in relation to a Federal Assembly officer, means the conditions of service applicable to him which were fixed by the Speaker of the Federal Assembly;

"the Old Territorial Regulations", in relation to a Public Service officer in Branch III of the Federal Public Service who elected to remain subject to his Territorial regulations, means the conditions of service applicable to him by virtue of that election;
"the Pensions Regulations", in relation to-

(a) a Public Service officer, means the Public Service Regulations as read with sections 42 and 43 of the Federal Public Service Act, 1959, of the Federation;

(b) a Federal Assembly officer, means the Federal Assembly Regulations;

(c) a Prison officer, means the Prisons Regulations;

(d) a member, means the Regular Force Regulations;

"the Prisons Regulations", in relation to-

(a) a senior or junior officer in the Federal Prison Service, means the Prisons (Senior and Junior Officers) (Pensions) Regulations, 1963, of the Federation;

(b) a subordinate officer, means the Prisons (Subordinate Officers) (Pensions) Regulations, 1963, of the Federation;

"the Public Service Regulations", in relation to a Public Service officer, means the-

(a) Federal Public Service (European Pensionable Branch) Regulations, 1955; or

(b) Federal Public Service (Married Women) Regulations, 1958; or

(c) Federal Public Service (European Pensionable Branch) (Retained Married Women) Regulations, 1958; or

(d) Federal Public Service (Branch I) Regulations, 1959; or

(e) Federal Public Service (Branch II) Regulations, 1957; or

(f) Federal Public Service (Branch III) (Uniform) Regulations, 1961; or

(g) Federal Public Service (Branch III) (Southern Rhodesia) Regulations, 1956; or

(h) Federal Public Service (Branches III and IV) (Northern Rhodesia) Regulations, 1957; or

(i) Federal Public Service (Branches III and IV) (Nyasaland) Regulations, 1957; or

(j) Old Territorial Regulations; or

(k) Federal Public Service Act (Pensions) Regulations, 1963; or

(l) Federal Public Service Act (Branch I) (Pensions) Regulations, 1961; or

(m) Federal Public Service Act (Branch II) (Pensions) Regulations, 1960; or

(n) Federal Public Service Act (Branch III) (Pensions) Regulations, 1960; or
(c) Federal Public Service Act (Rhodesia House Permanent Employees) (Pensions) Regulations, 1962; or

(p) Federal Public Service (Mocambique Permanent Employees) Regulations, 1963;

of the Federation, whichever were applicable to him on the date of the termination of his services;

"the Regular Force Regulations", in relation to a member, means the-

(a) Defence (Regular Force) (African Members) Regulations, 1962; or

(b) Defence (Regular Force) (European Members) Regulations, 1961; or

(c) Defence (Regular Forces) (Officers) Regulations, 1960;

of the Federation, whichever were applicable to him on the date of the termination of his services;

"the service of the Government of a Territory" includes the service of the Legislative Assembly or Legislative Council, as the case may be, of that Territory;

"the Terminal Benefits Regulations", in relation to-

(a) a Public Service officer who is not a Rhodesia House employee or Mocambique employee, means-

(i) in the case of a Public Service officer who is not a teacher, the Federal Public Service (Terminal Benefits) Regulations, 1963, or the Federal Public Service Act (Terminal Benefits) Regulations, 1963, of the Federation, as the case may be;

(ii) in the case of a Public Service officer who is a teacher, the Federal Public Service (Terminal Benefits) (Teachers) Regulations, 1963, or the Federal Public Service Act (Terminal Benefits) (Teachers) Regulations, 1963, of the Federation, as the case may be;

(b) a Prison officer, means the Prisons (Terminal Benefits) Regulations, 1963, of the Federation.

(2) For the purposes of the definition of "home Territory" in sub-paragraph (1) of this paragraph, if on the date of the termination of his services-

(a) an officer or Prison officer who could, under proviso A or B to sub-paragraph (ii) of paragraph (a) of that definition, have chosen a particular Territory as his home Territory has not made a choice thereunder, his home Territory shall be that determined in accordance with the provisions of the said sub-paragraph (ii);

(b) a member who could, under paragraph (c) of that definition, have chosen a particular Territory as his home Territory has not made a choice thereunder, his home Territory shall be that determined by the Pension Agency.

(As amended by Statutory Instrument No. 244 of 1965)
PART II

PENSIONS AND ALLOWANCES FOR PENSIONERS AT THE DATE OF THE DISSOLUTION OF THE FEDERATION

Pensions and allowances to be paid from the Fund

2. Subject to the provisions of paragraph 18, any person who immediately before the dissolution of the Federation, whether or not he was employed by the Federal Government, was entitled to-

(a) a pension;

(b) in the case of a person who was a member, a children's allowance;

(c) in the case of a person who has suffered an injury or disability, an allowance in respect of such injury or disability;

from the Federal Government shall continue to be paid any such pension and, additionally or alternatively, allowance from the Fund.

Payment of pensions

3. Any pension or allowance payable under paragraph 2 shall be paid subject to the conditions applicable to its payment by the Federal Government and on the death of the recipient of the pension there shall be paid to or in respect of any dependent of his any pension provided for in such conditions.

PART III

TERMINAL BENEFITS FOR PERSONS IN THE EMPLOYMENT OF THE FEDERAL GOVERNMENT WHO ARE NOT TRANSFERRED TO THE SERVICE OF THE GOVERNMENT OF A TERRITORY

Payment of terminal benefits

4. (1) Subject to the provisions of paragraphs 18 and 22, the terminal benefits under this Part of this Schedule shall be payable to-

(a) any person who-

(i) was employed by the Federal Government immediately before the dissolution of the Federation on pensionable conditions of service; and

(ii) is not transferred to the service of the Government of a Territory on pensionable conditions of service on his ceasing to be employed on or after the dissolution of the Federation on the conditions of service referred to in sub-paragraph (i) of this sub-paragraph; or

(b) any person who-

(i) was employed by the Federal Government immediately before the dissolution of the Federation on non-pensionable conditions of service; and
(ii) is not transferred to the service of the Government of a Territory on his ceasing to be employed on or after the dissolution of the Federation on the conditions of service referred to in sub-paragraph (i) of this sub-paragraph.

(2) The benefits payable to or in respect of any person under this Part of this Schedule shall be paid by the Pension Agency from the Fund:

Provided that any benefit referred to in paragraph 13, 14, 15 or 16 or sub-paragraph (2) of paragraph 17 shall be paid by the Liquidating Agency and shall not be paid from the Fund.

Pension or gratuity for established Public Service officers or Federal Assembly officers

5. On the date of the termination of his services an established officer shall be entitled to-

(a) if the Pensions Regulations provide for the payment of a pension on retirement, an earned pension equal to that which would have been payable to him under the Pensions Regulations had he retired on attaining pensionable age after ten or more years' pensionable service on the date of the termination of his services, calculated-

(i) in respect of the period of his pensionable service; and

(ii) on his pensionable emoluments on the date of the termination of his services;

(b) if the Pensions Regulations do not provide for the payment of a pension on retirement, an earned gratuity equal to that which is payable under the Pensions Regulations on retirement.

Additional abolition of office pension or gratuity for established Public Service officers or Federal Assembly officers

6. (1) An established officer referred to in paragraph 5 who-

(a) is a Nyasaland officer; or

(b) has not rejected or has not indicated that he will not accept an offer of employment on pensionable conditions of service by the Government of his home Territory; or

(c) whether or not he has rejected or indicated that he will not accept an offer of employment on pensionable conditions of service by the Government of his home Territory, has accepted an offer of service on contract with the Government of Nyasaland to commence immediately after the date of the termination of his services; shall, in addition to his earned pension or gratuity under paragraph 5, be entitled to an abolition of office pension or gratuity, calculated in accordance with sub-paragraph (2) of this paragraph.

(2) The additional abolition of office pension or gratuity referred to in sub-paragraph (1) of this paragraph shall be-

(a) in the case of an established officer who is entitled to a pension, a pension equal to-
(i) one-third of his earned pension under paragraph 5; or

(ii) the amount, if any, by which his earned pension under paragraph 5 is less than two-thirds of his pensionable emoluments on the date of the termination of his services; or

(iii) the pension which he would earn under the Pensions Regulations for a period of pensionable service from the date of the termination of his services to the date when he would attain the age of sixty-five years;

whichever is the least;

(b) in the case of an established officer who is entitled to a gratuity, an amount equal to the additional gratuity, if any, payable to him under the Pensions Regulations on loss of office.

Pension or gratuity plus refund of pension contributions for established Prison officers

7. (1) On the date of the termination of his services an established Prison officer shall be entitled to-

(a) in the case of a Northern Prison officer, an earned pension equal to that which would have been payable to him under the Prisons Regulations, had he retired on attaining pensionable age after ten or more years' pensionable service on the date of the termination of his services, calculated-

(i) in respect of the period of his pensionable service; and

(ii) on his pensionable emoluments on the date of the termination of his services;

(b) in the case of a Prison officer who is not a Northern Prison officer, either an earned pension with no refund of pension contributions or an earned gratuity plus a refund of his pension contributions, as he may elect, calculated in accordance with the Prisons Regulations.

(2) The election referred to in sub-paragraph (b) of sub-paragraph (1) of this paragraph may be made by the Prison officer at any time before or within fourteen days after the date of the termination of his services and shall be-

(a) made in writing to the Pension Agency; and

(b) irrevocable.

(3) If a Prison officer has not made the election referred to in sub-paragraph (b) of sub-paragraph (1) of this paragraph within fourteen days after the date of the termination of his services he shall be deemed to have elected to be paid an earned gratuity plus a refund of his pension contributions.

Additional abolition of office pension or gratuity for established Prison officers

8. (1) An established Prison officer referred to in paragraph 7 who-

(a) is a Nyasaland officer; or
has not rejected or has not indicated that he will not accept an offer of employment on pensionable conditions of service by the Government of his home Territory; or

whether or not he has rejected or indicated that he will not accept an offer of employment on pensionable conditions of service by the Government of his home Territory, has accepted an offer of service on contract with the Government of Nyasaland to commence immediately after the date of the termination of his services;

shall, in addition to his earned pension, be entitled to an abolition of office pension or, if he has elected under paragraph 7 to be paid an earned gratuity plus a refund of his pension contributions, an abolition of office gratuity, calculated in accordance with sub-paragraph (2) of this paragraph.

The additional abolition of office pension or gratuity referred to in sub-paragraph (1) of this paragraph shall be-

(a) in the case of a Northern Prison officer, a pension equal to-

(i) one-third of his earned pension under paragraph 7; or

(ii) the amount, if any, by which his earned pension under paragraph 7 is less than two-thirds of his pensionable emoluments on the date of the termination of his services; or

(iii) the pension which he would earn under the Prisons Regulations for a period of pensionable service from the date of the termination of his services to the date when he would attain the age of sixty-five years;

whichever is the least;

(b) in the case of a Prison officer who is not a Northern Prison officer, a pension or gratuity, as the case may be, equal to one-third of his earned pension or gratuity, as the case may be, under paragraph 7:

Provided that, if the aggregate of the additional abolition of office pension or gratuity and the earned pension or gratuity exceeds a pension or gratuity, as the case may be, calculated in respect of a period of pensionable service of 420 months, the additional abolition of office pension or gratuity shall be reduced by the amount of the excess.

(As amended by Government Notice No. 283 of 1964)

Pension or gratuity plus refund of pension contributions for members with two or more years' pensionable service

9. (1) On the date of the termination of his services a member whose pensionable service amounts to two years or more and who is not transferred to the British Army or Royal Air Force on a permanent regular commission or engagement shall be entitled to either an earned pension with no refund of pension contributions or an earned gratuity plus a refund of his pension contributions, as he may elect, calculated in accordance with the Regular Force Regulations.

(2) The election referred to in sub-paragraph (1) of this paragraph may be made by the member at any time before or within fourteen days after the date of the
termination of his services and shall be-

(a) made in writing to the Pension Agency; and

(b) irrevocable.

(3) If a member has not made the election referred to in sub-paragraph (1) of this paragraph within fourteen days after the date of the termination of his services he shall be deemed to have elected to be paid an earned gratuity plus a refund of his pension contributions.

(4) In the case of a member whose pensionable service amounts to two years or more and who is transferred to the British Army or Royal Air Force on a permanent regular commission or engagement, there shall be paid to the United Kingdom Government on the transfer of that member an amount equal to the earned gratuity that would otherwise have been paid to that member, calculated in accordance with the Regular Force Regulations.

Additional abolition of office pension or gratuity for members with two or more year's pensionable service

10. (1) A member referred to in sub-paragraph (1) of paragraph 9 who-

(a) is a Nyasaland member; or

(b) has not rejected or has not indicated that he will not accept an offer of employment on pensionable conditions of service by the Government of his home Territory;

shall, in addition to his earned pension, be entitled to an abolition of office pension or, if he has elected under paragraph 9 to be paid an earned gratuity plus a refund of his pension contributions, an abolition of office gratuity, calculated in accordance with sub-paragraph (2) of this paragraph.

(2) The additional abolition of office pension or gratuity referred to in sub-paragraph (1) of this paragraph shall be a pension or gratuity, as the case may be, equal to-

(a) one-third of his earned pension or gratuity, as the case may be, under paragraph 9; or

(b) the difference between his earned pension or gratuity, as the case may be, under paragraph 9 and the maximum pension or gratuity he could have earned under the Regular Force Regulations, calculated on his pensionable emoluments on the date of the termination of his services; or

(c) the pension or gratuity, as the case may be, which he would earn under the Regular Force Regulations for a period of pensionable service from the date of the termination of his services to the date when he would attain the age of fifty-five years;

whichever is the least.

Benefits for Branch IV employees

11. (1) Save as is otherwise provided in sub-paragraph (2) of this paragraph, on the date of the termination of his services a Branch IV employee who has been
confirmed in his appointment or, in the case of a Southern Rhodesia employee, whose qualifying service under his conditions of service amounts to ten years or more shall be entitled to a gratuity or pension, as the case may be, equal to the gratuity or pension that he would have been paid under his conditions of service had he retired on that date.

(2) A Branch IV employee who-

(a) has not rejected or has not indicated that he will not accept an offer of employment by the Government of the Territory in which he was employed; and

(b) has been confirmed in his appointment or, in the case of a Southern Rhodesia employee, has qualifying service under his conditions of service amounting to four years or more;

shall, on the date of the termination of his services, be entitled to a gratuity or pension, as the case may be, equal to the gratuity or pension that he would have been paid under his conditions of service had he been discharged on that date on the grounds of abolition of office.

(3) For the purposes of sub-paragraph (2) of this paragraph-

"Southern Rhodesia employee" means a Branch IV employee who has been employed in Southern Rhodesia for all or most of the period of his service with the Federal Government.

Refund of pension contributions

12. On the date of the termination of his services a refund of his pension contributions, if any, calculated in accordance with the provisions of the Pensions Regulations, shall be paid to-

(a) an officer on probation;

(b) a Prison officer on probation;

(c) a member whose pensionable service amounts to less than two years;

(d) a member whose pensionable service amounts to two years or more and who is transferred to the British Army or Royal Air Force on a permanent regular commission or engagement.

Cash in lieu of notice

13. (1) Subject to the provisions of sub-paragraph (4) of this paragraph, on the date of the termination of his services there shall be paid-

(a) to an established officer who is not a teacher, to an established Prison officer or to a member whose pensionable service amounts to two years or more, three months' pay;

(b) to an officer on probation who is not a teacher, to a Prison officer on probation or to a member whose pensionable service amounts to less than two years, one month's pay;

calculated at the rate of his salary or, in the case of a member, at the rate of his pensionable emoluments, on the date of the termination of his services, less
the aggregate of his salary or, in the case of a member, the aggregate of his pensionable emoluments, if any, in respect of the period-

(i) if he was notified on the first day of any month of the date of the termination of his services, from that day;

(ii) if he was notified on a day other than the first day of a month of the date of the termination of his services, from the first day of the month following that in which he was so notified;

until the date of the termination of his services.

(2) Subject to the provisions of sub-paragraph (4) of this paragraph, on the date of the termination of his services there shall be paid to a Public Service officer who is a teacher and who is not seconded to the service of the Government of a Territory-

(a) in the case of an established officer, four months' pay;

(b) in the case of an officer on probation, one month's pay;

calculated at the rate of his salary on the date of the termination of his services.

(3) Subject to the provisions of sub-paragraph (4) of this paragraph, on the date of the termination of his services there shall be paid to an employee or person under contract who has not been given notice under his conditions of service or contract, as the case may be, or who has been given notice thereunder the period of which has not expired, an amount equal to his salary for the period of such notice or the unexpired portion of such period, as the case may be:

Provided that if, in the case of a person under contract, his contract would have expired before the end of the period of such notice or the unexpired portion of such period, he shall be paid an amount equal to his salary in respect of the period until his contract would have expired.

(4) No payment in terms of this paragraph shall be made to-

(a) an officer or Prison officer who has accepted employment on contract with the Government of Nyasaland; or

(b) a member who has accepted employment on contract with the Government of Northern Rhodesia or Nyasaland; or

(c) a member who is transferred to the British Army or Royal Air Force; or

(d) an officer, Prison officer or member who is serving on secondment with the Government of a Territory and who terminates his secondment; or

(e) an employee or person under contract who on the termination of his services with the Federal Government is employed by the Government of a Territory.

Cash in lieu of leave

14. (1) On the date of the termination of his services there shall be paid to-
(a) an officer, Prison officer, employee or person under contract, if his service with the Federal Government or Federal Assembly, as the case may be, amounts to not less than one year; and

(b) a member, if his pensionable service amounts to not less than one year;

the cash equivalent of any vacation leave accrued to him, calculated—

(i) in the case of a Public Service officer who is not a Rhodesia House employee, at the rate of salary of that officer together with any allowance received by him which the Federal Minister of Finance has declared to be part of the salary of an officer for the purposes of the Terminal Benefits Regulations in calculating the cash in lieu of leave payable under those Regulations;

(ii) in the case of a Federal Assembly officer, a Prison officer, a Rhodesia House employee or a person under contract, at the rate of salary received by him;

(iii) in the case of an employee, at the rate of pay received by him, including, in the case of a Branch IV employee who is a Southern Rhodesia employee as defined in sub-paragraph (3) of paragraph 11, any quarters allowance received by him as part of his emoluments;

(iv) in the case of a member, at the rate of pay and allowances that he would have received had he proceeded on vacation leave on the day immediately preceding the date of the termination of his services.

(2) For the purposes of sub-paragraph (1) of this paragraph—

(a) a member who is serving on an initial engagement and whose pensionable service amounts to not less than one year shall be treated as though he had accrued vacation leave at the rate of twenty days per annum during the period of his engagement:

Provided that any fraction of a day of such vacation leave shall be ignored;

(b) a Public Service officer or Public Service employee who was appointed to the Federal Public Service on the 2nd January, 1963, and whose date of the termination of his services is the 31st December, 1963, shall be deemed to have had one year's service with the Federal Government.

Transport allowance

15. (1) Subject to the provisions of this paragraph, there shall be paid to—

(a) an officer, other than a Rhodesia House employee; or

(b) a Public Service employee who, immediately before the dissolution of the Federation, was employed as an artisan or leading hand in the Federal Ministry of Works in Southern Rhodesia; or

(c) a Branch IV employee who has been confirmed in his appointment; or

(d) a Prison officer; or
(e) a member;

who moves residence from the place where he was stationed at the date of the termination of his services, the cost of transporting himself, his dependants and his household effects, not exceeding 5,000 lb., to such place within the Territories or, in the case of an employee referred to in sub-paragraph (b) of this sub-paragraph, to such place within Southern Rhodesia, as he may elect.

(2) The cost referred to in sub-paragraph (1) of this paragraph shall be calculated in accordance with the costs which would have been paid to that person under his conditions of service had he been transferred by the Federal Government or, in the case of a Federal Assembly officer, in accordance with the costs that would have been paid to him had he been a Public Service officer:

Provided that-

(i) in the case of a person other than a member, no subsistence or other allowance under his conditions of service shall be paid to him in respect of himself or any dependant;

(ii) in the case of a member, no subsistence allowance or allowance, other than a rations allowance, under the Regular Force Regulations shall be paid to him in respect of himself or any dependant.

(3) The cost referred to in sub-paragraph (1) of this paragraph shall not include the cost of transporting a motor vehicle save in the case of a person who on the date of the termination of his services was stationed in Nyasaland and whose motor vehicle is transported by rail.

(4) A person referred to in sub-paragraph (1) of this paragraph shall not be entitled to any benefits under this paragraph unless he moves residence and submits a claim for the benefits within six months of the date of the termination of his services.

(5) No benefit under this paragraph shall be paid to-

(a) an officer or Prison officer who has accepted employment on contract with the Government of Nyasaland; or

(b) a member who has accepted employment on contract with the Government of Northern Rhodesia or Nyasaland; or

(c) a member who is transferred to the British Army or Royal Air Force.

Travel grant

16. (1) Subject to the provisions of sub-paragraph (4) of this paragraph, on the date of the termination of his services a travel grant calculated in accordance with the provisions of sub-paragraph (2) of this paragraph shall be paid to-

(a) an established officer, other than a Rhodesia House employee;

(b) an established Prison officer;

(c) a member who on the date of the termination of his services was subject to the provisions of the Defence (Regular Force) (European Members) Regulations,
1961, or Defence (Regular Forces) (Officers) Regulations, 1960, of the Federation, and whose pensionable service amounts to two years or more.

(2) The travel grant referred to in sub-paragraph (1) of this paragraph shall be-

(a) in the case of a Category A officer or member-

(i) if he is not married or is a married woman officer, 25 pounds; or

(ii) if he is married and is not a married woman officer, 50 pounds; and

(iii) if he has dependent children under 18 years of age-

(A) in respect of each such child who is 7 years of age or over but under 16 years of age, 10 pounds;

(B) in respect of each such child who is 16 years of age or over, 25 pounds;

(b) in the case of a Category B officer-

(i) if he is not married, 16 pounds; or

(ii) if he is married, 32 pounds;

(c) in the case of a Category C officer-

(i) if he is not married, 6 pounds; or

(ii) if he is married, 12 pounds.

(3) For the purposes of sub-paragraph (2) of this paragraph-

"Category A officer or member" means-

(a) a Public Service officer who on the dissolution of the Federation was in the European Pensionable Branch or Branch I of the Federal Public Service; or

(b) a Federal Assembly officer who contributed under the Federal Assembly Regulations towards a pension; or

(c) a Prison officer who on the date of the termination of his services was a senior or junior officer in the Federal Prison service; or

(d) a member referred to in sub-paragraph (c) of sub-paragraph (1) of this paragraph;

"Category B officer" means a Public Service officer who on the dissolution of the Federation was in Branch II of the Federal Public Service;

"Category C officer" means-

(a) a Public Service officer who on the dissolution of the Federation was in Branch III of the Federal Public Service; or

(b) a Federal Assembly officer who did not contribute under the Federal Assembly Regulations towards a pension; or
(c) a Prison officer who on the date of the termination of his services was a subordinate officer in the Federal Prison Service.

(4) No travel grant under this paragraph shall be paid to-

(a) a married woman officer who is married to an officer; or

(b) an officer or Prison officer who has accepted employment on contract with the Government of Nyasaland; or

(c) a member who has accepted employment on contract with the Government of Northern Rhodesia or Nyasaland; or

(d) a member who is transferred to the British Army or Royal Air Force.

Persons under contract

17. (1) A person under contract who is serving on terms which are the same as those for a Public Service officer and who, under his contract, is entitled to a pension on the termination of his contract shall be entitled to the benefits he would have been paid under this Part had he been a Public Service officer and-

(a) for the purposes of calculating his earned pension and abolition of office pension, if any, the provisions of his contract shall be deemed to be the Public Service Regulations;

(b) for the purpose of calculating any travel grant under paragraph 16 he shall be deemed to have been in that Branch of the Federal Public Service the regulations applicable to which resemble most closely the conditions of his contract.

(2) A person under contract who, under his contract, is entitled to any transport benefits on the termination of his contract shall, on the termination of his services, be entitled to such benefits as are provided for in his contract but, in such a case, shall not be entitled to any transport benefits by virtue of the provisions of sub-paragraph (1) of this paragraph.

Members of the Federal Public Service Commission

18. On the dissolution of the Federation any member of the Federal Public Service Commission who, on the day prior to the dissolution of the Federation, was a "service member" as defined in section 2 of the Federal Public Service Act, 1959, of the Federation, shall be entitled to such of the benefits provided for in this Part of this Schedule as he would have been paid had he remained an officer in the European Pensionable Branch of the Federal Public Service, and, if he retired from the Federal Public Service Commission on the day prior to the dissolution of the Federation, he shall cease to be entitled to and shall not be paid any benefit under Part I of the said Act.

Children's allowances for members

19. On the date of the termination of his services a member-

(a) who has attained the age of fifty years; or
(b) whose pensionable service amounts to twenty years or more; or

(c) who has not been made an offer of employment on pensionable conditions of service by the Government of any Territory and-

(i) has attained the age of forty-five years; or

(ii) whose pensionable service amounts to fifteen years or more;

and who would have been eligible for the payment of a children's allowance had he retired on that date shall be paid such allowance in respect of his children born on or before that date in accordance with the conditions under which such allowance was paid before the dissolution of the Federation.

Payments of pensions under this Part

20. A person who becomes entitled to a pension under this Part of this Schedule shall be paid such pension or any commutation thereof in accordance with the provisions of the Pensions Regulations and on his death there shall be paid to or in respect of any dependant of his any pension provided for in the Pensions Regulations:

Provided that, if that person applies for the commutation of his pension or a portion thereof before the date of the termination of his services or after that date but within one month thereof, he shall not be required to complete a declaration of health nor to submit to examination by a medical board and the Pension Agency may grant the commutation in terms of the Pensions Regulations without first granting provisional approval therefor.

Provisions as to what constitutes rejection of offers of employment

21. (1) For the purposes of paragraphs 6 and 8-

(a) an established officer or established Prison officer shall be deemed not to have rejected an offer of employment on pensionable conditions of service made by the Government of Southern Rhodesia unless-

(i) he has rejected both an offer of permanent transfer and an offer of provisional transfer; or

(ii) he has accepted an offer of permanent or provisional transfer and before being transferred he terminates his secondment or refuses to be transferred;

(b) subject to the provisions of sub-paragraph (a) of this sub-paragraph an established officer or established Prison officer shall be deemed to have rejected an offer of employment on pensionable conditions of service by the Government of his home Territory if-

(i) he does not accept such an offer within a reasonable time of its being made to him; or

(ii) he accepts an offer of employment on pensionable conditions of service by the Government of a Territory other than his home Territory or an offer of employment on contract by the Government of Nyasaland and before being transferred or commencing such employment, as the case may be, he terminates his secondment or refuses to be transferred or to commence such employment, as the case may be.
(2) For the purposes of paragraph 10 a member shall be deemed to have rejected an offer of employment on pensionable conditions of service by the Government of his home Territory if—

(a) he does not accept such an offer within a reasonable time of its being made to him; or

(b) he accepts an offer of employment on pensionable conditions of service by the Government of a Territory other than his home Territory or an offer of employment on contract by the Government of Nyasaland and before being transferred or commencing such employment, as the case may be, he terminates his secondment or refuses to be transferred or to commence such employment, as the case may be.

Benefits in respect of officers, Prison officers or members on secondment who are discharged or dismissed or who die

22. Notwithstanding anything to the contrary contained in the foregoing provisions of this Part of this Schedule, if an officer, Prison officer or member who is seconded to the service of the Government of a Territory is discharged or dismissed or dies whilst on such secondment, that officer, Prison officer or member or his widow, child or estate, as the case may be, shall be paid from the Fund the benefits payable under the Pensions Regulations on the discharge, dismissal or death, as the case may be, of that officer, Prison officer or member and no benefits provided for in the foregoing provisions of this Part of this Schedule shall be payable to that officer, Prison officer or member, or to or in respect of his widow, child or estate.

PART IV

PENSION RIGHTS OF PERSONS IN THE EMPLOYMENT OF THE FEDERAL GOVERNMENT TRANSFERRED TO THE SERVICE OF AN APPROVED GOVERNMENT, INSTITUTION OR EMPLOYER ON PENSIONABLE CONDITIONS OF SERVICE

Interpretation of terms

23. In this Part of this Schedule, unless inconsistent with the context—

"approved", in relation to a Government, institution or employer, means approved under and for the purposes of the Pensions Regulations;

"average retiring emoluments", in relation to a transferred officer who retires or is discharged from or dies while serving with the Government of a Territory, means the pensionable emoluments accepted by that Government for the purpose of calculating that officer's pension or gratuity, or the pensionable emoluments which would have been accepted by that Government for the purpose of calculating that officer's pension or gratuity had he retired at the date of his death;

"date of transfer", in relation to a transferred officer, means the date on which he is transferred to the service of the Government of a Territory;

"emoluments accepted as pensionable", in relation to a transferred officer, means the emoluments of that officer during his pensionable employment which are accepted by the Government of the Territory as pensionable under his conditions of service with that Government;
"emoluments factor", in relation to a transferred officer, means the aggregate of his pensionable emoluments during his pensionable service divided by the aggregate of his pensionable emoluments during his pensionable service and his emoluments accepted as pensionable during his pensionable employment;

"officer", includes a person who immediately before the dissolution of the Federation was a "service member" as defined in section 2 of the Federal Public Service Act, 1959, of the Federation;

"pensionable employment", in relation to-

(a) a transferred officer who before he became a transferred officer was a Southern Rhodesia officer, means his period of employment with the Government of a Territory after his date of transfer;

(b) a transferred officer other than a transferred officer referred to in paragraph (a) of this definition, means his period of employment with the Government of a Territory, whether that employment was before or after his pensionable service, which is recognised by that Government as pensionable;

"Southern Rhodesia officer" means an officer, Prison officer or member who had served with the Government of Southern Rhodesia on pensionable or gratuitable conditions of service immediately prior to his appointment or transfer to the service of the Federal Government or Federal Assembly;

"transferred officer" means an officer, Prison officer or member who on or after the dissolution of the Federation is transferred to the service of the Government of a Territory on pensionable conditions of service.

Persons seconded or transferred before the dissolution of the Federation

24. Any person who-

(a) was employed by the Federal Government on pensionable conditions of service; and

(b) before the dissolution of the Federation had been seconded to the service of an approved Government, institution or employer or transferred to the service of an approved Government, institution or employer on conditions that conferred on him rights to a pension in respect of his pensionable service with the Federal Government; and

(c) immediately before the dissolution of the Federation was still serving with the approved Government, institution or employer on secondment or transfer;

shall on the termination of his services with that approved Government, institution or employer, or any other approved Government, institution or employer to whom he may have been subsequently seconded or transferred, be paid from the Fund such pension or other benefit as was provided in the conditions under which he was seconded or transferred, as the case may be, or, if he dies whilst he is still serving with an approved Government, institution or employer, the appropriate benefits provided in such conditions shall be paid to or in respect of any dependant of his or to his estate, as the case may be, in accordance with the provisions of such conditions:

Provided that if in the case of any such person the actual conditions under which he had been transferred were not fixed he shall be deemed to have been
transferred on the conditions provided in paragraph 25 of this Schedule.

(As amended by Statutory Instrument No. 244 of 1965)

Persons transferred to the service of the Government of a Territory after the dissolution of the Federation

25. (1) The provisions of the Pensions Regulations other than those provisions relating to the transfer of officers from the service of the Federal Government, shall apply in relation to the pension, gratuity, refund of pension contributions or other benefit payable to a transferred officer who retires, resigns or is discharged or dismissed from the service of the Government of a Territory, or to or in respect of the widow, child or estate of such an officer, subject to the following modifications:

(a) the pensionable age of a transferred officer who retires from the service of the Government of a Territory shall be the age at which he is permitted or required to retire from that service;

(b) with effect from his date of transfer a transferred officer who contributes towards his pension shall cease to contribute to the Fund but any balance of contributions together with interest thereon due from him under the Pensions Regulations immediately before his date of transfer shall be paid into the Fund in accordance with the provisions of the Pensions Regulations;

(c) subject to the provisions of this paragraph, on the retirement, resignation, discharge or dismissal of a transferred officer from the service of the Government of a Territory or on his death the sum payable from the Fund to the transferred officer as a portion of the pension, gratuity or refund of pension contributions due to such officer, his widow, child or estate shall be determined as though he had retired or resigned or been discharged or dismissed from the service of the Federal Government or had died as a pensioner or as an established officer, established Prison officer or member, as the case may be, in like circumstances:

   Provided that if, in the case of an officer or Prison officer, at the time of his resignation, discharge or dismissal from the service of the Government of that Territory or his death he was on probation in that service he shall be deemed to have resigned or been discharged or dismissed from the service of the Federal Government or died as an officer on probation or Prison officer on probation in like circumstances;

(d) for the purpose of determining whether a transferred officer has completed a period of pensionable service amounting to five, ten, fifteen, twenty, twenty-five or thirty years, as the case may be, his period of pensionable employment shall be deemed to be continuous with and form part of his pensionable service;

(e) in calculating any refund of pension contributions payable to a transferred officer the reference, if any, in the Pensions Regulations to the number of complete years in respect of which he has paid contributions shall be read and construed as a reference to the number of complete years from the date from which he first contributed for purposes of the Pensions Regulations to the date of his resignation or discharge, as the case may be, from the service of the Government of the Territory;

(f) the pension or gratuity payable to or in respect of a transferred officer
shall be the appropriate pension or gratuity, as the case may be, calculated in accordance with the provisions of the Pensions Regulations, as read with this paragraph, and multiplied by the emoluments factor:

Provided that no payment shall be made in respect of-

(i) an additional pension awarded as compensation for loss of office with that Government;

(ii) an additional period added to a period of pensionable employment as compensation for loss of office with that Government;

(iii) a pension, gratuity or other benefit awarded as compensation for ill health, physical unfitness, physical incapacity, personal injury or loss of life caused or aggravated by the discharge of his official duties with the Government of that Territory, although a transferred officer shall be entitled to compensation in respect of an injury which occurred prior to his date of transfer, even though the injury does not manifest itself until after the date of transfer;

(g) any reference in the Pensions Regulations to "average pensionable emoluments" or "retiring pensionable emoluments", as the case may be, shall be read and construed as a reference to "average retiring emoluments";

(h) in calculating for the purposes of Part V of the Federal Public Service (European Pensionable Branch) Regulations, 1955, of the Federation the "deficit" as defined in section 51 of the said Regulations, any pension payable to the widow, child or beneficiary, as the case may be, of that officer by the Government of the Territory in respect of his services with that Government after his date of transfer shall be included in the aggregate referred to in paragraph (b) of the said definition.

(2) Notwithstanding anything to the contrary contained in sub-paragraph (1) of this paragraph, in the case of a transferred officer who, had he not been transferred to the service of the Government of a Territory, could have been paid an earned pension in terms of paragraph 5, 7 or 9, as the case may be, of this Schedule-

(a) if, on his retirement from the service of the Government of a Territory, he is entitled under the Pensions Regulations, as read with sub-paragraph (1) of this paragraph, to a gratuity or refund of pension contributions he may, by notice in writing to the Pension Agency, elect at any time prior to the date of his retirement, which election shall be irrevocable, to be paid a pension in lieu of that gratuity or refund of pension contributions, as if he had qualified for a pension in terms of the Pensions Regulations;

(b) if he dies while in the service of the Government of a Territory and leaves a widow or child and the aggregate of his pensionable service and his pensionable employment amounts to less than ten years, there shall be paid to his widow or in respect of his child in lieu of any refund of pension contributions, the pension or gratuity that would have been paid to his widow or in respect of his child had the aggregate of his pensionable service and his pensionable employment amounted to more than ten years, calculated under the Pensions Regulations, as read with sub-paragraph (1) of this paragraph, on his pensionable service.

(3) Notwithstanding anything to the contrary contained in sub-paragraph (1) of
this paragraph, in the case of a transferred officer who had been transferred to
the service of the Federal Government from the service of the Government of a
Territory-

(a) if any period of his pensionable employment prior to his pensionable
service is recognised under the Pensions Regulations for the purpose of
calculating the pension or other benefit payable to or in respect of that
officer, such period of pensionable employment shall not be included a second
time for the purposes of sub-paragraph (1) of this paragraph;

(b) any reference in the Pensions Regulations or the conditions of such
transfer to the "emoluments factor" shall be ignored.

(As amended by Government Notice No. 283 of 1964
and Statutory Instrument No. 244 of 1965)

Persons who are subsequently transferred from the service of the Government of a
Territory

26. If a transferred officer is subsequently transferred from the service of
the Government of a Territory to the service of another Government or of an
approved institution his rights to the payment of a pension, gratuity or refund
of pension contributions from the Fund shall be such as may be fixed by the
Pension Agency:

Provided that on the ultimate termination of his services the pension, gratuity
or refund of pension contributions payable to him or to or in respect of his
widow, dependant or estate shall be not less than that which would have been
paid to him or to or in respect of his widow, dependant or estate under
paragraph 25 had his services terminated in like circumstances on the date of
his transfer from the service of the Government of the Territory.

(As amended by Government Notice No. 283 of 1964)

Payment of benefits

27. Any pension, gratuity or refund of pension contributions payable to or in
respect of any person under this Part of this Schedule shall be paid by the
Pension Agency from the Fund.

PART V

TERMINAL BENEFITS FOR JUDGES OF THE FEDERAL SUPREME COURT

Interpretation of terms

28. In this Part of this Schedule, unless inconsistent with the context-

"conditions of service", in relation to a Federal judge, means the terms and
conditions fixed by the Governor-General of the Federation under section 3 of
the Federal Supreme Court (Judges Salaries, Pensions and Allowances) Act, 1955,
of the Federation, on which a pension is payable to that judge or his
dependants;

"date of the termination of his services", in relation to a Federal judge, means
the date he ceases to hold office as such otherwise than by resignation;
"Federal judge" means a person who, immediately before the dissolution of the Federation, was a judge of the Federal Supreme Court.

Terminal benefits for Federal judges

29. (1) Subject to the provisions of paragraph 30, on the date of the termination of his services a Federal judge shall be entitled to-

(a) an earned pension equal to the pension which would have been paid to him under his conditions of service had he retired on that date;

(b) an additional abolition of office pension equal to one-third of his earned pension under paragraph (a) of this sub-paragraph;

(c) a gratuity equal to one and one-half month's salary for each complete year of his service as a Federal judge or as a judge of the High Court of Southern Rhodesia:

Provided that if the gratuity calculated under this sub-paragraph exceeds one year's salary it shall be reduced by the amount of the excess;

(d) the cash equivalent of any vacation leave accrued to him, calculated at his rate of salary;

(e) the transport allowance that would have been paid to him under paragraph 15 had he been a Public Service officer.

(2) A Federal judge who becomes entitled to a pension under sub-paragraph (1) of this paragraph may at any time apply to the Pension Agency for the commutation of a portion thereof, not exceeding one-third of the aggregate of his earned pension under sub-paragraph (a) and his abolition of office pension under sub-paragraph (b) of sub-paragraph (1) of this paragraph, and the Pension Agency may grant the commutation in accordance with the provisions of the Pensions Regulations that would have been applicable had that judge been a Public Service officer in the European Pensionable Branch of the Federal Public Service:

Provided that if that judge applies for the commutation of a portion of his pension before the date of the termination of his services or after that date but within one month thereof, he shall not be required to complete a declaration of health nor to submit to examination by a medical board and the Pension Agency may grant the commutation under the Pensions Regulations without first granting provisional approval therefor.

(3) A Federal judge who resigns from office shall be entitled to a pension and other benefits in accordance with his conditions of service.

Federal judges transferring to the service of the Government of a Territory

30. If on the date of the termination of his services a Federal judge, without a break in service, assumes judicial office with the Government of a Territory he shall not be entitled to any pension, gratuity or benefit under paragraph 29 but on the termination of his services with that Government he shall be entitled to a pension in accordance with his conditions of service as a Federal judge.

Pensions for widows and dependants of Federal judges
31. (1) If a Federal judge becomes entitled to a pension under paragraph 29 or 30 or a Federal judge referred to in paragraph 30 dies while in office on his death, there shall be payable to his widow and to or in respect of any dependent child of his the pension that would have been payable under the Public Service Regulations had that judge been a Public Service officer in the European Pensionable Branch of the Federal Public Service, calculated in relation to the pension and, if applicable, additional pension, to which that judge was entitled, irrespective of any commutation thereof, under paragraph 29 or 30.

(2) If a Federal judge dies while holding office as such, his widow and any dependent child of his shall be paid the pension provided for in his conditions of service.

Payment of benefits

32. The benefits payable to or in respect of any person under this Part of this Schedule shall be paid by the Pension Agency from the Fund:

Provided that any benefit referred to in sub-paragraph (d) or (e) of sub-paragraph (1) of paragraph 29 shall be paid by the Liquidating Agency and shall not be paid from the Fund.

PART VI

DISABILITY BENEFITS

Benefits for injured or disabled persons

33. Any person who was employed by the Federal Government or the Federal Assembly and who on or after the dissolution of the Federation suffers an injury or disability which-

(a) occurred or originated prior to the date of the dissolution of the Federation; and

(b) was caused or aggravated by or due to his work with the Federal Government or the discharge of his duties with the Federal Government; and

(c) but for the dissolution of the Federation would have entitled him to the award of a pension and, additionally or alternatively, other benefits under his conditions of service with the Federal Government;

shall be entitled to any such pension and, additionally or alternatively, other benefits as he would have been paid under his conditions of service with that Government, subject to the provisions of such conditions of service.

Pensions for dependants

34. On the death of a person referred to in paragraph 33 if, but for the dissolution of the Federation, his widow and any children would, under his conditions of service with the Federal Government, have been entitled to receive a pension from that Government, his widow and any child shall be entitled to the pension they would have been paid under the conditions of service of that person with the Federal Government, subject to the provisions of such conditions of service.
Payment of benefits

35. The Pension Agency shall pay from the Fund to a person referred to in paragraph 33 or 34 any pension or other benefits to which that person is entitled under the said paragraph and any powers conferred in the conditions of service referred to in the said paragraph on the Federal Minister of Finance or any other authority of the Federal Government in relation to the payment of any pension or other benefits or the medical examination or treatment of the injured or disabled person may be exercised by the Pension Agency:

Provided that until the 31st May, 1964, in exercising any powers conferred by this paragraph the Pension Agency shall act on the recommendation of the Staff Authority.

PART VII
PAYMENTS INTO THE FUND

36. (1) There shall be paid into the Fund-

(a) all pension contributions which were payable into the Federal Pension Fund and had not been paid into that fund before the dissolution of the Federation;

(b) any arrears of pension contributions which immediately before the dissolution of the Federation were owing by a person employed by the Federal Government or Federal Assembly on pensionable conditions of service who after the dissolution of the Federation is transferred to the service of the Government of a Territory on pensionable conditions of service;

(c) all pension contributions paid by a person who was employed by the Federal Government or Federal Assembly on pensionable conditions of service and who is serving on secondment in the service of the Government of a Territory;

(d) such sums as would but for the dissolution of the Federation have been payable out of the Consolidated Revenue Fund of the Federation under section 7 of the Federal Pension Fund Act, 1956, of the Federation, in respect of contributions referred to in sub-paragraph (a), (b) or (c) of this paragraph;

(e) such sums as would but for the dissolution of the Federation have become payable to the Federal Government by the Southern Rhodesia Government in relation to any pension, gratuity, refund of pension contributions or other benefit payable to or in respect of an officer, including a person who was a "service member" as defined in section 2 of the Federal Public Service Act, 1959, of the Federation, Prison officer or member who had served with the Government of Southern Rhodesia on pensionable or gratuitable conditions of service immediately prior to his appointment or transfer to the service of the Federal Government or the Federal Assembly.

(2) The sums referred to in sub-paragraph (e) of sub-paragraph (1) shall be paid by the Government of Southern Rhodesia to the Fund.

(As amended by Government Notice No. 283 of 1964)

PART VIII
GENERAL
Exemption of certain payments from income tax

37. Any sum paid under this Schedule by way of commutation of a pension or a portion thereof and any gratuity paid under sub-paragraph (c) of sub-paragraph (1) of paragraph 29 shall be exempt from tax under any law of a Territory providing for the imposition of taxes on income.

Additional payments from the Fund

37A. In addition to the pensions, gratuities and other payments provided for in the foregoing Parts of this Schedule there shall be paid out of the Fund-

(a) to the Government of a Territory, such amounts as would, but for the dissolution of the Federation, have been payable by the Federal Government to that Territorial Government in respect of any abolition of office pension paid by that Territorial Government to or in respect of a person who was employed by that Territorial Government on pensionable conditions of service and was seconded to the service of the Federal Government;

(b) to the Government of Northern Rhodesia or Nyasaland, such amounts as would, but for the dissolution of the Federation, have been payable by the Federal Government to that Territorial Government in respect of-

(i) any pension paid by that Territorial Government to or in respect of a person who had been seconded from the service of that Territorial Government to the service of the Federal Government in respect of such period of secondment; or

(ii) any pension or allowance paid by that Territorial Government to or in respect of a person who had been granted an award in respect of a war disability;

(c) to the Government of Nyasaland, such amounts as would, but for the dissolution of the Federation, have been payable by the Federal Government to the Government of Nyasaland in respect of any pension paid by the Government of Nyasaland to or in respect of a person who was employed by the Nyasaland Electricity Supply Commission established in terms of the Electricity Act, 1956, of the Federation and who, immediately prior to entering such employment, was employed in the Department of Electrical Services of the Government of Nyasaland;

(d) to the Government of Southern Rhodesia or Northern Rhodesia, as the case may be in respect of a transferred officer as defined in paragraph 23 of this Schedule who-

(i) is transferred to the service of the Government of Southern Rhodesia on provisional transfer and retires from that service after not less than two or more than five years from his date of transfer; or

(ii) is transferred to the service of the Government of Northern Rhodesia and retires from or dies while in that service after not less than two or more than twelve years from his date of transfer or retires from that service before two years on notice from that Government;

an amount equal to such proportion of the additional abolition of office pension or gratuity that would have been payable to that transferred officer in
terms of paragraph 6, 8 or 10, as the case may be, of this Schedule had he not
been transferred as is paid by that Government to him or to or in respect of his
widow and any child of his under the conditions of his transfer to the service
of that Government;

(e) to the Southern Rhodesia Public Services Medical Aid Society, an
employers' contribution, at the same rate as the employers' contribution by the
Government of Southern Rhodesia, in respect of any person who is a member of
that Society and who was employed by the Federal Government or the Federal
Assembly on pensionable conditions of service and ceased to be so employed-

(i) before the 1st September, 1963, and thereupon became entitled to a
pension from the Federal Government; or

(ii) on or after the 1st September, 1963, and-

A. was not transferred to the service of the Government of a Territory on
pensionable conditions of service; and

B. thereupon became entitled to a pension from the Federal Government or the
Fund; and

C. had attained the age of fifty-five years or, in the case of a female,
fifty years;

(f) during the lifetime of Neville Kahn, an annual payment of pound 249
payable on the 1st July each year to the parents or guardian of the said Neville
Kahn.

(Government Notice No. 283 of 1964)

Variation of this Schedule

38. The provisions of this Schedule may be varied at any time by the Pension
Agency with the concurrence of the Governments of the Territories, so however
that no such variation shall be made which would have the effect of diminishing
the benefits to which any person is entitled under this Schedule.

SCHEDULE III

(Section 75)

MODIFICATIONS AND ADAPTATIONS OF ACTS OF PARLIAMENT AND INSTRUMENTS HAVING
EFFECT UNDER AN ACT OF PARLIAMENT

*See Table of Statutes at the end of this Schedule.*

Acts of Parliament

*See Table of Statutes at the end of this Schedule.

1. Subsections (1) and (2) of section 13 of the Federation of Rhodesia and
Nyasaland (Constitution) Order in Council, 1953 (which provide for the
application to the Federation as a whole of certain enactments applying to parts
of Her Majesty's dominions), shall cease to have effect except in relation to
the Pensions (Colonial Service) Act, 1887, and subject, in the case of the
Colonial Stock Acts, 1877 to 1948, to the provisions of section 16 (8) of this
Order.
2. In paragraph (1) (b) of the Second Schedule to the Imperial Institute Act, 1925 (as varied by the Imperial Institute (Variation of the Act of 1925) Order, 1953, and the Commonwealth Institute Order, 1959), for the words "one by the Government of the Federation of Rhodesia and Nyasaland" there shall be substituted the words "one by the Government of Southern Rhodesia".

3. In section 2(2) of the Indian and Colonial Divorce Jurisdiction Act, 1926, the words "the Federation of Rhodesia and Nyasaland" shall be omitted.

4. In section 1 (2) of the United Nations Act, 1946, for the words "the Federation of Rhodesia and Nyasaland" there shall be substituted the words "Southern Rhodesia".

5. In subsections (2) and (3) of section 461 of the Income Tax Act, 1952, for the words "the Federation of Rhodesia and Nyasaland" there shall be substituted the words "Southern Rhodesia".

6. In section 1 (6) of the Diplomatic Immunities (Commonwealth Countries and Republic of Ireland) Act, 1952, for the words "the Federation of Rhodesia and Nyasaland" there shall be substituted the words "Southern Rhodesia".

7. In the Import Duties Act, 1958-
   (a) the words "the Federation of Rhodesia and Nyasaland" in section 2 (4) shall be omitted;
   (b) in section 2 (9) there shall be substituted for the words "the Federation of Rhodesia and Nyasaland" the words "Southern Rhodesia, Northern Rhodesia, Nyasaland" and for the words "the said Federation or Protectorate" the words "Southern Rhodesia, Northern Rhodesia, Nyasaland or the Bechuanaland Protectorate".

(As amended by Schedule 1 to the Zambia Independence Act, 1964)

8. In the definition of "excepted ship or aircraft" in paragraph 3 of the Third Schedule to the Emergency Laws (Repeal) Act, 1959, for the words "the Federation of Rhodesia and Nyasaland" there shall be substituted the words "Southern Rhodesia".

9. In section 2 (7) of the Civil Aviation (Licensing) Act, 1960, there shall be substituted for the words "a citizen of the Federation of Rhodesia and Nyasaland" in paragraph (a) the words "a citizen of Southern Rhodesia" and for the words "the said Federation" wherever they appear in paragraph (b) the words "Southern Rhodesia".

10. In the definition of "Commonwealth country" in section 50 (1) of the Films Act, 1960, the words "the Federation of Rhodesia and Nyasaland" shall be omitted.

11. In section 1 (5) of the Diplomatic Immunities (Conferences with Commonwealth Countries and Republic of Ireland) Act, 1961, for the words "the Federation of Rhodesia and Nyasaland" there shall be substituted the words "Southern Rhodesia".

*See Table of Statutes at the end of this Schedule.

Instruments having effect under an Act of Parliament
12. In Article 1 of the Patents, Etc. (Federation of Rhodesia and Nyasaland) (Convention) Order, 1958, for the words "the Federation of Rhodesia and Nyasaland is a Convention country" there shall be substituted the words "Southern Rhodesia, Northern Rhodesia and Nyasaland are Convention countries".

13. In Regulation 10A of the Air Navigation (General) Regulations, 1960 (as amended by the Air Navigation (General) (Amendment) Regulations, 1963), the words "Federation of Rhodesia and Nyasaland" shall be omitted and in substitution therefor there shall be inserted in the appropriate places according to the alphabetical order of the names of the countries listed in the Regulation the words "Northern Rhodesia", "Nyasaland", and "Southern Rhodesia".

14. In Article 2 (1) of the Fugitive Offenders (Grouping of Territories) Order in Council, 1961, the words "the Federation of Rhodesia and Nyasaland" shall be omitted.

15. In Part I of the Schedule to the Carriage by Air (Parties to Convention) Order, 1962, the words "Federation of Rhodesia and Nyasaland" in the second column and the words in the third column relating to the Federation shall be omitted and in substitution therefor there shall be inserted in those columns (in the appropriate places according to the alphabetical order of the names of the territories in respect of which the United Kingdom is a party to the Convention) the following:

"Northern Rhodesia . . . . . . . . 3rd March, 1935"

"Nyasaland . . . . . . . . 3rd March, 1935"

"Southern Rhodesia . . . . . . . . 3rd April, 1935".

**TABLE OF STATUTES REFERRED TO IN SCHEDULE III**

<table>
<thead>
<tr>
<th>Short Title</th>
<th>Chapter</th>
</tr>
</thead>
<tbody>
<tr>
<td>Colonial Stock Acts, 1877 to 1948</td>
<td></td>
</tr>
</tbody>
</table>

Pensions (Colonial Service) Act, 1887 . .

Imperial Institute Act, 1925 . . .

Indian and Colonial Divorce Jurisdiction Act, 1926 . . . .

United Nations Act, 1946 . . . .


Diplomatic Immunities (Commonwealth
Import Duties Act, 1958.
Civil Aviation (Licensing) Act, 1960.
Diplomatic Immunities (Conferences with Commonwealth Countries and Republic of Ireland) Act, 1961.

The Zambia and Zimbabwe (Boundaries) Act
AT THE COURT AT BUCKINGHAM PALACE, THE 20TH DAY OF DECEMBER, 1963

Present:

THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL

WHEREAS, as a consequence of the creation of Lake Kariba, it is expedient to alter such part of the boundary between Zambia and Zimbabwe as runs through the Lake by describing it as a series of straight lines approximately following the existing boundary consisting of the old course of the River Zambezi:

AND WHEREAS it is further expedient to describe precisely the remainder of the boundary between Zambia and Zimbabwe:

NOW THEREFORE, Her Majesty, by virtue and in exercise of Her powers in that behalf by the Colonial Boundaries Act, 1895, and the Foreign Jurisdiction Act, 1890, or otherwise in Her Majesty vested, is pleased, by and with the advise of Her Privy Council, to order, and it is hereby ordered, as follows:

1. This Order may be cited as the Zambia and Zimbabwe (Boundaries) Order in Council, 1963, and shall come into operation on 1st January, 1964. Citation and commencement

2. The boundary between Zambia and Zimbabwe shall be as described in the Schedule hereto.

W. G. AGNEW Description of boundary

SCHEDULE

Starting at the point where the Mozambique International boundary intersects the medium filum of the Zambezi river, the boundary between Zambia and Zimbabwe follows this medium filum westwards to the Katengathumbi group of islands, thence along the medium filum between these islands and the mainland of Zimbabwe, thence along the medium filum of the Zambezi river to the Chikwenya group of islands, thence along the medium filum between this group of islands and the mainland of Zambia, thence along the medium filum of the Zambezi river to Kanyemba island, thence along the medium filum between Kanyemba island and Chipara island, thence along the medium filum of the Zambezi river to Umairi island, thence along the medium filum between this island and the mainland of Zimbabwe, thence along the medium filum of the Zambezi river to a point on the Kariba dam wall marked by a brass stud numbered NRT/T 153 at approximate Latitude 16 31' 20" South and approximate Longitude 28 45' 40" East, thence from this point in a straight line on an approximate true bearing of 221 26' for a distance of approximately 3,383.28 metres to a point at Latitude 16 32' 40" South and Longitude 28 44' 30" East, thence in a straight line on an approximate true bearing of 259 06' for a distance of approximately 11,338.56 metres to a point at Latitude 16 33' 50" South and Longitude 28 38' 20" East, thence in a straight line on an approximate true bearing of 247 11' for a
distance of approximately 44,287.44 metres to a point at Latitude 16 43' 20" South and Longitude 28 15' 20" East, thence in a straight line on an approximate true bearing of 229 03' for a distance of approximately 17,007.84 metres to a point at Latitude 16 49' 20" South and Longitude 28 08' 10" East, thence in a straight line on an approximate true bearing of 245 44' for a distance of approximately 35,844.48 metres to a point at Latitude 16 57' 30" South and Longitude 27 49' 50" East, thence in a straight line on an approximate true bearing of 214 39' for a distance of approximately 38,191.44 metres to a point at Latitude 17 14' 40" South and Longitude 27 37' 50" East, thence in a straight line on an approximate true bearing of 245 44' for a distance of approximately 35,844.48 metres to a point at Latitude 16 57' 30" South and Longitude 27 49' 50" East, thence in a straight line on an approximate true bearing of 221 06' for a distance of approximately 120,395 metres to a point at Latitude 17 24' 50" South and Longitude 27 33' 00" East, thence in a straight line on an approximate true bearing of 232 18' for a distance of approximately 31,120.08 metres to a point at Latitude 17 35' 20" South and Longitude 27 19' 10" East, thence in a straight line on an approximate true bearing of 218 16" for a distance of approximately 30,480 metres to a point at Latitude 17 48' 20" South and Longitude 27 08' 40" East, thence in a straight line on an approximate true bearing of 166 25' for a distance of approximately 10,485.12 metres to a point at Latitude 17 54' 00" South and Longitude 27 05' 00" East, thence in a straight line on an approximate true bearing of 214 10' for a distance of approximately 7,833.35 metres to a point at Latitude 17 57' 40" South and Longitude 27 02' 30" East, thence in a straight line on an approximate true bearing of 226 51' for a distance of approximately 10,485.12 metres to a point at Latitude 17 54' 00" South and Longitude 27 05' 00" East, thence in a straight line on an approximate true bearing of 214 10' for a distance of approximately 7,833.35 metres to a point at Latitude 17 57' 40" South and Longitude 27 02' 30" East, thence in a straight line on an approximate true bearing of 282 36' for a distance of approximately 27,432 metres to a point at approximate Latitude 17 57' 20" South and approximate Longitude 27 01' 00" East on the medium filum of the Zambezi river, thence along the medium filum of the Zambezi river to Mapeta island, thence along the medium filum between Mapeta island and the mainland of Zambia, thence along the medium filum of the Zambezi river to its intersection with the middle of the main gorge to the south of Rainbow falls and Livingstone island, thence following a line along the middle of this gorge round to the west of Livingstone island, thence along the middle of the channel between Livingstone island and the unnamed island nearest to and to the west of Livingstone island, thence along the middle of the channel between Livingstone island and Princess Victoria island, thence following the middle of the channel having on its west Princess Victoria island, Princess Christian island, Princess Marie Louise island and Princess Elizabeth island and on its east, Princess Helena Victoria island and Princess Margaret island, to King George VI island, thence along the middle of the channel to the south of this island and an unnamed group of islands to the north of Princess Elizabeth island to the medium filum between King George VI island and the mainland of Zimbabwe, thence along this medium filum and the media fila between the islands named Queen Elizabeth island, King George VI island, Canary island and the mainland of Zimbabwe to the medium filum of the Zambezi river, thence along this medium filum to Kandahar island, thence along the medium filum between this island and Palm island, thence along the medium filum of the Zambezi river to its intersection with the boundary of the Republic of Botswana.

The boundary described above is shown on Maps deposited in the offices of the Surveyor-General, Zambia, and the Surveyor-General, Zimbabwe signed by them and dated 19th December, 1963, which Maps are numbered:

DCS 1953 1/50,000 1530 SWI.
DCS 1953 1/50,000 1530 SW2.
DCS 1949 Preliminary 1/50,000 1529 SE1.
DCS 1950 Preliminary 1/50,000 1529 SE2.
DCS 1950 Preliminary 1/50,000 1529 SW2.
Federal Surveys 1959 1/50,000 1529 C3.
Federal Surveys 1959 1/50,000 1529 C4.
Federal Surveys 1960 1/50,000 1628 D2.
Federal Surveys 1961 1/50,000 1727 C3.
Federal Surveys 1963 1/50,000 1726 C3.
Federal Surveys 1963 1/50,000 1726 D3.
Federal Surveys 1959 1/20,000 Tourist street map of Livingstone and the Victoria Falls.
Surveys Northern Rhodesia 1950 1/50,000 1725 SE3.
Surveys Northern Rhodesia 1950 1/50,000 1725 SW3 and 4.

REPUBLIC OF ZAMBIA

THE ADMINISTRATION OF JUSTICE ACT

APPENDIX 3 TO THE LAWS OF ZAMBIA
PART II
RECIPROCAL ENFORCEMENT OF JUDGMENTS IN THE UNITED KINGDOM AND IN OTHER PARTS OF HIS MAJESTY'S DOMINIONS

9. (1) Where a judgment has been obtained in a superior court in any part of His Majesty's dominions outside the United Kingdom to which this Part of this Act extends, the judgment creditor may apply to the High Court in England or Ireland, or to the Court of Session in Scotland, at any time within twelve months after the date of the judgment, or such longer period as may be allowed by the court, to have the judgment registered in the court, and on any such application the court may, if in all the circumstances of the case they think it is just and convenient that the judgment should be enforced in the United Kingdom, and subject to the provisions of this section, order the judgment to be registered accordingly. Enforcement in the United Kingdom of judgments obtained in superior courts in other British dominions

(2) No judgment shall be ordered to be registered under this section if-

(a) the original court acted without jurisdiction; or

(b) the judgment debtor, being a person who was neither carrying on business nor ordinarily resident within the jurisdiction of the original court, did not voluntarily appear or otherwise submit or agree to submit to the jurisdiction of that court; or

(c) the judgment debtor, being the defendant in the proceedings, was not duly served with the process of the original court and did not appear, notwithstanding that he was ordinarily resident or was carrying on business within the jurisdiction of that court or agreed to submit to the jurisdiction of that court; or

(d) the judgment was obtained by fraud; or

(e) the judgment debtor satisfies the registering court either that an appeal is pending, or that he is entitled and intends to appeal, against the judgment; or

(f) the judgment was in respect of a cause of action which for reasons of public policy or for some other similar reason could not have been entertained by the registering court.

(3) Where a judgment is registered under this section-

(a) the judgment shall, as from the date of registration, be of the same force and effect, and proceedings may be taken thereon, as if it had been a judgment originally obtained or entered up on the date of registration in the registering court;

(b) the registering court shall have the same control and jurisdiction over
the judgment as it has over similar judgments given by itself, but in so far
only as relates to execution under this section;

(c) the reasonable costs of and incidental to the registration of the
judgment (including the costs of obtaining a certified copy thereof from the
original court and of the application for registration) shall be recoverable in
like manner as if they were sums payable under the judgment.

(4) Rules of court shall provide-

(a) for service on the judgment debtor of notice of the registration of a
judgment under this section; and

(b) for enabling the registering court an application by the judgment debtor
to set aside the registration of a judgment under this section on such terms as
the court thinks fit; and

(c) for suspending the execution of a judgment registered under this section
until the expiration of the period during which the judgment debtor may apply to
have the registration set aside.

(5) In any action brought in any court in the United Kingdom on any judgment
which might be ordered to be registered under this section, the plaintiff shall
not be entitled to recover any costs of the action unless an application to
register the judgment under this section has previously been refused or unless
the court otherwise orders.

10. Where a judgment has been obtained in the High Court in England or
Ireland, or in the Court of Session in Scotland, against any person, the court
shall, on an application made by the judgment creditor and on proof that the
judgment debtor is resident in some part of His Majesty's dominions outside the
United Kingdom to which this Part of this Act extends, issue to the judgment
creditor a certified copy of the judgment.Issue of certificates of judgments
obtained in the United Kingdom

11. Provision may be made by rules of court for regulating the practice and
procedure (including scales of fees and evidence), in respect of proceedings of
any kind under this Part of this Act.Power to make rules

12. (1) In this Part of this Act, unless the context otherwise requires:

the expression "judgment" means any judgment or order given or made by a court
in any civil proceedings, whether before or after the passing of this Act,
whereby any sum of money is made payable, and includes an award in proceedings
on an arbitration if the award has, in pursuance of the law in force in the
place where it was made, become enforceable in the same manner as a judgment
given by a court in that place;

the expression "original court" in relation to any judgment means the court by
which the judgment was given;

the expression "registering court" in relation to any judgment means the court
by which the judgment was registered;

the expression "judgment creditor" means the person by whom the judgment was
obtained, and includes the successors and assigns of that person;
the expression "judgment debtor" means the person against whom the judgment was
given, and includes any person against whom the judgment is enforceable in the
place where it was given.

Interpretation

(2) Subject to rules of court, any of the powers conferred by this Part of this
Act on any court may be exercised by a judge of the court.

13. His Majesty may by Order in Council declare that this Part of this Act
shall apply to any territory which is under His Majesty's protection, or in
respect of which a mandate is being exercised by the Government of any part of
His Majesty's dominions, as if that territory were part of His Majesty's
dominions, and on the making of any such Order this Part of this Act shall,
subject to the provisions of the Order, have effect accordingly.

Power to apply Part II of Act to territories under His Majesty's protection

14. (1) Where His Majesty is satisfied that reciprocal provisions have been
made by the legislature of any part of His Majesty's dominions outside the
United Kingdom for the enforcement within that part of His dominions of
judgments obtained in the High Court in England, the Court of Session in
Scotland, and the High Court in Ireland, His Majesty may by Order in Council
declare that this Part of this Act shall extend to that part of His dominions,
and on any such Order being made this Part of this Act shall extend accordingly.

(2) An Order in Council under this section may be varied or revoked by a
subsequent Order.

Extent of Part II of Act

ORDER IN COUNCIL APPLYING PART II OF THE ADMINISTRATION OF JUSTICE ACT, 1920, TO
NORTHERN RHODESIA

AT THE COURT AT BUCKINGHAM PALACE, THE 20TH DAY OF
JUNE, 1922

Present:

THE KING'S MOST EXCELLENT MAJESTY IN COUNCIL

WHEREAS by Part II of the Administration of Justice Act, 1920, provision has
been made for the reciprocal enforcement of judgments in the United Kingdom and
in other parts of His Majesty's dominions:

AND WHEREAS by the said Act it is amongst other things provided that where His
Majesty is satisfied that reciprocal provisions have been made by the
Legislature of any part of His Majesty's dominions outside the United Kingdom
for the enforcement within that part of His dominions of judgments obtained in
the High Court in England, the Court of Session in Scotland, and the High Court
in Ireland, His Majesty may by Order in Council declare that the said Part of
that Act shall extend to that part of His dominions and that on any such Order
being made the said Part of that Act shall extend accordingly:

AND WHEREAS by the said Act it is further provided that His Majesty may by Order
in Council declare that the said Part of that Act shall apply to any territory
which is under His Majesty's protection, or in respect of which a mandate is
being exercised by the Government of any part of His Majesty's dominions, as if
that territory were part of His Majesty's dominions, and that on the making of
any such Order the said Part of that Act shall, subject to the provisions of the
Order, have effect accordingly:
AND WHEREAS His Majesty is satisfied that the Legislatures of the territories which are under His Majesty's protection hereinafter mentioned have made reciprocal provisions for the enforcement within those territories of judgments obtained in the High Court in England, the Court of Session in Scotland, and the High Court in Ireland:

NOW, THEREFORE, His Majesty, by virtue and in exercise of the powers by the above-recited Act in His Majesty vested, is pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered, as follows:

Part II of the Administration of Justice Act, 1920, shall extend to the territories under His Majesty's protection hereunder mentioned:

Northern Rhodesia.

Uganda Protectorate.

And the Right Honourable Winston Spencer Churchill, one of His Majesty's Principal Secretaries of State, is to give the necessary directions herein accordingly.

ALMERIC FITZROY

COLONIAL PROBATES ACT, 1892

55 VICT. C. 6

AN ACT TO PROVIDE FOR THE RECOGNITION IN THE UNITED KINGDOM OF PROBATES AND LETTERS OF ADMINISTRATION GRANTED IN BRITISH POSSESSIONS

[20th May, 1892]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. Her Majesty the Queen may, on being satisfied that the legislature of any British possession has made adequate provision for the recognition in that possession of probates and letters of administration granted by the courts of the United Kingdom, direct by Order in Council that this Act shall, subject to any exceptions and modifications specified in the Order, apply to that possession, and thereupon, while the Order is in force, this Act shall apply accordingly.

Application of Act by Order in Council

2. (1) Where a court of probate in a British possession to which this Act applies has granted probate or letters of administration in respect of the estate of a deceased person, the probate or letters so granted may, on being produced to, and a copy thereof deposited with, a court of probate in the United Kingdom, be sealed with the seal of that court, and, thereupon, shall be of the like force and effect, and have the same operation in the United Kingdom, as if granted by that court.

Sealing in United Kingdom of colonial probates and letters of administration

(2) Provided that the court shall, before sealing a probate or letters of
administration under this section, be satisfied-

(a) that probate duty has been paid in respect of so much (if any) of the estate as is liable to probate duty in the United Kingdom; and

(b) in the case of letters of administration, that security has been given in a sum sufficient in amount to cover the property (if any) in the United Kingdom to which the letters of administration relate;

and may require such evidence, if any, as it thinks fit as to the domicile of the deceased person.

(3) The court may also, if it thinks fit, on the application of any creditor, require, before sealing, that adequate security be given for the payment of debts due from the estate to creditors residing in the United Kingdom.

(4) For the purposes of this section, a duplicate of any probate or letters of administration sealed with the seal of the court granting the same, or a copy thereof certified as correct by or under the authority of the court granting the same, shall have the same effect as the original.

(5) Rules of court may be made for regulating the procedure and practice, including fees and costs, in courts of the United Kingdom, on and incidental to an application for sealing a probate or letters of administration granted in a British possession to which this Act applies. Such rules shall, so far as they relate to probate duty, be made with the consent of the Treasury, and subject to any exceptions and modifications made by such rules, the enactments for the time being in force in relation to probate duty (including the penal provisions thereof) shall apply as if the person who applies for sealing under this section were a person applying for probate or letters of administration.

3. This Act shall extend to authorise the sealing in the United Kingdom of any probate or letters of administration granted by a British court in a foreign country, in like manner as it authorises the sealing of a probate or letters of administration granted in a British possession to which this Act applies, and the provisions of this Act shall apply accordingly with the necessary modifications.

Application of Act to British courts in foreign countries

4. (1) Every Order in Council made under this Act shall be laid before both Houses of Parliament as soon as may be after it is made, and shall be published under the authority of Her Majesty's Stationery Office.

(2) Her Majesty the Queen in Council may revoke or alter any Order in Council previously made under this Act.

(3) Where it appears to Her Majesty in Council that the legislature of part of a British possession has power to make the provision requisite for bringing this Act into operation in that part, it shall be lawful for Her Majesty to direct by Order in Council that this Act shall apply to that part as if it were a separate British possession, and thereupon, while the Order is in force, this Act shall apply accordingly.

5. This Act when applied by an Order in Council to a British possession shall, subject to the provisions of the Order, apply to probates and letters of administration granted in that possession either before or after the passing of this Act.
6. In this Act—Interpretation

the expression "court of probate" means any court or authority, by whatever name designated, having jurisdiction in matters of probate, and in Scotland means the sheriff court of the county of Edinburgh;

the expressions "probate" and "letters of administration" include confirmation in Scotland, and any instrument having in a British possession the same effect which under English law is given to probate and letters of administration respectively;

the expression "probate duty" includes any duty payable on the value of the estate and effects for which probate or letters of administration is or are granted;

the expression "British court in a foreign country" means any British court having jurisdiction out of the Queen's dominions in pursuance of an Order in Council, whether made under any Act or otherwise.

7. This Act may be cited as the Colonial Probates Act, 1892.

Short title

COLONIAL PROBATES (PROTECTED STATES AND MANDATED TERRITORIES) ACT, 1927

17 & 18 GEO. 5, C. 43.

AN ACT TO ENABLE THE COLONIAL PROBATES ACT, 1892, TO BE APPLIED TO CERTAIN PROTECTED STATES AND MANDATED TERRITORIES

[22nd December, 1927]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. The power of His Majesty to apply the Colonial Probates Act, 1892, to British possessions shall include a power to apply the said Act to any territories, being either territories under His Majesty's protection or territories in respect of which a mandate on behalf of the League of Nations has been accepted by His Majesty, to which it cannot be applied by virtue of the provisions of the Foreign Jurisdiction Acts, 1890 and 1913, and the said Act shall accordingly have effect as if references therein to British possessions included references to such territories as aforesaid. Extension of Colonial Probates Act, 1892, to certain protected states and mandated territories. 55 & 56 Vict. c. 6

2. This Act may be cited as the Colonial Probates (Protected States and Mandated Territories) Act, 1927, and the Colonial Probates Act, 1892, and this Act may be cited together as the Colonial Probates Acts, 1892 and 1927. Short title

RULES UNDER COLONIAL PROBATES ACT, 1892

By virtue and in pursuance of the provisions of the Statutes 20 & 21 Vict. c. 77, 38 & 39 Vict. c. 77, and 55 Vict. c. 6, I, the Right Honourable Sir Francis Henry Jeune, Knight, President of the Probate, Divorce and Admiralty Division of
the High Court of Justice, with the concurrence of the Right Honourable Farrer Baron Herschell, Lord High Chancellor of Great Britain, and of the Right Honourable John Duke Baron Coleridge, Lord Chief Justice of England, do make and issue the following additional rules and orders for the Registrars of the Principal Probate Registry in respect of non-contentious business.

Dated the 7th day of December, 1892.

(Signed) F. H. JEUNE, P.

Approved:

(Signed) HERSCHELL, C.

COLERIDGE, C. J.

FOR THE REGISTRARS OF THE PRINCIPAL PROBATE REGISTRY IN NON-CONTENTIOUS BUSINESS FOR CARRYING OUT THE PROVISIONS OF THE COLONIAL PROBATES ACT, 1892

92. Application to seal a grant of Probate or Letters of Administration, or copy thereof, under the Colonial Probates Act, 1892, may be made in the Principal Probate Registry by the executor or administrator or the attorney (lawfully authorised for the purpose) of such executor or administrator, either in person or through a solicitor.

93. Such application must be accompanied by an oath of the executor, administrator, or attorney, in the form in the Appendix, or as nearly thereto as the circumstances of the case will allow.

94. The Registrars are to be satisfied that notice of such application has been duly advertised. (Form of advertisement in Appendix.)

95. On application to seal Letters of Administration the administrator or his attorney shall give bond (in the form set out in the Appendix) to cover the personal estate of the deceased within the jurisdiction of the Court. The same practice as to sureties and amount of penalty in bond is to be observed as on application for Letters of Administration.

96. Application by a creditor under section 2, subsection (3), of the Colonial Probates Act is to be made by summons before one of the Registrars, supported by an affidavit setting out particulars of the claim.

97. In every case, and especially when the domicile of the deceased at the time of death as sworn to in the affidavit differs from that suggested by the description in the grant, the Registrars may require further evidence as to domicile.

98. If it should appear that the deceased was not at the time of death domiciled within the jurisdiction of the Court from which the grant issued, the seal is not to be affixed unless the grant is such as would have been made by the High Court of Justice in England.

99. The grant (or copy grant) to be sealed and the copy to be deposited in the Registry must include copies of all testamentary papers admitted to Probate.

100. When the application to seal a Probate or Letters of Administration is made after the lapse of three years from the death of the deceased, the reason
of the delay is to be certified to the Registrars. Should the certificate be unsatisfactory the Registrars are to require such proof of the alleged cause of delay as they may think fit.

101. Special or limited or temporary grants are not to be sealed without an order of one of the Registrars.

102. Notice of the sealing in England of a grant is to be sent to the Court from which the grant is issued.

103. When intimation has been received of the re-sealing of an English grant, notice of the revocation of, or any alteration in such grant is to be sent to the Court by whose authority such grant was re-sealed.

104. The affidavit for Inland Revenue pursuant to the Customs and Inland Revenue Acts, 1880 and 1881, shall be transmitted to the Commissioners of Inland Revenue as if the person who applied for sealing under the Colonial Probates Act, 1892, were a person applying for Probate or Letters of Administration.

105. The affidavit for Inland Revenue and accounts and schedules forming part thereof, shall be in such form as may be prescribed by the Commissioners of Her Majesty's Treasury.

[NOTE.-The affidavit to be used will in fact be Form A with some few modifications to suit the circumstances.]

APPENDIX

FORMS (COLONIAL PROBATES ACT, 1982)

Oath

In the High Court of Justice, Probate, Divorce and Admiralty Division (Probate).

In the goods of A.B., deceased.

I, C.D., [or E.F.], of make oath and say:

1. That a Grant of Probate of the will [or Letters of Administration of the personal estate] of A.B., late of deceased, was granted to me [or C.D.] by the Court at on the day of

2. That the said deceased was at the time of his death domiciled at , [the following words to be struck out if inapplicable] within the jurisdiction of the said Court.

3. That the notice hereunder annexed was inserted in the Times newspaper on the day of .

4. That I am the attorney lawfully appointed of C.D. under his hand and seal, and am duly authorised to apply to this Court for the sealing of the said grant. [This paragraph to be struck out if inapplicable.]

5. That the value of the personal estate in England amounts in value to the
sum of

and no more, to the best of my knowledge, information
and belief.

Sworn, etc.

Advertisement

A.B., deceased.

Notice is hereby given that after the expiration of eight days, application will be made in the Principal Probate Registry of the High Court of Justice for the sealing of the probate of the will (or Letters of Administration on the personal estate) of A.B., late of , deceased, granted by the Court at on the day of 18 .

Solicitors for

[To be advertised in the "Times" newspaper unless otherwise directed by one of the Registrars.]

Administration Bond (with or without Will)

Know all men by these presents, that we, A.B., of , C.D., of , and E.F., of , are jointly and severally bound unto G.H., the President of the Probate, Divorce, and Admiralty Division of Her Majesty's High Court of Justice, in the sum of pounds, of good and lawful money of Great Britain, to be paid to the said G.H., or to the President of the said Division for the time being, for which payment well and truly to be made we bind ourselves and each of us, for the whole, our heirs, executors, and administrators, firmly by these presents.

Sealed with our seals.

Dated the day of in the year of our Lord One thousand eight hundred and ninety

The condition of this obligation is such, that if the above-named A.B., the administrator (with the will dated the day of annexed) by authority of the Court at on the day of , acting under Letters of Administration granted to be sealed in England under the Colonial Probates Act, 1892, of the personal estate of K.L., late of deceased, who died on the day of 18 , do, when lawfully called on in that behalf, make, or cause to be made, true and perfect inventory of the personal estate of the said deceased in England which has or shall come to hands, possession or knowledge, or into the hands and possession of any other person for , and the same so made do exhibit, or cause to be exhibited into the Principal Probate Registry of Her Majesty's High Court of Justice, whenever required by law so to do, and the same personal estate do well and truly administer according to law; and further do make, or cause to be made, a true and just account of said administration, whenever required by law so to
do, then this obligation to be void and of none effect, or else to remain in
full force and virtue.

Signed, Sealed, and Delivered by

the within-named

in the presence of  }

A Commissioner for Oaths.

Administration Bond (with or without Will) on application by Attorney

Know all men by these presents, that we, A.B., of , C.D., of 
and E.F., of , are jointly and severally bound
unto G.H., the President of the Probate, Divorce, and Admiralty Division of Her
Majesty's High Court of Justice, in the sum of pounds, of
good and lawful money of Great Britain, to be paid to the said G.H., or to the
President of the said Division for the time being, for which payment well and
truly to be made we bind ourselves and each of us, for the whole, our heirs,
executors, and administrators, firmly by these presents.

Sealed with our seals.

Dated the day of in the year of our Lord One
thousand eight hundred and ninety.

The condition of this obligation is such, that if K.L., of ,
the administrator (with the will dated the day of , annexed), by authority of the
Court at , acting under Letters of
Administration granted to
on the day of , and now about to be sealed in England under the Colonial Probates Act, 1892, of
the personal estate of M.N., late of deceased, who died on the day of , 18 , do, when lawfully called on in that behalf, make, or cause to be
made, a true and perfect inventory of the personal estate of the said deceased
in England which has or shall come to
hands, possession, or knowledge, or into the hands and
possession of any other person for , and the same so made
do exhibit, or cause to be exhibited, into the Principal Probate Registry of Her
Majesty's High Court of Justice, whenever required by law so to do, and the same
personal estate do well and truly administer according to law; and further do
make, or cause to be made, a true and just account of
said administration, whenever required by law so to do, then
this obligation to be void and of none effect, or else to remain in full force
and virtue.

Signed, Sealed, and Delivered by

the within-named

in the presence of  }

A Commissioner for Oaths.
ORDER IN COUNCIL APPLYING THE COLONIAL PROBATES ACT, 1892, TO NORTHERN RHODESIA

AT THE COURT AT BUCKINGHAM PALACE, THE 6TH DAY OF NOVEMBER, 1916

Present:

THE KING'S MOST EXCELLENT MAJESTY

LORD PRESIDENT LORD STEWARD

EARL OF DESART LORD COLEBROOKE

WHEREAS by the Foreign Jurisdiction Acts, 1890 and 1913, it is, amongst other things, provided that it shall be lawful for His Majesty in Council by Order to direct that the Colonial Probates Act, 1892, shall extend, with or without any exceptions, adaptations, or modifications, in the Order mentioned, to any foreign country in which for the time being His Majesty has jurisdiction and that thereupon the said Act shall, to the extent of that jurisdiction, operate as if that country were a British possession, and as if His Majesty in Council were the Legislature of that possession:

AND WHEREAS by Treaty, grant, usage, sufferance, and other lawful means, His Majesty the King has power and jurisdiction in the East Africa Protectorate, the Bechuanaland Protectorate, Northern Rhodesia, Southern Rhodesia, Swaziland and Weihaiwei:

AND WHEREAS His Majesty the King is satisfied that the Legislatures of the said Protectorates have made adequate provision for the recognition therein respectively of Probates and Letters of Administration granted by the Courts of the United Kingdom:

AND WHEREAS it is expedient that the Colonial Probates Act, 1892, should be extended to the said Protectorates:

NOW THEREFORE His Majesty, by virtue and in exercise of the powers in this behalf by the Foreign Jurisdiction Acts, 1890 and 1913, or otherwise in His Majesty vested, is pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered as follows:

1. "The Colonial Probates Act, 1892" shall from the date of this Order apply to the East Africa Protectorate, the Bechuanaland Protectorate, Northern Rhodesia, Southern Rhodesia, Swaziland, and Weihaiwei, as though each of the said Protectorates were a British possession within the meaning of the said Act.

2. The Order of His late Majesty King Edward VII in Council, bearing date the 28th day of July, 1906, and declaring that the Colonial Probates Act, 1892, shall extend to authorise the sealing in the United Kingdom of Probates or Letters of Administration granted by the High Court of Southern Rhodesia, shall be and the same is hereby revoked, without prejudice to anything lawfully done thereunder.

And the Right Honourable Andrew Bonar Law, His Majesty's Principal Secretary of
State for the Colonies, is to give the necessary directions herein accordingly.

ALMERIC FITZROY

ORDER IN COUNCIL APPLYING TO NORTHERN RHODESIA SECTION 1 OF THE MARRIAGE OF BRITISH SUBJECTS (FACILITIES) ACT, 1915

AT THE COURT AT BUCKINGHAM PALACE, THE 28TH DAY OF MARCH, 1919

Present:

THE KING'S MOST EXCELLENT MAJESTY

LORD PRESIDENT SIR JAMES ROSE INNES

LORD CHAMBERLAIN MR. W. P. SCHREINER

LORD JUSTICE ATKIN

Whereas by section 1 of the Marriage of British Subjects (Facilities) Act, 1915, it is (amongst other things) enacted as follows:

"Where His Majesty is satisfied that the law in force in any part of His Majesty's dominions outside the United Kingdom makes due provision for the publication of banns or for the giving of notice in respect of marriages between British subjects intended to be solemnised or contracted in the United Kingdom, and for the recognition of certificates for marriage issued by Superintendent Registrars in England and of certificates for marriage issued by Registrars, and certificates of proclamation of banns, in Scotland, and of certificates for marriage issued by Registrars in Ireland as sufficient notice in respect of marriages between British subjects intended to be solemnised or contracted in that part of His Majesty's dominions, His Majesty may, by Order in Council, declare that this section shall apply to that part of His dominions, and in such case:

(a) Where a marriage is intended to be solemnised or contracted in the United Kingdom between a British subject resident in England, Scotland, or Ireland and a British subject resident in that part of His Majesty's dominions, a certificate of the publication of banns or a certificate of notice of marriage issued in accordance with such law shall in England have the same effect as a certificate for marriage issued by a Superintendent Registrar, and in Scotland and Ireland have the same effect as a certificate for marriage issued by a Registrar in Scotland and Ireland respectively; and

(b) Where a marriage is intended to be solemnised or contracted in that part of His Majesty's dominions between a British subject resident in that part and a British subject resident in England, Scotland, or Ireland, a certificate for marriage may be issued in England by a Superintendent Registrar, or in Scotland or Ireland by a Registrar, in the like manner as if the marriage was to be solemnised or contracted under circumstances requiring the issue of such a certificate, and as if both such British subjects were resident in England, Scotland, or Ireland, as the case may be:"
AND WHEREAS by section 1 of the Marriage of British Subjects (Facilities) Amendment Act, 1916, it is enacted as follows:

"If His Majesty is satisfied that, for the purposes of a marriage to be solemnised or contracted in any part of His dominions outside the United Kingdom between a British subject resident in that part and a British subject resident in England, Scotland, or Ireland, no notice of the marriage is, under the law in force in that part of His dominions, required on the part of the person resident in England, Scotland, or Ireland, His Majesty may, by Order in Council, declare that section 1 of the Marriage of British Subjects (Facilities) Act, 1915, shall apply to that part of His dominions, notwithstanding that the law in force in that part does not make provision for the recognition of certificates for marriage issued in England, Scotland, and Ireland, and of certificates of proclamation of banns issued in Scotland, as sufficient notice in respect of such marriages as aforesaid, provided that the other conditions required by that section are fulfilled:"

AND WHEREAS by section 2 of the first hereinbefore recited Act it is enacted that His Majesty may, by Order in Council, extend the said Act to any British protectorate, and on the making of any such Order the said Act shall, subject to the provisions of the Order, have effect as if the protectorate were part of His Majesty's dominions:

AND WHEREAS His Majesty is satisfied that, for the purposes of a marriage to be solemnised or contracted in the British protectorate hereinafter mentioned between a British subject resident therein and a British subject resident in England, Scotland, or Ireland, no notice of the marriage is under the law in force in that protectorate required on the part of the person resident in England, Scotland, or Ireland, and that under the said law the other conditions required by the hereinbefore recited section 1 of the Marriage of British Subjects (Facilities) Act, 1915, are fulfilled:

NOW, THEREFORE, His Majesty, by virtue and in exercise of the powers by the above-recited Acts in His Majesty vested, is pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered, as follows:

Section 1 of the Marriage of British Subjects (Facilities) Act, 1915, shall apply to the British Protectorate hereunder mentioned:

Northern Rhodesia.

And the Right Honourable Viscount Milner, one of His Majesty's Principal Secretaries of State, is to give the necessary directions herein accordingly.

ALMERIC FITZROY

ARBITRATION (FOREIGN AWARDS) ACT, 1930

20 GEO. 5, C. 15

AN ACT TO GIVE EFFECT TO A CERTAIN CONVENTION ON THE EXECUTION OF ARBITRAL AWARDS AND TO AMEND SUBSECTION (1) OF SECTION 1 OF THE ARBITRATION CLAUSES (PROTOCOL) ACT, 1924
BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same as follows:

PART I

ENFORCEMENT OF FOREIGN ARBITRAL AWARDS

WHEREAS a Convention, set out in the Schedule to this Act, on the Execution of Arbitral Awards was on the twenty-sixth day of September, nineteen hundred and twenty-seven, signed at Geneva on behalf of His Majesty:

AND WHEREAS it is expedient that such provisions should be enacted by Parliament as will enable the said Convention to become operative in the United Kingdom:

NOW, THEREFORE, be it enacted as follows:

1. (1) This Part of this Act applies to any award made after the twenty-eighth day of July, nineteen hundred and twenty-four—Application of Part I

(a) in pursuance of an agreement for arbitration to which the protocol set out in the Schedule to the Arbitration Clauses (Protocol) Act, 1924, applies; and

(b) between persons of whom one is subject to the jurisdiction of some one of such Powers as His Majesty, being satisfied that reciprocal provisions have been made, may by Order in Council declare to be parties to the said Convention, and of whom the other is subject to the jurisdiction of some other of the Powers aforesaid; and

(c) in one of such territories as His Majesty, being satisfied that reciprocal provisions have been made, may by Order in Council declare to be territories to which the said Convention applies;

and an award to which this Part of this Act applies is in this Act referred to as "a foreign award".

(2) His Majesty may by a subsequent Order in Council vary or revoke any Order previously made under this section.

2. (1) A foreign award shall, subject to the provisions of this Part of this Act, be enforceable in England either by action or under the provisions of section 12 of the Arbitration Act, 1889—Effect of foreign awards. 52 & 53 Vict. c. 49

(2) Any foreign award which would be enforceable under this Part of this Act shall be treated as binding for all purposes on the persons as between whom it was made, and may accordingly be relied on by any of those persons by way of defence, set off or otherwise in any legal proceedings in England, and any references in this Part of this Act to enforcing a foreign award shall be construed as including references to relying on an award.

3. (1) In order that a foreign award may be enforceable under this Part of this Act it must have—Conditions for enforcement of foreign awards
(a) been made in pursuance of an agreement for arbitration which was valid under the law by which it was governed;

(b) been made by the tribunal provided for in the agreement or constituted in manner agreed upon by the parties;

(c) been made in conformity with the law governing the arbitration procedure;

(d) become final in the country in which it was made;

(e) been in respect of a matter which may lawfully be referred to arbitration under the law of England;

and the enforcement thereof must not be contrary to the public policy or the law of England.

(2) Subject to the provisions of this subsection, a foreign award shall not be enforceable under this Part of this Act if the court dealing with the case is satisfied that-

(a) the award has been annulled in the country in which it was made; or

(b) the party against whom it is sought to enforce the award was not given notice of the arbitration proceedings in sufficient time to enable him to present his case, or was under some legal incapacity and was not properly represented; or

(c) the award does not deal with all the questions referred or contains decisions on matters beyond the scope of the agreement for arbitration:

Provided that, if the award does not deal with all the questions referred, the court may, if it thinks fit, either postpone the enforcement of the award or order its enforcement subject to the giving of such security by the person seeking to enforce it as the court may think fit.

(3) If a party seeking to resist the enforcement of a foreign award proves that there is any ground other than the non-existence of the conditions specified in paragraphs (a), (b) and (c) of subsection (1) of this section, or the existence of the conditions specified in paragraphs (b) and (c) of subsection (2) of this section, entitling him to contest the validity of the award, the court may, if it thinks fit, either refuse to enforce the award or adjourn the hearing until after the expiration of such period as appears to the court to be reasonably sufficient to enable that party to take the necessary steps to have the award annulled by the competent tribunal.

4. (1) The party seeking to enforce a foreign award must produce—

Evidence

(a) the original award or a copy thereof duly authenticated in manner required by the law of the country in which it was made; and

(b) evidence proving that the award has become final; and

(c) such evidence as may be necessary to prove that the award is a foreign award and that the conditions mentioned in paragraphs (a), (b) and (c) of subsection (1) of the last foregoing section are satisfied.

(2) In any case where any document required to be produced under subsection (1)
of this section is in a foreign language, it shall be the duty of the party seeking to enforce the award to produce a translation certified as correct by a diplomatic or consular agent of the country to which that party belongs, or certified as correct in such other manner as may be sufficient according to the law of England.

(3) Subject to the provisions of this section, rules of court may be made under section 99 of the Supreme Court of Judicature (Consolidation) Act, 1925, with respect to the evidence which must be furnished by a party seeking to enforce an award under this Part of this Act.15 & 16 Geo. 5, c. 49

5. For the purposes of this Part of this Act, an award shall not be deemed final if any proceedings for the purpose of contesting the validity of the award are pending in the country in which it was made. Meaning of "final award"

6. Nothing in this Part of this Act shall-

(a) prejudice any rights which any person would have had of enforcing in England any award or of availing himself in England of any award if this Part of this Act had not been enacted; or

(b) apply to any award made on an arbitration agreement governed by the law of England. Saving

7. (1) In the application of this Part of this Act to Scotland, the following modifications shall be made: Application to Scotland and Northern Ireland

(a) For the references to England there shall be substituted references to Scotland;

(b) The following shall be substituted for subsection (1) of section 2:

   (1) A foreign award shall, subject to the provisions of this Part of this Act, be enforceable by action, or if the agreement for arbitration contains consent to the registration of the award in the Books of Council and Session for execution and the award is so registered, it shall, subject as aforesaid, be enforceable by summary diligence;"

(c) The following shall be substituted for subsection (3) of section 4:

   (3) The Court of Session shall, subject to the provisions of this section, have power to make rules by Act of Sederunt with respect to the evidence which must be furnished by a party seeking to enforce in Scotland an award under this Part of this Act."

(2) In the application of this Part of this Act to Northern Ireland, the following modifications shall be made:

(a) For the references to England there shall be substituted references to Northern Ireland;

(b) The following shall be substituted for subsection (1) of section 2:

   (1) A foreign award shall, subject to the provisions of this Part of this Act, be enforceable either by action or in the same manner as the award of an arbitrator under the provisions of the Common Law Procedure Amendment Act (Ireland), 1856;"19 & 20 Vict. c. 102
(c) For the reference to section 99 of the Supreme Court of Judicature (Consolidation) Act, 1925, there shall be substituted a reference to section 61 of the Supreme Court of Judicature (Ireland) Act, 1877, as amended by any subsequent enactment.40 & 41 Vict. c. 57

PART II

AMENDMENT OF ARBITRATION CLAUSES (PROTOCOL) ACT, 1924, AND SHORT TITLE

8. Section 1 of the Arbitration Clauses (Protocol) Act, 1924 (which provides for the staying of legal proceedings in a court in respect of matters to be referred to arbitration under agreements to which the Protocol applies), shall have effect as though in subsection (1) thereof after the words "unless satisfied that the agreement or arbitration has become inoperative or cannot proceed" there were inserted the words "or that there is not in fact any dispute between the parties with regard to the matter agreed to be referred". Amendment of s. 1 of 14 & 15 Geo. 5, c. 39

9. This Act may be cited as the Arbitration (Foreign Awards) Act, 1930. Short title

SCHEDULE

CONVENTION ON THE EXECUTION OF FOREIGN ARBITRAL AWARDS

ARTICLE 1

In the territories of any High Contracting Party to which the present Convention applies, an arbitral award made in pursuance of an agreement, whether relating to existing or future differences (hereinafter called "a submission to arbitration") covered by the Protocol on Arbitration Clauses, opened at Geneva on September 24th, 1923, shall be recognised as binding and shall be enforced in accordance with the rules of the procedure of the territory where the award is relied upon, provided that the said award has been made in a territory of one of the High Contracting Parties to which the present Convention applies and between persons who are subject to the jurisdiction of one of the High Contracting Parties.

To obtain such recognition or enforcement, it shall, further, be necessary:

(a) That the award has been made in pursuance of a submission to arbitration which is valid under the law applicable thereto;

(b) That the subject-matter of the award is capable of settlement by arbitration under the law of the country in which the award is sought to be relied upon;

(c) That the award has been made by the Arbitral Tribunal provided for in the submission to arbitration or constituted in the manner agreed upon by the parties and in conformity with the law governing the arbitration procedure;

(d) That the award has become final in the country in which it has been made, in the sense that it will not be considered as such if it is open to opposition, appeal or pourvoi en cassation (in the countries where such forms of procedure exist) or if it is proved that any proceedings for the purpose of Contesting the
validity of the award are pending;

(e) That the recognition or enforcement of the award is not contrary to the public policy or to the principles of the law of the country in which it is sought to be relied upon.

ARTICLE 2

Even if the conditions laid down in Article 1 hereof are fulfilled, recognition and enforcement of the award shall be refused if the Court is satisfied:

(a) That the award has been annulled in the country in which it was made;

(b) That the party against whom it is sought to use the award was not given notice of the arbitration proceedings in sufficient time to enable him to present his case; or that, being under a legal incapacity, he was not properly represented;

(c) That the award does not deal with the differences contemplated by or falling within the terms of the submission to arbitration or that it contains decisions on matters beyond the scope of the submission to arbitration.

If the award has not covered all the questions submitted to the arbitral tribunal, the competent authority of the country where recognition or enforcement of the award is sought can, if it thinks fit, postpone such recognition or enforcement or grant it subject to such guarantee as that authority may decide.

ARTICLE 3

If the party against whom the award has been made proves that, under the law governing the arbitration procedure, there is a ground, other than the grounds referred to in Article 1 (a) and (c), and Article 2 (b) and (c), entitling him to contest the validity of the award in a Court of Law, the Court may, if it thinks fit, either refuse recognition or enforcement of the award or adjourn the consideration thereof, giving such party a reasonable time within which to have the award annulled by the competent tribunal.

ARTICLE 4

The party relying upon an award or claiming its enforcement must supply, in particular:

(1) The original award or a copy thereof duly authenticated, according to the requirements of the law of the country in which it was made;

(2) Documentary or other evidence to prove that the award has become final, in the sense defined in Article 1 (d), in the country in which it was made;

(3) When necessary, documentary or other evidence to prove that the conditions laid down in Article 1, paragraph 1 and paragraph 2 (a) and (c), have been fulfilled.

A translation of the award and of the other documents mentioned in this Article into the official language of the country where the award is sought to be relied upon may be demanded. Such translation must be certified correct by a diplomatic or consular agent of the country to which the party who seeks to rely upon the
award belongs or by a sworn translator of the country where the award is sought to be relied upon.

ARTICLE 5

The provisions of the above Articles shall not deprive any interested party of the right of availing himself of an arbitral award in the manner and to the extent allowed by the law or the treaties of the country where such award is sought to be relied upon.

ARTICLE 6

The present Convention applies only to arbitral awards made after the coming into force of the Protocol on Arbitration Clauses, opened at Geneva on September 24th, 1923.

ARTICLE 7

The present Convention, which will remain open to the signature of all the signatories of the Protocol of 1923 on Arbitration Clauses, shall be ratified. It may be ratified only on behalf of those Members of the League of Nations and non-Member States on whose behalf the Protocol of 1923 shall have been ratified. Ratifications shall be deposited as soon as possible with the Secretary-General of the League of Nations, who will notify such deposit to all the signatories.

ARTICLE 8

The present Convention shall come into force three months after it shall have been ratified on behalf of two High Contracting Parties. Thereafter, it shall take effect, in the case of each High Contracting Party, three months after the deposit of the ratification on its behalf with the Secretary-General of the League of Nations.

ARTICLE 9

The present Convention may be denounced on behalf of any Member of the League or non-Member State. Denunciation shall be notified in writing to the Secretary-General of the League of Nations, who will immediately send a copy thereof, certified to be in conformity with the notification, to all the other Contracting Parties, at the same time informing them of the date on which he received it.

The denunciation shall come into force only in respect of the High Contracting Party which shall have notified it and one year after such notification shall have reached the Secretary-General of the League of Nations.

The denunciation of the Protocol on Arbitration Clauses shall entail, ipso facto, the denunciation of the present Convention.

ARTICLE 10

The present Convention does not apply to the Colonies, Protectorates or territories under suzerainty or mandate of any High Contracting Party unless they are specially mentioned.
The application of this Convention to one or more of such Colonies, Protectorates or territories to which the Protocol on Arbitration Clauses, opened at Geneva on September 24th, 1923, applies, can be effected at any time by means of a declaration addressed to the Secretary-General of the League of Nations by one of the High Contracting Parties.

Such declaration shall take effect three months after the deposit thereof.

The High Contracting Parties can at any time denounce the Convention for all or any of the Colonies, Protectorates or territories referred to above. Article 9 hereof applies to such denunciation.

ARTICLE 11

A certified copy of the present Convention shall be transmitted by the Secretary-General of the League of Nations to every Member of the League of Nations and to every non-Member State which signs the same.

THE ARBITRATION (FOREIGN AWARDS) NO. 3 ORDER, 1931

AT THE COURT AT BUCKINGHAM PALACE, THE 7TH DAY OF OCTOBER, 1931

Present:

THE KING'S MOST EXCELLENT MAJESTY IN COUNCIL

WHEREAS a Convention on the Execution of Arbitral Awards was, on the twenty-sixth day of September, nineteen hundred and twenty-seven, signed at Geneva on behalf of His Majesty:

AND WHEREAS by subsection (1) of section 1 of the Arbitration (Foreign Awards) Act, 1930, it is provided that Part I of that Act applies to any award made after the twenty-eighth day of July, nineteen hundred and twenty-four—

(a) in pursuance of an agreement for arbitration to which the protocol set out in the Schedule to the Arbitration Clauses (Protocol) Act, 1924, applies; and

(b) between persons of whom one is subject to the jurisdiction of some one of such Powers as His Majesty, being satisfied that reciprocal provisions have been made, may by Order in Council declare to be parties to the said Convention and of whom the other is subject to the jurisdiction of some other of the Powers aforesaid; and

(c) in one of such territories as His Majesty, being satisfied that reciprocal provisions have been made, may by Order in Council declare to be territories to which the said Convention applies:

AND WHEREAS His Majesty is satisfied that reciprocal provisions have been made as aforesaid by the Foreign Powers set out in the first column of Part II of the Schedule to this Order and as respects the territories belonging to such Powers set out in the second column of that Part:
NOW, THEREFORE, His Majesty, by and with the advice of the Privy Council, in pursuance of the powers conferred upon Him by the said Act and of all other powers enabling Him in that behalf, is pleased to declare, and it is hereby declared as follows:

1. The Powers set out in the first column of the Schedule to this Order are parties to the said Convention.

2. The territories set out in the second column of the said Schedule are territories to which the said Convention applies.

3. This Order may be cited as the Arbitration (Foreign Awards) No. 3 Order, 1931, and shall come into force on the 13th day of October, 1931.

M. P. A. HANKEY

SCHEDULE*

First ColumnSecond ColumnTerritories to which thePowers parties to the ConventionConvention applies

Part I
His Majesty the King of Great Britain,Northern Rhodesia, Ireland and the British Dominions Mauritius, beyond the Seas, Emperor of India.

Part II
His Majesty the King of Roumania.

His Majesty the King of Siam.

* Other Orders declare parties to the Convention and territories to which the Convention applies as follows:

The Arbitration (Foreign Awards) No. 1 Order, 1930

Territories to which the Powers parties to the Convention Convention applies:


Note—continued

Territories to which the Powers parties to the Convention Convention applies:

The Arbitration (Foreign Awards) No. 1 Order, 1931 His Majesty the King of Great Britain, Newfoundland. Ireland and the British Dominions beyond the Seas, Emperor of India. His Majesty the King of Italy . . . . Italy. The President of the Portuguese Republic. Portugal. The Arbitration (Foreign Awards) No. 2 Order, 1931 His Majesty the King of Great Britain, Bahamas. and the British Dominions beyond British Guiana. the Seas, Emperor of India. . . . British Honduras. Falkland Islands. Gibraltar. Gold Coast: (a) Colony. (b) Ashanti. (c) Northern Territories. (d) Togoland under British Mandate. Jamaica (including Turks.

THE COLONIAL AND OTHER TERRITORIES (DIVORCE JURISDICTION) ORDER IN COUNCIL, 1953

AT THE COURT AT BUCKINGHAM PALACE, THE 28TH DAY OF MAY, 1953

Present:

THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL

WHEREAS by section 2 of the Indian and Colonial Divorce Jurisdiction Act, 1926, it is enacted that Her Majesty may by Order in Council, provide for applying the provisions of section 1 of the said Act, subject to the necessary modifications, to any part of Her Majesty's dominions other than a self-governing dominion (as therein defined) in like manner as they apply to India, and, in particular, such Order in Council may determine the Court by which the jurisdiction conferred by those provisions is to be exercised:

AND WHEREAS section 1 of the Indian and Colonial Divorce Jurisdiction Act, 1926, was amended by the Indian and Colonial Divorce Jurisdiction Act, 1940:

AND WHEREAS by subsection (4) of section 17 of the Indian Independence Act, 1947, it is enacted that the power conferred by section 2 of the Indian and Colonial Divorce Jurisdiction Act, 1926, to apply certain provisions of that Act to other parts of Her Majesty's dominions as they apply to India shall be deemed to be power to apply those provisions as they would have applied to India if the Indian Independence Act, 1947, had not passed:

AND WHEREAS by subsection (1) of section 2 of the Colonial and Other Territories (Divorce Jurisdiction) Act, 1950, it is enacted that the power of Her Majesty under section 2 of the Indian and Colonial Divorce Jurisdiction Act, 1926, subject to the necessary modifications to apply to certain parts of Her dominions the provisions of section 1 of that Act shall extend to the application as aforesaid of those provisions, as amended by section 1 of the Colonial and Other Territories (Divorce Jurisdiction) Act, 1950, to any protectorate or United Kingdom trust territory:

AND WHEREAS it is expedient to provide for applying the aforesaid provisions to the Protectorates of Kenya, Northern Rhodesia, Nyasaland and Uganda and the Trust Territory of Tanganyika (hereinafter called the said territories):

NOW, THEREFORE, Her Majesty, by virtue and in exercise of the powers vested in Her by the Colonial and Other Territories (Divorce Jurisdiction) Acts, 1926 to 1950, and all other powers enabling Her in that behalf, is pleased, by and with the advice of Her Privy Council, to order and it is hereby ordered, as follows:

1. This Order may be cited as the Colonial and Other Territories (Divorce Jurisdiction) Order in Council, 1953, and shall come into force on the ninth day of July, 1953. Short title and commencement
2. The provisions of the first section of the Indian and Colonial Divorce Jurisdiction Act, 1926, as amended by the Indian and Colonial Divorce Jurisdiction Act, 1940, shall apply to the said territories in like manner as they would have applied in relation to India if the Indian Independence Act, 1947, had not passed.

Application of section 1 of Indian and Colonial Divorce Jurisdiction Act, 1926, to certain territories

3. In the application of the said provisions-

(a) to each of the said territories—Interpretation

(i) the Court which is to exercise the jurisdiction thereby conferred shall be the Supreme Court or the High Court, as the case may be, of that territory, and references in the said first section to a High Court in India shall be read as references to such Supreme Court or High Court;

(ii) references in the said first section to India shall be read as references to that territory; and

(iii) the reference to the Secretary of State in Council of India in the said section shall be read as referring to the Secretary of State for the Colonies;

(b) to the Protectorates of Northern Rhodesia and Nyasaland paragraph (b) of subsection (4) of the said first section shall be omitted.

W.G. AGNEW

THE NORTHERN RHODESIA (NON-DOMICILED PARTIES) DIVORCE RULES, 1953

Rules by the Secretary of State for the Colonies, with the concurrence of the Lord Chancellor, under the Colonial and Other Territories (Divorce Jurisdiction) Acts, 1926 to 1950, and the Colonial and Other Territories (Divorce Jurisdiction) Order in Council, 1953

Citation, commencement and interpretation

1. (1) These Rules may be called "The Northern Rhodesia (Non-Domiciled Parties) Divorce Rules, 1953".

(2) They shall come into operation on the twenty-sixth day of November, 1953.

(3) In these Rules the expression "the Acts" means the Colonial and Other Territories (Divorce Jurisdiction) Acts, 1926 to 1950.

Appointment of judges
2. (1) As soon as may be after the coming into operation of these Rules the Chief Justice of the High Court of Northern Rhodesia shall submit to the Lord Chancellor through the Secretary of State for the Colonies the names of such number of judges of the Court not exceeding five (including, if he thinks fit, the name of the Chief Justice himself) as he may consider necessary for the purpose of exercising jurisdiction under the Acts and these Rules.

(2) Upon the approval of the Lord Chancellor to any nomination so submitted being signified to the Chief Justice by the Secretary of State for the Colonies, the Chief Justice shall cause the names so approved to be notified in the Northern Rhodesia Gazette as judges appointed to exercise jurisdiction under the Acts, and the judges whose names shall have been so notified shall thereupon have power to exercise jurisdiction accordingly.

(3) At any time after the first nominations under these Rules have been approved, the Chief Justice may propose the names of a further judge or judges to take the place of, or to exercise jurisdiction in addition to, the judge or judges for the time being having powers under the Acts, and when such further nominations are approved they shall be notified as aforesaid.

(As amended by No. 194 of 1960)

Hearing of petitions

3. Every petition under the Acts shall be heard by a single judge nominated and approved as hereinbefore provided, sitting without a jury.

Application for leave to present a petition within three years of marriage

4. (1) An application for leave to present a petition for divorce before three years have passed since the date of the marriage shall be made by originating summons.

(2) There shall be filed in support of the summons an affidavit by the applicant stating the grounds on which the application is made, particulars of the hardship or depravity alleged, whether there has been any previous application under this rule, whether there are living any children of the marriage, and, if so, the names and dates of birth or ages of such children, where and with whom they are residing, whether any, and if so what, attempts at reconciliation have been made and any circumstances which may assist the Court to determine the question whether there is reasonable probability of a reconciliation between the parties. A copy of the intended petition shall be exhibited to the affidavit.

(3) When the summons is issued, it shall be made returnable for a fixed date before a judge in chambers and shall be accompanied by a form of acknowledgment of service.

(4) Unless otherwise directed, the summons shall be served on the respondent at least five clear days before the return date.

(5) No appearance need be entered to the summons and no affidavit need be filed in reply, and the intended respondent may be heard without entering an appearance.

Commencement of proceedings
5. (1) Save as provided by rule 4, all proceedings under the Acts shall be commenced by filing a petition to which shall be attached a certified copy of the certificate of the marriage.

(2) A petition shall not be filed if there is before the Court another petition by the same petitioner which has not been dismissed or otherwise disposed of by a final order.

Contents of petition

6. (1) In the body of a petition praying for the dissolution of a marriage there shall be stated—

(i) the names of the parties to the marriage, the place and date of marriage and the name, status and domicile of the wife before the marriage;

(ii) the status of the husband and his domicile at the time of the marriage and at the time when the petition is presented, and his occupation and the place of residence of the parties at the time of institution of the suit;

(iii) the principal addresses where the parties have cohabited, including the addresses where they last resided together in Northern Rhodesia;

(iv) whether there is living issue of the marriage, and if so the names and dates of birth or ages of such issue;

(v) whether there have been in the Divorce Division of the High Court of Justice in England or in the Court of Session in Scotland or in the High Court of Northern Ireland or in the High Court of Northern Rhodesia any, and if so what, previous proceedings with reference to the marriage by or on behalf of either of the parties to the marriage, and the result of such proceedings;

(vi) the matrimonial offences charged set out in separate paragraphs with the times and places of their alleged commission;

(vii) in the case of a petition for presumption of death and dissolution of the marriage, the last place of cohabitation of the parties, the circumstances in which the parties ceased to cohabit, the date when and the place where the respondent was last seen or heard of, and the steps which have been taken to trace the respondent;

(viii) in the case of a petition for nullity of marriage on any ground mentioned in section 8 (1) (b), (c) or (d) of the Matrimonial Causes Act, 1950, whether the petitioner was at the time of the marriage ignorant of the facts alleged and whether marital intercourse with the consent of the petitioner has taken place since the discovery by the petitioner of the existence of grounds for a decree;

(ix) the claim for damages, if any;

(x) the grounds on which the petitioner claims that in the interests of justice it is desirable that the suit should be determined in Northern Rhodesia.

(2) The petition shall conclude with a prayer setting out particulars of the relief claimed, including the amount of any claim for damages, any claim for costs and any order for custody of children which is sought.
Verification of petition

7. (1) Every petition shall be supported by an affidavit by the petitioner verifying the facts of which he or she has personal knowledge and deposing as to belief in the truth of the other facts.

   (2) In cases where the petitioner is seeking a decree of dissolution of marriage, the affidavit shall include a declaration that no collusion or connivance exists between the petitioner and the other party to the marriage, that the petitioner has not condoned the adultery or, as the case may be, the cruelty alleged in the petition, and that neither the petitioner nor, within the knowledge of the petitioner, the other party to the marriage, has instituted proceedings which are still pending for the dissolution of the marriage in the United Kingdom.

   (3) The affidavit in support of the petition shall be contained in the same document as the petition and shall follow at the foot or end thereof.

Co-respondents and interveners

8. Unless the Court shall otherwise direct, where a husband's petition alleges adultery, the alleged adulterer shall, if living at the date of filing of the petition, be made a co-respondent in the suit and where a wife's petition alleges adultery with a woman named and contains a claim for costs against her, she shall be made a respondent in the suit.

9. Where a person charged with adultery is not made a co-respondent or respondent under rule 8, a copy of the pleading containing such charge shall, unless the Court for good cause shown otherwise directs, be served upon such person accompanied by a notice that he or she is entitled, within the time therein specified, to apply for leave to intervene in the cause.

Service of petition, etc.

10. Every petition, originating summons, or notice referred to in these Rules shall be served on the party to be affected thereby, either within or without Northern Rhodesia, in the manner prescribed by the rules relating to matrimonial causes for the time being in force in England.

(As amended by No. 194 of 1960)

Answer and subsequent pleadings

11. A respondent or co-respondent, or person to whom leave to intervene has been granted under rule 9, may file in the Court an answer to the petition.

12. (1) Every answer containing matter other than a simple denial of the facts stated in the petition shall-

   (i) if filed by the husband or wife of the petitioner, be supported by an affidavit, and the provisions of rule 7 shall, with the necessary modifications, apply to such affidavit;

   (ii) in every other case, be signed by the respondent or co-respondent, as the case may be.
(2) Where the answer of a husband alleges adultery and prays for relief or where the answer of a husband or wife contains a claim for costs against an alleged adulterer, he or she shall, if living at the date of filing of the answer, be added to the title of the suit as "A.B. cited" and shall be served with a copy of the answer, together with a notice to appear in like manner as a petition. Where no relief is claimed a copy of the answer shall be served upon the alleged adulterer together with a notice as under rule 9 that he or she is entitled within the time therein specified to apply for leave to intervene in the suit, and upon application such person may be allowed to intervene, subject to such direction as shall then be given by the Court.

13. (1) If it appears to the Court that proceedings for the dissolution of the marriage have been instituted in the United Kingdom before the date on which the petition was filed in Northern Rhodesia, the Court shall either dismiss the petition or stay further proceedings thereon until the proceedings in the United Kingdom have terminated, or until the Court shall otherwise direct.

(2) If it appears that such proceedings were instituted after the filing of the petition in Northern Rhodesia, the Court may proceed, subject to the provisions of the Acts, with the trial of the suit.

Discretion statement

14. (1) Every party to a matrimonial cause praying that the Court shall exercise its discretion to grant a decree nisi notwithstanding his adultery shall file a statement (in this rule called "a discretion statement") signed by him, stating that the Court will be asked to exercise its discretion in his favour notwithstanding his adultery, and setting forth particulars of the acts of adultery committed and of the facts which it is material for the Court to know for the purpose of the exercise of its discretion.

(2) The discretion statement shall be contained in a sealed envelope endorsed with a certificate that the statement is signed and dated, and that paragraph (4) of this rule does not apply or has been complied with.

(3) A discretion statement shall be open to the inspection of the Proctor but, except by the direction of the judge, shall not be open to inspection by any other person.

(4) Where a discretion statement contains an allegation of adultery or other matrimonial offence on the part of the other spouse which is not referable to any specific allegation in the pleadings, notice of the allegation shall be given forthwith to that spouse:

Provided that the Court may at the trial dispense with the notice if it is satisfied that failure to give the notice was justified.

(5) Neither the fact that a discretion statement has been lodged or that such notice as aforesaid has been given nor the contents of the discretion statement or notice shall be given as evidence against the party lodging or giving the same in any matrimonial cause or matter except when that party has put the discretion statement or notice or the contents thereof in evidence in open court.

Showing cause against a decree nisi

15. The Attorney-General shall undertake within the jurisdiction of the High
Court of Northern Rhodesia the duties assigned to Her Majesty's Proctor by sections 10 and 11 of the Matrimonial Causes Act, 1950, and references in these Rules to the Proctor shall mean references to the Attorney-General in the exercise of his duties as Proctor.

16. (1) If any person during the progress of the proceedings or before the decree nisi is made absolute gives information to the Proctor of any matter material to the due decision of the case, the Proctor may take such steps as he considers necessary or expedient.

(2) If in consequence of any such information or otherwise the Proctor suspects that any parties to the petition are or have been in collusion for the purpose of obtaining a decree contrary to the justice of the case, he may after obtaining the leave of the Court intervene and produce evidence to prove the alleged collusion.

17. (1) When the Proctor desires to show cause against making absolute a decree nisi he shall enter an appearance in the suit in which such decree nisi has been pronounced and shall within a time to be fixed by the Court file his plea setting forth the grounds upon which he desires to show cause as aforesaid, and a copy of his plea shall be served upon the petitioner or person in whose favour such decree has been pronounced or his advocate and, if the plea alleges collusion, upon the other party or parties to the alleged collusion. On entering an appearance the Proctor shall be made a party to the proceedings, and shall be entitled to appear in person or by advocate.

(2) Where such plea alleges a petitioner's adultery with any named person a copy of the plea shall be served upon each such person, omitting such part thereof as contains any allegation in which the person so served is not named.

(3) All subsequent pleadings and proceedings in respect of such plea shall be filed and carried on in the same manner as hereinbefore directed in respect of an original petition except as hereinafter provided.

(4) If the charges contained in the plea of the Proctor are not denied or if no answer to the plea of the Proctor is filed within the time limit or if an answer is filed and withdrawn or not proceeded with the Proctor may apply forthwith for the rescission of the decree nisi and dismissal of the petition.

18. Where the Proctor intervenes or shows cause against a decree nisi in any proceedings for divorce, the Court may make such order as to the payment by other parties to the proceedings of the costs incurred by him in so doing, or as to the payment by him of any costs incurred by any of the said parties by reason of his so doing, as may seem just.

19. Any person other than the Proctor wishing to show cause against making absolute a decree nisi shall, if the Court so permits, enter an appearance in the suit in which such decree nisi has been pronounced, and at the same time file an affidavit setting forth the facts upon which he relies. A copy of the affidavit shall be served upon the party or the advocate of the party in whose favour the decree nisi has been pronounced and, if the affidavit alleges collusion, upon the other party or parties to the alleged collusion.

20. The party in the suit in whose favour the decree nisi has been pronounced may within a time to be fixed by the Court file an affidavit in answer, and the person showing cause against the decree nisi being made absolute may within a further time to be so fixed file an affidavit in reply.
Decree absolute

21. Every decree for the dissolution of a marriage under the Acts shall in the first instance be a decree nisi not to be made absolute until after the expiration of three months from the pronouncing thereof unless the Court by general or special order from time to time fixes a shorter time:

Provided that no decree nisi against which an appeal has been filed, including an appeal to Her Majesty in Council, shall be made absolute until after the decision of the appeal.

(As amended by No. 365 of 1958)

22. (1) Application to make absolute a decree nisi shall be made to the Court by filing a petition setting forth that application is made for such decree absolute, which will thereupon be pronounced in open court at a time appointed for that purpose. In support of such application it must be shown by affidavit filed with the said petition that no proceedings for the dissolution of the marriage have been instituted and are pending in the United Kingdom, and that search has been made in the proper books at the Court up to within six days of the time appointed, and that at such time no person had intervened or obtained leave to intervene in the suit, and that no appearance has been entered nor any affidavits filed on behalf of any person wishing to show cause against the decree nisi being made absolute; and in case leave to intervene had been obtained, or appearance entered or affidavits filed on behalf of such person, it must be shown by affidavit what proceedings, if any, have been taken thereon.

(2) If more than twelve calendar months have elapsed since the date of the decree nisi, an affidavit by the petitioner, giving reasons for the delay, shall be filed.

Alimony, maintenance and custody of children

23. Proceedings relating to alimony, maintenance, custody of children, and to the payment, application or settlement of damages assessed by the Court shall be conducted in accordance with the provisions of the law and practice relating to such matters where the parties are British subjects domiciled in Northern Rhodesia:

Provided that when a decree is made for the dissolution of a marriage the parties to which are domiciled in Scotland the Court shall not make an order for the securing of a gross or annual sum of money:

Provided further that the High Court of Northern Rhodesia shall not entertain an application for the modification or discharge of an order for alimony, maintenance or the custody of children unless the person on whose petition the decree for the dissolution of the marriage was pronounced is at the time such application is made resident in Northern Rhodesia.

Certifying Officer

24. The certificate referred to in subsection (2) of section 1 of the Indian and Colonial Divorce Jurisdiction Act, 1926, as amended by the Indian and Colonial Divorce Jurisdiction Act, 1940, shall be in the form set out in the Schedule to these Rules and shall be signed by the Registrar of the High Court of Northern Rhodesia and sealed with the seal of the Court.
Procedure generally

25. Subject to the provisions of these Rules, all proceedings under the Acts between party and party shall be regulated by the law and practice relating to divorce and matrimonial causes and matters as provided by the High Court Ordinance (Chapter 3 of the Laws of Northern Rhodesia, 1948).

26. The forms used in divorce and matrimonial causes and matters where the parties are British subjects domiciled in Northern Rhodesia, with such variation as the circumstances of each case and these Rules may require, may be used for the purposes of these Rules.

Given under my hand this twelfth day of November, 1953.

OLIVER LYTTELTON,

Secretary of State for the Colonies

I concur.

SIMONDS, C.

SCHEDULE

(See Rule 24)

I, A.B. (Registrar) of the High Court of Northern Rhodesia at hereby certify that the foregoing is a true copy of a made by the aforesaid High

Court acting in exercise of the matrimonial jurisdiction conferred by the Colonial and Other Territories (Divorce Jurisdiction) Acts, 1926 to 1950, in

Suit No. of ........................................

Appeal No. of ................................. from judgment

and decree in Suit No. .............................. of in which the above-named C.D. was petitioner and the above-named E.F. was respondent

and the above-named G.H. was

Signed

Registrar

REPUBLIC OF ZAMBIA

THE GENEVA CONVENTIONS ACT

APPENDIX 4 TO THE LAWS OF ZAMBIA
BRITISH PROTECTORATES (GENEVA CONVENTION) ORDER IN COUNCIL, 1917

AT THE COURT AT BUCKINGHAM PALACE, THE 23RD DAY OF OCTOBER, 1917

Present:

THE KING'S MOST EXCELLENT MAJESTY

LORD PRESIDENT MR. SECRETARY LONG

LORD STEWARD SIR FREDERICK PONSONBY

WHEREAS by the Geneva Convention Act, 1911, provision was made for the carrying into effect within His Majesty's Dominions of certain provisions of the Second Geneva Convention:

AND WHEREAS by treaty, grant, usage, sufferance and other lawful means His Majesty the King has power and jurisdiction in the British Protectorates specified in the Schedule to this Order (hereinafter referred to as the "Scheduled Protectorates"):

AND WHEREAS it is expedient that provision should be made to enable the said provisions to be carried into effect in the Scheduled Protectorates:

NOW, THEREFORE, His Majesty, by virtue and in exercise of the powers in this behalf by the Foreign Jurisdiction Act, 1890, or otherwise in His Majesty vested, is pleased, by and with the advice of His Majesty's Privy Council, to order, and it is hereby ordered, as follows:

1. This Order may be cited as "The British Protectorates (Geneva Convention) Order in Council, 1917".

2. This Order shall apply to the Protectorates specified in the Schedule hereto, and in this Order the term "the Protectorate" means any Scheduled Protectorate, the term "Governor" means the person for the time being administering the Government of the Protectorate, the term "Attorney-General" means the Principal Law Officer of the Protectorate, and, if there shall be no such Law Officer in or for any Scheduled Protectorate, then the Principal Executive Officer next to the Governor of such Protectorate, and the term "Gazette" means the official Government Gazette of the Protectorate.

NOTE.—The former Protectorate of Northern Rhodesia is not included among the territories to which the Geneva Conventions Act, 1957, has been extended by the Geneva Conventions Act (Colonial Territories) Order in Council, 1959 (S.I. 1959 No. 1301).
3. (1) As from the commencement of this Order it shall not be lawful for any
person to use for the purpose of his trade or business, or for any other purpose
whatsoever, in the Protectorate without the authority of the Governor, the
heraldic emblem of the red cross on a white ground formed by reversing the
Federal colours of Switzerland, or the words "Red Cross" or "Geneva Cross", and
if any person acts in contravention of this provision he shall be guilty of an
offence against this Order, and shall be liable on summary conviction to a fine
not exceeding ten pounds and to forfeit any goods upon or in connection with
which the emblem or words were used.

(2) Where a company or society is guilty of any such contravention, without
prejudice to the liability of the company or society, every director, manager,
secretary, and other officer of the company or society, who is knowingly a party
to the contravention, shall be guilty of an offence against this Order, and
liable to the like penalty.

(3) Proceedings under this Order shall not be instituted in the Protectorate
without the consent of the Attorney-General.

4. This Order shall be published in the Gazette* Published in Gazette of 9th
March, 1918, p. 26.* or, if there shall be no Gazette in or for any Scheduled
Protectorate, then in such manner as the Governor shall direct, and shall
thereupon commence and come into operation; and the Governor shall give
directions for the publication of this Order, at such place, and in such manner,
and for such time or times, as he thinks proper for giving due publicity
thereto.

* Published in Gazette of 9th March, 1918, p. 26.

5. His Majesty may from time to time revoke, alter, add to, or amend this
Order.

And the Right Honourable Walter Hume Long, one of His Majesty's Principal
Secretaries of State, is to give the necessary directions herein accordingly.

ALMERIC FITZROY

SCHEDULE

Northern Rhodesia

Northern Territories of the Gold Coast

Nyasaland Protectorate

Southern Rhodesia

Weihaiwei

Zanzibar Protectorate

* Published in Gazette of 9th March, 1918, p. 26.
GENEVA CONVENTIONS

STATUTORY RULES AND ORDERS, 1937, NO. 1219 GENEVA CROSS

THE BRITISH PROTECTORATES (GENEVA CONVENTION) ORDER IN COUNCIL, 1937

AT THE COURT AT BUCKINGHAM PALACE, THE 21ST DAY OF DECEMBER, 1937

Present:

THE KING'S MOST EXCELLENT MAJESTY

LORD PRESIDENT  MR. ERNEST BROWN

LORD RUSHCLIFFE  SIR FELIX CASSEL

WHEREAS by the British Protectorates (Geneva Convention) Order in Council, 1917(a) S.R. and O. 1917 (No. 1143) p. 380.* (a), provision was made for the carrying into effect within the British Protectorates specified in the Schedule to that Order of certain provisions of the Second Geneva Convention:

* (a) S.R. and O. 1917 (No. 1143) p. 380.

AND WHEREAS by the Geneva Convention Act, 1937 (b) 1 Edw. 8 and 1 Geo. 6 c. 15.*(b), provision has been made to enable effect to be given to Article 28 of the International Convention for the amelioration of the condition of the wounded and sick in armies in the field done at Geneva on the twenty-seventh day of July, nineteen hundred and twenty-nine, and for purposes connected therewith:

* (b) 1 Edw. 8 and 1 Geo. 6 c. 15.

AND WHEREAS by treaty, grant, usage, sufferance and other lawful means His Majesty the King has power and jurisdiction in the British Protectorates specified in the Schedule to this Order (hereinafter referred to as the "Scheduled Protectorates"):

AND WHEREAS it is expedient that provision should be made to enable effect to be given within the Scheduled Protectorates to Article 28 of the said International Convention:

NOW, THEREFORE, His Majesty, by virtue and in exercise of the powers in this behalf by the Foreign Jurisdiction Act, 1890, or otherwise in His Majesty vested, is pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered, as follows:

1. This Order may be cited as "The British Protectorates (Geneva Convention) Order in Council, 1937", and this Order and the British Protectorates (Geneva Convention) Order in Council, 1917, may be cited together as "The British Protectorates (Geneva Conventions) Orders in Council, 1917 and 1937".

(a) S.R. and O. 1917 (No. 1143) p. 380.

(b) 1 Edw. 8 and 1 Geo. 6 c. 15.

2. (1) This Order shall apply to the Protectorates specified in the Schedule hereto.
(2) In this Order—

"Protectorate" means any Scheduled Protectorate;

"Governor" means the person for the time being administering the Government of the Protectorate, or in the case of Zanzibar the British Resident or the person lawfully discharging his functions;

"Attorney-General" means the Principal Law Officer of the Protectorate, and, if there shall be no such Law Officer, in or for any Scheduled Protectorate, then the Principal Executive Officer next to the Governor of such Protectorate;

"Gazette" means the official Government Gazette of the Protectorate.

3. (1) It shall not be lawful for any person without the authority of the Governor, to use for the purposes of his trade or business, or for any other purpose whatsoever, in the Protectorate—

(a) any design consisting of a white or silver cross on a red ground, none of the limbs of which extends to the margin of the ground, being the cross comprised in the Arms of the Swiss Confederation; or

(b) any design being a colourable imitation of the design mentioned in the last foregoing paragraph; or

(c) any design being a colourable imitation of the heraldic emblem of the red cross on a white ground mentioned in subsection (1) of section 3 of the British Protectorates (Geneva Convention) Order in Council, 1917, or any words so nearly resembling the words "Red Cross" or "Geneva Cross" as to be capable of being understood as referring to the said emblem.

(2) If any person contravenes the provisions of subsection (1) of this section, he shall, subject as hereafter provided, be guilty of an offence under this Order and liable on summary conviction to a fine not exceeding ten pounds and to forfeit any goods upon or in connection with which the design or words was or were used.

(3) Nothing in this section shall apply to a trade mark registered before the twenty-third day of December, nineteen hundred and thirty-one, and consisting of or containing any such design as is mentioned in paragraph (a) or paragraph (b) of subsection (1) of this section and where a person is charged with using such a design for any purpose and it is proved that he used it otherwise than as or as part of a trade mark registered as aforesaid, it shall be a defence for him to prove—

(a) that he lawfully used that design for that purpose before the said twenty-third day of December; or

(b) in a case where he is charged with using the design upon goods, that the design had been applied to the goods before he acquired them by some other person who had manufactured or dealt with the goods in the course of trade, and that other person lawfully used the design upon similar goods before the said twenty-third day of December.

(4) Where an offence under this Order committed by a body corporate is proved to have been committed with the consent or connivance of any director, manager, secretary or other officer of the body corporate, he, as well as the body
corporate, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly.

(5) Proceedings under this section shall not be instituted in the Protectorate without the consent of the Attorney-General.

4. This Order shall be published in the Gazette* Published in Gazette of 25th March, 1938, p. 45.*or if there shall be no Gazette in or for the Protectorate, then in such manner as the Governor shall direct, and shall come into operation on a day to be fixed by the Governor.** In operation 1st April, 1938 (Government Notice No. 27 of 1938).*

*Published in Gazette of 25th March, 1938, p. 45.** In operation 1st April, 1938 (Government Notice No. 27 of 1938).

M. P. A. HANKEY

SCHEDULE

Northern Rhodesia

Northern Territories of the Gold Coast

Nyasaland Protectorate

Zanzibar Protectorate

* Published in Gazette of 25th March, 1938, p. 45.

** In operation 1st April, 1938 (Government Notice No. 27 of 1938).

REPUBLIC OF ZAMBIA

THE EVIDENCE ACT

APPENDIX 5 TO THE LAWS OF ZAMBIA

EVIDENCE (COLONIAL STATUTES) ACT, 1907

7 EDW. 7, C. 16.

AN ACT TO FACILITATE THE ADMISSION IN EVIDENCE OF STATUTES PASSED BY THE LEGISLATURES OF BRITISH POSSESSIONS AND PROTECTORATES, INCLUDING CYPRUS.

[21st August, 1907]

BE it enacted by the King's most Excellent Majesty, by and with the advice and
consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. (1) Copies of Acts, ordinances, and statutes passed (whether before or after the passing of this Act) by the Legislature of any British possession, and of orders, regulations, and other instruments issued or made, whether before or after the passing of this Act, under the authority of any such Act, ordinance, or statute, if purporting to be printed by the Government printer, shall be received in evidence by all courts of justice in the United Kingdom without any proof being given that the copies were so printed.

Proof of statutes of British possessions

(2) If any person prints any copy or pretended copy of any such Act, ordinance, statute, order, regulation, or instrument which falsely purports to have been printed by the Government printer, or tenders in evidence any such copy or pretended copy which falsely purports to have been so printed, knowing that it was not so printed, he shall on conviction be liable to be sentenced to imprisonment with or without hard labour for a period not exceeding twelve months.

(3) In this Act-

The expression "Government printer" means, as respects any British possession, the printer purporting to be the printer authorised to print the Acts, ordinances, or statutes of the Legislature of that possession, or otherwise to be the Government printer of that possession:

The expression "British possession" means any part of His Majesty's dominions exclusive of the United Kingdom, and, where parts of those dominions are under both a central and a local Legislature, shall include both all parts under the central Legislature and each part under a local Legislature.

(4) Nothing in this Act shall affect the Colonial Laws Validity Act, 1865. 28 & 29 Vict. c. 63

(5) His Majesty may by Order in Council extend this Act to Cyprus and any British protectorate, and where so extended this Act shall apply as if Cyprus or the protectorate were a British possession, and with such other necessary adaptations as may be made by the Order.

2. This Act may be cited as the Evidence (Colonial Statutes) Act, 1907.

Short title

ORDER IN COUNCIL EXTENDING THE EVIDENCE (COLONIAL STATUTES) ACT, 1907, TO NORTHERN RHODESIA

AT THE COURT AT BUCKINGHAM PALACE, THE 14TH DAY OF DECEMBER, 1922

Present:

THE KING'S MOST EXCELLENT MAJESTY

LORD PRESIDENT MR. E. F. L. WOOD

LORD CHAMBERLAIN SIR FREDERIC PONSONBY
LORD SOMERLEYTON

WHEREAS by the Evidence (Colonial Statutes) Act, 1907, it is provided that His Majesty may by Order in Council extend that Act to Cyprus and any British Protectorate, and where so extended that Act shall apply as if Cyprus or the Protectorate were a British possession:

AND WHEREAS by an Order in Council dated the 18th of October, 1909 (hereinafter called the principal Order), it was ordered that the said Act should extend to Cyprus and to the British Protectorates named in the Schedule thereto:

AND WHEREAS in consequence of the constitutional changes since effected in the status of certain territories by the Orders named in the First Schedule hereto, it is expedient that the said principal Order should be amended and that a revised Schedule should be substituted for the Schedule thereto:

NOW, THEREFORE, His Majesty, by and with the advice of His Majesty's Privy Council, is pleased to order, and it is hereby ordered, that the said Act shall extend to the British Protectorates named in the Second Schedule hereto, which as from the date of this Order shall be deemed to be substituted for the Schedule to the principal Order: Provided nevertheless that such last-mentioned Schedule shall continue in full force and effect with regard to any British Protectorate included therein but not included in the Second Schedule to this Order.

ALMERIC FITZROY

FIRST SCHEDULE

<table>
<thead>
<tr>
<th>Name of Order in Council</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Northern Rhodesia Order in Council, 1911</td>
<td>4th May, 1911</td>
</tr>
<tr>
<td>The Nigeria Protectorate Order in Council, 1913</td>
<td>22nd November, 1913</td>
</tr>
<tr>
<td>The Cyprus (Annexation) Order in Council, 1914</td>
<td>5th November, 1914</td>
</tr>
<tr>
<td>The Gilbert and Ellice Islands Order in Council, 1915</td>
<td>10th November, 1915</td>
</tr>
<tr>
<td>The Kenya (Annexation) Order in Council, 1920</td>
<td>11th June, 1920</td>
</tr>
</tbody>
</table>

SECOND SCHEDULE

Bechuanaland Protectorate

British Solomon Islands

Nigeria

Northern Rhodesia

Northern Territories of the Gold Coast

Nyasaland

Somaliland
THE AFRICAN TERRITIES (IMPERIAL STATUTE EXTENTION) ORDER, 1936

AT THE COURT AT BUCKINGHAM PALACE, THE 28TH DAY OF MAY, 1936

Present:

THE KING'S MOST EXCELLENT MAJESTY

HIS ROYAL HIGHNESS THE DUKE OF YORK

ARCHBISHOP OF CANTERBURY LORD COLEBROOKE

LORD CHANCELLOR SECRETARY SIR JOHN

PRIME MINISTER SIMON

LORD PRESIDENT MR. SECRETARY MALCOLM

EARL MARSHAL MACDONALD

HIS HIGHNESS THE AGA MR. ORMSBY-GORE

KHAN SIR ISAAC ISAACS

LORD CHAMBERLAIN MR. EARLE PAGE

SIR MICHAEL MYERS

WHEREAS by section 5 of the Foreign Jurisdiction Act, 1890, it is provided that it shall be lawful for His Majesty in Council if He thinks fit by Order to direct that all or any of the enactments described in the First Schedule to that Act, or any enactments for the time being in force amending or substituted for the same, shall extend, with or without any exceptions, adaptations, or modifications in the Order mentioned, to any foreign country in which for the time being His Majesty has jurisdiction, and that thereupon those enactments shall, to the extent of that jurisdiction, operate as if that country were a British possession, and as if His Majesty in Council were the Legislature of that possession:

AND WHEREAS by treaty, grant, usage, sufferance and other lawful means, His Majesty has power and jurisdiction within the territories of Africa known as Northern Rhodesia, the Northern Territories of the Gold Coast, Togoland under British Mandate, the Cameroons under British Mandate, and the Protectorate of Sierra Leone:
AND WHEREAS by the South African Protectorates (Extension of Imperial Acts) Order in Council, 1900, sections seven and eleven of the Evidence Act, 1851 (being one of the enactments described in the First Schedule to the Foreign Jurisdiction Act, 1890), were extended to that portion of the said territory of Northern Rhodesia which was formerly known as Barotseland, North-Western Rhodesia:

AND WHEREAS it is expedient that the said sections seven and eleven of the Evidence Act, 1851, should be extended to the whole of Northern Rhodesia, and also to the Northern Territories of the Gold Coast, to Togoland under British Mandate, to the Cameroons under British Mandate, and to the Protectorate of Sierra Leone:

NOW, THEREFORE, His Majesty, by virtue and in exercise of the powers in this behalf by the Foreign Jurisdiction Act, 1890, or otherwise in His Majesty vested, is pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered, as follows:

1. Sections seven and eleven of the Evidence Act, 1851, shall extend to Northern Rhodesia, to the Northern Territories of the Gold Coast, to Togoland under British Mandate, to the Cameroons under British Mandate, and to the Protectorate of Sierra Leone.

2. This Order may be cited as the African Territories (Imperial Statute Extension) Order, 1936.

M. P. A. HANKEY

REPUBLIC OF ZAMBIA

THE FOREIGN JURISDICTION ACT

APPENDIX   6 TO THE LAWS OF ZAMBIA

THE FOREIGN JURISDICTION ACT, 1890

53 & 54 VICT. C. 37

AN ACT TO CONSOLIDATE THE FOREIGN JURISDICTION ACTS

[4th August, 1890]

WHEREAS by treaty, capitulation, grant, usage, sufferance, and other lawful means, Her Majesty the Queen has jurisdiction within divers foreign countries, and it is expedient to consolidate the Acts relating to the exercise of Her Majesty's jurisdiction out of Her dominions:

BE it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. It is and shall be lawful for Her Majesty the Queen to hold, exercise, and enjoy any jurisdiction which Her Majesty now has or may at any time hereafter have within a foreign country in the same and as ample a manner as if Her Majesty had acquired that jurisdiction by the cession or conquest of
Exercise of jurisdiction in foreign country

2. Where a foreign country is not subject to any government from whom Her Majesty the Queen might obtain jurisdiction in the manner recited by this Act, Her Majesty shall by virtue of this Act have jurisdiction over Her Majesty's subjects for the time being resident in or resorting to that country, and that jurisdiction shall be jurisdiction of Her Majesty in a foreign country within the meaning of the other provisions of this Act.

Exercise of jurisdiction over British subjects in countries without regular governments

3. Every act and thing done in pursuance of any jurisdiction of Her Majesty in a foreign country shall be as valid as if it had been done according to the local law then in force in that country.

Validity of acts done in pursuance of jurisdiction

4. (1) If in any proceeding, civil or criminal, in a court in Her Majesty's dominions or held under the authority of Her Majesty any question arises as to the existence or extent of any jurisdiction of Her Majesty in a foreign country, a Secretary of State shall, on the application of the court, send to the court within a reasonable time his decision on the question, and his decision shall for the purposes of the proceeding be final.

Evidence as to existence or extent of jurisdiction in foreign country

(2) The court shall send to the Secretary of State, in a document under the seal of the court, or signed by a judge of the court, questions framed so as properly to raise the question, and sufficient answers to those questions shall be returned by the Secretary of State to the court, and those answers shall, on production thereof, be conclusive evidence of the matters therein contained.

Power to extend enactments in First Schedule

5. (1) It shall be lawful for Her Majesty the Queen in Council, if She thinks fit, by Order to direct that all or any of the enactments described in the First Schedule to this Act, or any enactments for the time being in force amending or substituted for the same, shall extend, with or without any exceptions, adaptations, or modifications in the Order mentioned, to any foreign country in which for the time being Her Majesty has jurisdiction.

(2) Thereupon those enactments shall, to the extent of that jurisdiction, operate as if that country were a British possession, and as if Her Majesty in Council were the legislature of that possession.

Power to send persons charged with offences for trial to a British possession

6. (1) Where a person is charged with an offence cognizable by a British court in a foreign country, any person having authority derived from Her Majesty in that behalf may, by warrant, cause the person so charged to be sent for trial to any British possession for the time being appointed in that behalf by Order in Council, and upon the arrival of the person so charged in that British possession, such criminal court of that possession as is authorised in that behalf by Order in Council, or if no court is so authorised, the supreme criminal court of that possession, may cause him to be kept in safe and proper custody, and so soon as conveniently may be may inquire of, try, and determine the offence, and on conviction punish the offender according to the laws in force in that behalf within that possession in the same manner as if the offence had been committed within the jurisdiction of that criminal court:

Provided that-
(a) A person so charged may, before being so sent for trial, tender for examination to a British court in the foreign country where the offence is alleged to have been committed any competent witness whose evidence he deems material for his defence and whom he alleges himself unable to produce at the trial in the British possession:

(b) In such case the British court in the foreign country shall proceed in the examination and cross-examination of the witness as though he had been tendered at a trial before that court, and shall cause the evidence so taken to be reduced into writing, and shall transmit to the criminal court of the British possession by which the person charged is to be tried a copy of the evidence, certified as correct under the seal of the court before which the evidence was taken, or the signature of a judge of that court:

(c) Thereupon the court of the British possession before which the trial takes place shall allow so much of the evidence so taken as would have been admissible according to the law and practice of that court, had the witness been produced and examined at the trial, to be read and received as legal evidence at the trial:

(d) The court of the British possession shall admit and give effect to the law by which the alleged offender would have been tried by the British court in the foreign country in which his offence is alleged to have been committed, so far as that law relates to the criminality of the act alleged to have been committed, or the nature or degree of the offence, or the punishment thereof, if the law differs in those respects from the law in force in that British possession.

(2) Nothing in this section shall alter or repeal any law, statute, or usage by virtue of which any offence committed out of Her Majesty's dominions may, irrespectively of this Act, be inquired of, tried, determined, and punished within Her Majesty's dominions, or any part thereof.

7. Where an offender convicted before a British court in a foreign country has been sentenced by that court to suffer death, penal servitude, imprisonment, or any other punishment, the sentence shall be carried into effect in such place as may be directed by Order in Council or be determined in accordance with directions given by Order in Council, and the conviction and sentence shall be of the same force in the place in which the sentence is so carried into effect as if the conviction had been made and the sentence passed by a competent court in that place. Provision as to place of punishment of persons convicted

8. Where, by Order in Council made in pursuance of this Act, any British court in a foreign country is authorised to order the removal or deportation of any person from that country, that removal or deportation, and any detention for the purposes thereof, according to the provisions of the Order in Council, shall be as lawful as if the order of the court were to have effect wholly within that country. Validity of acts done under Order in Council

9. It shall be lawful for Her Majesty the Queen in Council, by Order, to assign to or confer on any court in any British possession, or held under the authority of Her Majesty, any jurisdiction, civil or criminal, original or appellate, which may lawfully by Order in Council be assigned to or conferred on any British court in any foreign country, and to make such provisions and regulations as to Her Majesty in Council seem meet respecting the exercise of the jurisdiction so assigned or conferred, and respecting the enforcement and execution of the judgments, decrees, orders, and sentences of any such court,
and respecting appeals therefrom. Power to assign jurisdiction to British courts in cases within Foreign Jurisdiction Act

10. It shall be lawful for Her Majesty the Queen in Council to revoke or vary any Order in Council made in pursuance of this Act. Power to amend Orders in Council

11. Every Order in Council made in pursuance of this Act shall be laid before both Houses of Parliament forthwith after it is made, if Parliament be then in session, and if not, forthwith after the commencement of the then next session of Parliament, and shall have effect as if it were enacted in this Act. Laying before Parliament, and effect of Orders in Council

12. (1) If any Order in Council made in pursuance of this Act as respects any foreign country is in any respect repugnant to the provisions of any Act of Parliament extending to Her Majesty's subjects in that country, or repugnant to any order or regulation made under the authority of any such Act of Parliament, or having in that country the force and effect of any such Act, it shall be read subject to that Act, order, or regulation, and shall, to the extent of such repugnancy, but not otherwise, be void. In what cases Orders in Council void for repugnancy

(2) An Order in Council made in pursuance of this Act shall not be, or be deemed to have been, void on the ground of repugnancy to the law of England unless it is repugnant to the provisions of some such Act of Parliament, order, or regulation as aforesaid.

13. (1) An action, suit, prosecution, or proceeding against any person for any act done in pursuance or execution or intended execution of this Act, or of any enactment repealed by this Act, or of any Order in Council made under this Act, or of any such jurisdiction of Her Majesty as is mentioned in this Act, or in respect of any alleged neglect or default in the execution of this Act, or of any such enactment, Order in Council, or jurisdiction as aforesaid, shall not lie or be instituted - Provisions for protection of persons acting under Foreign Jurisdiction Acts

(a) in any court within Her Majesty's dominions, unless it is commenced within six months next after the act, neglect, or default complained of, or in case of a continuance of injury or damage within six months next after the ceasing thereof, or where the cause of action arose out of Her Majesty's dominions within six months after the parties to the action, suit, prosecution, or proceeding have been within the jurisdiction of the court in which the same is instituted; nor

(b) in any of Her Majesty's courts without Her Majesty's dominions, unless the cause of action arose within the jurisdiction of that court, and the action is commenced within six months next after the act, neglect, or default complained of, or, in case of a continuance of injury or damage, within six months next after the ceasing thereof.

(2) In any such action, suit, or proceeding, tender of amends before the same was commenced may be pleaded in lieu of or in addition to any other plea. If the action, suit, or proceeding was commenced after such tender, or is proceeded with after payment into court of any money in satisfaction of the plaintiff's claim, and the plaintiff does not recover more than the sum tendered or paid, he shall not recover any costs incurred after such tender or payment, and the
defendant shall be entitled to costs, to be taxed as between solicitor and client, as from the time of such tender or payment; but this provision shall not affect costs on any injunction in the action, suit, or proceeding.

14. It shall be lawful for Her Majesty the Queen in Council to make any law that may seem meet for the government of Her Majesty's subjects being in any vessel at a distance of not more than one hundred miles from the coast of China or of Japan, as fully and effectually as any such law might be made by Her Majesty in Council for the government of Her Majesty's subjects being in China or Japan. Jurisdiction over ships in certain Eastern seas

15. Where any Order in Council made in pursuance of this Act extends to persons enjoying Her Majesty's protection, that expression shall include all subjects of the several princes and states in India. Provision as to subjects of Indian princes

16. In this Act-

The expression "foreign country" means any country or place out of Her Majesty's dominions:

The expression "British court in a foreign country" means any British court having jurisdiction out of Her Majesty's dominions in pursuance of an Order in Council whether made under any Act or otherwise:

The expression "jurisdiction" includes power. Definitions

17. The Acts mentioned in the Second Schedule to this Act may be revoked or varied by Her Majesty by Order in Council. Power to repeal or vary Acts in Second Schedule

18. The Acts mentioned in the Third Schedule to this Act are hereby repealed to the extent in the third column of that Schedule mentioned: Repeal

Provided that-

(1) Any Order in Council, commission, or instructions made or issued in pursuance of any enactment repealed by this Act, shall, if in force at the passing of this Act, continue in force, until altered or revoked by Her Majesty as if made in pursuance of this Act; and shall, for the purposes of this Act, be deemed to have been made or issued under and in pursuance of this Act; and

(2) Any enactment, Order in Council, or document referring to any enactment repealed by this Act shall be construed to refer to the corresponding enactment of this Act.

19. (1) This Act may be cited as the Foreign Jurisdiction Act, 1890.

Short title

(2) The Acts whereof the short titles are given in the First Schedule to this Act may be cited by the respective short titles given in that Schedule.

SCHEDULES* NOTE. This Schedule has been extended by the Foreign Jurisdiction Act, 1913.
**FIRST SCHEDULE**

<table>
<thead>
<tr>
<th>Enactments</th>
<th>which may be extended by Order in Council</th>
<th>Session and Extent</th>
<th>Chapter Title</th>
<th>Repealed</th>
</tr>
</thead>
<tbody>
<tr>
<td>6 &amp; 7 Vict.</td>
<td>.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>* Note.-This Schedule has been extended by the Foreign Jurisdiction Act, 1913.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**SECOND SCHEDULE**

<table>
<thead>
<tr>
<th>Acts which may be revoked or varied by Order in Council</th>
<th>Section 17</th>
</tr>
</thead>
<tbody>
<tr>
<td>24 &amp; 25 Vict.</td>
<td>An Act for the prevention and punishment of The whole Act. c. 31. offences committed by Her Majesty's subjects within certain territories adjacent to the colony of Sierra Leone.26 &amp; 27 Vict. An Act for the prevention and punishment of The whole Act. c. 35. offences committed by Her Majesty's subjects in South Africa.</td>
</tr>
</tbody>
</table>

**THIRD SCHEDULE**

<table>
<thead>
<tr>
<th>Enactments Repealed</th>
<th>Section 18</th>
</tr>
</thead>
<tbody>
<tr>
<td>6 &amp; 7 Vict. c.94. The Foreign Jurisdiction Act, 1843</td>
<td></td>
</tr>
<tr>
<td>. . . .The whole Act.20 &amp; 21 Vict. An Act to confirm an Order in Council concerning the exercise of jurisdiction in matters arising within the kingdom of Siam.28 &amp; 29 Vict.</td>
<td></td>
</tr>
</tbody>
</table>
FOREIGN JURISDICTION ACT, 1913

3 & 4 GEO. 5, C. 16

AN ACT TO AMEND THE FOREIGN JURISDICTION ACT, 1890

[15th August, 1913]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. The Foreign Jurisdiction Act, 1890, shall have effect as if to the enactments mentioned in the First Schedule to that Act (being enactments which may be applied by Order in Council to foreign countries in which for the time being His Majesty has jurisdiction) there were added the enactments mentioned in the Schedule to this Act.

2. This Act may be cited as the Foreign Jurisdiction Act, 1913, and the Foreign Jurisdiction Act, 1890, and this Act may be cited together as the Foreign Jurisdiction Acts, 1890 and 1913.

Short title

SCHEDULE

Section 1

ENACTMENTS WHICH MAY BE EXTENDED


Republic of Zambia

THE SOLICITORS ACT

APPENDIX 7 OF THE LAWS OF ZAMBIA

THE OVERSEAS SOLICITORS (ADMISSION) ORDER, 1964

AT THE COURT AT BUCKINGHAM PALACE, THE 20TH DAY OF NOVEMBER, 1964

Present:
THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL

WHEREAS Her Majesty, on the report of a Secretary of State, is satisfied as respects the Superior Courts in the territories specified in Schedule 1 to this Order—

(a) that the regulations respecting the admission of solicitors of those courts are such as to secure that those solicitors possess proper qualifications and competency;

(b) that by the law of the territories specified in the said Schedule 1, solicitors of the Supreme Court in England will be admitted as solicitors of the Superior Courts in those territories on terms as favourable as those on which it is proposed to admit solicitors of the Superior Courts of those territories as solicitors of the Supreme Court in England in pursuance of subsection (1) of section 4 of the Solicitors Act, 1957 (a) 5 & 6 Eliz.2. c.27.*(a); and

* (a) 5 & 6 Eliz.2. c.27.

(c) that by the law of the territories specified in the said Schedule 1, other than of West Australia and West Bengal, solicitors in Scotland will be admitted as solicitors of the Superior Courts of those territories on terms as favourable as those on which it is proposed to admit solicitors of the Superior Courts in those territories to be solicitors in Scotland in pursuance of the Colonial Solicitors Act, 1900 (b) 63 & 64 Vict. c.14.*(b).

* (b) 63 & 64 Vict. c.14.

NOW THEREFORE, Her Majesty, in pursuance of the powers conferred on Her by section 4 of the Solicitors Act, 1957, as regards England and by sections 2 and 6 of the Colonial Solicitors Act, 1900, as regards Scotland and of all other powers thereunto Her enabling, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:

1. (1) This Order may be cited as the Overseas Solicitors (Admission) Order, 1964.

(2) The Interpretation Act, 1889 (c) 52 & 53 Vict. c.63.*(c), shall apply with the necessary adaptations, for the purpose of interpreting this Order and otherwise in relation thereto as it applies for the purpose of interpreting and in relation to Acts of Parliament.

* (c) 52 & 53 Vict. c.63.

(a) 5 & 6 Eliz.2. c.27.

(b) 63 & 64 Vict. c.14.

(c) 52 & 53 Vict. c.63.

2. Subsection (1) of section 4 of the Solicitors Act, 1957, as respects England shall apply to the Superior Courts and territories specified in Schedule 1 to this Order and the Colonial Solicitors Act, 1900, as respects Scotland shall apply to the Superior Courts and territories specified in the said Schedule 1 other than to the Supreme Court of Western Australia and to Western Australia and to the High Court of West Bengal and to West Bengal and to the
High Court of Zambia and to Zambia.

(As amended by the Overseas Solicitors (Admission) (Zambia) Order, 1965)

3. Subject to the provisions of this Order solicitors of any of the Courts specified in Schedule 1 to this Order may be admitted by virtue of the Solicitors Act, 1957, to be solicitors in England and solicitors of any of the Courts specified in the said Schedule 1 except of the Supreme Court of Western Australia and of the High Court of West Bengal and of the High Court of Zambia may be admitted by virtue of the Colonial Solicitors Act, 1900, to be solicitors in Scotland subject to the following conditions:

(i) an applicant for admission shall be a British subject or Commonwealth citizen;

(ii) an applicant shall have passed such qualifying examination as is required by the laws or regulations in force in the territory specified in Schedule 1 to this Order in which he is a solicitor of a person applying for admission as a solicitor in that territory who has not qualified for admission in any other territory;

(iii) an applicant shall, four calendar months at least before the first day of the month in which he proposes to be admitted, leave, if he proposes to be admitted in England with the Office of the Law Society in London or, if he proposes to be admitted in Scotland, with the Registrar of Solicitors in Scotland, his original certificate of admission in the Superior Court of the territory in which he has been admitted as a solicitor together with-

(a) a certificate from the authority of the territory in whose custody the Roll of the Solicitors of that Court is kept, dated not earlier than one calendar month before the date on which it is left with the Law Society, or, as the case may be, the said Registrar, stating that his name is still upon the Roll and has never been removed therefrom and that no order has ever been made directing him to be suspended from practising his profession and that no charge is pending against him for professional or other misconduct;

(b) one or more certificates of fitness and character signed by two practising solicitors resident in the said territory of at least five years standing in the said Court and either by at least one of the Judges or Officers next in rank of such Court or by the President or Secretary or other such officer of the Law Society or similar professional association in the said territory;

(c) a certificate from the appropriate authority that he has passed the qualifying examination referred to in paragraph (ii) of this Article;

(d) a statutory declaration in the terms of or to the effect of the form set out in Schedule 2 to this Order;

(iv) an applicant for admission in England shall make formal application by petition to the Law Society;

(v) an applicant for admission in Scotland shall make formal application by petition to the Court of Session;

(vi) an applicant shall on admission in England and before his name is entered on the Roll of Solicitors pay to the Law Society a fee of 20 pounds;
(vii) an applicant for admission in Scotland shall pay to the said Registrar the following fees:

<table>
<thead>
<tr>
<th>Service</th>
<th>s.</th>
<th>d.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fee for Certificate of Fitness</td>
<td>4</td>
<td>0</td>
</tr>
<tr>
<td>Fee for Petition</td>
<td>10</td>
<td>0</td>
</tr>
<tr>
<td>Fee Fund Dues</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Extract Dues, etc.</td>
<td>18</td>
<td>0</td>
</tr>
<tr>
<td>Certificate of Enrolment in the Roll of Solicitors</td>
<td>2</td>
<td>0</td>
</tr>
<tr>
<td>Admission Fee</td>
<td>5</td>
<td>0</td>
</tr>
</tbody>
</table>

23 14 0

(viii) an applicant for admission in England who is a solicitor of any of the Courts specified in Part II of Schedule 1 to this Order shall in addition pass the accounts paper in Part II of the Law Society's qualifying examination, and an applicant for admission in England who is a solicitor of any of the Courts specified in Part III of Schedule 1 to this Order shall in addition pass Part II of the Law Society's qualifying examination;

(ix) an applicant for admission in England shall comply in other respects with the provisions of section 4 of the Solicitors Act, 1957;

(x) an applicant for admission in Scotland shall comply in other respects with the provisions of the Colonial Solicitors Act, 1900.

(As amended by the Overseas Solicitors (Admission) (Zambia) Order, 1965 and the Overseas Solicitors (Admission) (Amendment) Order, 1969)

4. On the Master of the Rolls being satisfied by a certificate issued by the Law Society that an applicant for admission in England has complied with the provisions of section 4 of the Solicitors Act, 1957, and of this Order, the Master of the Rolls shall cause him to be admitted a solicitor in England and his name to be enrolled on the Roll of Solicitors.

5. On the Court of Session being satisfied that the applicant for admission in Scotland has complied with the provisions of the Colonial Solicitors Act, 1900, and of this Order, the Court shall ordain him to undergo the examinations in law prescribed for the time being for applicants for admission as solicitors in Scotland, and on the Court being satisfied that the applicant has duly passed such examinations then and not otherwise the Court shall cause him to be admitted a solicitor and his name to be enrolled as such. The rules in force in Scotland for the time being as to the presentation of Petitions for admission as solicitor and the proceedings under the rules, shall be applicable to all applications under this Order for admission as a solicitor in Scotland.

6. Notice of intention to apply for admission within the meaning of the Acts regulating the admission of solicitors in England or, as the case may be, in
Scotland, shall be deemed to have been given upon the documents mentioned in Article 3 of this Order being left with the Law Society or the said Registrar.

7. The Orders in Council specified in Part I of Schedule 3 to this Order are hereby revoked provided that the revocation of the Orders in Council relating to South Africa shall not affect their continuance in force for the purpose of paragraph 5 of Schedule 3 to the South Africa Act, 1962 (a) 10 & 11 Eliz.2. c.23.*(a). The Orders in Council specified in Part II of the said Schedule 3 are hereby revoked except so far as the same relate to Northern Ireland.

* (a) 10 & 11 Eliz.2. c.23.

W. G. AGNEW

(a) 10 & 11 Eliz.2. c.23.

SCHEDULE 1

PART I

<table>
<thead>
<tr>
<th>Court Territory</th>
<th>Court Territory</th>
</tr>
</thead>
<tbody>
<tr>
<td>Superior Court</td>
<td>Barbados</td>
</tr>
<tr>
<td>Supreme Court</td>
<td>British Guiana (Guyana)</td>
</tr>
<tr>
<td>Supreme Court</td>
<td>Grenada</td>
</tr>
<tr>
<td>Supreme Court</td>
<td>Hong Kong</td>
</tr>
<tr>
<td>Supreme Court</td>
<td>Jamaica</td>
</tr>
<tr>
<td>Supreme Court</td>
<td>Trinidad and Tobago</td>
</tr>
<tr>
<td>High Court</td>
<td>Zambia</td>
</tr>
</tbody>
</table>

(As amended by the Overseas Solicitors (Admission) (Zambia) Order, 1965)

PART II

<table>
<thead>
<tr>
<th>Court Territory</th>
<th>Court Territory</th>
</tr>
</thead>
<tbody>
<tr>
<td>Supreme Court</td>
<td>New South Wales</td>
</tr>
<tr>
<td>Supreme Court</td>
<td>Queensland</td>
</tr>
<tr>
<td>Supreme Court</td>
<td>South Australia</td>
</tr>
<tr>
<td>Supreme Court</td>
<td>Tasmania</td>
</tr>
<tr>
<td>Supreme Court</td>
<td>Victoria</td>
</tr>
<tr>
<td>Supreme Court</td>
<td>Western Australia</td>
</tr>
<tr>
<td>Supreme Court</td>
<td>New Zealand</td>
</tr>
<tr>
<td>Supreme Court</td>
<td>Ceylon (Sri Lanka)</td>
</tr>
</tbody>
</table>
Supreme Court          Ontario
Supreme Court          Alberta
High Court            Bombay
High Court            West Bengal
PART III
Supreme Court          British Columbia
Court of Queen's Bench and Court of Appeal         Manitoba
Superior Court        Saskatchewan
High Court            Malawi
High Court            Southern Rhodesia (Zimbabwe)

SCHEDULE 2

In the matter *Section 4 of the Solicitors Act, 1957.

the Colonial Solicitors Act, 1900.

In the matter of

I , do solemnly and sincerely declare as follows:

(1) I am a citizen of

(2) I have passed the qualifying examination as required by the laws or regulations in force in

of a person applying for admission as a solicitor there who has not qualified
for admission in any other territory.

(3) I was on the day of admitted to practise as a

of the Court of and I have *been in

practice before that Court for not less than three years. *I was articled for

served bona fide as a clerk to a solicitor in England.

less than . My name remains on the Roll of the said

Court, and I have not at any time been suspended from practice by the Court or
by any Judge thereof, nor are any proceedings pending to strike my name off the
said Roll or to suspend me from practice and no charge is pending against me for
professional or other misconduct. I beg to refer to the certificate of

marked "A" now produced by me in proof of the statements in this paragraph.

I have not been bankrupt or insolvent nor have I made a composition or
arrangement with my creditors. (If this is not the case, state the facts with
dates, and show that a complete discharge has been obtained.)
*Strike out the inappropriate words.

(5) The document now produced and shown to me and marked "B" is the certificate from the appropriate authority in that I have passed the qualifying examination referred to in paragraph (2) of this declaration and the document now produced and shown to me and marked "C" is my original certificate of admission in the said Court, and the documents now produced and shown to me and marked respectively "D" and "E" are respectively certificates of character and as to my fitness to be admitted a solicitor * of the Supreme Court of England signed respectively by

in Scotland one of the Judges/Officers of the said Court President/Secretary/Officer of the Law Society/professional association in the said territory and by and two practising solicitors of the said Court of at least five years' standing.

And I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the Statutory Declarations Act, 1835 (a).

(To be signed and attested)

(As amended by the Overseas Solicitors (Admission) (Amendment) Order, 1969)

SCHEDULE 3

Orders in Council Revoked

(Omitted)

*Strike out the inappropriate words.

(a) 5 & 6 Will. 4. c.62.

REPUBLIC OF ZAMBIA

THE COLONIAL STOCK ACT

APPENDIX 8 TO THE LAWS OF ZAMBIA
AN ACT TO AMEND THE LAW WITH RESPECT TO THE TRANSFER OF STOCK FORMING PART OF THE PUBLIC DEBT OF ANY COLONY, AND THE STAMP DUTY ON SUCH TRANSFER

[14th August, 1877]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Application of Act

1. Where provision has been made by the legislature of a colony and otherwise for the inscription and transfer in a register kept in the United Kingdom by some bank, colonial officer, or person (which bank, officer, or person is in this Act referred to as the registrar) of any stock forming the whole or part of the public debt of such colony, and the government of such colony cause a declaration under the seal of such colony, or by some person in that behalf authorised under that seal, stating such provision, and identifying the stock with respect to which it has been made, to be left with the Commissioners of Inland Revenue, those Commissioners, upon payment of the proper fee, shall record the same; and such record and declaration shall be open to inspection at all reasonable times, in manner directed by the said Commissioners, upon payment of the proper fee. Registration by colony with Commissioners of Inland Revenue of colonial stock to which this Act applies

Upon such declaration being recorded, this Act shall apply to the stock specified in the declaration, and this Act shall not apply to any colonial stock not specified in a declaration recorded as provided by this section.

The proper fee for the purposes of this section shall be such fee not exceeding, in the case of recording a declaration, five pounds, and in the case of inspection five shillings, as the Treasury from time to time fix, and shall be paid into the Exchequer.

Stamp Duty on Colonial Stock to which this Act applies

2. (Repealed by 54 & 55 Vict. c. 39, s. 123) Stamp duty on stock to which this Act applies

3. (Paragraph 1 repealed by 54 & 55 Vict. c. 39, s. 123) Composition for stamp duty on transfer of stock to which this Act applies

The registrar shall from time to time give to the Commissioners of Inland Revenue such information as they may require respecting the stock of any colony inscribed in the register kept by him.

Transfers and Dividends

4. Colonial stock to which this Act applies, while inscribed in a register kept in the United Kingdom, shall be transferred as follows:
The transfer shall be made only in the register, and shall be signed by the transferor, or, if he is absent, by his attorney thereunto lawfully authorised by some writing executed under his hand and seal and attested:

The transferee may, if he thinks fit, underwrite his acceptance of the transfer:

The executors or administrators of a deceased stockholder shall alone be recognised by the registrar as having any title to the stock or any dividend thereon:

The person becoming entitled to any stock or dividend thereon in consequence of the death, bankruptcy, or marriage of the stockholder, or of any devolution in law from the stockholder, or otherwise than by transfer of the stock, shall produce such evidence of his title as may be reasonably required by the registrar, but the person so becoming entitled to any stock may transfer such stock to another person without being registered himself.

Transfer of colonial stock to which this Act applies

The registrar may, for such period not exceeding fourteen days as he may from time to time fix previous to each payment of dividend on any colonial stock to which this Act applies, close the register of that stock as regards transfers, upon giving not less than seven days' notice of such closing by advertisement in some newspaper circulating generally in the place where the register is kept.

The persons who on the day of such closing are inscribed as stockholders shall as between them and their transferees of colonial stock be entitled to the dividend then next payable thereon.

Where colonial stock to which this Act applies is standing in the name of an infant or person of unsound mind jointly with any person not under legal disability, a letter of attorney for the receipt of the dividends on the stock shall be sufficient authority in that behalf, if given under the hand and seal of the person not under disability, and attested.

The registrar, before acting on the letter of attorney, may require proof to his satisfaction of the alleged infancy or unsoundness of mind, by the declaration of competent persons made under the Statutory Declarations Act, 1835, or in such other manner as he may reasonably require.

Stock Certificates to Bearer

The registrar, if so authorised by the government of a colony issuing stock to which this Act applies, shall on application and payment of the fees and stamp duty, if any, chargeable in respect of the certificate, grant to a stockholder a certificate (in this Act called a stock certificate to bearer) which shall entitle the bearer to the stock therein described, and shall be transferable by delivery.

There shall be attached to such certificate coupons entitling the bearer of or person named in the coupons to the dividends on the stock for a limited period.

Any stock in respect of which a stock certificate to bearer has been so issued shall, so long as such certificate is outstanding, cease to be dealt with
through the medium of the register.

A coupon so issued shall be deemed to be a cheque on a banker within the meaning of any law or enactment for the time being in force relating to cheques other than any enactment relating to stamp duties.

8. Where a composition has not been paid in respect of the stamp duty chargeable on the transfer of any stock to which this Act applies, a stock certificate to bearer issued in respect of that stock shall be charged with a stamp duty of two shillings and sixpence for every full sum of one hundred pounds, and also for every fraction less than one hundred pounds, or over and above one hundred pounds or a multiple of one hundred pounds, of the nominal amount of stock described in such certificate. Stamp duty on stock certificate to bearer* Duty increased. 10 & 11 Geo. 5, c. 18, s. 38.*

9. On the expiration of the period for which the coupons attached to a stock certificate to bearer have been issued under this Act, the certificate may be exchanged for another certificate with coupons for a further period: Provided, that the certificate issued in exchange, if the stamp duty has not been compounded, shall be duly stamped, but in such case the Commissioners of Inland Revenue shall, on production to them of both certificates duly stamped, and subject to such regulations as they may from time to time make, grant allowance for the stamp on the former certificate. Renewal of coupons or certificate

10. On delivery to the registrar of a stock certificate to bearer issued under this Act and of all unpaid coupons belonging thereto, the registrar shall enter the bearer in the register as proprietor of the stock described in the certificate, and thereupon that stock shall become transferable and the dividends thereon payable as if no stock certificate to bearer had been issued in respect of that stock.

* Duty increased. 10 & 11 Geo. 5, c. 18, s. 38. Conversion into nominal stock of stock in certificate to bearer

11. If the bearer of a stock certificate to bearer issued under this Act insert therein the name, address, and quality of some person, such certificate shall cease to be transferable, and the person so named, or some person deriving title from him by devolution in law, shall alone be recognised by the registrar as entitled to the stock described in the certificate, and shall be entitled to be entered in the register as proprietor of that stock in like manner as if he were the bearer of a stock certificate to bearer, but if deriving his title by devolution in law he shall produce such evidence of his title as the registrar may reasonably require. Conversion of stock certificate to bearer into nominal certificate

12. (Repealed except as to Scotland, 56 & 57 Vict. c. 53, s. 51; as to Scotland, 11 & 12 Geo. 5, c. 58. s. 36, Schedule C.) Trustee not to apply for stock certificate to bearer

13. If any stock certificate to bearer issued under this Act is lost, mislaid, or destroyed, the registrar shall, on such indemnity being given as he may reasonably require, and on payment of the expense of the issue, issue a fresh stock certificate to bearer in the place of the certificate so lost, mislaid, or destroyed. Loss of stock certificate to bearer
14. Stock described in a stock certificate to bearer issued under this Act shall, save as relates to the mode of transfer and payment of dividends, be subject to the same incidents in all respects as if it had continued to be transferable in the register.

Register

15. No notice of any trust in respect of any colonial stock, or of any certificate thereof, or of any coupon annexed to such certificate, shall be entered in the register or receivable by the registrar or by the government of the colony.

Notice of trust

16. The registrar may, before the inscription of any stock, make with respect to the transfer of such stock, or otherwise in relation to such stock, reasonable regulations not inconsistent with the provisions of this Act.

Entry in register of conditions and regulations

A printed copy of the documents containing the authority for and conditions of the issue of stock to which this Act applies, and of all regulations with respect to the transfer of such stock or otherwise in relation to such stock, shall be entered in the register of the stock.

17. The register kept in pursuance of this Act shall on its mere production from the custody of the registrar be evidence of all matters entered therein, and, as regards persons entered therein as proprietors of colonial stock to which this Act applies, of the title of those persons to that stock.

Register to be evidence

18. The registrar shall keep in a separate book a list of the stockholders on whose stock the dividends have been unclaimed for ten years, together with their registered addresses and description, and such list shall be open for inspection at the usual hours of transfer upon payment of such fee, not exceeding two shillings and sixpence, as may be fixed by the regulations.

Information to be given respecting register

The registrar shall give within a reasonable time after application a certificate stating the following particulars in relation to any colonial stock of which he is registrar, or any part of such stock, or such of those particulars as may be required by the applicant, namely:

(a) The total amount issued by the colony, and the total inscribed in the register; and

(b) The total number of the persons in whose names the stock or part is originally inscribed, or after the register of such stock or part has been once closed as regards transfers, the total number of the stockholders at the last preceding date at which the transfer books were closed; and

(c) The total number of each class of persons in whose names the stock or part is originally inscribed, or after the register of the stock or part has been once closed as regards transfers, of each class of stockholders at the last preceding date at which the transfer books were closed, the classification being according to the amount held, omitting fractions of two hundred pounds; and

(d) A copy or extract certified by the registrar or by some officer appointed for the purpose to be a true copy or extract of any conditions or regulations.
required by this Act to be entered in the register.

Provided that the registrar shall not be required to give any such certificate in relation to any colonial stock, or part of such stock, until after the expiration of one month after the stock or part of the stock to which the certificate relates has been inscribed.

Within a reasonable time after the application of any person who is a stockholder of any colonial stock to which this Act applies, the registrar shall give him a list of the registered names and addresses of the stockholders of such stock at the last preceding date at which the register was closed as regards transfers.

The registrar before giving a certificate or list under this section may require payment of such fee not exceeding five shillings and a further sum of twopence for every folio of seventy-two words, or in the case of a list of names and addresses of sixpence for each name and address, as the registrar may from time to time fix.

Any certificate or list given under this section shall be admissible in evidence.

Miscellaneous

19. The declaration respecting colonial stock to which this Act applies, recorded with the Commissioners of Inland Revenue, and the document containing the conditions of the issue of the stock, and every prospectus and notice inviting persons to subscribe for or take the stock, and every stock certificate to bearer, and every coupon and dividend warrant and every other certificate and document issued to a stockholder in relation to stock held by him, shall state that the revenues of the colony alone are liable in respect of the stock and the dividends thereon, and that the Consolidated Fund of the United Kingdom and the Treasury are not directly or indirectly liable or responsible for the payment of the stock or of the dividends thereon, or for any matter relating thereto, and if the Treasury require the statement to be made in any particular terms, those terms shall be adopted. Particulars to be contained in prospectus, certificates, etc.

A declaration not in conformity with this section shall not be recorded, and every person publishing or issuing or entering in the register any such document, prospectus, notice, stock certificate, coupon, warrant, certificate or document as aforesaid not in conformity with this section shall be liable to a penalty not exceeding fifty pounds.

20. In any legal proceeding in a court in the United Kingdom in relation to the register of colonial stock to which this Act applies, or to an entry in or omission from such register, or to a right or title to or interest in any such colonial stock, or any dividend thereon, the jurisdiction of such court shall not be objected to on the ground only that the registrar is the agent of a colonial government, and the registrar, whether a party or not to such proceeding, shall comply with any order made by such court in relation to the matters aforesaid. Jurisdiction of courts as to colonial stock

Any person claiming to be interested in colonial stock to which this Act applies, or in any dividend thereon, may present a petition of right in England in relation to such stock or dividend, and the like proceedings may be had upon such petition as in the case of any other petition of right, subject to this
qualification, that the certificate of the judgment, decree, rule, or order of the court may be left with the registrar instead of with the Treasury, and such judgment, decree, rule or order shall be complied with by the registrar or other agent of the colonial government having possession in England of moneys of such government instead of by the Treasury.

21. For the purposes of the Act of the session of the twenty-fourth and twenty-fifth years of the reign of Her present Majesty, chapter ninety-eight, intituled "An Act to consolidate and amend the Statute Law of England relating to indictable offences by forgery", colonial stock to which this Act applies shall be deemed to be capital stock of a body corporate. Forgery of transfers of stock and of stock certificates, and personation of owners of stock, etc.

The Forgery Act, 1870, shall apply to a stock certificate and a coupon issued in pursuance of this Act, and to colonial stock to which this Act applies, in like manner as if the same were a stock certificate, coupon, or stock mentioned in that Act. 33 & 34 Vict. c. 58

22. Colonial stock to which this Act applies shall be personal estate, and shall not be liable to any foreign attachment by the custom of London or otherwise. Stock to which this Act applies to be personal estate

23. The registrar may charge such fees (if any) in respect of any certificate issued under this Act with reference to colonial stock and in respect of any transfer thereof in the register, and otherwise in respect of any act done by the registrar with respect to such stock, as may be fixed by the government issuing the stock, not exceeding in any case five shillings. Fees

All fees charged by the registrar in pursuance of this Act may be retained by him for his own use.

24. Any discretion or power vested by this Act in the registrar shall, subject to any agreement between the registrar and the government of the colony issuing the stock inscribed in the register kept by such registrar, be exercised subject to and in accordance with the directions of that government. Control of discretion of registrar

25. Nothing in this Act shall prevent any colonial stock inscribed in the register being transferred upon the application of the stockholder to a register in the colony or elsewhere. Saving for transfer of stock to colony

26. In this Act, unless the context otherwise requires: Definitions

the expression "colony" means any dominion, colony, island, territory, province, or settlement situate within Her Majesty's dominions, but not within the United Kingdom, the Channel Islands, or Isle of Man, and not forming part of India as defined for the purposes of the Acts for the time being in force relating to the Government of India; and for the purposes of this Act the whole of the dominion, colonies, islands, territories, provinces, and settlements under one central legislature, and also such part of the said dominion and such of the said colonies, islands, territories, provinces, and settlements as is under a local legislature is deemed to be a colony;

the expression "legislature" means any bodies or body of persons or person who can exercise legislative authority in a colony, and where there are local legislatures as well as a central legislature, includes both each of the local legislatures and the central legislature;
the expression "colonial stock" includes any share or interest in colonial stock;

the expression "register" includes any books kept by the registrar for the purpose of colonial stock in which the names and addresses of the several persons for the time being entitled to such stock, and the amounts to which they are entitled, and the transfers thereof, are entered;

the expression "stockholder" means a person holding colonial stock, being entered as proprietor thereof in the register kept under this Act;

the expression "person" includes a corporation.

27. This Act may be cited as the Colonial Stock Act, 1877.

Short title

COLONIAL STOCK ACT, 1892

55 & 56 Vict. c. 35

AN ACT TO AMEND THE COLONIAL STOCK ACT, 1877 SO FAR AS REGARDS THE MODE OF TRANSFER OF STOCK TO WHICH THAT ACT APPLIES

[27th June, 1892]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. This Act may be cited as the Colonial Stock Act, 1892, and this Act and the Colonial Stock Act, 1877, may be cited together as the Colonial Stock Acts, 1877 and 1892. Short title. 40 & 41 Vict. c. 59

2. (1) Any stock issued after the passing of this Act to which the Colonial Stock Act, 1877, applies may, if so provided by regulations under section 16 of that Act (which regulations the registrar is hereby authorised to make), be transferred by deed according to the form in the Schedule to this Act, or to the like effect, and such deed, when duly executed by all parties, shall be delivered to the registrar and kept by him, and a memorial thereof shall be entered in the register. Amendment of 40 & 41 Vict. c. 59, as respects mode of transfer of stock

(2) On demand of the holder of any stock transferable by deed the registrar shall cause a certificate of the proprietorship thereof to be delivered to each holder, and such certificate shall be prima facie evidence of the title of the holder to the stock therein specified; nevertheless the want of such certificate shall not prevent the holder of any stock from disposing thereof.

(3) Where stock of a colony has been issued before the passing of this Act, and the regulations for the transfer of such stock provide for its transfer in like manner as is authorised by this Act, the government of the colony, if desirous that the Colonial Stock Act, 1877, as amended by this Act, should apply to the said stock, may, by a declaration made, deposited, and recorded in like manner as a declaration adopting that Act, declare such desire, and identify the stock with reference to which the declaration is made and thereupon this Act shall
apply as if it had been enacted before the issue of the stock and the said regulations had been made in pursuance of section 16 of the Colonial Stock Act, 1877.

(4) Section 19 of the Colonial Stock Act, 1877, shall not apply to any stock in respect to which the provisions of that section have not been observed before the passing of that Act.

(5) A declaration under this Act may be made whether there has or has not been a prior declaration applying to the stock the Colonial Stock Act, 1877.

3. This Act shall apply to the Isle of Man in like manner as if section 6 of the Isle of Man Loans Act, 1880, referred to the Colonial Stock Act, 1877, as amended by this Act, and that section shall be deemed to have authorised the Government of the Isle of Man to provide for the transfer of stock in manner provided by this Act.

Application of this Act to Isle of Man. 43 & 44 Vict. c. 8

SCHEDULE

STOCK

[Here identify stock]

I, or we, of in consideration of the sum of paid by being the consideration money for pounds stock do hereby transfer the said stock [together with the interest accrued thereon since the last half-yearly payment of such interest] to the said transferee.

And the said transferee hereby accepts the transfer of the same subject to the conditions on which the transferor held the same.

Witness our hands and seals this day of one thousand eight hundred and ninety

Money

Seller

Buyer

Signed, sealed, and delivered by the above-named

in the presence of

Signature of witness

Address
AN ACT TO AMEND THE COLONIAL STOCK ACTS, 1877 AND 1892, AND THE TRUSTEE ACT, 1893

[8th August, 1900]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. For the purpose of enabling the Colonial Stock Acts, 1877 and 1892, to be applied to stock issued before the passing of this Act, it shall not be necessary that any prospectus, notice, stock certificate, coupon, dividend warrant, or other certificate or document issued before the passing of this Act in relation to the stock, should state the particulars required to be stated therein by section 19 of the Colonial Stock Act, 1877.

2. The securities in which a trustee may invest under the powers of the Trustee Act, 1893, shall include any colonial stock which is registered in the United Kingdom in accordance with the provisions of the Colonial Stock Acts, 1877 and 1892, as amended by this Act, and with respect to which there have been observed such conditions (if any) as the Treasury may by order notified in the London Gazette prescribe.

3. In the application of this Act to Scotland the words "Trusts (Scotland) Amendment Act, 1884," shall be substituted for the words "Trustee Act, 1893," where those words first occur in section 2, and the restrictions mentioned at the end of the said section shall apply.

4. This Act may be cited as the Colonial Stock Act, 1900, and the Colonial Stock Acts, 1877 and 1892, and this Act may be cited collectively as the
Colonial Stock Acts, 1877 to 1900.

Short title.

40 & 41 Vict. c. 59 55 & 56
Vict. c. 35

THE COLONIAL STOCK ACTS EXTENSION (NORTHERN RHODESIA) ORDER, 1931

AT THE COURT AT BUCKINGHAM PALACE, THE 11TH DAY OF AUGUST, 1931

Present:

THE KING'S MOST EXCELLENT MAJESTY

LORD PRESIDENT LORD RUSSELL OF KILLOWEN

VISCOUNT LEE OF FAREHAM MR. SECRETARY SHAW

WHEREAS by section 3 of the Colonial Development Act, 1929, it is amongst other things provided that His Majesty may, if a representation is made to Him by the Treasury and the Secretary of State that it is desirable so to do, make an Order in Council directing that the Colonial Stock Acts, 1877 to 1900, shall be extended, subject to such modifications and to such conditions as may appear expedient to His Majesty, so as to apply to stock issued after the passing of that Act and forming part of the public debt of any territory specified in the Order which is under His Majesty's protection:

AND WHEREAS a representation has been made to His Majesty by the Treasury and the Secretary of State that it is desirable that an Order should be made directing that the Colonial Stock Acts, 1877 to 1900, shall, subject to the modifications for which provision is made by this Order, be extended so as to apply to stock issued after the passing of the said Act and forming part of the public debt of Northern Rhodesia as if Northern Rhodesia were a colony:

NOW, THEREFORE, His Majesty, in pursuance of the powers vested in Him by the said section 3 of the Colonial Development Act, 1929, and of all other powers enabling Him in that behalf, is pleased by and with the advice of His Privy Council, to order, and it is hereby ordered, as follows:

(1) The Colonial Stock Acts, 1877 to 1900, shall, subject to the modifications set out in the next succeeding paragraph of this Order, be extended so as to apply to stock issued after the passing of the Colonial Development Act, 1929, and forming part of the public debt of Northern Rhodesia as if Northern Rhodesia were a colony.

(2) For the purposes of section 2 of the Colonial Stock Act, 1900, the following conditions shall have effect in relation to stock to which the Colonial Stock Acts, 1877 to 1900, apply by virtue of this Order as if they had been prescribed by the Treasury under that section:

(a) Provision must be made by legislation of Northern Rhodesia for the payment out of the revenues of Northern Rhodesia of any sums which may become payable to stockholders under any judgment, decree, rule or order of a court in the United Kingdom:

(b) The Government of Northern Rhodesia must satisfy the Treasury that
adequate funds, as and when required, will be made available in the United Kingdom to meet any such judgment, decree, rule or order:

(c) The Government of Northern Rhodesia must place on record a formal expression of their opinion that any legislation of Northern Rhodesia which appears to the Imperial Government to alter any of the provisions affecting the stock to the injury of the stockholders or to involve a departure from the original contract in regard to the stock would properly be disallowed, and that no legislation, whereby the control of the Secretary of State over the finances of Northern Rhodesia is impaired, ought to be passed unless and until the Treasury are satisfied that satisfactory arrangements have been made for safeguarding the interests of the stockholders.

(3) This Order may be cited as the Colonial Stock Acts Extension (Northern Rhodesia) Order, 1931.

M. P. A. HANKEY

REPUBLIC OF ZAMBIA

STATE LANDS, RESERVES AND TRUST LAND

APPENDIX 9 TO THE LAWS OF ZAMBIA

PART I

ORDERS

THE ZAMBIA (STATE LANDS AND RESERVES) ORDERS, 1928 TO 1964

AT THE COURT AT BUCKINGHAM PALACE, THE 22ND DAY OF MARCH, 1928

Present:

THE KING'S MOST EXCELLENT MAJESTY IN COUNCIL

WHEREAS the territories of Africa formerly known as North-Eastern Rhodesia and North-Western Rhodesia but known since the 17th day of August, 1911, the date of the commencement of the Northern Rhodesia Order in Council, 1911, as Northern Rhodesia are under the protection of His Majesty the King:

AND WHEREAS by treaty grant usage sufferance and other lawful means His Majesty has power and jurisdiction in Northern Rhodesia:

AND WHEREAS by an Order of His Majesty in Council bearing date the 4th day of May, 1911, and entitled "The Northern Rhodesia Order in Council, 1911", provision was made for the exercise of His Majesty's jurisdiction in Northern Rhodesia and for the general administration of affairs therein by the British South Africa Company, subject to certain provisions in the said Order contained with regard to the occupation by natives of land in Northern Rhodesia:

AND WHEREAS by an Agreement bearing date the 29th day of September, 1923, made
between His Majesty's Principal Secretary of State for the Colonies on behalf of His Majesty (in the said Agreement referred to as "the Crown") of the one part and the British South Africa Company (therein and hereinafter referred to as "the Company") of the other part it was amongst other things provided that the Crown should as from the 1st day of April, 1924, relieve the Company of the administration of Northern Rhodesia and that:

(a) The Company as from the 1st day of April, 1924, assigned and transferred to the Crown all such rights and interests in lands as it claimed to have acquired by virtue of the concessions granted by Lewanika, upon which date the full and entire control of the lands throughout North-Western Rhodesia as well as elsewhere in Northern Rhodesia should be taken over by the Crown and thereupon (subject to certain provisions with regard to the rights of the Company to lands and minerals contained in the said Agreement) the Crown should be completely free to administer such lands in such manner as the Crown might in its discretion deem best in the interest of the native population and in the public interests generally:

(b) The Crown should recognise all alienations of land which had been made by the Company in Northern Rhodesia before the 1st day of April, 1924:

(c) As regards the Concession granted by the Company to the Northern Charterland Exploration Company the Crown reserved the right to set apart such Native Reserves in the area granted to that Company, such area being wholly within the limits of Northern Rhodesia, as the Crown might deem proper:

AND WHEREAS in accordance with the said Agreement the Crown did as from the 1st day of April, 1924, relieve the Company of the administration of Northern Rhodesia and by an Order of His Majesty in Council bearing date the 20th day of February, 1924, and entitled the Northern Rhodesia Order in Council, 1924, provision was made for the administration of Northern Rhodesia by a Governor to be appointed by His Majesty:

AND WHEREAS the Governor appointed Commissioners on the 10th day of October, 1924, to make inquiry as to what land should be reserved for natives within the area granted by the said Concession to the North Charterland Exploration Company and received a report accordingly from the said Commissioners:

AND WHEREAS by reason of the premises it is desirable to declare what land within Northern Rhodesia shall be Crown Land and Native Reserves respectively and to confirm certain alienations of land within Northern Rhodesia:

NOW, THEREFORE, His Majesty, by virtue and in exercise of the powers by the Foreign Jurisdiction Act, 1890, or otherwise in His Majesty vested, is pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered, as follows:

1. This Order may be cited as the Zambia (State Lands and Reserves) Orders, 1928 to 1964.

(As amended by Article 2 of the Order of 1964Statutory Instrument No. 4 of 1964.*)

* Statutory Instrument No. 4 of 1964.

2. (1) In this Order, unless the subject or context otherwise requires:
The expression "public purpose" includes the following purposes:

(a) for exclusive Government use or for the general benefit of the native inhabitants of Zambia;

(b) for or in connection with sanitary improvements of any kind including reclamations;

* Statutory Instrument No. 4 of 1964.

(c) for or in connection with the laying out of any new township or the extension or improvement of any existing township;

(d) for or in connection with aviation;

(e) for the construction of any railway authorised by legislation;

(f) for obtaining control over land contiguous to any railway, road or other public works constructed or intended at any time to be constructed by Government;

(g) for obtaining control over land required for or in connection with hydro-electric or other electricity generation and supply purposes;

(h) for or in connection with the preservation, conservation, development or control of forest produce, fauna, soil, water and other natural resources;

The expression "the Reserves" means the lands set apart by Article 6 of this Order, as from time to time amended, for the sole and exclusive use of the natives of Zambia;

The expression "rural council" means a rural council established or deemed to have been established under the Local Government Act;

The expression "State Lands" means all lands and rights or interests in any lands in Zambia other than (1) the three freehold areas hereinafter referred to vested in the Company, (2) lands and any rights or interests therein vested in any person deriving title from the Company, (3) any mineral rights of which the Company has been recognised as the owner by the Crown under the hereinbefore recited Agreement of the 29th day of September, 1923, (4) (deleted by Act No. 47 of 1970), (5) lands granted in perpetuity to any person by the Governor of Northern Rhodesia between the 1st day of April, 1924, and the coming into operation of this Order, (6) Reserves and (7) Trust Land.

(2) The Interpretation and General Provisions Act shall apply for the purpose of interpreting this Order and otherwise in relation thereto as it applies for the purpose of interpreting, and in relation to, the written laws of Zambia.

3. (1) The title of the Company to the three freehold areas in that part of Zambia formerly known as North-Eastern Rhodesia held by the Company by virtue of the Concessions approved by the Certificates of Claim issued by Sir H. H. Johnston, and dated as to two of them the 18th day of September, 1893, and as to the third the 20th day of September, 1893, is hereby recognised and confirmed.

(2) All alienations of land made by the Company prior to the 1st day of April, 1924, and duly registered according to law are hereby recognised and confirmed.

(3) All alienations of land made by the Governor of Northern Rhodesia between the 1st day of April, 1924, and the coming into operation of this Order and duly registered according to law are hereby recognised and confirmed.

(As amended by Article 2 of the Order of 1964)

4. All rights in or in relation to State Lands shall vest in the President.

(Substituted by Article 2 of the Order of 1964)

5. Subject to the provisions of any law in force in Zambia, the Power to make grants of State Lands delegated to the public officer for the time being holding the office or executing the duties of Commissioner of Lands, subject to the directions of the Minister responsible for land matters. (Statutory Instrument No. 7 of 1964.)*President may make grants and dispositions of State Lands and of any other immovable property that may for the time being be vested in the President.

* Power to make grants of State Lands delegated to the public officer for the time being holding the office or executing the duties of Commissioner of Lands, subject to the directions of the Minister responsible for land matters. (Statutory Instrument No. 7 of 1964.)

(Substituted by Article 2 of the Order of 1964)

6. (1) The lands described in the Schedule hereto and known as Reserves, and the appendant rights set forth in the said Schedule, are hereby vested in the President and, subject to the provisions of this Article and of Article 6A of this Order, are hereby set apart for the sole and exclusive use of the natives of Zambia.

(2) No person other than a native shall occupy any portion of a Reserve which is not set aside for public purposes under paragraph (2) of Article 6A of this Order save:

(a) by special permission given in accordance with such regulations as may be issued by the President; or
(b) under the authority of a grant or disposition made under Article 6A of this Order.

* Power to make grants of State Lands delegated to the public officer for the time being holding the office or executing the duties of Commissioner of Lands, subject to the directions of the Minister responsible for land matters. (Statutory Instrument No. 7 of 1964.)

(3) The President may make such adjustments of the boundaries of any Reserve that may appear to be necessary or desirable, provided always that in case of any such adjustment, the area of no Reserve shall be materially affected or diminished thereby and on such approval being given the land excepted from a Reserve shall be deemed to be no longer subject to the provisions of this Order with regard to Reserves and the land assigned to a Reserve shall be deemed to be subject to the said provisions.

(Substituted by Article 3 of Order No. 1 of 1963 as amended by Article 2 of the Order of 1964)

6A. (1) The * Power to make grants of land in Reserves delegated to the public officer for the time being holding the office or executing the duties of Commissioner of Lands, subject to the directions of the Minister responsible for land matters. (Statutory Instrument No. 7 of 1964.)*President may make grants or dispositions of land in the Reserves to any person:

* Power to make grants of land in Reserves delegated to the public officer for the time being holding the office or executing the duties of Commissioner of Lands, subject to the directions of the Minister responsible for land matters. (Statutory Instrument No. 7 of 1964.)

Provided that the President shall not grant or dispose of land in a Reserve to a person, other than a native or a rural council, for a period exceeding—

(a) ninety-nine years in the case of land set aside for public purposes;

(b) (Repealed by Act No. 46 of 1969)

(c) thirty-three years in the case of a grant or disposition to a missionary society or body or a charitable organisation for the purposes of that society, body or organisation;

(d) five years in any other case.

(2) The President may set aside land in any Reserve for public purposes and any land so set aside shall thereupon cease to be land in a Reserve and shall become State Lands.

(3) The powers of the President under paragraph (1) of this Article shall be exercised in accordance with any regulations made under Article 7 of this Order or any law applying in relation to Reserves.

(4) Before making a grant or disposition of land under paragraph (1) of this Article to any person the President shall consult the rural council within whose area that land is situate.
(5) References in this Article to grants or dispositions include, without prejudice to the generality of those expressions, grants or dispositions by way of licence, wayleave or easement.


* Power to make grants of land in Reserves delegated to the public officer for the time being holding the office or executing the duties of Commissioner of Lands, subject to the directions of the Minister responsible for land matters. (Statutory Instrument No. 7 of 1964.)

7. The President shall within each Reserve assign lands to natives, whether as tribes or portions of tribes, and may from time to time make, alter, amend and revoke regulations for the general purposes of this Order and in particular may by such regulations control and limit in the interests of native occupation the entry upon or use of land in any Reserve by any persons other than natives, and may prescribe as penalties for the breach of any regulation a fine not exceeding 100, or imprisonment with or without hard labour for a term not exceeding 12 months, or both such fine and imprisonment.

(As amended by Article 2 of the Order of 1964)

8. Notwithstanding anything contained in this Order or in any regulations from time to time made thereunder, the holder of a mining right granted or acquired under the Mines and Minerals Act* The Mines and Minerals Act appears as Cap. 213 in this Edition.* over any part of a Reserve may enter upon land within the Reserve together with the persons employed by him for the purpose of exercising rights under the mining right and may exercise the said rights subject to the provisions of the said Act and any regulations made thereunder.


9. (Had its effect)

10. All sums which have accrued or shall accrue under the provisions of any regulations made under this Order or under any appropriation made in that behalf by Ordinance shall be paid into the Trust Land Fund established under the Zambia (Trust Land) Orders, 1947 to 1964.

Provided that if the President so directs, any such sums that shall accrue in respect of any land included in the area of a Reserve set aside under paragraph (2) of Article 6A of this Order for the purpose of a township shall be paid to such authority (being an authority established by law for the local administration of the township) as the President may specify.

(Substituted by the Northern Rhodesia (Native Trust Land) Order in Council, 1947, as amended by Article 5 of Order No. 1 of 1963 and Article 2 of the Order of 1964)

10A. The President may, by order, authorise any person or authority to exercise for and on behalf of the President, subject to such exceptions and conditions as he may specify, any of the functions of the President under this Order.
10B.  (Revoked by Article 2 of the Order of 1964)

11.  (Revoked by Article 2 of the Order of 1964)


12.  This Order shall come into operation forthwith, and shall be published in the Northern Rhodesia Gazette and the Governor shall give directions for the publication of this Order at such places and in such manner and for such times as he thinks proper for giving due publicity thereto.

And the Right Honourable Leopold Charles Maurice Stennett Amery, one of His Majesty's Principal Secretaries of State, is to give the necessary directions herein.

M. P. A. HANKEY

SCHEDULE

I-MSANDILI RESERVE

Boundaries:

Starting from the point where the northern boundary of Farm No. 111 is intersected by the old Shinunda Road, near Luona Hill, the boundary shall follow the said road in a northerly direction to the point where it meets the Msandili-Rukuzi watershed; thence it shall follow the said watershed in a south-easterly direction to the beacon on the Fort Jameson-Lundazi Road, south-west of Ngubudu's Village; thence it shall follow the said road northwards to the point where it intersects the Maskala Stream; thence it shall pass in straight lines successively in a north-westerly direction to Masupi Hill, in a north-easterly direction to Kalungu Hill, in a south-easterly direction to Nikunku Hill and to a beacon on the Fort Jameson-Lundazi Road where it intersects the Rukuzi-Rukusuzi watershed; thence it shall pass in a straight line to the north-west beacon of Tamanda Mission Estate; thence it shall follow the western and southern boundaries of the said farm to the south-east beacon on the Zambia-Malawi boundary; thence it shall follow the said boundary to the beacon at the north-east edge of the basin of the Katapola Stream; thence it shall follow the northern edge of the Katapola basin to the point where the eastern boundary of Farm No. 41 (Kapatamoyo's) intersects it; thence it shall follow the eastern boundary of the said farm southwards to the point where it meets the north-eastern boundary of Farm No. 35; thence it shall follow the north-eastern boundary of Farm No. 35, the eastern boundary of Farm No. 36, the southern and eastern boundaries of Farm No. 115, and the northern boundaries of Farms Nos. 116 114 and 111 to the point of starting.

II-NGONI RESERVE

Boundaries:

Starting from the point where the Kaungo Stream is intersected by the Fort Jameson-Msoro Road (Koza's Village), the boundary shall pass northwards in a straight line to the highest peak of Mkwawa Hills; thence it shall pass westwards in a straight line to a beacon on the Chivundula Stream; thence it
shall pass in straight lines in a northerly direction to Kapemba Hill and to a beacon on the northern boundary of the North Charterland Exploration Company's Concession; thence it shall follow the said Concession boundary in a north-easterly direction to the point where it meets the western boundary of Chikowa Farm; thence it shall follow the western, southern and eastern boundaries of the said farm to the point where the eastern boundary is intersected by the northern boundary of the North Charterland Exploration Company's Concession; thence it shall pass in a straight line in a south-easterly direction to the confluence of the Tambo Stream with the Lutembwe River; thence it shall follow the Lutembwe River upstream to a beacon situated due west of Champaku Hill; thence it shall pass in straight lines to Champaku Hill, and the western beacon of Farm No. 129; thence it shall follow the south-western boundary of Farm No. 129, the southern boundary of Farm No. 121, the western and south-western boundaries of Farm No. 126, the south-west boundary of Farm No. 125, the north-west boundaries of Farms Nos. 107 and 25 (Government Farm), the northern boundary of Farm No. 105, the north-western boundaries of Farms Nos. 106 and 103, to the south-east beacon of Farm No. 133; thence it shall follow the north-eastern and north-western boundaries of the said farm to the north-west beacon on the Lutembwe River; thence it shall follow the Lutembwe River upstream to the western beacon of Farm No. 22; thence it shall follow the south-west boundary of Farm No. 22, the southern boundary of Farm No. 31, the western boundary of Farm No. 33, the western and south-eastern boundaries of Farm No. 83 to the eastern beacon of the said farm; thence it shall follow the south-eastern boundary of Farm No. 82 to its north-east beacon; thence it shall follow the north-east boundary of Farm No. 82, the eastern boundary of Farm No. 32, the south-east boundaries of Farms Nos. 34 and 27, the southern boundary of Farm No. 28 to its south-east beacon on the Zambia-Malawi boundary; thence it shall follow the said boundary to the north beacon of Farm No. 90; thence it shall follow the north-west boundary of the said farm to the north-west beacon of Farm No. 73; thence it shall follow the western and southern boundaries of the said farm to the point where it intersects the Mwami River; thence it shall follow the Mwami River downstream in a southerly direction to its confluence with the Katete Stream; thence it shall pass in a straight line to the eastern beacon of Farm No. 54 on Bwunka Hill; thence it shall follow the north-eastern and north-western boundaries of the said farm, the northern boundary of Farm No. 53, and the northern and north-western boundaries of Farm No. 52 to the south-west beacon; thence it shall pass to the nearest point on the Kapundi River; thence it shall follow the Kapundi River downstream to the point where it is intersected by the eastern boundary of the unnumbered farm, known as the Soldiers' Settlers Farms Area; thence it shall follow the said boundary to the north-east beacon near Mawalu Hill; thence it shall pass in straight lines in a north-westerly and northerly direction to Luli Hill and the eastern beacon of Farm No. 49 on Kazimuli Hill; thence it shall follow the north-eastern and western boundaries of the said farm to the south-west beacon; thence it shall pass in straight lines to the southern peak of Chiswa Hill, and the north-east beacon of Farm No. 77; thence it shall follow the north-eastern boundary of the said farm to the north-west beacon; thence it shall pass in a straight line to the south-east beacon of Farm No. 76 (Mkoma Ranch) on Yangombe Hill; thence it shall follow the eastern boundary of the said farm to the point where it meets the Chigumo Stream; thence it shall follow the Chigumo Stream to its confluence with the Mwangazi River; thence it shall follow the Mwangazi River downstream to a beacon situated south of an unnamed hill; thence it shall pass in straight lines in a northerly direction to the said unnamed hill, and to a beacon on the Mwangazi-Kasenengwa watershed; thence it shall follow the said watershed to a beacon on the Fort Jameson-Msoro Road; thence it shall follow the Fort Jameson-Msoro Road in an easterly direction to the point of starting.
III-CHEWA RESERVE

Boundaries:

Starting at Beacon XIX on the Zambia-Portuguese Boundary, the boundary shall pass in a northerly direction to the confluence of the Chiwuyu Stream with the Kapoche River; thence it shall follow the Chiwuyu Stream to a beacon near Katuta's (1924) Village (in the Petauke sub-district); thence it shall pass in a north-easterly direction in a straight line to the Mlambe-Chamvuka confluence; thence it shall follow the Mzimi-Katete watershed in a south-easterly direction to Chimwa Hill; thence it shall pass in straight lines successively to Mlanze Hill, Kamtuzi Hill, to the southern beacon of Farm No. 55a (Tongoli Extension); thence it shall follow the south-eastern boundary of Farm No. 55a, and the eastern boundary of Farm No. 55 to the north-east beacon of the said farm; thence it shall follow the northern boundary of Farm No. 55 to the point where it intersects the Msadzu River; thence it shall follow the Msadzu River in a northerly direction to the south-west beacon of Farm No. 118 (D.R.C.M.); thence it shall follow the southern boundary of the said farm to the south-east beacon; thence it shall pass in straight lines successively to Chipiri Hill, the south-east beacon of Farm No. 48 (Mrs. Purchase), the eastern beacon of Farm No. 54 (on Bwanunka Hill), Mbozi Hill, and the south-west beacon of Farm No. 101; thence it shall follow the southern boundary of Farm No. 101 to the south-east beacon on the Vubwi River; thence it shall follow the Vubwi River upstream to the south-west beacon of Farm No. 99; thence it shall follow the southern boundary of the said farm to its southern beacon on Falipali Hill; thence it shall pass in a straight line to Nyangamalomo Hill; thence it shall pass the Sengelezi Stream to the western beacon of Mr. Lewin's unnumbered farm; thence it shall follow the south-west boundary of the said farm to its southern beacon on Falipali Hill; thence it shall pass in a straight line to Beacon XXXI on the Zambia-Portuguese Boundary (Menyani Hill); thence it shall follow the said Zambia-Portuguese Boundary to the point of starting.

(As amended by Article 2 of the Order of 1936* Government Notice No. 28 of 1937.*)

* Government Notice No. 28 of 1937.

IV-ZUMWANDA RESERVE

Boundaries:

Starting from a beacon on the southern peak of Chilongamabwe Hills, the boundary shall pass in a straight line to the Lupande-Chisali confluence; thence it shall follow the Lupande River downstream in a northerly direction to the western beacon of the Mwangazi Farm (Mr. Davidson); thence it shall follow the southern boundary of the said farm to the south-east beacon on the Mteetezi River; thence it shall follow the said river upstream to the Chipapira-Mteetezi confluence; thence it shall pass in a straight line to a beacon on an unnamed hill south-east of Zinaka Stream; thence it shall pass in a straight line to the Mataundula-Mteetezi confluence; thence it shall pass in a straight line to the Mataundula-Mteetezi confluence; thence it shall follow the Mteetezi upstream to the nearest point to the north-east beacon of Farm No. 57 on Msala Hill; thence it shall follow the northern boundary of the said farm to the north-west beacon; thence it shall pass in a straight line to the northern beacon of the North Charterland Exploration Company's unsurveyed Estate, known as the Katete Estate;
thence it shall pass in a straight line to the point of starting. Also that triangular area, which lies between the Lusandwa and Lupande Rivers with the northern apex at the confluence of these rivers, and the southern base formed by a line which for the purposes of this description may be defined as starting from the Lupande River at the north-eastern corner of the farm known as Greer’s Farm, and following the northern boundary of that farm to its north-western beacon and thence running due west to the Lusandwa River.

* Government Notice No. 28 of 1937.

V-NSENGA RESERVE

Boundaries:

Starting from Beacon XI on the Zambia-Portuguese Boundary, the boundary shall pass in a straight line in a north-westerly direction to Menyani Hill; thence it shall pass in a straight line to the confluence of an unnamed stream with the Nyimba River near Matonje’s (1924) Village; thence it shall follow the Nyimba River downstream to the confluence of an unnamed stream with the Nyimba River, south-east of Chutika's Village; thence it shall pass in a north-easterly direction by straight lines successively to Chinunu Hill, Ngolwe Hill, and the south-east beacon of the Minga Mission (White Fathers) Estate; thence it shall follow the eastern boundary of the said estate to the north-east beacon; thence it shall pass in a straight line to the confluence of the Msambazi Stream with the Muvvia River; thence it shall follow the Muvvia River upstream to a beacon near Ndewe's Village; thence it shall follow the Lusowe-Kaulo watershed to Nyakala Hill; thence it shall pass in straight lines successively to Mafumba Hill, Kapungwe Hill, Chumbi Hill, Mbewa Hill and the western beacon of Nyanje Mission on Nyanje Hill; thence it shall follow the south-western and south-eastern boundaries of the said Mission Estate to the eastern beacon; thence it shall pass in a straight line in a northerly direction to Sivea Hill; thence it shall pass to a beacon at the headwaters of the Kapoche River; thence it shall follow the Kapoor River downstream to its confluence with the Chiwuyu Stream; thence in a southerly direction to Beacon XIX on the Zambia-Portuguese Boundary; thence it shall follow the Zambia-Portuguese Boundary to the point of starting.

(As amended by Article 2 of the Order of 1936)

VI-LUSANDWA RESERVE

Boundaries:

Starting from the south-east beacon of Farm No. 79, the boundary shall follow the eastern boundary of the said farm to its north-east beacon; thence it shall follow the northern boundary to the point where it intersects the Lusangazi River; thence it shall follow the Lusangazi River downstream to a beacon near Mkuza's Village; thence it shall pass by convenient beacons in an easterly direction to the Lusandwa-Kasangazi confluence; thence it shall follow the Kasangazi to a convenient beacon near Mchilwa's Village; thence it shall pass in a straight line in a south-easterly direction to the confluence of an unnamed stream with the Nyamadzi River; thence it shall follow the Nyamadzi River upstream to the confluence with it of another unnamed stream (south of Chipapila's Village); thence it shall pass in a straight line to the junction of the Fort Jameson-Petauke motor road with the Fort Jameson-Petauke mail road (near Machewo's Village); thence it shall pass in a straight line to the point
of starting.

VII-PETAUKE RESERVE

Boundaries:

Starting from the point where the Petauke River (marked Mtikila on the Zambia Provisional Sheet No. 46, Sasare) is intersected by the northern boundary of the North Charterland Exploration Company's Concession, the boundary shall follow the said Concession boundary to the point where it intersects the Msanzara River; thence it shall follow the said river upstream to the confluence with it of the Chidiamanyama Stream; thence it shall pass in a straight line to the headwaters of the Lutwazi Stream; thence it shall follow the Msanzara-Mтикila watershed to the point where it is intersected by the Fort Jameson-Petauke mail road; thence it shall follow the said road in a westerly direction to the point where it intersects the Petauke River; thence it shall follow the said river upstream to its source; thence it shall pass in a straight line to a convenient beacon on the range of hills north-west of Petauke Station; thence it shall pass in a straight line to a beacon on the Mtikila River about 4.827 kilometres above Mulilo's Village; thence it shall pass in a straight line to a beacon near Mkunta's Village; thence it shall pass in a straight line to the Petauke-Mтикila confluence; thence it shall follow the Petauke River downstream to the point of starting.

VIII-WAMBO RESERVE

Boundaries:

Starting from a point on the North Charterland Exploration Company's Concession western boundary due east of Ndefu's Village, the boundary shall follow the said Concession boundary in a north-easterly direction, to the point where it intersects the Umba Stream; thence it shall follow the Umba Stream in an easterly direction to its source; thence it shall pass southwards in a straight line to a point on the Mazingwa River 3.218 kilometres above the village of Simulema; thence it shall pass in a straight line to the point of starting.

IX-CHILINGA RESERVE

Boundaries:

Starting from the point on the North Charterland Exploration Company's Concession eastern boundary, where the Fort Jameson-Fundu Road as marked on the Zambia-Portuguese Boundary Commission Map crosses it, the boundary shall follow the eastern boundary of the said Concession to a point on it 1.609 kilometres north of the Ngora Stream; thence it shall pass in a straight line to a convenient beacon 3.218 kilometres due east; thence it shall pass in a straight line to the Chilinga-Matondera confluence; thence it shall pass in a straight line to the unnamed hill about 6.436 kilometres south-west of it; thence it shall pass in a straight line to the point of starting.

APPENDANT RIGHTS

Any rights or interests in land or water the property of the Crown enjoyed by the natives resident within the neighbourhood of the East Luangwa District contiguous to the Reserves herein created prior to and at the time of the promulgation of the present Order in Council such as salt-pan rights in the low country, fishing rights in the Luangwa River and its tributaries with due access
thereto are hereby confirmed and assigned by the Crown to the Secretary of State in trust for the native inhabitants of the Reserves in perpetuity.

X-LAMBA-LIMA RESERVE

Boundaries:

Commencing at the south-west corner beacon of Chondwe Siding Reserve, the boundary passes along the southern boundary of that Reserve to the railway strip; thence down the railway strip to the Kafulafuta River; thence down the river to the junction with the Luankuni River; thence up the Luankuni River to its source; thence in a westerly direction along the watershed between the Kafue and Lukanga Rivers to the source of the Ipumbu River and down that river to its confluence with the Kafue River; thence down the Kafue River to its confluence with the Luwishi River; thence up the Luswishi River to its junction with the Mininga River; and thence in a straight line due west to the boundary of the Ndola sub-district; thence northwards along the watershed of the Lunga and Luswishi Rivers to the source of the Luawona Stream and down that stream to its confluence with the Luswishi River; thence down the Luswishi River to its junction with the Muchema River; thence up the Muchema River to its confluence with the Luambowo Stream and up the Luambowo Stream to its source; thence in a straight line in an easterly direction to the Chinemu Stream and down that stream to the Luwanyama River; thence down that river to its junction with the Katembali River; thence in a straight line due east to the source of the Kalulushi River and down that river to the Kafue River; thence down the Kafue River to theMpata Gorge; thence in a straight line in a south-easterly direction to the junction of the Luwanyama Stream with the Kafuu River; thence up the Kafuu River for about 1.609 kilometres to the western boundary of Farm No. 866 Roan Antelope Pumping Station site; thence in a southerly direction along that boundary through Beacon A154 (which is the south-western beacon of the aforesaid Farm No. 866) to a point 402.336 centimetres from the Kafuu River; thence in an easterly direction for a distance of 1.609 kilometres parallel more or less with the Kafuu River and about 402.336 centimetres therefrom; thence in a northerly direction to the Kafuu River and up the Kafuu River to the “Big” Munkulungwe River; thence up the “Big” Munkulungwe River for 6.436 kilometres and from there in a straight line in a south-easterly direction to the point of starting.

Included within the boundaries defined above, but excluded from the Reserve:

Kafulafuta Mission (unsurveyed) 99.5562 hectares in extent, situated at the confluence of the Kafulafuta and Kafuu Rivers.

(Substituted by Article 2 of Order No. 2 of 1933* Government Notice No. 119 of 1933.*)

* Government Notice No. 119 of 1933.

Tracts of land set aside for public purposes:

CHERA SIDING RESERVE LEFT

Starting at a point on the western edge of the Rhodesia Railways 91.44 metres Strip Reserve approximately 371.856 metres north of Mile Peg 1421, the boundary proceeds westwards at right angles to this strip reserve for a distance of 48.768 metres; thence northwards parallel to and 48.768 metres from the strip reserve for a distance of 787.298 metres; thence eastwards at right angles to
this line for a distance of 48.768 metres back to the western edge of the
Rhodesia Railways 91.44 metres Strip Reserve; thence southwards along this strip
reserve for a distance of 787.2984 metres to a point thereon approximately
371.856 metres north of Mile Peg 1421, the point of starting.

The area described above is approximately 3.8397 hectares in extent.

(Government Notice No. 186 of 1961)

* Government Notice No. 119 of 1933.

That area of land in the Lamba-Lima Reserve No. X approximately 240.7965
hectares in extent and 17.95644 kilometres in length on the route of the
Kariba-Copperbelt power transmission line shown on map No. MISC. R.21 dated 5th
April, 1960, and deposited in the office of the Surveyor-General, extending
39.624 metres to the east and 94.488 metres to the west of the transmission
line.

(Government Notice No. 236 of 1964)

XI-SWAHILI RESERVE

Boundaries:

Starting from a point on the Zambia-Congo Border 1.609 kilometres east of where
the railway crosses that border, the boundary passes in a straight line due
south until it reaches the eastern boundary of the railway area and then follows
the said boundary to the north-west corner of Farm No. 747; thence east and
south along the boundaries of Farms Nos. 747 and 746 to the south-east beacon of
Farm No. 746; thence south by a straight line to the Mwatesi River to Beacon
V51, the north-west corner of Farm No. 730, Cleveland Park; thence up the
Mwatesi River to Beacon V55; thence along the northern boundary of Farm No. 730
to Beacon V53; thence in a straight line to the north-west corner beacon of Farm
No. 733, Ishiku Lake Reserve; thence along the northern and eastern boundaries
of that farm to the south-east corner beacon; thence in a straight line to line
Beacon 53 on the northern boundary of Farm No. 731; thence southwards in a
straight line to line Beacon 21 on the southern boundary of Farm No. 731; thence
eastwards along the southern boundary of Farm No. 731 to Beacon C; thence along
the eastern and southern boundaries of Farm No. 416a, Bwana Mkubwa East, to the
railway area; thence following the railway area southwards to Mile Peg 1430;
thence in a straight line eastwards to Beacon 10 on the Zambia-Congo Border and
then along the Congo Border, passing Beacons 11, 12, 13 and 14, to the point of
starting.

(Substituted by Article 2 of Order No. 2 of 1931,* Government Notice No. 156 of
1931.* as amended by Article 2 of the Order of 1943 Government Notice No. 95 of
1943.)

XII-NORTH SWAKA RESERVE

Boundaries:

Starting from the Zambia-Congo Border Beacon 7, the boundary passes in a
straight line to the nearest point on the Muwalashi River; thence down the
Muwalashi River to the junction of the Mushimbiri River; and thence in a
straight line in an easterly direction to the confluence of the Musofu River with the Lunsemfwa River; thence up the Lunsemfwa River to its source; thence in a straight line to the nearest point on the Congo Border and then along the Congo Border passing Beacons 4, 5 and 6 to the point of starting.

(Added by Article 2 of Order No. 1 of 1929Government Notice No. 25 of 1929.)

XIII-SOUTH SWAKA RESERVE

Boundaries:

Starting at the confluence of the Lunchu River and Kampashi Stream, the boundary proceeds up the latter to its northernmost source; thence south-eastwards to the westernmost source of the Kapila Stream; thence down this stream to the point where it crosses the westerly boundary of Farm No. 2225; thence following the westerly, southerly and easterly boundaries of this farm to the point where the Munda River crosses its easterly boundary; thence up this river to its southernmost source; thence south-westwards in a straight line to the source of the Katukutu Stream; thence eastwards, southwards, south-westwards, westwards and south-eastwards along the watershed between the Mkushi and Lunsemfwa River systems to the source of the Kuyumba Stream; thence down this stream to its confluence with the Lunsemfwa River; thence down this river to its confluence with the Kashapo Stream; thence up this stream to its north-western most source; thence westwards to the minor road from Lunsemfw Power Station to Broken Hill; thence along this road to the point where it forks northwards to the Mita Hills and southwards to Kampumba Mining claims; thence in a straight line to the nearest point on the watershed between the Muwofwe and Luamabwe River systems; thence north-westwards, northwards and again north-westwards along this watershed and the watershed between the Yongwe and Mteteshi River systems to the watershed between the Yongwe and Kafwaka Rivers; thence north-eastwards along this watershed to the Lunche River at a point approximately 3,557.6 metres west of its confluence with the Kampashi Stream; thence down the Lunche River to its confluence with the Kampashi Stream, the point of starting.

(Substituted by Article 2 of the Order of 1961 Government Notice No. 206 of 1961.)

* Government Notice No. 156 of 1931.
Government Notice No. 95 of 1943.
Government Notice No. 25 of 1929.
Government Notice No. 206 of 1961

XIV-LUANO-LALA RESERVE

Boundaries:

Commencing at the confluence of the Mlembo River with the Lukasashi River, the boundary follows the Lukasashi River southwards to the north-east beacon of Farm No. 726; thence it follows the northern and western boundaries of that farm to the Lunsemfwa River; thence down the Lunsemfwa River to its confluence with the
Luangwa River; thence in a westerly direction along the Muchinga escarpment to the Muchinga River at the point where it goes through the escarpment; thence in a straight line south-west to Changali Hill; thence in a straight line westwards to Kasokwe Hill; thence in a straight line north-west to Beacon V11, the south-east corner beacon of Farm No. 695 Fig Trees; thence along the eastern boundary of that farm to Beacon V17; thence in a north-easterly direction along the eastern boundaries of the proposed farms marked D.372 and D.374 on the maps accompanying the report of the Agricultural Survey Commission of 1930 to the north-east corner of the latter farm; thence along the northern boundary of this farm to Beacon V91, the south-east corner beacon of Farm No. 696 Chipembi Mission; thence along the eastern and northern boundaries of that farm to the north-west corner beacon; thence a straight line in a westerly direction to the junction of the Kamano Stream with the Kalangwa River; thence a straight line in a north-easterly direction to the junction of the Muyama Stream with the Mwomboshi River; thence up the Muyama Stream to the southern side of the Chikonkomene Hills; thence a straight line due east to the Lombwa Stream; thence down the Lombwa Stream to the Mwomboshi River and then down the Mwomboshi River to its junction with the Mulungushi River and down the Mulungushi River to the Muchinga escarpment; thence along the Muchinga escarpment in an easterly direction to the north-western beacon of Farm No. 216a on the Mlenge River; thence along the western and southern boundaries of the farm to its south-eastern beacon on the Lunsemfwa River; thence up the Lunsemfwa River to the north-eastern beacon of the farm; thence along the Muchinga escarpment in an easterly direction to the source of the Fitete Stream; thence in a north-east and northerly direction through Namwami Hill along the watershed between the Mkushi River and the Chipawa, Tumbwe and Kampoko Rivers to the old Government Station on the Mkushi River; thence up the Mkushi River to its junction with the Lesser Mkushi River; thence up the Lesser Mkushi River to its junction with Luanga River and then up the Luanga River to its source; thence a straight line to the source of the Amankanda Stream; thence down the Amankanda Stream to its junction with the Inambo River and then down the Inambo River to its junction with the Mlembo River and down the Mlembo River to the point of starting.

Included within the boundaries defined above, but excluded from the Reserve:

Farm No. 217a, Formoshi, 833.682 hectares in extent, situated on the Formoshi River.

Farm No. 94a, Chingombe, 406.3188 hectares in extent, situated on the Chingombe River.

Fiwila Mission (unsurveyed), 60.705 hectares in extent, situated on the Fiwila Stream.

(Substituted by Article 2 of Order No. 2 of 1933)

Tract of land set aside for public purposes:

That area of land in the Luano-Lala Reserve No. XIV approximately 311.619 hectares in extent and 23.1696 kilometres in length on the route of the Kariba-Copperbelt power transmission line shown on map No. MISC. R.21 dated 5th April, 1960, and deposited in the office of the Surveyor-General, extending 39.624 metres to the east and 94.488 metres to the west of the transmission line.

(Government Notice No. 236 of 1964)
XV-LENJE RESERVE

Boundaries:

Commencing at the confluence of the Ipumbu River with the Kafue River, the boundary follows the Ipumbu River eastwards to its source; thence a straight line in a southerly direction to the source of the Musipashi River and down that river to its junction with the Lukanga River; thence up the Lukanga River in an easterly direction to its junction with the Kalenda Stream; thence the Kalenda Stream to its source; thence a straight line to Lupumba Hill; thence in a southerly direction along the watershed between the Mulungushi River and the Lukanga Swamp to the north-west corner beacon of Mr. J. Harrison Clark's farm (Permit of Occupation No. 516 being extension of Permit of Occupation No. 496); thence along the west boundary of Mr. Harrison Clark's farm to the Munga River; thence eastwards along the Munga River to the north-western beacon of Farm No. 135a; thence along the western boundary of that farm to the Broken Hill-Lusaka Road; and thence to a point at the south of and adjoining Chamunkula Pool in a straight line passing through the north-western end of the Mukamwanji Hills; thence in a straight line to the source of Kalola Stream; thence down the Kalola Stream to its confluence with the Kembe Stream; thence in an easterly direction through Tundwe Hill, Nkanda Hill and Chikombwe Hills to the source of the Karubwe River and down that river to the railway strip; thence southwards along the railway strip and the alternate square kilometre railway farms to the northern boundary of Farm No. 375a; thence along the north, west and south boundaries of that farm to the western boundary of the Railway Farm at Ngwerere Siding; thence along the western and southern boundaries of that farm to the railway strip; thence southwards along the railway strip and the alternate square kilometre railway farms to a point on the railway strip opposite the south-western beacon of Farm No. 441a, Roma, on the east side of the railway; thence in a straight line to the source of the Chunga River; thence westwards down the Chunga River to the elbow where it turns northwards near the junction of the Chitumbwe Stream; thence a straight line to the north-east corner beacon of Farm No. 190a on the Namayani Stream and down that stream to the junction with the Mwembeshi River; thence down the Mwembeshi River to the junction with the Kabile Stream; thence down the Mwembeshi River to the junction with the Kabile Stream; thence up the Kabile Stream to its source; thence a straight line north-west to the source of the Lunjofwa River; thence north-west passing the sources of the Mafuta and Mundu Streams to the junction of the Mwapula Stream with the Musingashi River; thence a straight line to the source of the Kamwale Stream; thence a straight line to the Lukanga-Kafue confluence; thence northwards up the Kafue River to the junction of the Kasanga Stream; thence up the Kasanga stream to its source on the Kafue-Lunga watershed; thence northwards along this watershed to a point due west of the Mininga-Luswishi confluence; thence in a straight line eastwards to the Mininga-Luswishi confluence; thence down the Luswishi River to its confluence with the Kafue River; thence up the Kafue River to the point of starting.

(Substituted by Article 2 of Order No. 2 of 1933)

XVI-SOLI SHAMIFWE RESERVE

Boundaries:

Commencing at the source of the Nyangwena River in the Chainama Hills, the boundary follows the Nyangwena River to its junction with the Chongwe River; thence down the Chongwe River to the junction with the Chindaluwe Stream; thence a straight line in a north-easterly direction to the source of the Nyamashimbi
Stream; thence down that stream to its junction with the Musangashi River; thence a straight line to the nearest point on the Mwambashi River; thence up the Mwambashi River to the confluence with the Shamilonga Stream, then following that stream to its source in the Mulunduyanjati Hills; thence a straight line to the Nyawukundwe Hills; thence a straight line to the Nyamiwengi Hills; then a straight line in a north-west direction to the nearest point on the Pola Stream; thence up the Pola Stream to its source; thence a straight line to the Chainama Hills, then westwards along the Chainama Hills to the point of starting.

(Added by Article 2 of Order No. 1 of 1929)

Included within the boundaries defined above, but excluded from the Reserve:

Tract of land set aside for public purposes, namely, for inclusion in the International Game Park (Lower Zambezi):

Starting at a point on the Great East Road near Mile Peg 66, the boundary follows the Great East Road for approximately 2 kilometres to where the Great East Road is intersected by Trust Land No. V; thence on a bearing of approximately 105 for a distance of approximately 56 kilometres to a point on the Nyawukundwe Hill; thence on a bearing of approximately 150 for a distance of approximately 9 kilometres to a point on the Mulundunya Hills; thence on a bearing of approximately 110 for a distance of approximately 3 kilometres to the source of the Mwambashi River; thence down the Mwambashi River to its confluence with the Chisagmosa River; thence on a bearing of approximately 218 to the confluence of the Musangashi and Ikanda Rivers; thence up the Ikanda River to its source; thence on a bearing of approximately 250 for a distance of approximately 11 kilometres to the Chongwe River; thence up the Chongwe River for approximately 16 kilometres to its confluence with an unnamed tributary; thence northwards up the unnamed tributary to its source in the Nyamfuta Hills; thence following a track in an easterly and north-easterly direction for approximately 22 kilometres to the Chakwenga Road; thence northwards along this road to its junction with the Great East Road near Mile Peg 66, the point of starting.

(Gazette Notice No. 1562 of 1972)

XVII-SOLI WA MANYIKA RESERVE

Boundaries:

Commencing at the southern corner beacon of Kasisi Mission Farm No. 591, the boundary passes along the south-eastern and north-eastern borders of the Kasisi Mission land to the Ngwerere River; thence down that river to its junction with the Chongwe River; thence down the Chongwe River to its junction with the Luimba River; thence a straight line in a south-west direction to the Chalenga Hills; thence in a north-west direction to the south-east corner of Farm No. 322; thence along the eastern boundary of that farm to the Luimba River; thence up the Luimba River to the confluence with the Kalanga Stream; then up that stream to the south-east corner beacon of Farm No. 319a; then along the eastern boundary of that farm and the southern and eastern boundaries of Farm No. 317a and the eastern, northern and western boundaries of Farm No. 316a; thence along the north-east boundary of Farm No. 315a and the eastern boundary of Farm No. 448a; thence along the east, north and west boundaries of Farm No. 447a to the north-east corner beacon of Farm No. 87aH; thence in a north-west direction along the northern boundaries of the subdivisions G, F, E, D, C, B and A of Farm No. 87a and the north-east boundary of Farm No. 33a to the point of starting.
Included within the boundaries defined above, but excluded from the Reserve:

Tract of land set aside for public purposes:

That area of land in the Soli Wa Manyika Reserve No. XVII approximately 125.457 hectares in extent and 9.28393 kilometres in length on the route of the Kariba-Copperbelt power transmission line shown on map No. MISC. R.21 dated 5th April, 1960, and deposited in the office of the Surveyor-General, extending 39.624 metres to the east and 94.488 metres to the west of the transmission line.

(XVIII—SALA RESERVE)

Boundaries:

Commencing at the confluence of the Mukombwe Stream with the Mwembeshi River, the boundary follows the Mukombwe Stream to the north-west corner beacon of Farm No. 516; thence along the western and southern boundaries of that farm to Changula Hill; thence southwards along the western boundaries of Farms Nos. 899, 520 and 524 to Sanje Hill; thence a straight line south to Mamfwa Hill; thence a straight line almost due west to the north of the swamp on the Mwembeshi River; thence up the Mwembeshi River to the point of starting.

(Substituted by Article 2 of the Order of 1937* Government Notice No. 112 of 1937.*)

XIX—TONGA (SIGONGO) RESERVE

Boundaries:

Commencing at the south-east corner beacon of Farm No. 486a, the boundary passes in an easterly direction along the Dombwi Hills to the Keshia River; thence down that river to its confluence with the Kafue River; thence down the Kafue River to the north-east corner beacon of Farm No. 88a, thence along the north, west and south boundaries of that farm to the Kafue River; thence down the Kafue River to its junction with the Zambezi River; thence up the Zambezi River to the north-east beacon of Farm No. 80a; thence along the northern, western and southern boundaries of that farm to the Zambezi River; thence up the Zambezi River to a point about 19.308 kilometres beyond the junction of the Pondela Stream with the Zambezi River and about 16.09 kilometres below the point where the proposed Sinoia-Kafue railway crosses the Zambezi River; thence a straight line in a north-westerly direction passing the western side of Sibamenda pan to the point of starting.

Included within the boundaries defined above, but excluded from the Reserve:

Ibwe Munyama Mission (unsurveyed) 404.7 hectares in extent, situated on the Mulolobela Stream.

Chirundu Township, 14.5692 hectares in extent, situated on the Zambezi
XX-TONGA (MAGOYE) RESERVE

Boundaries:

Commencing at the most easterly beacon of Farm No. 108a, the boundary passes in a south-easterly direction till it reaches the Lusito River; thence down the Lusito River to its nearest point at the North Kariba Coal Syndicate area; thence a straight line to the north-east corner beacon of that Syndicate's area; thence along the northern border of that area to the north-west corner thereof; thence a straight line in a westerly direction to Chilala Hill; thence a straight line in a south-westerly direction to Mabwituba Hill; thence a straight line due south to Nakasonsa Hill; thence a straight line south-east to the Zambezi River at a point where the Inyubwe Stream flows into it; thence in a south-westerly direction up the Zambezi River to the junction with the Cheziya Stream; thence up the Cheziya Stream for about 19.308 kilometres to a point where the stream turns westwards; thence a straight line north-west to Chisingwe Hill; thence a straight line in a westerly direction to the north-east corner beacon of Hay and Tarr's Farm No. 500; thence along the east and north-west boundaries of that farm to the north-east corner beacon of Farm No. 501; thence along the northern boundary of that farm to its north-west corner beacon; thence a straight line in a north-westerly direction to the north-east corner beacon of the Railway Farm on the Magoye River; thence down the Magoye River to a point due west of the north-west corner beacon of Farm No. 273a; thence in a straight line to that beacon; thence along the southern boundaries of this farm, to the most southern beacon of Farm No. 9a; thence along the eastern boundaries of that farm back to the Magoye River; thence down the Magoye River to the north-east corner beacon of Farm No. 268a; thence along the northern boundary of that farm to the railway strip; thence northwards along the railway strip to the south-west corner beacon of Farm No. 628; thence along the southern boundaries of that farm and Farm No. 627 to the south-west corner beacon of Farm No. 511; thence along the southern boundary of that farm to the Magoye River; thence down the Magoye River to the north-east corner beacon of Farm No. 583; thence in a southeasterly direction for a distance of 8.44725 kilometres; thence due east for a distance of 3.219 kilometres; thence due north for a distance of 4.827 kilometres; thence in a northeasterly direction to the junction of Mambwe-a-weneni Stream with the Nawachindo Stream; thence down the Nawachindo Stream to the Magoye River; thence down the Magoye River to the south-west corner beacon of Farm No. 581; thence along the southeast boundary of that farm to its most easterly beacon; thence a straight line to the south-west corner beacon of Farm No. 214a and along the south-east boundary of that farm to the Ngwezi River; thence up the Ngwezi River to the south-east corner beacon of Farm No. 655; thence along the eastern boundary of that farm to Farm No. 172a; thence along the southern and eastern boundaries of that farm to the north-east corner
beacon thereof; thence a straight line to the south-east corner beacon of Farm No. 542; thence along the eastern boundaries of Farms Nos. 542, 253a and 493a to the Lusito River; thence down the Lusito River in an easterly direction to the south-east corner beacon of Farm No. 108a; thence along the eastern boundary of that farm to the point of starting.

(Substituted by Article 2 of Order No. 1 of 1931* Government Notice No. 78 of 1931.*)

* Government Notice No. 78 of 1931.

XXI-TONGA (CHOMA) RESERVE

Boundaries:

Commencing at Kauba Hill, the boundary runs due west till it meets the Nachiwa or Siamambo Stream at a point about 19.308 kilometres south-east of Choma Siding; thence it veers in a south-west direction crossing the Muzuma Stream about 22.526 kilometres south of Choma Station; thence to the south-east corner beacon of Farm No. 53a; thence a straight line to the north-east corner beacon of Farm No. 29a; thence along the eastern boundary of that farm to its most southerly beacon on the Kalongashya Stream; thence south down that stream for 4.827 kilometres and from that point a straight line due south to the Zambezi River; thence down the Zambezi River in an easterly direction to the north-eastern beacon of Lango Mission; thence along the boundaries of that Mission to its north-eastern beacon on the Zambezi River; thence down the Zambezi River to the south-eastern beacon of Kanchindu Mission; thence along the boundaries of that Mission to its eastern beacon on the Zambezi River; thence down the Zambezi River to the junction of the Nangombe Stream; thence up the Nangombe Stream to its source; thence a straight line in a northerly direction to the point of starting.

Included within the boundaries defined above, but excluded from the Reserve:

Farms Nos. 54a and 352a, Kaula Ranch, 7,584.078 hectares in extent, situated on the Mafuta River.

(Added by Article 2 of Order No. 1 of 1929)

* Government Notice No. 78 of 1931.

XXII-ILA-TONGA RESERVE

Boundaries:

Commencing at the confluence of the Musa River with the Kafue River, the boundary follows the western boundary of the Northern Copper Company's mineral grant to the south-west corner beacon thereof; thence a line in a southerly direction to the north-west beacon of Nanzela Mission Farm No. 207a, including 809.4 hectares on the western side of that line surrounding the village of Shezongo; thence along the northern and eastern boundaries of Nanzela Mission Farm to its south-eastern beacon on the Nanzela River; thence a straight line in a southerly direction to Dundumwense Hill; thence a straight line in an easterly direction to Siakaunda Hill; thence in a south-easterly direction to the junction of the Simakoya Stream with the Chechekwenkwe Stream; thence up the Chechekwenkwe Stream to its source; thence a straight line in a north-easterly
direction to the source of the Mbabala Stream; thence down that stream to the
south-west corner beacon of Farm No. 35a; thence along the west and north-west
boundaries of that farm to the most westerly beacon of Farm No. 36a; thence
along the north-west boundary of that farm to the most southerly beacon of Farm
No. 598; thence along the western boundary of that farm to its most northerly
beacon; thence along the south-west, north-west and northern boundaries of Farm
No. 64a, to its most easterly beacon; thence along the eastern boundary of Farm
No. 37a, to the north-west corner beacon of Farm No. 56a; thence along the
northern boundary of that farm to the north-east corner beacon thereof, on the
Mahumba River; thence a straight line in a north-easterly direction to the most
westerly beacon of Farm No. 8a; thence along the north-west boundary of that
farm to the most westerly beacon of Farm No. 256a; thence along the northern
boundary of that farm to the most northerly beacon of Farm No. 258a; thence
along the north-eastern boundary of that farm to the most northerly beacon of
Farm No. 260a; thence along the eastern boundary of that farm to the most
northerly beacon of Farm No. 262a; thence along the north-eastern boundary of
that farm to the most northerly beacon of Farm No. 7a; thence along the northern
boundary of Farm No. 6a to the north-western beacon of Farm No. 267a; thence
along the northern boundary of that farm to the railway strip; thence northwards
along the railway strip to the south-east corner of Farm No. 513 at Monze
Siding; thence along the southern boundary of that farm to the south-west corner
beacon thereof; thence along the southern boundary of Farm No. 276a to the
north-east corner beacon of Farm No. 512; thence along the south-eastern and
western boundaries of that farm to its most westerly beacon; thence west along
the southern boundary of Farm No. 276a to its most westerly beacon; thence along
its western boundary to the most westerly beacon of Farm No. 588; thence along
the western boundaries of Farms Nos. 588 and 587 to the north-west corner beacon
of Farm No. 587; thence in a straight line in a north-easterly direction to the
most westerly beacon of Farm No. 543; thence along the north-west boundary of
that farm to the Magoye River; thence down the Magoye River in a northerly
direction till it loses itself in the Kafue Flats; thence in a straight line in
a north-westerly direction to the Kafue River at a point 24.135 kilometres east
of Lochinvar Ranch; thence in a westerly direction up the Kafue River to
Lockinvar Ranch; thence along the eastern, southern and western boundaries of
Lockinvar Ranch to the north-west corner beacon thereof; thence eastwards down
the Kafue River for a distance of 6.436 kilometres; thence in a straight line in
a north-westerly direction to a point 9.654 kilometres south-west of the
north-west beacon of Farm No. 570; thence north-westwards in a straight line to
a point on the Chibila Stream 1.609 kilometres south of the crossing of the old
Mumbwa-Namwala mail path; thence in a straight line north-westwards to Chalobeti
Hill; thence in a straight line south-westwards to Chinenga Old Boma; thence in
a straight line westwards to the confluence of the Mwengwa Stream with the Kafue
River; thence down the Kafue River to the point of starting.

Included within the boundaries defined above, but excluded from the Reserve are:

Farm No. 445a, Macha Mission, 1,215.3141 hectares in extent, situated on
the Macha Stream.

Farm No. 184a, Mapanza Mission, 39.2559 hectares in extent, situated on
the Munyeke River.

Farm No. 185a, Shakashina Mission, 8.9034 hectares in extent, situated
on the Munyeke River.

Lot 267/M, Kasenga Mission, 40.47 hectares in extent.
Farm No. 191a, Ibamba Ranch, 2,429.4141 hectares in extent, situated on the Kafue River, and Farm No. 712, Ibamba Ranch Extension, 808.5906 hectares in extent, situated on the Kafue River.

Namwala Township (G.N. No. 146 of 1962).

Monze Aerodrome (provisional), 404.7 hectares, unsurveyed.

(Substituted by Article 2 of Order No. 1 of 1933,* Government Notice No. 81 of 1933.*, as amended by Article 2 of the Order of 1960 Government Notice No. 3 of 1961.* and by Government Notice No. 146 of 1962)


* Government Notice No. 81 of 1933.

Government Notice No. 3 of 1961.

Tract of land set aside for public purposes:

FARM NO. 3602-MUCHILA SETTLEMENT SCHEME

Starting at the most northerly point of Farm No. 3601 at latitude 16 15' 48" S and longitude 26 37' 48" E approximately, the boundary follows in a straight line in a general easterly direction to a point at latitude 16 16' 08" S and longitude 26 40' 04" E approximately; thence in a straight line in a south-easterly direction to a point at latitude 16 16' 30" S and longitude 26 40' 13" E approximately; thence in a straight line in a general southerly direction to a point at latitude 16 16' 55" S and longitude 26 40' 07" E approximately; thence in a straight line in a westerly direction to a point at latitude 16 16' 57" S and longitude 26 39' 46" E approximately; thence in a straight line in a southerly direction to a point at latitude 16 17' 05" S and longitude 26 38' 04" E approximately; thence in a straight line in a north-westerly direction to a point at latitude 16 16' 58" S and longitude 26 37' 54" E approximately; thence in a straight line in a north-westerly direction to a point at latitude 16 16' 08" S and longitude 26 37' 37" E approximately; thence in a straight line in a north-easterly direction to the point of starting.

(Statutory Instrument No. 41 of 1970)

XXIII-NKOYA RESERVE

Boundaries:

Commencing at the point on the Machili River where the old Kalomo-Mongu wagon road crosses it, the boundary follows the Machili River to the place near its source where the Mankoya, Namwala, Kalomo and Livingstone sub-districts meet; thence it follows in an easterly direction the boundary between the Kalomo and Livingstone sub-districts; thence it veers in a southern direction along the same boundary to the old Kalomo-Mongu wagon road and thence in a westerly direction along the old Kalomo-Mongu road to the point of starting.

(Added by Article 2 of Order No. 1 of 1929)
XXIV-TOKA RESERVE

Boundaries:

Commencing at the north-west corner beacon of Farm No. 11a on the Sinde River, the boundary follows the Sinde River in a northerly direction to the south-east corner beacon of Farm No. 420a; thence along the southern, western and northern boundaries of that farm to its north-east corner beacon on the Sinde River; thence up the Sinde River in a northerly direction to the south-east corner beacon of the Church of Christ Mission Land Grant; thence along the southern, western and northern boundaries of that Land Grant to its north-east corner beacon on the Sinde River; thence northwards up the Sinde River to the junction of the Simwida River; thence up the Simwida River to its source; thence a straight line northwards to the junction of the Nampongo Stream with the Ngwezi River northwards up the Ngwezi River to the junction of the Mukwere Stream; thence a straight line due north to the boundary between the Kalomo and Livingstone sub-districts; thence west along the boundary between these sub-districts to the Mulumetawe Stream; thence a straight line due west to a point on the Machili River about 28.962 kilometres north of its confluence with the Zambezi River; thence southwards along the Machili and Kasai Rivers to the confluence of the latter with the Zambezi; thence down the Zambezi to the south-west beacon E158 of Farm No. 719, Butesi; thence along the western and northern boundaries of that farm to Beacon E156 on the Butesi Stream; thence up the Butesi Stream to its junction with the Bovu or Kalamba Stream; thence up the Bovu or Kalamba Stream to its junction with the Kaola Stream; thence in a straight line eastwards to the point of starting.

(Added by Article 2 of Order No. 1 of 1929)

Included within the boundaries defined above, but excluded from the Reserve:

Tract of land set aside as a Government Station:

KAZUNGULA QUARANTINE AREA

An area approximately 809.4 hectares in extent bounded by a fence starting from the Zambezi River bank at a point 2.4135 kilometres east of the Livestock Officer's house, and running north for 0.8045 kilometres; thence north-west for 7.2405 kilometres; thence south-west to the Zambezi River and by the Zambezi; thence to the point of starting.

Chief Sikute's area of 0.8045 kilometres of river frontage with a depth of 411.48 metres at the downstream end and of 45.72 metres at the upstream end, reached by a 12.192 metres wide access strip from the fence on the north lies within, but is excluded from, the quarantine area.

The area is shown on a plan deposited in the office of the Surveyor-General and numbered T.338.

(Government Notice No. 229 of 1950)

XXV-BALEYA RESERVE

Boundaries:

Commencing on the Zambezi River at the point where it is intersected by the south-eastern boundary of the land granted to the Victoria Falls and Transvaal...
Power Company, the boundary follows along the south-eastern and eastern boundaries of that grant to its north-east corner beacon; thence a straight line due north to the Nansanzu Stream; thence up the Nansanzu Stream to the south-east corner beacon of Farm No. 432a (Heywood Extension); thence along the eastern boundary of that farm to the most southerly beacon of Farm No. 2a; thence along the eastern boundaries of Farms Nos. 2a, 430a, 429a and 426a to the north-east corner beacon of Farm No. 426a; thence a straight line in a north-easterly direction to Kenda Hill; thence a straight line due east crossing the Zimba River to the Kalomo-Livingstone sub-district boundary; thence along the boundary of these sub-districts in a southerly direction to the Kalomo River; thence down the Kalomo River to its junction with the Zambezi River thence in a westerly direction up the Zambezi River to the point of starting.

(Added by Article 2 of Order No. 1 of 1929)

XXVI-LUBA RESERVE

Boundaries:

Starting at the confluence of the Mwengwa Stream with the Kafue River, the boundary passes in a straight line eastwards to Chinenga Old Boma; thence in a straight line north-eastwards to Chalobeti Hill; thence in a straight line south-eastwards to a point on the Chibila Stream 1.609 kilometres south of the crossing of the old Mumbwa-Namwala mail path; thence in a straight line south-eastwards to a point 9.654 kilometres south-west of the north-western beacon of Farm No. 570; thence in a straight line in a south-easterly direction to a point on the Kafue River 6.436 kilometres east of the north-west corner beacon of Lochinvar Ranch; thence eastwards down the Kafue River to the north-east corner beacon of Lochinvar Ranch; thence a straight line in a north-easterly direction to the junction of the Nangoma River with the Namwagu Lagoon; thence in an easterly direction along the Namwagu Lagoon to the south-west corner beacon of the Blue Lagoon Ranch, Farm No. 570; thence along the western boundary of that ranch to its north-west corner beacon; thence in a straight line in a north-westerly direction to Chalobeti Hill; thence in a straight line westwards to a point on the Nansenga River due east of Mwako Hill; thence in a northerly direction up the Nansenga River to its junction with the Kachereka Stream to its source; thence a straight line in a westerly direction to the junction of the Nangomba Stream with the Kafue River; thence down the Kafue River in a southerly direction to the point of starting.

(Added by Article 2 of Order No. 1 of 1933, as amended by Article 2 of the Order of 1950* Government Notice No. 21 of 1951.*)

* Government Notice No. 21 of 1951.

XXVII-LUNGU (ZOMBE) RESERVE

Boundaries:

Commencing at the mouth of the Kalambo River where it flows into Lake Tanganyika, the boundary follows the border of Tanzania and the Kalambo Falls Reserve to the source of the Nkomba Stream; thence down the Nkomba Stream to its junction with the Lumi Stream; thence up the Lumi Stream to the south-eastern corner beacon of Nakatali Farm No. T.31; thence along the northern and eastern boundaries of that farm to the north-western beacon thereof; thence in a straight line in a south-westerly direction to the north-easterly beacon of Farm
No. 10 N.E.R., now No. T.5; thence along the northern boundary of that farm to the north-western beacon thereof; thence in a straight line to the most northerly beacon of Isanya Farm No. T.33, on the Luchenche Stream; thence along the north-western boundary of that farm to the Isanya Stream; thence down the Isanya Stream to its junction with the Mwambezi Stream; thence down the Mwambezi Stream to its confluence with the Lunzua River; thence down the Lunzua River to Lake Tanganyika; thence along the Lake shore in a southerly direction to the most westerly beacon of Farm No. 14 N.E.R., now No. T.9, Kituta; thence along the south-western, south-eastern and north-eastern boundaries of the said farm to its most northerly beacon on Lake Tanganyika; thence along the Lake shore in a northerly direction to the point of starting.

(Added by Article 7 of Order No. 1 of 1963)

* Government Notice No. 21 of 1951.

**XXVIII—LUNGU (TAFUNA) RESERVE**

**Boundaries:**

Commencing at the mouth of the Izi River where it flows into Lake Tanganyika, the boundary follows the river and western boundary of Farm No. T.80 to the south-western beacon thereof on the Izi River; thence up the Izi River in the Mwenda escarpment to the summit thereof; thence up the Izi River—which is called the Chirombo at this point—to its source; thence in a straight line to the source of the Kapondwa Stream; thence down the Kapondwa Stream to its junction with the Musengeshi River; thence down the Musengeshi River to its junction with the Mululwe River; thence up the Mululwe River to its source; thence in a straight line to the source of the Mpanga Stream; thence down the Mpanga Stream to its junction with the Musombezi Stream; thence down the Musombezi Stream to the Abercorn-Kasama motor road; thence in a southerly direction along the Abercorn-Kasama motor road to its junction with the Abercorn-Mporokoso motor road; thence along the Mporokoso motor road to the Will Stream; thence down the Will Stream to its junction with the Luchenche Stream; thence down the Luchenche Stream to the Lufu River; thence up the Lufu River to its junction with the Chalonkanda Stream; thence up the Chalonkanda Stream to its source on the Mporokoso motor road; thence along the Mporokoso motor road to the turn off to Kapatu Mission; thence in a north-westerly direction along the watershed between the Lufu and Luangwa Rivers to the source of the Chitete Stream; thence down the Chitete Stream to the Lufu River; thence up the Lufu River to the junction of the Mufumwe Stream; thence up the Mufumwe Stream, to its junction with the Namukonda Stream; thence up the Namukonda Stream to its source; thence in a straight line to the source of the Namuka Stream; thence down the Namuka Stream to its junction with the Kalongolo River; thence down the Kalongolo River to its junction with the Chambezi River; thence down the Chambezi River to its junction with the Lufu River; thence down the Lufu River to lake Tanganyika; thence along the Lake shore in an easterly direction to the point of starting.

Included within the boundaries as defined above, but excluded from the Reserve:

Kambole Mission Farm No. 4 N.E.R., 2,435.2284 hectares in extent, situated on the Kambole Stream.

Senga Hill Mission Farm No. T.29, 26.761596 hectares in extent, situated by Mpwani Hill.

(Added by Article 7 of Order No. 1 of 1963)
XXIX-LUNGU (MUKUPA) RESERVE

Boundaries:

Commencing at the junction of the Chundu Stream with the Luangwa River, the boundary follows the Luangwa River to its source; thence in a straight line in a southerly direction to the source of the Kafubu River; thence in a straight line to the source of the Lesser Mwelakumbi River; thence down the Lesser Mwelakumbi River to its junction with the Lukulu River; thence up the Lukulu River to its source; thence in a straight line in a northerly direction, cutting the Kalungwisi River, to the source of the Fiwale Stream; thence down the Fiwale Stream for 8.045 kilometres; thence in a straight line to the source of the Kanona Stream; thence down the Kanona Stream to its junction with the Lukulu River; thence in a straight line to the source of the Chundu Stream; thence down the Chundu Stream to the point of starting.

(Added by Article 7 of Order No. 1 of 1963)

XXX-MAMBWE (FWAMBO) RESERVE

Boundaries:

Commencing at the north-eastern corner beacon of Kawimbi Mission land grant, the boundary follows the Lumi River to its junction with the Saisi River; thence up the Saisi River to the most westerly beacon of Farm No. 16 N.E.R. now T.10 (Jericho); thence along the south-western boundary of that farm to the Mwambala River; thence up the Mwambala River to its junction with the Chipila Stream; thence up the Chipila Stream to its junction with the Chisenga Stream; thence up the Chisenga Stream to its source; thence in a straight line to the south-eastern corner beacon of Farm No. 569, now No. T.28; thence along the eastern and northern boundaries of that farm to the Saisi River; thence down the Saisi River to the north-easterly beacon of Itimbwe Farm No. T.30; thence along the northern boundary of that farm to the north-west corner beacon thereof; thence in a straight line to the south-west corner beacon of Farm No. 43 N.E.R., now No. T.14; thence along the southern, eastern and northern boundaries of that farm to the north-west corner beacon thereof; thence in a straight line to the most easterly beacon of Farm No. 40 N.E.R., now No. T.13; thence in a straight line to the south-west corner beacon of Nakatali Farm No. T.31; thence along the southern border of that farm to the south-west corner beacon of Kawimbi Mission land grant; thence along the southern and eastern boundaries of that land grant to the point of starting.

(Added by Article 7 of Order No. 1 of 1963)

XXXI-MAMBWE (NSOKOLO) RESERVE

Boundaries:

Commencing at Beacon W231, the south-western corner beacon of Farm No. 563, now No. T.22, the boundary follows the southern boundaries of this farm and Farms Nos. 564, now No. T.23, 565, now No. T.24, 566, now No. T.25, 567, now No. T.26, to the Kamuswadzi River; thence up the Kamuswadzi River to its source; thence in an easterly direction along the watershed between the Saisi and Chozi Rivers to Beacon B309 on Nausa Hill; thence in a straight line to the source of the Chisanzu Stream; thence down the Chisanzu Stream to the Chozi River; thence in a straight line to the junction of the Sansi Stream with the Itende River; thence
up the Itende River to its source; thence in a straight line to Beacon B307 between the source of the Kayesuma Stream and the source of the Nyando Stream; thence in a straight line to Ponya Hill; thence in a straight line to the junction of the Kasinda Stream with the Mwambe Stream; thence down the Mwambe Stream to its junction with the Kasenda Stream; thence in a straight line to the source of the Kamalungu Stream; thence down the Kamalungu Stream to its junction with the Fuila Stream; thence up the Fuila Stream to its source; thence in a straight line to the source of the Tiswe Stream; thence down the Tiswe stream to its junction with the Kabishya River; thence down the Kabishya River to its junction with the Munongo (Mwanamonga) Stream; thence up the Munongo Stream to its source; thence in a westerly and southerly direction along the watershed between the Kabishya and Kaonya Rivers to the source of the Pambwe Stream; thence down the Pambwe Stream to its junction with the Kaonya River; thence down the Kaonya River to the Chambezi River; thence up the Chambezi River to the Abercorn-Kasama motor road; thence in a northerly direction along the Abercorn-Kasama motor road to where the Masamba Stream crosses the road; thence eastward to Beacon W231, the point of starting.

(Added by Article 7 of Order No. 1 of 1963)

XXXII-TABWA RESERVE

Boundaries:

Commencing at the northern point of Sumbu Bay, the boundary follows the watershed between the Mungera Stream and the Chisala Stream in a westerly and southerly direction round the source of the Chikuka Stream; thence in a straight line to Lake Kako cutting through the centre of that lake; thence in a southerly direction to a point on the Lufu River 1.609 kilometres north of the Mukotwe-Lufu confluence; thence up the Lufu River to the Mukotwe junction; thence up the Mukotwe River to the top of the Muchinga escarpment; thence along the Muchinga Range in a westerly direction to the source of the Mwambeshi River; thence down the Mwambeshi River to the Mweru Marsh; thence along the eastern boundary of the Mweru Marsh to the mouth of the Chisyera River; thence up the Chisyera and, or, the Mukongi River to where it crosses the boundary of the Republic of the Congo at approximately latitude 8 17' South and longitude 30 13' East; thence along the international boundary to Cape Pungu on Lake Tanganyika; thence in a southerly direction along the Lake shore to the point of starting.

(Added by Article 7 of Order No. 1 of 1963)

XXXIII-WEMBA (MPOROKOSO) RESERVE

Boundaries:

Commencing at the Lupupa Falls on the Mukuwe River, the boundary follows the Mukuwe River to the Chiengi District border; thence along the border of the Chiengi District to the source of the Mwambeshi River in the Muchinga escarpment; thence along the Muchinga escarpment in an easterly direction to the source of the Chitete Stream; thence in an easterly and southerly direction along the watershed between the Lufu and Luangwa Rivers to the Mporokosso-Abercorn motor road at the turn-off to Kapatu Mission and near the source of the Lufu River; thence along the Abercorn-Mporokosso motor road in an easterly direction to the source of the Luendawe Stream; thence down the Luendawe Stream to its junction with the Luombe River; thence down the Luombe River to its junction with the Kafubu River; thence up the Kafubu River to its
source; thence in a straight line to the source of the Luangwa River; thence down the Luangwa River to Chimbofuma Stream; thence up the Chimbofuma Stream to its source; thence in a straight line to the source of the Itabo River; thence in a straight line to the point of starting.

Included within the boundaries as defined above, but excluded from the Reserve:

Kapatu Mission Farm No. 64 N.E.R., 396.606 hectares in extent, situated on the Chilenge Stream.

Kashindu Mission Farm No. 65 N.E.R., 203.27393 hectares in extent, situated on the Kashindu Stream.

Mporokoso Government Reserve, unsurveyed, 404.7 hectares in extent, situated around Mporokoso Government Station.

(Added by Article 7 of Order No. 1 of 1963)

XXXIV-WEMBA (MAKASA) RESERVE

Boundaries:

Commencing at the junction of the Songolwe Stream with the Chamfubu River, the boundary follows the Songolwe Stream to its source; thence in a northerly direction along the watershed between the Luombe and Losa Rivers to the source of the Losa River; thence in a straight line to the source of the Luela Stream; thence down the Luela Stream to its junction with the Chambezi River; thence up the Chambezi River to its junction with the Kaonya Stream; thence up the Kaonya Stream to its intersection with Parallel of Latitude 9°30' South; thence eastward along the said Parallel of Latitude to its point of intersection with the Luchewe River; thence down the Luchewe River to the Luwala Swamp; thence in a straight line in a south-westerly direction to the junction of the Mifunsu Stream with the Chambezi River; thence up the Chambezi River to the junction of the Chamfubu River; thence up the Chamfubu River to the point of starting.

Included within the boundaries as defined above, but excluded from the Reserve:

Farm No. 1089, Rosa Mission, 169.974 hectares in extent, situated on the left bank of the Losa River.

(Added by Article 7 of Order No. 1 of 1963)

XXXV-WEMBA (MUWANGA) RESERVE

Boundaries:

Commencing at the confluence of the Kasawira Stream with the Katonga River, the boundary follows the Kasawira Stream to its junction with the Vilonge Stream; thence up the Vilonge Stream to its source; thence in a straight line in a northerly direction to the Chirundula River; thence down the Chirundula River to its junction with the Chilunda River; thence down the Chilunda River to its junction with the Mbewa Stream; thence up the Mbewa Stream to its source; thence in a straight line in a southerly direction to the source of the Mansenke Stream; thence down the Mansenke Stream to its junction with the Vilolo Stream; thence up the Vilolo Stream to its source; thence in a straight line in a westerly direction to the source of the Katonga River; thence down the Katonga River to the point of starting.
XXXVI-INAMWANGA RESERVE

Boundaries:

Commencing at the junction of the Chozi River with the Kalungu River, the boundary follows the Kalungu River to its junction with the Nakonde Stream; thence up the Nakonde Stream to the confluence of the Ikawa Stream; thence up the Ikawa Stream to the Tanzania border; thence along the Tanzania border in a westerly and northerly direction to the source of the Ntanana Stream; thence down the Ntanana Stream to its junction with the Nombwe Stream; thence down the Nombwe Stream to its junction with the Luchinde Stream; thence down the Luchinde Stream to its junction with the Chozi River; thence down the Chozi River to the point of starting.

Included within the boundaries as defined above, but excluded from the Reserve:

Msanza Farm, No. 1 N.E.R., now No. T.1, 2,578,829.3 hectares in extent, situated at the headwaters of the Msanza Stream.

Mwenzo Mission Farm No. 2 N.E.R., now No. T.2, 1,239.3366 hectares in extent, situated at the headwaters of the Nakonde Stream.

Tract of land set aside as a Government Station:

A rectangular area 4,047 hectares in extent situated to the east of the new Isoka-Tunduma Road. The area has a frontage of 914.4 metres to the road and a depth of 442.5696 metres at right angles to it, the north-west corner of the area being a point 548.64 metres north of the Nakonde Stream.

XXXVII-IWA (MWENI MPANZA) RESERVE

Boundaries:

Commencing at the confluence of the Miwanga Stream with the Mwimbwe Stream, the boundary follows the Mwimbwe Stream in an easterly direction to Nyimbo Hill; thence in a northerly and westerly direction along the Malawi and Tanzania borders to the source of the Munsamu Stream; thence down the Munsamu Stream to its junction with the Miwanga Stream; thence down the Miwanga Stream to the point of starting.

XXXVIII-IWA (KAFWIMBI) RESERVE

Boundaries:

Commencing at the junction of the Mbewa Stream with the Chirunda River, the boundary follows the Chirunda River to its junction with the Lwanga Lagoon (Katonga River); thence up the centre of the Lwanga Lagoon to the merging of the lagoon in the Lwanga Plain; thence through the Plain to its junction with the Kawanga Plain or dambo; thence up the centre of the Kawanga Plain until the Mwenda Stream is recognisable and up the Mwenda Stream to its source; thence in
a straight line in an easterly direction to the source of the Chisanga Stream; thence down the Chisanga Stream to its junction with the Mulungwizi Stream; thence down the Mulungwizi Stream to its junction with the Mwangwe Stream; thence in a southerly direction along the peaks of the Chisote Hills to the junction of the Nansolo Stream and Kawandama River; thence up the Nansolo Stream to its source; thence along the watershed between the Katonga and Kawandama Rivers to the source of the Chiwonga Stream; thence down the Chiwonga Stream to its junction with the Kawumba Stream; thence down the Kawumba Stream to its junction with the Lualizi Stream; thence in a straight line south-east to Chilundubwe Hill; thence in a westerly direction along the watershed between the Nkanka River and the Lualizi River to the source of the Mwitakuwiri Stream; thence down the Mwitakuwiri Stream to the Nkanka River; thence up the Nkanka River to its junction with the Kachinga Stream; thence up the Kachinga Stream to its source; thence in a straight line to the source of the Mitawa Stream; thence down the Kasakalambwe Stream to its junction with the Malalo Stream; thence up the Malalo Stream to its source; thence in a westerly direction to the source of the Vilolo Stream; thence down the Vilolo Stream to its junction with the Mansenke Stream; thence up the Mansenke Stream to its source; thence in a northerly direction to the source of the Mbewa Stream; thence down the Mbewa Stream to the point of starting.

Included within the boundaries as defined above, but excluded from the Reserve:

Dell Farm No. 61 N.E.R., 3,088.530 acres in extent, situated at the headwaters of the Lungu River.

Isoka Government Reserve, unsurveyed, 1,000 acres in extent, situated around Isoka Government Station on the Isoka River.

(Added by Article 7 of Order No. 1 of 1963)

XXXIX-TAMBO-FUNGWE-KAMANGA RESERVE

Boundaries:

Commencing at the junction of the Mulungwizi River with the Luangwa River, the boundary follows the Luangwa River to its junction with the Songole Stream; thence up the Songole Stream to its junction with the M pembe Stream; thence up the Mpembe Stream to its source on the Malawi border; thence in a south-easterly and south-westerly direction along the Malawi border to the source of the Shinunu Stream; thence down the Shinunu Stream to its junction with the Luwumbu River; thence up the Luwumbu River to the Nkande Stream; thence up the Nkande Stream to its source; thence in a straight line to the source of the Kakuyu Stream; thence down the Kakuyu Stream to the Mpande River; thence down the Mpande River to its junction with the Kasamba Stream; thence in a straight line north to the source of the Chendela Stream; thence down the Chendela Stream to its junction with the Wila River; thence up the Wila River to its junction with the Chimillia Stream; thence up the Chimillia Stream to its source; thence in a straight line due east to the Luwuwuzi Stream; thence up the Luwuwuzi Stream to its source; thence in a westerly direction along the watershed between the Kawundi and Kamimbi Rivers to the source of the Kasunsu Stream; thence down the Kasunsu Stream to its junction with the Chilumbi Stream; thence down the Chilumbi Stream to its junction with the Kamimbi River; thence in a straight line in a westerly direction to the junction of the Vitukutu Stream with the Luangwa River; thence down the Luangwa River to the junction of the Lualizi River; thence up the Lualizi River to its junction with the Kawumba Stream;
thence up the Kawumba Stream to its junction with the Chiwonga Stream; thence up the Chiwonga Stream to its source; thence in a northerly direction along the watershed between the Katonga and Kawandama Rivers to the source of the Nansolo Stream; thence down the Nansolo Stream to its junction with the Kawandama River; thence in a north-easterly direction along the ridge of the Chisote Hills to the junction of the Mwangwe and Mulungwizi rivers; thence down the Mulungwizi Rivers to the point of starting.

(Added by Article 7 of Order No. 1 of 1963)

APPENDANT RIGHTS

The rights of the natives residing in the Abercorn and Isoka Districts to fish in the Chambezi, Chozi and Kalungu Rivers and in the Luanga Lagoon and the swamp adjacent thereto existing on 27th December, 1929, with due access for the purpose of exercising and said rights are hereby confirmed and assigned to the Secretary of State in trust for the aforesaid natives in perpetuity.

(Added by Article 7 of Order No. 1 of 1963)

XL-WESTERN PROVINCE RESERVE

Boundaries:

Starting at the source of the Machili River, the boundary follows this river in a general southerly direction to a point opposite Beacon Y8, the north-western corner beacon of Farm No. 946; thence along the northern, eastern and southern boundaries of this farm passing through Beacons Y8, Y7, Y6, Y5, Y4, Y3 and Y2 to Beacon Y1 on the left bank of the Machili River; thence down the Machili River to its confluence with the Kasaya River; thence down the Kasaya River to its confluence with the Zambezi River; thence westwards along the international boundary between Zambia and Namibia up the Zambezi River to the beacon of the said international boundary on the right bank of the Zambezi River at the Katima Mulilo Rapids; thence in a straight line south-westwards continuing along the international boundary to its point common with the Zambia-Angola international boundary at the edge of the floodwater of the Kwando or Mashi River on the left bank of that river; thence in a north-westerly direction along the said international boundary up the floodwater line on the left bank of the Kwando or Mashi River to Beacon H37 on the 22nd meridian east longitude; thence northwards following the said international boundary to its intersection with the Lutembwe River near boundary pillar M10; thence down the right bank of the Lutembwe River to the confluence of that river with the Lungwebungu River; thence following the right bank of the Lungwebungu River to its confluence with the Litapi River; thence northwards to the source of the Kawelele Stream; thence down the Kawelele Stream to its confluence with the Chinonwe River; thence due north-eastwards to a point on the watershed between the Chinonwe and Kashizhi rivers; thence south-eastwards along this watershed to a point south-west of the confluences of the Kashizhi and Mukumba rivers; thence in a straight line to this confluence; thence up the Mukumba River to its source on the watershed between the Kashizhi and Zambezi rivers; thence southwards along this watershed to the source of the Kabulu Stream; thence down the Kabulu Stream to its confluence with the Zambezi River; thence down the Zambezi River to its confluence with the Kabompo River; thence up the Kabompo River to its confluence with the Dongwe River; thence up the Dongwe River to its confluence with the Lalafuta River; thence up the Lalafuta River to its source; thence southwards along the watershed of the Zambezi and Kafue rivers to the source of the Machili River, the point of starting.
THE ZAMBIA (STATE LANDS AND RESERVES) 
ORDERS, 1964

AT THE COURT AT BUCKINGHAM PALACE, THE 15TH DAY OF 
OCTOBER, 1964

Present:

THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL

HER MAJESTY, by virtue and in exercise of the powers vested in Her in that 
behalf by the Foreign Jurisdiction Act, 1890, is pleased, by and with the advice 
of Her Privy Council, to order, and it is hereby ordered, as follows:

1. (1) This Order may be cited as the Zambia (State Lands and Reserves) Order, 
1964. Citation, commencement and construction

(2) This Order shall come into operation immediately before 24th October, 1964. 

(3) This Order shall be construed as one with the Northern Rhodesia (Crown Lands 
and Native Reserves) Orders in Council, 1928 to 1963.

2. (Had its effect)

3. All rights in or in relation to Crown lands or other immovable property in 
Northern Rhodesia that are vested in Her Majesty immediately before the 
commencement of this Order shall, on the commencement of this Order, be 
transferred to and vest in the President of the Republic of Zambia. Vesting of 
rights in Crown lands, etc., in President

4. All native reserves that, immediately before the commencement of this 
Order, are vested in the Secretary of State shall, on the commencement of this 
Order, be transferred to and vest in the President of the Republic of 
Zambia. Vesting of native reserves in President

5. Nothing in this Order or the Zambia Independence Order, 1964, shall affect 
any estate, right or interest in or over any land or other immovable property 
which-

(a) the Governor or any other officer or authority of the Government of 
Northern Rhodesia, acting in exercise of any power in that behalf conferred by 
or under the Northern Rhodesia (Crown Lands or Native Reserves) Order in 
Council, 1928, or any Order amending that Order, has at any time before the 
commencement of this Order created, granted recognised or otherwise 
acknowledged; or

(b) is recognised or otherwise acknowledged by any provision of the Northern 
Rhodesia (Crown Lands and Native Reserves) Order in Council, 1928, or any Order 
amending that Order as an estate, right or interest of any person other than Her 
Majesty or the Secretary of State;

and accordingly those estates, rights and interests shall continue to have the 
same validity as they had before the commencement of this Order and the Zambia 
Saving of existing rights

THE ZAMBIA (TRUST LAND) ORDERS,
1947 TO 1964

AT THE COURT AT BUCKINGHAM PALACE, THE 14TH DAY OF
OCTOBER, 1947

Present:

THE KING'S MOST EXCELLENT MAJESTY

WHEREAS a Commission was appointed by His Excellency the Governor of Northern
Rhodesia in the year 1942 to inquire into what land in Northern Rhodesia not
already alienated should be set aside as Crown Land and what land should be
constituted Native Trust Land:

AND WHEREAS the Commission has made certain recommendations to which it is
expedient to give effect in manner hereinafter appearing:

Now, THEREFORE, His Majesty, in pursuance of the powers vested in Him by the
Foreign Jurisdiction Act, 1890, and of all other powers enabling Him in that
behalf, is pleased, by and with the advice of His Privy Council, to order, and
it is hereby ordered, as follows:

1. This Order may be cited as the Zambia (Trust Land) Orders, 1947 to 1964.

(As amended by section 2 of the Order of 1964* Statutory Instrument No. 5 of
1964.*)

* Statutory Instrument No. 5 of 1964.

2. (1) In this Order, unless the context otherwise requires:

"the Fund" means the Trust Land Fund established under section 7;

"the Gazette" means the official Gazette of the Government of Zambia;

"native" means any member of the aboriginal tribes or races of Africa and
includes any person having the blood of any such tribe or race and living among
and after the manner of any such tribe or race;

"occupier" means any person to whom a right of occupancy has been granted under
section 5, a person whose title has been confirmed under section 4, and a native
or native community lawfully using or occupying land in accordance with native
law and custom;

"public purposes" includes the following purposes:

(a) for exclusive Government use, for the use of the native inhabitants of
Zambia, or for general public use;
(b) for or in connection with sanitary improvements of any kind including reclaims;

(c) for or in connection with the laying out of any new township or Government station, or the extension or improvement of any existing township or Government station;

(d) for or in connection with aviation;

(e) for the construction of any railway authorised by legislation;

(f) for obtaining control over land contiguous to any railway, road or other public works constructed or intended at any time to be constructed by Government;

(g) for obtaining control over land required for or in connection with mining or hydro-electric purposes;

(h) for the conservation and production of forest produce;

"rural council" means a rural council established or deemed to have been established under the Local Government Act;* The Local Government Act is Cap. 281 in this Edition.*

* The Local Government Act is Cap. 281 in this Edition.

"Trust Land" means the land set apart by section 3 of this Order, as from time to time amended, for the sole use and benefit, direct or indirect, of the natives of Zambia;

"unexhausted improvement" means anything or any quality permanently attached to the land directly resulting from the expenditure of capital or labour by an occupier or any person acting on his behalf, and increasing the productive capacity, the utility or the amenity thereof, but does not include the result of ordinary cultivation other than growing crops or other produce.Cap. 480 of the 1971 Edition of the Laws

(2) The Interpretation Act, 1889, shall apply, with the necessary adaptations, for the purpose of interpreting this Order and otherwise in relation thereto as it applies for the purposes of interpreting, and in relation to, Acts of Parliament of the United Kingdom.


3. (1) The land described in the Schedule hereto is hereby declared to be Trust Land.

(2) When any land lying within the boundary of Trust Land as set out in the Schedule hereto but expressly stated in the Schedule not to be Trust Land is surrendered or reverts to the President it shall become Trust Land or continue
to be excluded as the President may declare by notice in the Gazette.

(3) The President may make such adjustments of the boundaries of any area of Trust Land as may appear to him to be necessary or desirable, provided that in the case of any such adjustment the area of Trust Land concerned shall not be materially affected or diminished thereby, and provided further that the land excepted from the area concerned shall thereupon cease to be Trust Land and shall become State Lands and the land assigned to such area in exchange therefor shall become Trust Land.

(As amended by section 2 of Order No. 1 of 1961 Government Notice No. 56 of 1961. and section 2 of the Order of 1964)

4. (1) All Trust Land is hereby vested in the President and shall, subject to the provisions of this Order, be administered and controlled by the President for the use or common benefit, direct or indirect, of the Natives of Zambia.

(As amended by section 2 of the Order of 1964)


Government Notice No. 335 of 1963.


Government Notice No. 53 of 1964.

Government Notice No. 56 of 1961.

5. (1) The * Power to make grants of Trust Land delegated to the public officer for the time being holding the office or executing the duties of Commissioner of Lands, subject to the directions of the Minister responsible for land matters. (Statutory Instrument No. 7 of 1964.).*President may, when it appears to him to be in the general interests of the community as a whole-

(a) * Power to make grants of Trust Land delegated to the public officer for the time being holding the office or executing the duties of Commissioner of Lands, subject to the directions of the Minister responsible for land matters. (Statutory Instrument No. 7 of 1964.).*make grants or dispositions of Trust Land to individual natives or rural councils in accordance with the provisions of any regulations made under section 10 of this Order and, subject to those provisions, the provisions of any law enacted in that behalf by the Parliament of Zambia;

* Power to make grants of Trust Land delegated to the public officer for the time being holding the office or executing the duties of Commissioner of Lands, subject to the directions of the Minister responsible for land matters. (Statutory Instrument No. 7 of 1964.).
(b) grant rights of occupancy of Trust Land to natives or non-natives and demand a rental for the use of any land so granted;

(c) revise the said rentals at intervals of not more than thirty-three years;

(d) acquire Trust Land for public purposes;

(e) set aside in Trust Land forest and game reserves and national parks and take such measures as may be necessary for the development and control of such reserves and national parks;

(f) take such measures to control settlements and methods of cultivation on Trust Land as may be necessary for the preservation of the natural resources of the land;

(g) take such measures, whether or not similar to the above measures, which may be necessary to conserve forest produce, water and the natural resources of the land;

(h) grant a right of occupancy in any Trust Land in exchange for any interest in State Lands:

Provided that the hectarage of such State Lands shall not be less than the hectarage of Trust Land in which the right of occupancy is granted, and on such exchange the President may declare by notice in the Gazette that the land surrendered shall become Trust Land or remain State Lands.

(2) In exercise of his powers under the preceding subsection the President shall have regard to the native laws and customs existing in the district in which the land is situated; and, before any Trust Land in an area over which a rural council has been established is disposed of, the rural council shall be consulted.

* Power to make grants of Trust Land delegated to the public officer for the time being holding the office or executing the duties of Commissioner of Lands, subject to the directions of the Minister responsible for land matters. (Statutory Instrument No. 7 of 1964.).

(3) The whole of the proceeds accruing from the exercise of any of the powers conferred upon the President by subsection (1) of this section other than under paragraph (e) thereof shall, subject to the provisions of clause (3) (C) of the Agreement dated 29th September, 1923, between the Secretary of State for the Colonies and the British South Africa Company, be paid into the Fund:

Provided that where any right of occupancy is granted in pursuance of an exchange effected in accordance with the provisions of paragraph (h) of subsection (1) of this section the proceeds of such disposal may be paid into the general revenues of the Republic.

(4) In the event of any Trust Land being acquired for public purposes compensation shall be paid to any occupier for the value at the date of acquisition of his unexhausted improvements and for the inconvenience caused by his disturbance, and compensation for the land acquired shall be paid into the Fund, but no compensation shall be payable merely on the ground that land may at some unascertainable future date be cultivated. The compensation payable to the occupier shall be fixed by agreement or, failing agreement, by arbitration in
accordance with the provisions of the Arbitration Ordinance, 1933, or of any
Ordinance amending or substituted for that Ordinance. The compensation payable
for the land acquired shall be determined by the President. Notwithstanding the
preceding provisions of this subsection compensation for the land acquired may
be made either in whole or in part by an exchange of an area of State Lands and
any area so exchanged shall be declared by the President by notice in the
Gazette to be Trust Land and shall thereupon become Trust Land. Cap. 180 of the

(5) Out of the profits or rents accruing from any area of Trust Land set aside
as a forest or game reserve under the provisions of section 5 (1) (e) of this
Order there shall, subject to the provisions of the Agreement referred to in
subsection (3) above, be paid first the expenditure necessarily incurred by the
Government in connection with the said area, whether by way of maintenance,
development, or otherwise, and the balance shall be paid into the Fund, or into
the treasury of the rural council concerned, as the President shall direct.

(6) Rights of occupancy shall be for any term not exceeding ninety-nine years
and shall be granted subject to the terms of any contract which may be made
between the President and the occupier, but the President shall not (save in the
case of a right granted in connection with a mining grant or mining location)
grant rights of occupancy to any non-native free of rent or upon any condition
which may preclude him from revising the rent at intervals of not more than
thirty-three years.

(7) Any Trust Land acquired under the provisions of paragraph (d) of subsection
(1) of this section shall thereupon cease to be Trust Land and shall become
State Lands.

(As amended by section 2 of the Order of 1959,* Government Notice No. 4 of 1960.
These amendments shall be deemed to have had effect as from the date of coming
into force of the principal Order. (Section 5 (a) of the Order of 1959.)*
section 3 of Order No. 1 of 1961, This amendment shall be deemed to have had
effect as from the date of coming into force of the principal Order. (Section 5
(a) of Order No. 1 of 1961.) section 2 of Order No. 3 of 1962, Government
Notice No. 157 of 1962. section 2 of the Order of 1964 and Act No. 69 of 1965)

* Government Notice No. 4 of 1960. These amendments shall be deemed to have had
effect as from the date of coming into force of the principal Order. (Section 5
(a) of the Order of 1959.)

This amendment shall be deemed to have had effect as from the date of coming
into force of the principal Order. (Section 5 (a) of Order No. 1 of 1961.)


6. Notwithstanding anything contained in this Order or in any regulations
from time to time made thereunder, the holder of a mining right granted or
213 in this Edition.* over Trust Land may enter upon such land together with the
persons employed by him for the purpose of exercising rights under the mining
right and may exercise the said rights subject to the provisions of the said Act
and any regulations made thereunder.
7. (1) There shall be established a Trust Land Fund.

(2) The Fund shall consist of all moneys paid into it pursuant to this Order or under any law or any resolution of the National Assembly or otherwise.

(3) The Fund shall be vested in the Minister of Finance and shall be administered by such Minister responsible for finance and Minister responsible for local government. (Government Notice No. 237 of 1964.)

Minister responsible for finance and Minister responsible for local government. (Government Notice No. 237 of 1964.)

(As amended by section 3 of the Order of 1959 and section 2 of the Order of 1964)

8. (Had its effect)

9. (Had its effect)

10. The president may, from time to time, make, amend and revoke regulations for the purposes of this Order, and in particular may by such regulations control and limit the entry upon or use of Trust Land by any person other than natives and may prescribe as penalties for the breach of any such regulations a fine not exceeding one hundred pounds or imprisonment for a term not exceeding twelve months or both such fine and imprisonment.

(As amended by section 2 of the Order of 1964)

10A. The President may, by order, authorise any person or authority to exercise for and on behalf of the President, subject to such exceptions and conditions as he may specify, any of the functions of the President under this Order.

(Substituted by section 2 of the Order of 1964)

10B. (Revoked by section 2 of the Order of 1964)

10C. (Revoked by section 2 of the Order of 1964)


Minister responsible for finance and Minister responsible for local government. (Government Notice No. 237 of 1964.)

11. This Order shall come into operation on the date of its publication in the Gazette.
E. C. E. LEADBITTER

SCHEDULE

TRUST LAND

All land included within boundaries of the areas hereunder defined which at this date is held—

(a) under a leasehold title;

(b) under a registered mining title;

shall for the duration of the lease or mining title be excluded from Trust Land.

No. I

Boundaries:

Starting at the confluence of the Kabompo and Zambezi Rivers, the boundary follows the latter river upstream to its confluence with the Kabata Stream; thence westwards up this stream to its source; thence northwards along the Zambezi-Kashizhi watershed to the source of the Mukumba Stream; thence down this stream to its confluence with the Kashizhi River; thence it crosses this river in a westerly direction to a point on the Kashizhi-Chinonwe watershed; thence north-westwards following this watershed to a point due north-east of the confluence of the Kaselele Stream and the Chinonwe River; thence in a straight line south-westwards to this confluence; thence up the Kawelele Stream to its source; thence southwards in a straight line to the confluence of the Lipoti and Lungwebungu Rivers; thence up the latter to its confluence with the Lutembwe River; thence up this river to the point where it crosses the Zambia-Portuguese West Africa International Boundary near Boundary Pillar No. M10; thence starting northwards it follows this boundary to Boundary Pillar No. 1 common to Zambia, Portuguese West Africa and the Congo; thence along the international boundary between Zambia and the Congo to a point nearest to the source of the Kamisoshi Stream; thence to the source of this stream; and continuing downstream to its confluence with the Chitunta River; thence down this river to the confluence with the Luakela River; thence in a south-westerly direction to the source of an unnamed tributary of the Munjanyama River approximately 1.609 kilometres north of its confluence with the Mpalapala Stream; thence down the tributary and the river to the confluence of the latter with the Lunga river; thence down this river to its confluence with the Kamikomboshi Stream; thence up this stream to the point where it is crossed by the proposed Nchanga-Lobito Bay Railway Location; thence along this railway location in an easterly direction to the point where it crosses the Kabompo River; thence up this river for approximately 11.263 kilometres to a point due north of Boundary Pillar No. 7 on the Zambia-Congo International Boundary; thence southwards to that boundary pillar; thence along the international boundary in an easterly direction to Boundary Pillar No. 30 VII; thence generally south-eastwards along the watershed between the Lunga, Kashekesha, Luswishi and Lufwanyama Rivers on the south and the Munyunshi and Kafue Rivers on the north to a point near the source of the Pafu Stream; thence south-eastwards to the source of the Katembula River; thence down this river to its confluence with Felunda Stream; thence up this stream to its source; thence south-westwards to the northern boundary of the Lamba-Lima Reserve, No. X; thence starting westwards it follows that boundary and the boundary of the Lenje Reserve, No. XV, to the confluence of the Chibili and
Mwembeshi Rivers; thence down the latter river to the south-western corner of the Sala Reserve, No. XVIII; thence south-westwards to a point approximately 3.218 kilometres north-west of the northermmost reach of the Hambalu Inlet on the Kafue River; thence due south to the Kafue River; thence along the left bank of this river to a point opposite the north-western corner of the Mazabuka Central Research Station; thence across the river and along the western boundary of this station to the Kafue River; thence up this river and along the northern boundaries of Farms Nos. 1343, 549 and 1433 to the eastern boundary of the Ila-Tonga Reserve, No. XXII; thence starting northwards it follows the boundaries of this reserve to a point on the Kafue River opposite the south-eastern corner of the Luba Reserve, No. XXVI; thence across the Kafue River and along the boundary of this reserve to the south-western corner of Farm No. 3131, the Blue Lagoon Ranch; thence along the southerly, easterly and northerly boundaries of this farm to the northern boundary of the Luba Reserve, No. XXVI; thence starting westwards it follows the boundaries of this reserve and the Ila-Tonga Reserve, No. XXII, to the Sichikwenke River; thence down this river to the south-western corner of Farm No. 1636; thence along the southern boundaries of this farm and Farms Nos. 3190 and 3191 to the western boundary of the Zambia Railways Strip Reserve; thence southwards along this reserve skirting the boundaries of the former Tara Township to the south-eastern corner of Farm No. 2328; thence along the northerly boundaries of this farm and Farms Nos. 1754 and 1755 to the Sichikwenke River; thence along this river to the easterly boundary of Farm No. 626; thence starting north-eastwards it skirts the boundaries of Farms Nos. 626, 2726, 2725, 3055, 357a, 358a, 1770 and 73a to the Ngwezi River; thence southwards along this river to its confluence with the Nalutabi Stream; thence up this stream to the south-western corner of Farm No. 3240; thence skirting the boundaries of this farm and Farms Nos. 3241 and 3464 to the western boundary of the Zambia Railways Strip Reserve; thence southwards along this reserve skirting the boundaries of Farms Nos. 816, 2067, 821, 833, 844, 3431, 3260, 3259, 846, 3432, 3434, 854, 856, 859, 3436, 975, 3437, 3462, 1585, 981, 3439, 983, 3440 and 985, the former Senkobo Township, Farms Nos. 1a, 3232 and 997 to the south-western corner of the latter; thence north-westwards along the production of the south-western boundary of Farm No. 997 to the Kabondo Stream; thence along this stream to its confluence with the Sinde River on the eastern boundary of the Toka Reserve, No. XXIV; thence starting northwards it follows the boundaries of this reserve to the Machili River; thence northwards along this river to the southerly boundary of Farm No. 946 "Machili Protected Forest Area"; thence eastwards along the southerly boundary of this area and Malavwe-Nachitwe Forest Reserve No. 24 to the southern boundary of Nkoya Reserve, No. XXIII; thence starting eastwards along the boundaries of this reserve to its north-western corner on the Machili River; thence up this river to its source; thence along the watershed of the Kafue and Zambezi Rivers to the source of the Talafuta River; thence down this river to its confluence with the Dongwe River; thence down this river to its confluence with the Kabompo River; thence down this river to its confluence with the Zambezi River, the point of starting.

Included in the boundaries described above but excluded from Trust Land are the following:

1. Farms Nos. 83a, 206a, 207a, 707, 708, 709, 710, 711, 724, 1045, 1046, 1051, 1052, 1054, 1055, 1077, 1093, 1101, 2750, 2751 and 2945.

2. Lots Nos. 48/M, 144/M and 145/M.

3. Balovale Township, Kabompo Township, Kasempa Township, Mumbwa Township, Solwezi Township.
4. All that piece of land bounded as follows:

Starting at a point on the left bank of the Kafue River on the eastern boundary of Farm No. 156a, "the Big Concession", the boundary follows the eastern, southern and western boundaries of this farm to the south-eastern corner of Farm No. 3132; thence along the southern and western boundaries of this farm to the left bank of the Kafue River; thence eastwards along the left bank of this river to the western boundary of Subdivision XX of Farm No. 156a; thence along the western, southern and eastern boundaries of this subdivision back to the left bank of the Kafue River; thence eastwards along the left bank of this river to the eastern boundary of Farm No. 156a, the point of starting.

5. Forest Reserve No. 25: Bombwe.

6. All that parcel of land known as Kalengwa Mine Estate bounded as follows:

Starting at the trigonometrical station on Kavambu Hill, the boundary runs on a true bearing of approximately 276 for approximately 25,283.16 metres to the top of a hill; thence due north for approximately 11,414.76 metres; thence on a true bearing of approximately 120 for approximately 28,956 metres back to the point of starting.

(Substituted by Statutory Instrument No. 122 of 1968)

No. II

Boundaries:

Starting at Beacon No. 10 of the Zambia-Congo International Boundary, the boundary follows that boundary in a general south-easterly direction to boundary Beacon No. 7; thence starting south-westwards it follows the boundary of the North Swaka Reserve No. XII to Beacon V592 of Farm No. 923, Mount Isabelle; thence starting south-westwards it passes round the boundaries of that farm to the point where the Lunsemfwa River emerges therefrom; thence it follows that river down to the north-western boundary of the Lunsemfwa Mineral Area No. 636; thence it passes in a straight line along that boundary and its production through Beacon M222 to its point of intersection with the Kapiri Mposhi-Fiwila Mission motor road; thence it follows that road in a south-easterly direction to the nearest point to the unsurveyed Lunsemfwa Dam site; thence it passes in a straight line to the nearest point on the boundary of that site; thence it follows the northern and western boundaries of that site to the northern boundary of the South Swka Reserve No. XIII, thence starting westwards it follows the boundary of that reserve to a point on the Kashapo Stream approximately 4.827 kilometres from its junction with the Lunsemfwa River; thence it passes southwards along a line approximately 4.827 kilometres west of the Lunsemfwa River to a point due west of the junctions of the Mkushi and Lunsemfwa Rivers; thence it passes in a straight line to that junction; thence it follows the Lunsemfwa River down to the north boundary of Farm No. 216a Mullenje; thence it follows the northern boundary of that farm westwards to its easternmost beacon on the northern boundary of the Luano-Lala Reserve, No. XIV; thence starting westwards it follows the boundary of that reserve to Beacon SE 48 at the south-eastern corner of Farm No. 2452 on the Chikonkomene Hills; thence it passes northwards along the eastern boundaries of Farms Nos. 2452, 2229, 1835 and 2443 through Beacons SE 47, CG 67, CG 68, CG 69 and CG 469 to
Beacon CG 468 on the northern boundary of the last named farm and on the southern boundary of Forest Reserve No. 31: Broken Hill, thence it follows the southern boundary of that reserve eastwards to the south-west corner Beacon T219 of Farm No. 1019, Mayimba Extension; thence it follows the southern boundary of that farm eastwards to T221; thence starting north-eastwards it follows the boundary of Forest Reserve No. 31: Broken Hill to the Broken Hill-Mkushi Road, thence it follows that road to the Mulungushi River; thence it follows that river up to its junction with the Chitakata Stream; thence it follows that stream up to its junction with the Lukale Stream, thence it follows the latter stream up to the southernmost corner of the unsurveyed farm leased to Mr. A. O. Olivier; thence starting north-eastwards it passes round the boundaries of that farm to the Lukale Stream; thence it follows that stream and the northern boundary of Farm No. 384a, Lukali, to the eastern boundary of the Lenje Reserve, No. XV; thence starting north-westwards it follows the boundaries of that reserve and of the Lamba-Lima Reserve, No. X, to the junction of the Munkulungwe and Kafubu Rivers; thence it follows the latter river up to a point on the watershed between the Kaloko and Mwange Streams; thence it follows the said watershed north-eastwards to the south-western boundary of Farm No. 417a, Kavu; thence starting south-eastwards it follows the boundaries of that farm and of Farm No. 415a, Bwana Mkubwa Block West, to the western boundary of the Rhodesia Railway Strip; thence it follows that boundary southwards to a point opposite the south-west corner of the Swahili Reserve, No. XI, thence it crosses the Railway Strip and follows the southern boundary of that reserve to the point of starting.

(As amended by section 4 (d) and (e) of Order No. 1 of 1961* This amendment shall be deemed to have had effect as from the date of coming into force of the principal Order. (Section 5 (b) of Order No. I of 1961.)*)

* This amendment shall be deemed to have had effect as from the date of coming into force of the principal Order. (Section 5 (b) of Order No. I of 1961.)

Included within the boundaries thus defined but excluded from the area are the following:

(a) The Rhodesia Railway Strip.

(b) The area within the following boundaries:

Starting at Beacon U286 of the Miengwe Township Reserve, the boundary follows the northern boundaries of that reserve and Farms Nos. 1130 and 1097, Miengwe, to U277, the northwest beacon of the latter farm, thence it passes in a straight line north-westwards to the north-eastern corner of the unsurveyed farm leased to Mr. C. A. Keefer; thence it follows the northern and western boundaries of that farm to the south-western corner thereof; thence it passes due south for a distance of 1.609 kilometres; thence it passes due east to the western boundary of Farm No. 1097, Miengwe; thence it follows the boundaries of that farm southwards and eastwards to the Rhodesia Railway Strip; thence it crosses that strip and follows the eastern boundary thereof to Beacon U281 of the Miengwe Township Reserve; thence it follows the southern, eastern and northern boundaries of that township across the Rhodesia Railway Strip to the point of starting.

(c) Farms: 103a Kashitu.
    343a Chondwe.
    836 Mulungushi Dam.
837 Mulungushi Falls.
922 Lady Good Hope.
1013 Mpelabusi.
1098 Hillside.
    Mpelabusi Extension (unsurveyed).

(d) Townships: Chibwe.
    Chondwe.
    Kafualafuta.
    Kapiri Mposhi.
    Kashitu.
    Katanino.

(As amended by section 4 of the Order of 1959)

(e) Forest Reserves: Chondwe.
    Miengwe.
    Katanino
    Songwe-we-lala.
    Lukanga.
    Kansamfwe.

* This amendment shall be deemed to have had effect as from the date of coming
  into force of the principal Order. (Section 5 (b) of Order No. I of 1961.)

(f) Railway Sidings:

Lot 57/M Mulungushi.
Lot 58/M Mulungushi.
Lot 59/M Lwanshimba.
Lot 60/M Lwanshimba.
Lot 398/M Mile 1358S.
Lot 399/M Mile 1358S.
Lot 61/M Shipungu.
Lot 62/M Shipungu.
Lot 381/M Lukanda.
Lot 383/M Kampoyo.
Lot 63/M Kebamba.
Lot 64/M Kebamba.
Lot 405/M Kebamba.
Lot 384/M Filato.
Lot 385/M Filato.
Lot 65/M Chera.
Lot 66/M Chikululu.

(Excluded by Government Notice No. 364 of 1961 as amended by Government Notice
No. 321 of 1963)

(g) The area within the following boundaries:

    Starting at Beacon GW634 on the Zambia Railways Strip Reserve near
    Lukanda Siding (Lot No. 381/M), the boundary proceeds on a bearing of 78 for a
    distance of 45 metres to Beacon GW633; thence on a bearing of 348 for a
    distance of 300 metres to Protected Forest Area No. 63: Kapiri Mposhi; thence
    following this boundary on a bearing of 90 for a distance of 270 metres; thence
    on a bearing of 180 for a distance of 370 metres to the Great North Road
    Reserve; thence westwards along the Great North Road Reserve to where it is
intersected by the Zambia Railways Strip Reserve; thence northwards along the Zambia Railways Strip Reserve to Beacon GW634, the point of starting.

(Excluded by Gazette Notice No. 1731 of 1972)

No. III
Boundaries:
Starting near the Ndabala Landing Ground at the point on the Great North Road where it crosses the straight line between the source of the Mlembo River and Boundary Pillar 1 of the Zambia-Congo International Boundary, the boundary follows the Great North Road in a south-westerly direction to the point where it crosses the eastern boundary of the remaining extent of Farm No. 596, Kantawe; thence starting north-westwards it follows the boundaries of that farm and of Farms Nos. A of 596, 102a, 101a, Chiwefwe, and 595, Mapiri Muwandika, to the point where the Great North Road crosses the south-western boundary of the latter farm; thence it follows the Great North Road south-westwards to the point where it crosses the eastern boundary of Farm No. 923, Mount Isabelle; thence it follows the eastern boundary of that farm to its north-eastern corner on the south-eastern boundary of the North Swaka Reserve, No. XII; thence, starting north-eastwards it follows the boundary of that reserve to the point where it meets the Zambia-Congo International Boundary, thence it follows that boundary in a south-easterly direction to Boundary Pillar 1; thence it passes in a straight line to the point of starting.

Included within the boundaries thus defined but excluded from the area are the following:

(a) Farm No. 2865;
(b) Mkushi Township.

(As amended by section 4 of the Order of 1959* This amendment in so far as it relates to the exclusion of Farm No. 2865 shall be deemed to have had effect as from the date of coming into force of the principal Order. (Section 5 (b) of the Order of 1959.)*)

* This amendment in so far as it relates to the exclusion of Farm No. 2865 shall be deemed to have had effect as from the date of coming into force of the principal Order. (Section 5 (b) of the Order of 1959.)

No. IV
Boundaries:
Starting at the point where the Mwomboshi River crosses the western boundary of Farm No. 1029, the boundary follows that river upstream to its junction with the Katungwe Stream; thence up the course of the latter to Beacon ID 68 at the north-eastern corner of the Farm No. 2563; thence westwards along the northern boundaries of Farms Nos. 2563, 2157 and 2161 through Beacons ID 67, ID 10, ID 66, ID 65, ID 64, ID 63 and C887 to Beacon C884 on the boundary of the Lenje Reserve, No. XV; thence generally north-eastwards along this boundary to Beacon BH 169 at the north-western corner of Farm No. 2112; thence southwards to Beacon BH 168 of this farm; thence along the south-easterly boundaries of Farms Nos.
2112 and 2113 through Beacons BH167 and BH166 to Beacon BH165; thence eastwards along the southerly boundaries of Farms Nos. 2117 and 2118 through Beacon BH158 to Beacon BH167; thence in a straight line south-eastwards to Beacon L 169 at the north-western corner of Farm No. 964; thence southwards to Beacon L 230 at the south-western corner of the latter farm; thence south-westwards to Beacon L 245 at the north-western corner of Farm No. 966; thence southwards to Beacon L 228 at its south-western corner; thence in a straight line to Beacon L 227 at the north-western corner of Farm No. 968; thence southwards and eastwards along the western and southern boundaries of this farm, through Beacon L 226 to Beacon T22R at its south-eastern corner and on the western boundary of the Rhodesia Railways Strip Reserve; thence southwards down the latter boundary to the point where it is intersected by the southern boundary of Farm No. 969, produced westwards; thence eastwards across the strip reserve to Beacon L 249; thence eastwards, northwards and westwards along the southern, eastern and northern boundaries of Farm No. 969 through Beacons L 248 and L 247 to Beacon T22L on the eastern boundary of the railway strip; thence starting northwards, up the latter boundary to Beacon 54L at the south-western corner of Farm No. 2562; thence eastwards and north-eastwards along the southerly and easterly boundaries of this farm, through Beacons GW 28 and GW 27 to Beacon GW 26 at its north-eastern corner and on the southern boundary of Farm No. 963; thence eastwards along the latter boundary to Beacon L 242; thence southwards along a portion of the western boundary of Farm No. 1833, through Beacon CG 80 to the south-western corner of that farm; thence eastwards along its southern boundary, through Beacon CG 79 to Beacon CG 78 at the south-western comer of Farm No. 1834; thence eastwards along the southern boundary of the latter farm to the point where it crosses the Muyama Stream; thence southwards down the Muyama Stream to its junction with the Mwomboshi River; thence westwards up the Mwomboshi River to the point where it crosses the eastern boundary of Farm No. 1030; thence northwards and westwards along the eastern and northern boundaries of this farm through Beacon T 236 to Beacon T 248; thence across the railway strip to Beacon T 235 at the north-eastern corner of Farm No. 1029; thence westwards and southwards along the northern and western boundaries of this farm, through Beacon T 232 to the point where the Mwomboshi River crosses the western boundary, the point of starting.

Included within the boundaries thus defined but excluded from the area is the Rhodesia Railways Strip.

(Substituted by section 4 (f) of Order No. 1 of 1961)

* This amendment in so far as it relates to the exclusion of Farm No. 2865 shall be deemed to have had effect as from the date of coming into force of the principal Order. (Section 5 (b) of the Order of 1959.)

No. V

Boundaries:

Starting south-eastwards at the south-eastern corner Beacon VII of Farm No. 696, Fig Trees, on the boundary of the Luano-Lala Reserve, No. XIV the boundary follows the boundary of that reserve to the Luangwa River; thence it follows the right bank of that river down to the Zambezi River, passing round the boundaries of Farms Nos. 89a, Katondwe Mission, and 92a, Kapoche Mission, and Feira Township; thence it follows the left bank of the Zambezi River up to its junction with the Kafue River; thence it follows the left bank of the Kafue River up to its junction with the Fungwe Stream; thence it follows that stream up for a distance of 1.609 kilometres; thence it passes in a westerly direction
along a line distant 1.609 kilometres from the left bank of the Kafue River to the Muchuto River; thence it passes in a straight line in a south-westerly direction to the north-western corner Beacon J306 of Farm No. 1201, Iolanda Extension; thence it follows the north-eastern boundary of that farm to its most northerly Beacon J307; thence it passes in a northerly and north-westerly direction along the ridge upon which that beacon is situated to the most southerly corner Beacon W89 of Farm No. 479a; thence starting south-westwards it follows the boundaries of that farm and of Farm No. 467a, Honey Kloof, to the north-westerly corner Beacon W42 thereof; thence it passes in a general north-easterly direction along the Mpande Hills to the most southerly corner Beacon C.R. of Farm No 200a Longwait; thence starting north-eastwards it follows the boundaries of that farm and of Farm No. 460a, Chipongwe, to the Rhodesia Railway Strip; thence it follows the eastern boundary of that strip in a north-easterly direction, skirting the boundaries of Chipongwe Township Reserve, to the most westerly Beacon N17 of Farm No. 642, Glen Carradale; thence starting eastwards it follows the boundaries of that farm and of Farms Nos. 407a, Chilanga Estate, and 406a, Springvale, to the most easterly corner Beacon B153 of the latter farm; thence it follows the southern boundary of the Lusaka Fuel Reserve in an easterly direction to the north-westerly corner thereof; thence it passes in a straight line to the south-west corner Beacon F90 of Farm No. 311, Potkom; thence it follows the southern boundary of that farm to the southwest corner Beacon F98 thereof; thence it passes in a straight line south-eastwards to the most westerly corner Beacon F13 of Farm 902 on Ndashika Hill; thence starting south-eastwards it follows the boundaries of that farm to the most easterly Beacon F17 thereof; thence starting south-eastwards it follows the boundaries of the Soli wa Manyika Reserve, No. XVII, and of the Soli Shamifwe Reserve, No XVI, to the junction of the Nyangwena and Chongwe Rivers; thence it follows the latter river up for a distance of approximately 20.917 kilometres to a point to the north of the north-east corner Beacon W108 of Farm No. 446a, Onze Rust; thence it passes in a straight line in a northerly direction to the Kanakantapu Stream; thence it follows that stream up to the Chainama Hills; thence it passes westwards to Kanakampuyu Hill; thence it passes in a straight line north-westwards to the north-east corner Beacon T411 of Farm No. 1350, Nimrod; thence it passes in a northerly direction round the source of the Chipilipili Stream to the most southerly corner of the unsurveyed Farm No. D375; thence starting eastwards it follows the boundaries of that farm to the point of starting.

Included within the boundaries thus defined but excluded from the area are the following:

(a) Farms:

93a Katondwe.
* Exclusion continued by Government Notice No. 47 of 1958.*
97a Ulungu Estate.
100a Msesezi.
727


(As amended by section 4 (g) of Order No. 1 of 1961 This amendment shall be deemed to have had effect as from the date of coming into force of the principal Order. (Section 5 (b) of Order No. 1 of 1961.)*

* This amendment shall be deemed to have had effect as from the date of coming
into force of the principal Order. (Section 5 (b) of Order No. 1 of 1961.)

(b) Railway Siding:

Lot 404/M    Mile 1232K.

(Excluded by Government Notice No. 363 of 1961)

(c) Lusaka Military Training Area:

Starting at Beacon F13 at the western corner of Farm No. 902a, the boundary runs south-westwards to 750 730, thence westwards to 690 730; thence northwards to the southerly boundary of Farm No. 3153 at approximatley 690 794; thence south-eastwards along the southerly boundaries of Farms Nos. 3153 and 3274, through Beacon QD39 to Beacon F13, the point of starting.

Map references are referred to 1/50,000 sheet 1528 D1 and are based on the U.T.M. map grid.

(Excluded by Government Notice No. 458 of 1964)

(d) Area for inclusion in the International Game Park (Lower Zambezi):

Starting at a point on the Chipoko rocks on the Zambezi River the boundary follows the Zambia/Rhodesia international boundary in a westerly direction upstream to the confluence of the Zambezi and Munyemeshi rivers; thence up the Munyemeshi River to its source; thence northwards along a line of beacons for approximately 4 kilometres to a track; thence northwards along this track to where it meets the Chongwe River at a point approximately 1 kilometre downstream from the confluence of the Chongwe and Kenyere rivers; thence up the Chongwe River for approximately 3 kilometres; thence on a bearing of approximately 70 for a distance of approximately 11 kilometres to the source of the Ikanda River; thence down the Ikanda River to its confluence with the Musangashi River; thence on a bearing of 38 to the confluence of the Chisagmosa and Mwambashi rivers; thence up the Mwambashi River to its source; thence on a bearing of 290 for a distance of approximately 3 kilometres to a point on the Mulundunyati Hill; thence on a bearing of 330 for a distance of approximately 9 kilometres to a point on the Nyawukundwe Hill; thence on a bearing of approximately 285 for a distance of 5G kilometres to a point on the Great East Road where it is intersected by the Soli Shamifwe Reserve No. XVI; thence eastwards along the Great East Road for approximately 45 kilometres to where it crosses the Rufunsfa River; thence down the Rufumsa River to a point approximately 5 kilometres downstream from Chipebete School; thence due east for approximately 24 kilometres to a point approximately 3 kilometres south of Chitope; thence due south for approximately 47 kilometres to the Chipoko rocks, the point of starting.

(Excluded by Gazette Notice No. 1563 of 1972)


This amendment shall be deemed to have had effect as from the date of coming into force of the principal Order. (Section 5 (b) of Order No. 1 of 1961.)

No. VI

Boundaries:
Starting at the most northerly corner Beacon M of Farm No. 85a, Crookston, on the Kafue River, the boundary follows the right bank of that river to a point opposite its junction with the Muchuto River; thence it passes southwards for a distance of 1.609 kilometres; thence it passes eastwards along a line distant 1.609 kilometres from the right bank of the Kafue River to a point opposite the junction of that river with the Fungwe River; thence it passes in a straight line northwards to the Kafue River; thence it follows the right bank of that river down to the point where it meets the northern boundary of the Tonga (Sigongo) Reserve No. XIX; thence starting south-westwards it follows the boundary of that reserve to the point where it meets the south-eastern boundary of Farm No. 85a, Crookston; thence it follows the south-eastern boundaries of that farm to the point of starting.

No. VII

Boundaries:

Starting at the north-east corner Beacon G321 of Farm No. 140a, Highlands, the boundary passes in a straight line to the south-east corner of the Nega Nega Township Reserve; thence it follows the eastern boundary of the said reserve to the southern boundary of the Rhodesia Railway Strip; thence it follows the said boundary eastwards to the right bank of the Kafue River; thence it follows the said bank down to the most northerly Beacon W125 of Farm No. 485a, Siakoma; thence starting south-eastwards it follows the boundaries of that farm and of Farm No. 486a to Beacon W121 of the latter on the south-western boundary of the Tonga (Sigongo) Reserve, No. XIX on Dombwi Hill; thence starting south-eastwards it follows that boundary to a point 3.218 kilometres distant from the left bank of the Zambezi River, thence it passes south-westwards along a line 3.218 kilometres distant from the Zambezi River to a point opposite the entrance to the Kariba Gorge; thence it passes southwards to the left bank of the Zambezi River; thence it follows the left bank of the said river up to the south-east corner of the Tonga (Magoye) Reserve, No. XX; thence starting north-westwards it follows the boundaries of the said reserve to the north-east corner Beacon M94 of Farm No. 108a; thence starting north-westwards it follows the boundaries of that farm and of Farms Nos. 106a, 105a to the most northerly Beacon M90 of the latter farm on the Muvuma Hills; thence it passes north-westwards along the said hills and the north-eastern boundaries of Farms Nos. 574, Highlands Extension, and 140a, Highlands, to the point of starting.

Included within the boundaries thus defined but excluded from the area are the following:

(a) An area of 165.76 square kilometres enclosing the North Kariba Coal Location.

(b) Railway Siding:

Lot 52/M    Naluama.

(Excluded by Government Notice No. 362 of 1961)

* For area of State Lands exchanged as compensation, see Government Notice No. 44 of 1963.*

(c) Siavonga—the areas within the following boundaries:
For area of State Lands exchanged as compensation, see Government Notice No. 44 of 1963.

(i) Starting at Beacon O.H.668, the boundary proceeds south-westwards to Beacon O.H.772; thence on a true bearing of 220 degrees for 533.4 metres to an unb beaconed point; thence on a bearing of 177 degrees for 609.6 metres to a second such point; thence on a bearing of 81 degrees for 822.96 metres to a third such point; thence on a bearing of 357 degrees 25 minutes 14 seconds to Beacon O.H.673 and continuing in the same direction to Beacon O.H.668, the point of starting. (Bearings, with the exception of the last such quoted, and distances are approximate.)

(ii) Starting at Beacon O.H.771, the boundary proceeds northwards and eastwards through Beacons O.H.750, O.H.751, O.H.752 and O.H.753 to Beacon O.H.755; thence south-westwards to Beacon O.H.771, the point of starting.

(Excluded by Government Notices Nos. 43 and 249 of 1963)

No. VIII

Boundaries:

Starting at the point where the Nalubwe Stream crosses the north-western boundary of the Tonga (Magoye) Reserve, No. XX, the boundary follows that stream down to its junction with the Magoye River; thence it follows the right bank of that river down to the south-west corner of Farm No. 665, Simonde opposite Beacon V218 on the left bank of the said river; thence starting eastwards it follows the southern boundary of that farm and the south-western boundaries of Farms Nos. 152a, Hangata, 651, 150a, Marinta, 245a and 214a, Dora, to the most southerly comer Beacon P of the latter farm on the north-western boundary of the Tonga (Magoye) Reserve, No. XX, thence it follows that boundary south-westwards to the point of starting.

* For area of State Lands exchanged as compensation, see Government Notice No. 44 of 1963.

No. IX

Boundaries:

Starting at a point on the Magoye River opposite the north-east corner Beacon K7 of Farm No. 583, The Moorings, the boundary passes in a south-easterly direction for a distance of 8.44725 kilometres; thence it passes due east for a distance of 3.218 kilometres; thence it passes due north for a distance of 4.827 kilometres; thence it passes in a north-westerly direction to the junction of the Mambwe-a-weneni and Mawachindo Streams; thence it follows the latter stream down to its junction with the Magoye River; thence it follows the said river up to the point of starting.

No. X

Boundaries:

Starting at the most northerly Beacon H165 of Farm No. 588, Henton (Inishofin) on the south-eastern boundary of the Ila-Tonga Reserve, No. XXII the boundary follows the boundary of that reserve in a north-easterly direction for a
distance of approximately 9.654 kilometres; thence it passes in a straight line south-eastwards to the most northerly corner Beacon H154 of Farm No. 585, Malambu; thence it follows the north-western boundaries of that farm and of Farms Nos. 586, Fossmore, and 277a, Dambilo, to the north-east corner beacon of the aforesaid Farm No. 688; thence it follows the north-eastern boundary of that farm to the point of starting.

No. XI

Boundaries:

Starting at the south-west corner Beacon II of Farm No. 1024 on the Rhodesia Railway Strip, the boundary follows the south-western boundary of that farm to the south-eastern corner Beacon Z240 thereof; thence it passes in a straight line south-eastwards to the most northerly corner Beacon F373 of Farm 502, Colsters; thence starting south-westwards it follows the boundaries of that farm and of Farms Nos. 1160, 503, Maeooma, and No. 701, to the most easterly Beacon F381 of the latter farm; thence it passes in a straight line north-eastwards to the most southerly Beacon Z575 of Farm No. 1164; thence starting north-eastwards it follows the boundaries of that farm and of Farms Nos. 1204 and 500 to the most easterly corner Beacon F364 of the latter farm on the southern boundary of the Tonga (Magoye) Reserve, No. XX; thence passing north-eastwards and south-eastwards it follows the boundary of the Tonga (Magoye) Reserve, No. XX, to the Zambezi River; thence it follows the left bank of that river up to the point where it meets the north-eastern boundary of the Tonga (Choma) Reserve, No. XXI; thence starting north-westwards it follows the boundary of that reserve to a point 4.0225 kilometres approximately south-east of Simongwangwa Hill; thence it passes in a straight line to that Hill; thence it passes in a straight line north-westwards to the south-east corner Beacon C115 of Farm No. 697; thence it follows the north-eastern boundary of that farm to the most northerly corner Beacon C114 thereof on the eastern boundary of the Rhodesia Railway Strip; thence it follows the eastern boundary of the Rhodesia Railway Strip, skirting the boundaries of the Muzoka Township Reserve, to the point of starting.

Included within the boundaries thus defined but excluded from the area are the following:

(a) An unsurveyed area of 165.76 square kilometres enclosing the Chongola Coal Location.

(b) Railway Siding:

Lot 61/M Nachibanga.

(Excluded by Government Notice No. 359 of 1961)

No. XII

Boundaries:

Starting at the point where the road from Farm No. 502, Colsters, crosses the northern boundary of Farm No. 1024, the boundary passes along this road in a north-westerly direction to the boundary of the Pemba Township Reserve; thence it passes along the south-eastern and north-eastern boundaries of this reserve to the eastern boundary of the Rhodesia Railways 91.44 metres strip; thence it passes along this boundary in a north-easterly direction to the boundary of the
Mission Township Reserve; thence it passes along the south-western boundaries of
this reserve, Mr. V. F. Couveras's unsurveyed farm and Farm No. 272a, to the
Magoye River; thence, crossing that river, it follows the right bank downstream
to the most westerly corner beacon of Farm No. 9a, Chikuni Mission; thence it
passes along the south-western boundary of this farm to the boundary of the
Tonga (Magoye) Reserve No. XX; thence it passes along the boundary of the said
reserve in a south-westerly direction to the point where the Magoye River
crosses the northern boundary of Farm No. 1024; thence it passes along the said
boundary in a westerly direction to the point of starting.

Included within the boundaries thus defined but excluded from the area is Farm
No. 2548 Siwili.

(Excluded by Government Notice No. 360 of 1981)

No. XIII

Boundaries:

Starting at the confluence of the Mbabala and Chikaka Rivers on the
south-eastern boundary of the Ila-Tonga Reserve, No. XXII, the boundary follows
the left bank of the latter river upstream to a point thereon opposite Beacon OH
16, a beacon on the western boundary of Farm No. 1630; thence south-eastwards in
a straight line along this boundary through Beacons OH 16 and OH 15 to the left
bank of the Semahwa River; thence south-westwards up the left bank of this river
to its confluence with the Musamumunene River; thence south-westwards up the
left bank of this river to a point thereon opposite Beacon OH 14, the
north-western corner of Farm No. 2107; thence south-westwards in a straight line
through Beacon OH 14 to Beacon M 174 at its most westerly corner; thence in a
straight line in a north-westerly direction to a point on the south-eastern
boundary of the Ila-Tonga Reserve, No. XXII, approximately midway between the
sources of the Mbabala and Sichikwenkwe Rivers; thence it follows that boundary
in a general north-easterly direction to the confluence of the Mbabala and
Chikaka Rivers, the point of starting.

(Substituted by section 4 (h) of Order No. 1 of 1961* This amendment shall be
deemed to have had effect as from the date of coming into force of the principal
Order. (Section 5 (b) of Order No. 1 of 1961.)*)

* This amendment shall be deemed to have had effect as from the date of coming
into force of the principal Order. (Section 5 (b) of Order No. 1 of 1961.)

No. XIV

Boundaries:

Starting at a point on the southern boundary of the Rhodesia Railway Strip
opposite Mile Peg 1103, the boundary passes in a straight line southwards to the
north-west corner of the unsurveyed Farm B181; thence it follows the western
boundary of that farm to its south-western corner on the northern boundary of
the Tonga (Choma) Reserve, No. XXI; thence starting westwards it follows the
boundary of that reserve to the point where it meets the Siamambo River; thence
it follows that river up to the south-eastern boundary of Farm No. 63; thence it
follows the south-eastern boundary of that farm to the north-east corner Beacon
I8 thereof; thence it passes in a straight line in a northerly direction to the
south-west corner of Sikalongo Township Reserve; thence it follows the southern and eastern boundaries of that reserve to the southern boundary of the Rhodesia Railway Strip; thence it follows the southern boundary of that strip eastwards to the point of starting.

No. XV

Boundaries:

Starting at a point on the Siamambo River where it is intersected by the northern boundary of the Tonga (Choma) Reserve, No. XXI, the boundary follows the north-western boundary of the latter reserve in a south-westerly direction to the south-eastern corner of Farm No. 53a; thence north-westwards following the eastern boundaries of this farm and Farms Nos. 2946 and 1763 to the south-easterly boundary of the Rhodesia Railways 91.44 metres strip reserve; thence north-eastwards along the latter boundary to the south-western corner of Farm No. 2036; thence south-eastwards along the southerly boundaries of this farm and of Farms Nos. 2300 and 2137 to the most southerly corner of Farm No. 2552; thence north-eastwards along the easterly boundary of this farm and the south-easterly boundaries of Farms Nos. 27a, 1647 and 1646 to the Monzuma River; thence up the Monzuma River to the point where it is intersected by the line Z.364-Z.363 produced; thence northwards in a straight line through Beacon Z.363 to Beacon Z.364; thence to Beacon Z.253, thence to Beacon OH 10 on the southern boundary of Farm No. 1641; thence north-eastwards along this boundary to Beacon OH 3 at the most easterly corner of the latter farm; thence eastwards along the southern boundaries of Farms Nos. 2498 and 2055 through Beacons Z.266, Z.252, Z.251, Z.265 and Z.254 to Beacon L.395 at the south-eastern corner of the latter farm; thence continuing eastwards, in a straight line to the point of starting.

(Substituted by section 4 (i) of Order No. 1 of 1961* This amendment shall be deemed to have had effect as from the date of coming into force of the principal Order. (Section 5 (b) of Order No. 1 of 1961.)*)

No. XVI

Boundaries:

Starting south-eastwards at the easternmost corner of Farm No. 53a on the boundary of the Tonga (Choma) Reserve, No. XXI, the boundary follows that boundary skirting the boundaries of Farm No. 29a to the Zambezi River; thence it follows this river to the eastern boundary of the Baleya Reserve No. XXV; thence starting northwards it follows the boundaries of this reserve to the easternmost corner of Farm No. 426a; thence northwards along the easterly boundaries of this farm and Farm No. 422a to the northernmost corner of the latter; thence northwards to the southernmost corner of Farm No. 972; thence skirting the boundaries of this farm and Farm No. 860 to the eastern edge of the Zambia Railways Strip Reserve; thence generally north-eastwards along the boundary of this reserve to the south-western boundary of Farm No. 824; thence starting south-eastwards it follows the southerly boundaries of this farm and Farm No. 3377 to the Nekoya River; thence along this river to its confluence with the Kalomo River; thence along this river to its confluence with the Mwemba River; thence along this river, skirting the boundaries of Farm No. 355a, to its
confluence with the Namuzunga Stream; thence along this stream to the western boundary of Farm No. 53a; thence along the western and southern boundaries of this farm to its easternmost corner, the point of starting.

Included in the above description but excluded from Trust Land are Farms Nos. 845, 847, 855, 3129, 3435.

(Substituted by Statutory Instrument No. 440 of 1969)

* This amendment shall be deemed to have had effect as from the date of coming into force of the principal Order. (Section 5 (b) of Order No. 1 of 1961.)

No. XVII

Boundaries:

Starting at a point on the left bank of the Zambezi River approximately 1.609 kilometres west of the south-west corner Beacon C166 of Farm No. 749, Constantia, the boundary follows the left bank of the river up to the south-east corner Beacon E184, of Farm No. 720, Kakuyu; thence starting north-westwards it follows the boundaries of that farm and of Farm No. 906 to the point of the Livingstone-Katambora Road crossing of the northern boundary of the latter; thence it follows that road northwards to its junction with the Livingstone-Kazungula Road; thence it follows the latter road westwards to the point where it crosses the southern boundary of the Toka Reserve, No. XXIV; thence starting northwards it follows the boundary of that reserve to a point due north of the point of starting; thence it passes in a straight line to the point of starting.

No. XVIII

Boundaries:

Starting at the south-west corner of the Baleya Reserve, No. XXV, on the left bank of the Zambezi River, the boundary follows that bank up to its junction with the Songwe Stream, thence it follows that stream up to its junction with the Lutwa Stream; thence it follows the Lutwa Stream up to the point where it crosses the western boundary of the Baleya Reserve, No. XXV; thence it follows that boundary southwards to the point of starting.

No. XIX

Boundaries:

The following farms:

Nos. 88a, 267a, 520, 521, 545 and 623.

Included within the boundaries thus defined but excluded from the area is Lot 396/M Mile 1178G.

(Excluded by Government Notice No. 361 of 1961)

No. XX

Boundaries:
Starting westwards at the junction of the Inambo and Mlembo Rivers on the northern boundary of the Luano-Lala Reserve, No. XIV, the boundary follows the boundary of that reserve to the point where it crosses the Lunsemfwa River; thence it follows the left bank of that river up to its junction with the Mkushi River; thence it follows the latter river up to a point approximately 4.827 kilometres from the Lunsemfwa River; thence it passes northwards along a line approximately 4.827 kilometres distant from the Lunsemfwa River to a point on the Miloswe Stream approximately 4.827 kilometres from the Lunsemfwa River on the southern boundary of the South Swaka Reserve, No. XIII; thence starting north-eastwards it follows the boundary of that reserve to the point where it meets the eastern boundary of the unsurveyed Lunsemfwa Dam Site; thence it follows the eastern and north-eastern boundaries of that site to the nearest point to the Kapiri Mposhi-Fiwila motor road; thence it passes in a straight line to that road; thence it follows the Kapiri-Fiwila motor road in a general easterly direction to its junction with the Mkushi-Chiwefwe motor road known as Piccadilly Circus, thence it follows the latter road in a northerly direction to the southern foot of the Mwansa Chawa Hills; thence it follows that foot of those hills in an easterly direction for a distance of approximately 6.436 kilometres; thence it passes in a northerly direction to the south-eastern foot of Maseve Hills; thence it follows that foot of the latter hills in an easterly direction for a distance of approximately 3 miles to the source of the Chimbulwe Stream; thence it follows that stream to its junction with the Mkushi River; thence it follows that river up to its junction with the Muchila wa Samba Stream, thence it follows that stream to its source; thence it follows the Mkushi-Kakushi watershed in a general northerly direction to a point south-west of the junction of the Kakushi and Buluya Streams; thence it passes in a straight line to that junction; thence it follows the Buluya Stream to its source; thence it passes round the headwaters of the Inambo River and in a general south-easterly direction along the watershed between the Inambo and Ntekete Streams to the source of the Sambashi Stream; thence it follows that stream down to its junction with the Mlembo River; thence it follows that river up to its source; thence it passes in a straight line north-eastwards to Boundary Pillar No. 1 on the Zambia-Congo International Boundary; thence starting northwards it follows that international boundary to the point where it meets the western boundary of the Tabwa Reserve, No. XXXII, near Lake Tanganyika; thence starting southwards it follows the boundaries of that reserve, and the Wemba (Mporokosso) Reserve, No. XXXIII, and the Lungu (Mukupa) Reserve, No. XXIX, the Wemba (Mporokosso) Reserve, No. XXXIII, and the Lungu (Tafuna) Reserve, No. XXVIII, to the point where the eastern boundary of the latter reserve meets the Musombezi River; thence it follows that river down to its junction with the Chambezi River on the boundary of the Mambwe (Nsokolo) Reserve No. XXXI; thence starting southwards it follows the boundary of that reserve to the most southerly Beacon W195 of Farm No. T27; thence it follows the south-eastern boundary of that farm to the most easterly Beacon W207 thereof on the boundary of the Mambwe (Fwambo) Reserve, No. XXX; thence starting eastwards it follows the boundary of that reserve to the most southerly Beacon C700, of Farm No. T10, Jericho; thence it follows the south-western and north-western boundaries of that farm to the most northerly corner thereof on the south-eastern boundary of the Mambwe (Fwambo) Reserve, No. XXX; thence starting north-eastwards it follows the boundary of that reserve to the point where it meets the Zambia-Tanzania International Boundary; thence it follows that boundary in a general south-easterly direction, skirting the boundaries of Farms Nos. T6, Chireshia Estate, T11, Mambwe Estate, and T12, Mambwe Estate Extension, to the point where it meets the northern boundary of the Inamwanga Reserve, No. XXXVI; thence starting westwards it follows the boundary of that reserve back to the Zambia-Tanzania International Boundary; thence it follows that boundary and the Zambia-Malawi International Boundary in a south-easterly direction to the
point where the latter boundary meets the eastern boundary of the Iwa (Mweni Mpanza) Reserve, No. XXXVII; thence starting south-westwards it follows the boundary of that reserve back to the Zambia-Malawi International Boundary; thence it follows the latter boundary south-eastwards to the point where it meets the northern boundary of the Tambo Fungwe Kamanga Reserve, No. XXXIX; thence starting westwards it follows the boundaries of that reserve and the Iwa (Kafwimbi) Reserve, No. XXXVIII, and the Wemba (Mwanga) Reserve, No. XXXV, and the Iwa (Kafwimbi) Reserve, No. XXXVIII, and the Tambo Fungwe Kamanga Reserve, No. XXXIX, to the point where the latter meets the right bank of the Luangwa River; thence it follows the right bank of that river down to its junction with the Lunsemfwa River; thence it follows the Lunsemfwa River up to its junction with the Lukushashi River; thence it follows the latter river up to its junction with the Mlembo River; thence it follows the latter river up to its source; thence it follows in a straight line to the point of starting.

Included within the boundaries thus defined but excluded from the area are the following:

(a) The Wemba (Makasa) Reserve, No. XXXIV.

(b) Farms: T4 Kayambi. 914 Ruanga.

NER62 Scotsdale. 1090 Winambo.
NER67 Chienje. 1092 Muzamanzi.
NER68 Mbereshi. 1099 Kalwa.
(Remaining Extent) 1128 Malole.
99a Graylands. 1199 Lubushi.
NER70 Munwa. 1200 Lufubu.
NER72 Sancta Maria. 1363 Johnston Falls.
T169 Chibwa. 1365 Kabundu.
526 Lualua. 1366 Mapula.
611 Chitambo. 1367 Katibungu.
612 The Monument. 1369 Ilondola.
614 St. Joseph's. 1370 Chalabesa.
615 Chipili. 1371 Mulobola.
616 Ipusukiro. 1372 Lubwa.
617 Chibote. 1389 Lwena.
825 Kaombi. 1982 The Two Leopards
826 Shiwa Ngandu. 2077U Kanona Hotel.
911 Mbesuma. Lot No. 23/M Mulanga.
912 Chunga. Lot No. 209/M Malole.
913 Chinungu.

(As amended by section 4 of the Order of 1959, these amendments shall be deemed to have had effect as from the date of coming into force of the principal Order. (Section 5 (a) of the Order of 1959.) section 4 (j), (k), (l) and (m) of Order No. 1 of 1961 These amendments, except that relating to Lot No. 209/M Malole, shall be deemed to have had effect as from the date of coming into force of the principal Order. (Section 5 (b) of Order No. 1 of 1961.) and by Government Notices Nos. 217 of 1959, 126 of 1960 and 411 of 1963)

(c) Townships: Chiengi. Kawambwa.
     Chinsali. Luwingu.
     Fort Rosebery. Mpika.
     Kasama. Serenje.
     Kasama Extension (G.N. No. 52 of 1961).

(As amended by Government Notice No. 52 of 1961)


These amendments shall be deemed to have had effect as from the date of coming into force of the principal Order. (Section 5 (a) of the Order of 1959.)

These amendments, except that relating to Lot No. 209/M Malole, shall be deemed to have had effect as from the date of coming into force of the principal Order. (Section 5 (b) of Order No. 1 of 1961.)

(d) All that piece of unsurveyed land, in extent approximately 40.47 hectares, situated on the Mubende River in the Fort Rosebery District and formerly leased to William Lammond of the Garanganze Mission under Lease No. 1548.

(Excluded by Government Notice No. 19 of 1953)

(e) An area of approximately 162.6894 hectares bounded as follows:

     Starting at a point on the shore of Lake Bangweulu due east of Beacon YR718, the boundary runs due west to that beacon; thence in a westerly direction to Beacon YR717; thence it follows the north-eastern edge of the 30.48 metres wide road reserve to Beacon YR716; thence due south to Beacon YR715; thence due east to Beacon YR714; thence in a south-easterly direction to Beacon YR713, which is on the southern edge of the Mukula Dambo; thence in an easterly direction along the southern edge of the Mukula Dambo to the Samba Stream; thence down the right bank of the Samba Stream to the point where it enters Lake Bangweulu; thence along the lake shore in a general northerly direction and north-westerly direction to the point of starting.

(Excluded by Government Notice No. 126 of 1954)

(f) The area within the following boundaries:

     Starting at a point on the west bank of the Lwela River approximately 11.66525 kilometres upstream from its junction with the Mulungushi River, the boundary runs north-westwards for approximately 320.04 metres; thence north-eastwards for approximately 256.032 metres; thence south-eastwards for
approximately 320.04 metres, to the west bank of the Lwela River; thence south-westwards down this bank to the point of starting. The area comprised within these boundaries is approximately 8.094 hectares.

(Excluded by Government Notice No. 301 of 1956)

(g) Lot 306/M.
Lot 307/M.
Lot 704/M.

(Excluded by Government Notice No. 422 of 1962 and Statutory Instrument No. 259 of 1965)

No. XXI

Boundaries:
Starting at the point where the south-eastern boundary of the Tabwa Reserve, No. XXXII, meets Lake Tanganyika, the boundary follows the lake shore in a general south-easterly direction to the point where it meets the north-western boundary of the Lungu (Tafuna) Reserve, No. XXVIII; thence starting south-westwards it follows the boundaries of that reserve, the Wemba (Mporokoso) Reserve, No. XXXIII, and the Tabwa Reserve, No. XXXII, back to the point of starting.

Included within the boundaries thus defined but excluded from the area is Farm No. NER 15.

(As amended by section 4 (n) of Order No. 1 of 1961 * This amendment shall be deemed to have had effect as from the date of coming into force of the principal Order. (Section 5 (b) of Order No. 1 of 1961.)*)

No. XXII

Boundaries:
Starting at the point where the eastern boundary of the Lungu (Tafuna) Reserve, No. XXVIII, meets Lake Tanganyika, the boundary follows the lake shore north-eastwards to the most northerly corner Beacon B532 of Farm No. T176, Lanchester; thence starting south-eastwards it follows the boundaries of that farm and of Farm No. T8, Kasakalwe, to the most easterly corner Beacon E of the latter farm; thence it passes in a general south-easterly direction along the crest of the Chibulula Hills to a point on the Abercorn-Mbete motor road due north of Kanwantondwe Hill; thence it follows that motor road in a south-easterly direction for a distance of approximately 8.045 kilometres; thence it passes in a straight line westwards towards Kapurumuka Hill to the Lunzua River; thence it follows that river upstream to the point where it crosses the southern boundary of the old Tanganyika Estate; thence starting westwards it follows the boundary of that estate to the point where it crosses the north-eastern boundary of the Lungu (Tafuna) Reserve, No XXVIII; thence starting north-eastwards it follows the boundary of that reserve to the point of starting.

Included within the boundaries thus defined but excluded from the area are the
following:

(a) Farm No. T175.
(b) Lot 298/M 0.480 acres.
    Lot 300/M 0.382 acres.

(Excluded by Government Notice No. 127 of 1964)

* This amendment shall be deemed to have had effect as from the date of coming into force of the principal Order. (Section 5 (b) of Order No. 1 of 1961.)

No. XXIII

Boundaries:

Starting at the most westerly corner Beacon U54 of Farm No. T154, the boundary passes along the crest of the Kuntunangulu Hills in a north-westerly direction down to the southern boundary of the Lungu (Zombe) Reserve No. XXVII; thence it follows that boundary eastwards for a distance of approximately 6.436 kilometres; thence it passes in a southerly direction to the point where the Abercorn-Mpulungu road crosses the Katula Stream, thence it follows that stream down to the most northerly corner of Farm No. T154 near Beacon U219 thereof; thence it follows the northern boundary of that farm westwards to the point of starting.

No. XXIV

Boundaries:

Starting south-eastwards at the point where the Luangwa emerges from the Tambo Fungwe Kamanga Reserve, No. XXXIX, the boundary follows the boundary of that reserve to the Zambia-Malawi International Boundary; thence it follows that boundary southwards to the most easterly Beacon G457 of Farm No. D190, Tamanda Mission; thence it follows the northern boundary of that farm to the eastern boundary of the Msandili Reserve No. I; thence starting northwards it follows the boundary of that reserve to the point where it meets the northern boundary of Farm No. DIII, Lorne Estate; thence starting north-westwards it follows the boundaries of that farm and of Farms No. D193, Luona, D192, Masupe, D130 and D214, Kapara, to the most southerly corner Beacon D34 of the latter farm on the boundary of the Ngoni Reserve, No. II; thence starting westwards it follows the boundary of that reserve to the point where it meets the boundary of Farm No. 948 Chikowa; thence starting north-westwards it passes round the boundaries of Farms Nos. 948, 949, Chaumbwa, 950, Kandafulu, 951, Lupande, 950, 949 and 948 to the point where the south-western boundary of the latter farm meets the boundary of the Ngoni Reserve, No. II; thence starting south-westwards it passes round the boundaries of Farms Nos. D208, D209 and D210, Chongo, to the most southerly corner of the latter near its beacon BM55 on the boundary of the Ngoni Reserve, No. II; thence starting south-westwards it follows the latter boundary to the point where it meets the eastern boundary of Farm No. D76, Mchuma; thence starting north-eastwards it passes round the boundaries of that farm to the north-east corner Beacon D thereof on Yangome Hill; thence it continues eastwards along the boundary of the Ngoni Reserve to the most northerly corner Beacon L of Farm No. D77, Chechere; thence starting southwards it passes round
the boundaries of Farms Nos. D77 and D78, Chimkule, to the point where the western boundary of the latter crosses the Great East Road; thence it follows that road westwards to the point where it crosses the north-eastern boundary of Farm No. D169; thence it passes north-westwards along the boundaries of that farm and of Farm No. D170, Walubwe, to the north-east corner of the latter on the Mtezezi River near Beacon J133 of that farm; thence starting northwards it follows the boundary of the Zumwanda Reserve, No. IV; skirting the boundaries of Farm No. D60, Msoro, to the most northerly corner Beacon J144 of Farm No. D165, Katete Estate; thence starting south-westwards it follows the boundaries of Farms Nos. D165, D164, D163, D162, D161, Kangwelema, D171, Uplands and D160, Chiringonde, to the south-east corner of the latter at the junction of the Chiringonde Stream and the Katete River; thence it passes in a straight line in an easterly direction to a point on the western boundary of Farm No. D204 about 1.609 kilometres south of Beacon H thereof; thence starting south-westwards it follows the boundaries of Farms Nos. D204 and D55A to the south-west corner Beacon E of the latter farm on the boundary of the Chewa Reserve, No. III; thence starting westwards it follows the boundaries of that reserve and of Naenga Reserve, No. V, skirting the boundaries of Farms Nos. D58, Nyanje Mission, D197, Minga Mission, and of the unsurveyed farm Nyimba, to boundary Beacon 11 on the Zambia-Portuguese East Africa International Boundary; thence it follows that boundary south-westwards to the point where it meets the Luangwa River; thence it follows the left bank of the Luangwa River up to the point of starting.

Included within the boundaries thus defined, but excluded from the area, are the following:

(a) the Lusandwa Reserve, No. VI;

the Petauke Reserve, No. VII;

the Wambo Reserve, No. VIII;

the Chilinga Reserve, No. IX.

(b) The areas included within the boundaries defined hereunder:

(1) Starting at a beacon marked C on the Great East Road west of Chassa Mission, the boundary follows that road in a south-westerly direction for a distance of approximately 16.09 kilometres to a beacon marked GI thereon; thence it passes in a northerly direction along a cut line for a distance of approximately 9.654 kilometres to a beacon marked C4; thence it passes in a straight line eastwards to the point of starting.

(2) Starting at the point where the Great East Road enters the Elephant Dambo approximately 9.654 kilometres west of Mafumba Hill, the boundary passes northwards for a distance of approximately 2.4135 kilometres; thence it passes eastwards along a line distant approximately 2.4135 kilometres from the Great East Road for a distance of approximately 6.435 kilometres; thence it passes southwards to the point of starting.

(3) Starting at the most easterly Beacon A1 of Farm No. D200, the boundary goes south-eastwards for a distance of approximately 8.045 kilometres; thence it passes south-westwards for a distance of approximately 3.218 kilometres; thence it passes north-westwards to the southern boundary of Farm
No. D45 approximately 1.20675 kilometres from Beacon 0 thereof; thence starting north-eastwards it follows the boundaries of Farms Nos. D45 and D200 to the point of starting.

(c) The following Farms:

- D44 Sasare Mining Reserve.
- D211 Woodlands.
- D45 Sasare.
- D212.
- D79 Lusangazi.
- D213 Mzooli.
- D120 Milianyama.
- D215 Nyambuli.
- D172 Marambe.
- D216 Chipengali.
- D191 Kokwe.
- D217 Ngwata.
- D194 Sasare West.
- D218 Chinkumba.
- D195 Chassa Mission.
- D219 Sinda.
- D196 Merwe Mission.
- D728.
- D198 Hofmeyr Mission.
- D729 Chipapa.
- D199.
- D951 Lupandi.
- D200.
- D952 Kasiya.
- D205 Kavalamungu.
- D953 Mchacha.
- The unsurveyed Farm Makali.
- The unsurveyed Farm Chasefu Mission.

(d) Lundazi Township.
Petauke Township.

No. XXV

Boundaries:

Starting on the Zambia-Malawi International Boundary at RN, the most easterly corner beacon of Farm No. D39, Fort Jameson Township, the boundary follows that international boundary south-eastwards to the most easterly corner of the Ngoni Reserve, No. II; thence it follows the boundary of that reserve north-westwards to the most easterly corner Beacon S5 of Farm No. D28; thence starting north-westwards it passes round the boundaries of Farms Nos. D28, D89, D26, Magwero, D88 and D87 to the point of starting.

No. XXVI

Boundaries:

Starting eastwards at the most easterly Beacon B2 of Farm No. D54 on Bwanunka Hill, the boundary follows the boundary of the Ngoni Reserve, No. II, to the point where the Mwami River crosses the western boundary of Farm No. D73A, Mwami Mission; thence starting south-westwards it follows the boundaries of Farms Nos. D73A, D74, D74A, D90C, D90E, D90B to the Zambia-Malawi International Boundary; thence it follows that boundary in a general south-easterly direction to the most northerly Beacon J207 of Farm No. D187, Msambira; thence starting south-westwards it follows the boundaries of Farms Nos. D187 and D173, Missale, to the south-west corner Beacon J167 of the latter farm on the Zambia-Portuguese East Africa International Boundary; thence it follows that boundary south-westwards to Boundary Pillar No. 31 on Manyani Hill; thence starting north-easterly it follows the boundary of the Chewa Reserve, No. III, skirting Farms Nos. D223, Mpalepale, D99, Chamkoko, D98, D97, Dide Mall, D96, Kasungude D92, Choli Estate, D93, Vubwe Gorge, D94, D95, D100, D104 to the point of starting.
No. XXVII

Boundaries:

Starting at the most westerly corner of Farm No. D179, Lowlands, near Beacon J237 thereof on the Zambia-Portuguese East Africa International Boundary, the boundary follows that international boundary south-eastwards to the most easterly corner Beacon J196 of Farm No. D180; thence it follows the north-eastern boundary of that farm to the most northerly corner Beacon J209 thereof on the Zambia-Malawi International Boundary; thence starting north-eastwards it follows that international boundary, skirting the boundaries of Farms Nos. D176, Chimimbi Estate, D177, Chigumukila Estate to the most westerly corner Beacon J293 of Farm No. D184; thence starting south-eastwards it follows the boundaries of Farms Nos. D184, D182, Kellynure, D181, D220, Winslow, D222, D221 and D179 to the point of starting.

No. XXVIII

Boundaries:

Starting at the most easterly corner Beacon B2 of Farm No. D54 on Bwanunka Hill, the boundary passes in a straight line south-westwards along the boundary of the Chewa Reserve, No. III, to the most easterly corner Beacon FA of Farm No. D119, Chadzombe; thence starting north-westwards it follows the boundaries of Farms Nos. D119, D48, Chadzombe, D47, D50, D141, D142, D144, Naadzu to the point where the south-eastern boundary of the latter crosses the Kapundi Stream; thence it follows the boundary of the Ngoni Reserve, No. II, to the most westerly corner Beacon J of Farm No. D52; thence starting eastwards it follows the boundaries of Farms Nos. D52, D53 and Kapundi, D54 to the point of starting.

No. XXIX

Boundaries:

Starting south-westwards at the most easterly corner Beacon FA of Farm No. D119, Chadzombe on the boundary of the Chewa Reserve, No. III the boundary follows the boundary of that reserve to the south-east corner Beacon F of Farm No. D118, Naadzu Mission; thence starting northwards it follows the boundaries of Farms Nos. D118, 1477, D50, D47 and D119 to the point of starting.

No. XXX

Boundaries:

Starting north-eastwards at the point where the Great East Road crosses the south-western boundary of Farm No. D78, Chimkuli, the boundary follows the boundaries of Farms Nos. D78, D77, Chechere, to the north-east corner Beacon M of the latter farm, on the boundary of the Ngoni Reserve No. II; thence starting southwards the boundary follows the boundary of that reserve to the point where it is crossed by the Great East Road; thence it follows that road south-westwards to the point of starting.

THE ZAMBIA (TRUST LAND) ORDER, 1964
AT THE COURT AT BUCKINGHAM PALACE, THE 15TH DAY OF OCTOBER, 1964

Present:

THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL

HER MAJESTY, by virtue and in exercise of the powers vested in Her in that behalf by the Foreign Jurisdiction Act, 1890, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:

1. (1) This Order may be cited as the Zambia (Trust Land) Order, 1964. Citation, commencement and construction

(2) This Order shall come into operation immediately before 24th October, 1964.

(3) This Order shall be construed as one with the Northern Rhodesia (Native Trust Land) Orders in Council, 1947 to 1963.

2. (Had its effect)

3. All Native Trust Land that immediately before the commencement of this Order is vested in the Secretary of State shall, on the commencement of this Order, be transferred to and vest in the President of the Republic of Zambia. Vesting of native trust lands in President

4. Nothing in this Order or the Zambia Independence Order, 1964, shall affect any estate, right or interest in or over any land which the Governor or any other officer or authority of the Government of Northern Rhodesia, acting in exercise of any power in that behalf conferred by or under the Northern Rhodesia (Native Trust Land) Order in Council, 1947, or any Order amending that Order, has at any time before the commencement of this Order created, granted, recognised or otherwise acknowledged, and, accordingly, those estates, rights and interests shall continue to have the same validity as they had before the commencement of this Order and the Zambia Independence Order, 1964.

W. G. AGNEW

Saving of existing rights

THE ZAMBIA (GWEMBE DISTRICT) ORDERS 1959 AND 1964

AT THE COURT AT BUCKINGHAM PALACE, THE 20TH DAY OF FEBRUARY, 1959

Present:

THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL

WHEREAS it is in the interests of the Government and people of Northern Rhodesia and of the Federation of Rhodesia and Nyasaland that there should be established at the Kariba Gorge in the valley of the River Zambezi a hydro-electric generating station, and that the waters of the River Zambezi should be used for that purpose:

AND WHEREAS for the aforesaid purpose it is necessary to create a lake the
waters of which will cover certain lands in Northern Rhodesia:

AND WHEREAS the creation of the said lake will afford the opportunity to develop certain other lands in Northern Rhodesia:

AND WHEREAS some of the lands so affected are Native Reserves and Native Trust Land within the meaning of the Northern Rhodesia (Crown Lands and Native Reserves) Orders in Council, 1928 to 1963 (hereinafter called the Reserves Order), and the Northern Rhodesia (Native Trust Land) Orders in Council, 1947 to 1963 (hereinafter called the Trust Land Order), respectively:

AND WHEREAS it is expedient to make provision for the well-being of the African inhabitants of the lands so affected:

NOW, THEREFORE, Her Majesty, by virtue and in exercise of the powers by the Foreign Jurisdiction Act, 1890, or otherwise in Her Majesty vested, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:

1. (1) This Order may be cited as the Zambia (Gwembe District) Orders, 1959 and 1964. Short title and commencement

(2) This Order shall come into operation on the twenty-seventh day of February, 1959, and shall be published in the Northern Rhodesia Government Gazette.

(As amended by section 2 of the Order of 1964* Statutory Instrument No. 6 of 1964. *)

* Statutory Instrument No. 6 of 1964.

2. This Order applies to the Gwembe Administrative District (hereinafter called "the District") as defined by any Proclamation made under any law or, subject thereto, by the President.

(As amended by section 2 of the Order of 1964) Application of Order

3. (1) In this Order, unless it is otherwise provided or required by the context—Interpretation

"the affected areas" means those parts of the District which are also parts of—

(a) the Tonga (Sigongo) Reserve XIX, the Tonga (Magoye) Reserve XX, and the Tonga (Choma) Reserve XXI, as described in the Schedule to the Reserves Order; and

(b) the Trust Land areas No. VII and No. XI as described in the Schedule to the Trust Land Order;

"the Corporation" means the Central African Power Corporation or any other body corporate established by any law of Zambia for the purpose of supplying electricity from the hydro-electric generating station situated on the Zambezi River at Kariba Gorge;

"forest produce" includes trees, timber, plants, grass, reeds, fruits, seeds, roots and generally everything of a like nature but does not include cultivated
crops;

"the Fund" means the Gwembe District Special Fund established under section 9 of this Order;

"the Gazette" means the official Gazette of the Government of Zambia;

"the President" includes any person for the time being lawfully performing the functions of that office;

"the rural council" means the Gwembe Rural Council deemed to have been established under the Local Government Act. The Local Government Act is Cap. 281 in this Edition.

* Statutory Instrument No. 6 of 1964.

The Local Government Act is Cap. 281 in this Edition.

Cap. 480 of the 1971 Edition

(2) Save as is in this Order otherwise provided, or required by the context, the Interpretation Act, 1889, shall apply for the purpose of interpreting this Order as it applies for the purpose of interpreting an Act of Parliament.

(As amended by section 2 of the Order of 1964 and Act No. 69 of 1965)

4. The Corporation may inundate any of the lands to which this Order applies by the construction of a dam at the Kariba Gorge for the purposes of the generation of hydro-electric power, provided that the normal operating level of the dam shall be not more than 484.632 metres above sea level at Beira.

(As amended by section 2 of the Order of 1964) The Corporation permitted to inundate lands

5. (1) The Reserves Order and the Trust Land Order shall on the commencement of this Order continue to apply to the affected areas only in so far as those Orders are not inconsistent with the provisions of this Order, and if any provision of either of those Orders is inconsistent with any provision of this Order the provisions of this Order shall prevail, and the Reserves Order or the Trust Land Order, as the case may be, shall, to the extent of the inconsistently, be of no effect. Effect of this Order on other Orders

(2) For the purpose of this section a reference to the Reserves Order or the Trust Land Order shall include a reference to any law amending or replacing either of those Orders.

6. The * Power to make grants of land in designated areas delegated to the public officer for the time being holding the office or executing the duties of Commissioner of Lands, subject to the directions of the Minister responsible for land matters. (Statutory Instrument No. 7 of 1964.) *President may by notice in the Gazette designate any area of the affected areas and in any such area so designated may-
* Power to make grants of land in designated areas delegated to the public officer for the time being holding the office or executing the duties of Commissioner of Lands, subject to the directions of the Minister responsible for land matters. (Statutory Instrument No. 7 of 1964.)

(a) grant to the Corporation by lease for a period not exceeding 999 years and upon such terms and conditions as he may think fit any area of land which he may consider necessary for or ancillary to the construction and operation of a hydro-electric generating station at the Kariba Gorge and the supply therefrom of hydro-electric power;

(b) grant to any person by lease for a period not exceeding 99 years any area of land upon such terms and conditions and for such purposes as he may think fit, and in respect of any such lease the President may grant an option of renewal;

(c) demand a rental for the use of any lands so granted upon lease and revise the said rental at intervals of not more than 33 years;

(d) grant to the Corporation upon such terms and conditions as he may think fit any wayleave or right to place any power transmission lines over any land, and such terms and conditions may include a provision for payment by the Corporation in respect of such grant.

(As amended by section 2 of the Order of 1964)

President may lease land

* Power to make grants of land in designated areas delegated to the public officer for the time being holding the office or executing the duties of Commissioner of Lands, subject to the directions of the Minister responsible for land matters. (Statutory Instrument No. 7 of 1964.)

7. (1) The President may by notice in the Gazette declare—President's powers in relation to fishing, forests and other matters

(a) the fishing rights in any waters in the District to be reserved for any person who is a native or group of persons who are natives;

(b) any waters in the District to be a controlled fishing zone;

(c) any area of land in the District to be a national park, game reserve or game-controlled area;

(d) any area of land in the District to be a protected forest.

(2) The President, or any * The Chief Conservator of Forests authorised by Government Notice No. 37 of 1960.*person authorised by the President in writing in that behalf, may grant to any person the right to work, cut or take away any forest produce in any area in the District.


(3) The President may by notice in the Gazette vary or revoke any declaration made by him under subsection (1) of this section.
8. (1) The President, after consultation with the rural council, may make regulations for the conservation of any fish in any waters of the District declared to be a controlled fishing zone under paragraph (b) of subsection (1) of section 7 of this Order, and for prohibiting, restricting or regulating fishing in any such waters. Regulations

(2) The President may make regulations-

(a) for the purpose of facilitating the establishment and development of a fishing industry in the District, or in any part thereof, and without prejudice to the generality of the foregoing power for the following matters:

(i) the issue of fishing licences;

(ii) the registration of fishing boats and fishing appliances;

(iii) the keeping of records of fish taken or of fish exported from the District;

(iv) the promotion of research for the better development of fisheries in the waters of the District;

(v) the regulation of trade in and sale of fish from the District;

(b) for the preservation, development and control of any areas of land declared by the President under paragraph (c) or (d) of subsection (1) of section 7 of this Order to be national parks, game reserves, game-controlled areas or protected forests, and for the issue of licences or permits in connection with the exercise of such powers;

(c) prescribing the terms and conditions upon which a person may be granted the right to work, cut or take away any forest produce under subsection (2) of section 7 of this Order;

(d) for the licensing of, and control of any matters relating to, shipping, ferries and boats, of whatever description in the District, or in any part thereof, and whether such ships, ferries or boats ply for reward or otherwise;

(e) prescribing the form of any licence, permit or other document issued in pursuance of the powers conferred under this section and the fees payable thereon.

(3) Regulations made under this section may prescribe as penalties for breach of any such regulations a fine not exceeding 100 or imprisonment for a period not exceeding 12 months or both such fine and imprisonment.

(As amended by section 2 of the Order of 1964 and Act No. 69 of 1965)


9-11. (Repealed by Act No. 5 of 1968)

12. (1) In the exercise of the powers conferred on him by this Order the President shall have regard to the native laws and customs and traditional or
customary rights existing in the District. President to have regard to native law and custom.

(2) Before the President under the powers conferred on him by this Order grants to any person, who in his opinion is not a native normally and lawfully resident in the District any rights over land or in waters covering land in the affected areas, the President shall arrange for the rural council to be consulted.

(As amended by section 2 of the Order of 1964 and Act No. 69 of 1965)

12A. (Revoked by section 2 of the Order of 1964)

13. (1) Anything which has been done by the Corporation before the commencement of this Order which would have been lawfully done if this Order had come into operation on the first day of December, 1958, shall be deemed to have been lawfully done. Validation

(2) All lands in the Tonga (Choma) Reserve XXI used on or after the first day of June, 1958, for the construction of airstrips, buildings or camps for purposes connected with bush clearance shall be deemed to have been occupied from or after the aforesaid date as if this Order had then been in force and as if the President had under section 6 of this Order by notice in the Gazette designated the area of land affected and as if leases had been granted in respect of such lands to the occupiers thereof under paragraph (b) of the said section 6.

(As amended by section 2 of the Order of 1964)

W. G. AGNEW

THE ZAMBIA (GWEMBE DISTRICT) ORDER, 1964

AT THE COURT AT BUCKINGHAM PALACE, THE 15TH DAY OF OCTOBER, 1964

Present:

THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL

HER MAJESTY, by virtue and in exercise of the powers vested in Her in that behalf by the Foreign Jurisdiction Act, 1890, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:

1. (1) This Order may be cited as the Zambia (Gwembe District) Order, 1964. Citation, commencement and construction

(2) This Order shall come into operation immediately before 24th October, 1964.

(3) This Order shall be construed as one with the Northern Rhodesia (Gwembe District) Order in Council, 1959.

2. (Had its effect)

3. Nothing in this Order or the Zambia Independence Order, 1964, shall affect any estate, right or interest in or over land which the Governor, acting in
exercise of any power in that behalf conferred by or under the Northern Rhodesia (Gwembe District) Order in Council, 1959, has at any time before the commencement of this Order created, granted, recognised or otherwise acknowledged, and, accordingly, those estates, rights and interests shall continue to have the same validity as they had before the commencement of this Order and the Zambia Independence Order, 1964.

W. G. AGNEW

Savings of existing rights

SUBSIDIARY LEGISLATION

STATE LANDS, RESERVES AND TRUST LAND

Government Notices
149 of 1928
25 of 1930
6 of 1931
17 of 1931
115 of 1945
230 of 1951
125 of 1960
497 of 1964
Statutory Instrument
117 of 1965

THE RESERVES REGULATIONS

Regulations by the President under Article 7 of the Zambia (State Lands and Reserves) Orders, 1928 to 1964

1. These Regulations may be cited for all purposes as the Reserves Regulations.Title

2. In these Regulations, unless the context otherwise requires—Interpretation

"Assistant District Secretary" means the Assistant District Secretary placed in charge of any Reserve or part of a Reserve;

"native occupant" means, as regards any Reserve, a native entitled under the Order to enter and occupy land in that Reserve;

"Reserve" means a Reserve constituted under the Order;

"the Order" means the Zambia (State Lands and Reserves) Orders, 1928 to 1964.

3. No person, unless he is a native occupant or otherwise in lawful occupation of land within a Reserve, shall enter or remain in such Reserve unless he shall show lawful cause for so entering or remaining. Entering or remaining in Reserves

4. No person, unless he is a native occupant or otherwise in lawful occupation of land within a Reserve, shall in travelling through such Reserve, take a longer time in doing so than is reasonably necessary for the lawful purposes that occasion such travelling. Travelling through Reserves

5. Any person contravening regulation 3 or 4 shall, in addition to any of the penalties to which he may be liable under regulation 24, also be liable to be removed from a Reserve by order of the President if, in the opinion of the President, such removal is desirable in the interests of the native
TRADING SITES

6. On the recommendation of the rural council concerned, the President, if he is satisfied that it will be in the interests of the inhabitants of the Reserve, may grant a lease of a site to any suitable person or firm for purposes of trading in any Reserve at a rent and for a period not exceeding five years to be agreed upon between him and the lessee. The said lease shall be subject to the terms of these Regulations and such other terms and conditions as the President may require.

(As amended by No. 230 of 1951)

7. The area of any site granted in accordance with the terms of regulation 6 shall not exceed in extent 2.0235 hectares of land, and the President may require the lessee to enclose such land with a suitable and sufficient fence.

8. The land leased in accordance with regulation 6 shall be used for purposes to be specified in the lease, and the lessee shall be bound to erect upon such land and keep in repair suitable and sufficient premises for such purposes together with suitable sanitary offices.

9. (1) The Assistant District Secretary for the time being may, on application to him by the lessee, subject to there being grazing available that will not interfere with the convenience of native rights of grazing, grant permission to the lessee to graze stock on such land near the site leased to him as may be pointed out to him by the Assistant District Secretary, and shall specify a grazing fee payable by the lessee not being less than two ngwee* Under the Fees and Fines Act this converts to 3 fee units.* per head for large stock and half an ngwee per head for small stock per mensem for a limited period not exceeding three months at any one time, but except as hereinafter provided permission shall not be given for grazing more than 100 head of stock at any one time during such period:

* Under the Fees and Fines Act this converts to 3 fee units.

Permission to graze stock

Provided that, in the event of the lessee being in possession of a permit granted under any law in that behalf, to purchase cattle, the Assistant District Secretary may, in his discretion and subject to any general or special directions from the President, grant to the lessee the right to graze such number of stock and for such period not exceeding the term of the lease as the Assistant District Secretary shall specify.

(2) Any lessee who grazes stock in excess of the number permitted or who neglects to comply with any conditions or directions imposed or issued under this regulation or otherwise shall be deemed to have contravened the provisions of these Regulations and shall be liable to the penalties provided in regulation 24.

(No. 25 of 1930 as amended by No. 17 of 1931)

10. The lessee shall not, without the consent in writing of the President,
assign or sublet the land leased to him or appoint any person other than a
native approved by the Assistant District Secretary as manager or substitute in
any business carried on upon the said site.

11. The lessee shall waive any right he may have or acquire under the
in this Edition.* , by the building of any house, to object to any prospecting
outside the limits of the said land and within a radius of 321.8 kilometres of
such building.


* Under the Fees and Fines Act this converts to 3 fee units.

12. The lessee shall not open or have any interest in any other store or
trading station in a Reserve within a radius of 32.18 kilometres of the said
site.

13. The President shall have the right of immediately cancelling the lease
and the lessee shall thereupon be required to evacuate the site—

(a) on failure of the lessee to pay rent in accordance with the terms of the
lease, or on a breach of any of the conditions of the lease or of these
Regulations by the lessee; or

(b) if the lessee is not in possession of such licence as may be necessary
for carrying on the business for which the site is leased; or

(c) if the lessee or his agent or any person residing on the site, with his
consent, either—Cancellation of lease

(i) by act, speech or conduct attempts to incite any inhabitant of the
Reserve or any area adjacent thereto to disturb the public peace or attempts to
excite discontent or disaffection amongst the inhabitants or to promote feelings
of ill-will or hostility towards the Government or its officers or to
constituted authority; or

(ii) in any manner whatsoever so conducts himself or the business carried on
under such licence as to exercise an influence which, in the opinion of the
President, is detrimental to the welfare of the population of the Reserve.

14. (1) Any buildings or improvements put up or made by the lessee shall be at
his own risk and cost, and no compensation shall be claimable in respect of the
same at the expiration or determination of the lease save as otherwise expressly
provided in these Regulations or in the lease:Buildings and improvements

Provided that, within a period of three months after the termination of the
lease by effluxion of time or otherwise, the lessee shall, unless the lease
otherwise provides, have the right to remove or dispose of any buildings on the
site, but such removal shall be effected without injury to the site.
If the site be needed for public purposes, the lease may be cancelled on three months' notice given at any time:

Provided that, in the event of such cancellation, the lessee shall be entitled to reasonable compensation for damages to improvements thereon, as may be mutually agreed upon or determined by arbitration.

MISSION SITES

Lease of mission sites

On the recommendation of the rural council concerned, the President, if he is satisfied that it will be in the interests of the inhabitants of the Reserve, may grant to any missionary society a permit to occupy temporarily a site not exceeding 40.47 hectares in a Reserve for the purposes of such mission, and may, on the completion of the occupation in conformity with the terms of such permit, grant a lease of such site for such purposes. The said lease shall be subject to the terms of these Regulations and such other terms and conditions as the President may require:

Provided that in special circumstances the President may grant permits and leases of sites exceeding 40.47 hectares but not exceeding 80.94 hectares.

(As amended by No. 115 of 1945 and No. 230 of 1951)

16. The provisions of regulations 11, 13 and 14 shall apply, mutatis mutandis and so far as applicable, to sites occupied under permits or leases in terms of regulation 15.

Regulations 11, 13 and 14 to apply to mission sites

TIMBER CUTTING

17. (1) For the purposes of this regulation, "forest produce" includes the following things when found in or brought from a Reserve, namely, trees, timber, branchwood, poles, bamboos, slabs, chips, sawdust, plants, grass, reeds, thatch, bedding, creepers, fibres, leaves, fruits, seeds, roots, bark resin, rubber, sap, charcoal and, generally, everything of a like nature growing or contained within the Reserve, but does not include cultivated crops nor finished articles manufactured or made up from forest produce. Felling, etc., of forest produce

(2) No person, unless he is a native occupant within a Reserve, shall fell, cut, take, work or remove any forest produce within a Reserve without the express permission in writing of the Assistant District Secretary.

(3) No person, unless he is a native occupant within a Reserve, shall employ any person to fell, cut, take, work or remove any forest produce within a Reserve without the express permission in writing of the Assistant District Secretary.

(4) No native occupant nor any person in lawful occupation of land within a Reserve shall deliver or supply any forest produce of a Reserve to any person residing outside a Reserve without the express permission in writing of the Assistant District Secretary.

(5) The Assistant District Secretary may, in granting any permission required under this regulation, attach conditions thereto including the payment of royalties.

(6) No person shall knowingly buy or receive any forest produce obtained in contravention of this regulation. The burden of proof that forest produce was lawfully obtained in or removed from a Reserve shall be on the person purchasing
or receiving the same.

HOTEL SITES

18. (1) The President may grant a lease of a site for an hotel or place of lodging on a public road leading through a Reserve for the accommodation of travellers on such conditions as he shall think fit: Lease of hotel sites

Provided that-

(i) the sale or supply of intoxicating liquor of any kind shall not be permitted at such hotel or place of lodging;

(ii) no lease for such hotel or place of lodging shall be granted if any other hotel or place of lodging shall exist within 32.18 kilometres thereof.

(2) Any such lease shall be subject to the provisions of regulations 11, 13 and 14, mutatis mutandis and so far as applicable.

TOURIST CAMPS

19. (1) On the recommendation of the rural council concerned, the President may grant leases of land in any Reserve for use as tourist camps on such conditions as he shall think fit: Lease of tourist camp sites

Provided that the hectarage of land granted for use as any one tourist camp by any such lease shall not exceed 4.047 hectares.

(2) Any such lease shall be subject to the provisions of regulations 11, 13 and 14, mutatis mutandis and so far as applicable.

(No. 125 of 1960)

CHARITABLE ORGANISATIONS

20. (1) On the recommendation of the rural council concerned, the President may grant leases of land in any Reserve for the use of charitable organisations on such conditions as he shall think fit: Lease for use of charitable organisations

(2) Any such lease shall be subject to the provisions of regulations 11, 13 and 14, mutatis mutandis and so far as applicable.

(No. 125 of 1960)

EASEMENTS, WAYLEAVES AND LICENCES

21. (1) The President may on such conditions as he shall think fit grant leases of land in any Reserve for the purposes of easements, wayleaves, licences or access by railways, roads or otherwise to any premises or place whether or not such premises or place is situated on Reserves: Leases for easements, wayleaves, licences or access

(2) Any such lease shall be subject to the provisions of regulations 11, 13 and 14, mutatis mutandis and so far as applicable.

(No. 125 of 1960)
LABOUR DEPOT SITES

22. (1) The President may grant to approved labour agents lease of land not exceeding 4.047 hectares in extent in any Reserve for use as rest camps and recruiting depots for labourers for any term not exceeding five years. Such leases shall be in the form in the Schedule or as nearly approximating to the said form as circumstances permit. Leases for labour rest camps, etc.

Schedule

(2) The President shall have power to add any special conditions to any lease.

(No. 6 of 1931)

GENERAL

23. Nothing in these Regulations shall be deemed to affect the lawful rights and interests of any persons in respect of any existing leases of trading, mission or school sites, acquired before the promulgation of these Regulations:

Existing leases

12th October, 1928

Provided that the President may, for any reason deemed sufficient by him, cancel any such lease in respect of any unexpired period and may, for the purpose of effecting such cancellation, exercise either the powers vested in him under these Regulations or those which he could have exercised under such lease before the promulgation of these Regulations.

24. Any person contravening any of the provisions of these Regulations shall be liable, on conviction, for a first contravention to a fine not exceeding fifty kwacha* Under the Fees and Fines Act, K50 converts to seven hundred and fifty penalty units, and K100 converts to one thousand five hundred penalty units.* or to imprisonment with or without hard labour for a period not exceeding three months, or to both such fine and such imprisonment, and, for a second or any subsequent contravention, to a fine not exceeding one hundred kwacha or to imprisonment with or without hard labour for a period not exceeding six months, or to both such fine and such imprisonment.

* Under the Fees and Fines Act, K50 converts to seven hundred and fifty penalty units, and K100 converts to one thousand five hundred penalty units.

Penalties

SCHEDULE

(Regulation 22)

THIS INDENTURE made the day of BETWEEN

President of Zambia (hereinafter called "the Lessor") of
the one part and of
(hereniafter called "the Lessee") of the other part;

WHEREAS the Lessee has applied to the Lessor for the lease of a certain piece of land hereninafter more fully described, situate within the
Reserve in the Province of                                for the purpose of providing a rest camp and recruiting depot for labourers:

AND WHEREAS the Lessor is prepared to grant such application in pursuance of the provisions of the Reserves Regulations (hereinafter referred to as "the Regulations"):

NOW THIS INDENTURE WITNESSETH:

1. The Lessor hereby demises unto the Lessee all that piece of land in extent acres more or less situate in the Reserve in the Province which piece of land is more particularly delineated and described on the plan annexed to these presents and thereon edged TO HOLD to the Lessee from the day of for the term of 5 (five) years but determinable as hereinafter mentioned paying therefor the yearly rent of K annually in advance with the option of renewal for 5 (five) years at the yearly rent of K payable annually in advance and with similar option of renewal at the expiration of each period of 5 (five) years.

2. The Lessee for himself and his assigns and to the intent that the obligations may continue throughout the term hereby created hereby covenants with the Lessor as follows:

(1) To pay the reserved rent at the times and in the manner aforesaid.

(2) To pay all taxes rates assessments impositions and outgoings now or hereafter payable in respect of the demised land.

(3) To use the demised land for the purpose of providing a rest camp and recruiting depot for labourers and for purposes ancillary thereto and for no other purpose.

(4) To erect upon the said land and keep in proper repair suitable and sufficient premises for the said purpose together with suitable sanitary offices.

(5) Not to assign underlet or part with the possession of the demised land or any part thereof without first obtaining the written consent of the Lessor.

(6) To yield up the demised land with the buildings and fixtures thereon and additions thereto at the determination of the tenancy in good and tenantable repair and condition in accordance with the covenants hereinbefore contained.

(7) To permit the Lessor and his agents and servants and all persons authorised by him to enter upon the demised land at all reasonable times and view the state of repair of the premises and upon notice given by the Lessor to amend in accordance therewith.

(8) To permit the Lessor and his agents and servants and all persons authorised by him to enter upon the demised land at all times and inspect the method or methods of conducting the said rest camp and recruiting depot and upon notice given by the Lessor to amend in accordance therewith.

(9) To place the said recruiting depot under the direct supervision of an approved resident male person and any rest camp under the direct supervision of
an approved resident male person.

3. The Lessor hereby covenants with the Lessee as follows:

(1) THAT the Lessee paying the rent hereby reserved and observing and performing the several covenants and stipulations herein on his part contained shall peaceably hold and enjoy the demised land during the said term without any interruption by the Lessor or any person rightly claiming under or in trust for the Lessor.

(2) THAT the Lessee shall have the right to graze the following stock on such ground to be agreed upon by the rural council and the District Secretary of the District in the vicinity of the land leased as the District Secretary after consultation with the rural council shall direct viz.:

............... head of small stock
............... head of large stock

at a grazing fee to be paid annually to the Lessor at the rate of
per head for small stock and per head for large stock per mensem.

4. PROVIDED ALWAYS and it is hereby agreed as follows:

(1) The term hereby created shall be determinable at any time by either party giving to the other three calendar months' previous notice in writing and upon the expiration of the said notice this demise shall determine accordingly but without prejudice to any right of action hereunder then accrued.

(2) If any of the Lessee's covenants shall not be performed or observed it shall be lawful for the Lessor at any time thereafter to re-enter upon the demised land or any part thereof in the name of the whole and thereupon this demise shall cease and determine.

(3) This lease is granted subject to the conditions of the Regulations and any alterations amendments additions or substitutions thereto hereinafter made.

(4) This lease is granted upon the representation of the Lessee that the land delineated and described on the plan annexed to these presents is in fact available and the Lessor does not warrant either the position or extent of the land so delineated and described. In case the description is found to be incorrect the Lessee may be called upon by notice in writing to surrender to the Lessor the land hereby demised together with all buildings thereon without compensation to the Lessee to the intent that this lease thereupon cease and determine.

IN WITNESS WHEREOF

President of Zambia has hereunto set his hand and the Public Seal of the Republic and has hereunto set his hand and seal the day and year first before written.

Signed Sealed with the Public Seal of the Republic and Delivered by

In the presence of
Witness
I CERTIFY that the terms of this lease have been fully explained to the rural council of the area concerned, and that they are fully understood by it.

District Secretary

Dated this day of

(No. 6 of 1931)

THE RESERVES FUND REGULATIONS

1. These Regulations may be cited as the Reserves Fund Regulations.

2. In these Regulations, unless the context otherwise requires:

"Fund" means the Reserves Fund established in accordance with Article 10 of the Zambia (State Lands and Reserves) Orders, 1928 to 1964.

3. Moneys received from the following sources shall be credited to the Fund:

(a) rents, fees or royalties paid to the Government in respect of land situate in Reserves;

(b) grazing fees in respect of Reserves;

(c) fees and royalties arising from fuel, timber and other forest produce in Reserves;

(d) any other public moneys which the President directs shall be credited to the Fund.

4. The Accountant-General shall keep the accounts of the Fund, which shall be subject to audit by the Auditor-General. Separate accounts shall be kept of money received and paid out in respect of each separate Reserve.

(As amended by No. 176 of 1937)
5. The Fund shall be administered by the Minister responsible for finance in consultation with the Minister responsible for local government, but subject to the directions of the President, for the benefit of the inhabitants occupying the Reserve in respect of which the moneys have been received.

(As amended by No. 176 of 1937) Administration of the Fund

6. The Minister responsible for finance shall apply the moneys of the Fund to the following purposes in Reserves:

(a) the establishment, maintenance and endowment of schools for the education and industrial training of the inhabitants;

(b) the prevention of disease and improvement of sanitary conditions amongst the inhabitants, including the erection and maintenance of hospitals and dispensaries;

(c) the prevention of disease amongst stock and the erection of dipping tanks and fencing;

(d) the improvement and development of agriculture including the experimental introduction of new agricultural products for cultivation;

(e) the improvement of stock;

(f) the supply of water for domestic farming and irrigation purposes, including the making of wells and dams;

(g) generally, such other purposes for the direct benefit of the inhabitants as may be approved by the President but for no other purposes whatsoever.

(As amended by No. 176 of 1937) Purposes

7. Any moneys (whether consisting of capital or income) at any time in the hands of the Accountant-General and not immediately required for any of the purposes set forth in regulation 6 may be invested at the discretion of the Accountant-General.

(As amended by No. 176 of 1937) Investment of moneys

8. The Accountant-General shall as soon as possible after the 31st December in each year furnish to the President an annual statement of the income and expenditure of the Fund. The annual statement to be furnished next after the 31st December, 1935, shall cover the period from the 1st April, 1935, to the 31st December, 1935. Subsequent annual statements shall cover the successive periods from the 1st January to the 31st December inclusive of each year.

(No. 94 of 1935) Annual statement of income and expenditure

THE RESERVES (WESTERN TIMBER CONCESSION) REGULATIONS

Government Notices
202 of 1953
497 of 1964

Regulations by the President under Article 7 of the Zambia (State Lands and Reserves) Orders, 1928 to 1964
1. These Regulations may be cited as the Reserves (Western Timber Concession) Regulations.

2. In these Regulations, unless the context otherwise requires—

"Concession Area" means the area of which the boundaries are set out in the Schedule;

"forest produce" includes trees, timber, branchwood, firewood, poles, bamboos, slabs, chips, sawdust, plants, grass, reeds, thatch, bedding, creepers, fibres, leaves, fruits, seeds, roots, bark, resin, rubber, sap, charcoal, honey, wax, fungi, galls, earth and such other things as the President may, by statutory notice, declare to be forest produce;

"licence" means a licence granted under regulation 3 and "licensee" means a person to whom such licence is granted.

3. (1) The President may grant an exclusive licence authorising a person on payment of such fees as the President may prescribe to enter the Concession Area for the purposes of cutting and taking away forest produce from the areas declared to be Protected Forest Areas in accordance with regulation 4 and exercising such other rights as the licence may provide:

Provided that—

(i) the President may, during the period of such licence, permit the felling and removal of trees within the areas declared to be Protected Forest Areas in accordance with regulation 4 by the inhabitants of the Concession Area for their own use within such area, and by departments of the Government for their operations in the Concession Area;

(ii) such licence shall not prevent any person from exercising his rights under the Mines and Minerals Act.

(2) A licence may contain such conditions as the President may deem fit.

4. The President may declare a Protected Forest Area under the provisions of the Forests Act within the Concession Area and may prohibit any acts within such Protected Forest Area which are prohibited by the provisions of section four of the Forests Act.

5. No licence or the rights conferred thereby shall be assigned by the
6. No forest produce derived from the operations of the licensee, other than the produce which the licensee is authorised to take in terms of the licence, shall become the property of the licensee.

7. (1) Any licence issued under regulation 3 (1) shall provide that the licensee shall observe all the provisions of the Forests Act in addition to any other provisions in such licence and such licence shall be declared to have been issued under the said Act.

(2) If the licensee fails to observe any provision of the Forests Act, or of any regulations made thereunder or fails to comply with the terms and conditions of his licence, in addition to any other penalty to which he may be liable, the President may revoke his licence.

8. The licensee may do any of the acts authorised by his licence subject to the conditions set out therein:

-(a) erect and operate timber depots, sawmills, store-rooms, workshops and garages;
-(b) erect houses and communal buildings for his employees and servants;
-(c) make gardens for the growth of vegetables and crops for the maintenance of his employees;

the licensee shall first obtain the approval of the President for the performance of any such acts and such approval may only be given after consultation with the rural council concerned.


The Forests Act is Cap. 199 in this Edition.

9. (1) Upon the termination or expiry of his licence, the licensee shall offer to the President a first option valid for a period not greater than six months to purchase plant, equipment, buildings, bridges, railways or water installations within the Concession Area.

(2) Within twelve months after the date upon which the President has opted to purchase or opted not to purchase or the period within which such option may be exercised has expired, the licensee shall remove all his plant, equipment, buildings and installations:

Provided that any roads, dams, boreholes or wells shall not be destroyed or removed but shall be deemed to form part of the land on which they are situated.

10. Where the licensee desires to occupy any land within the Concession Area for the purpose of the licence, the President may, subject to the provisions of the Zambia (State Lands and Reserves) Orders, 1928 to 1964, grant special permission therefor.
11. (1) Any person other than an indigenous inhabitant of the Concession Area who commits any act relating to the entry or user of land therein which is prohibited by the terms of any licence granted under regulation 3 shall be liable to a fine not exceeding two hundred kwacha* Under the Fees and Fines Act No. 13 of 1994, this converts to three thousand penalty units.* or to imprisonment for a term not exceeding twelve months, or to both such fine and imprisonment.

* Under the Fees and Fines Act No. 13 of 1994, this converts to three thousand penalty units.Penalties

(2) Any employee of the licensee shall be liable to be removed from the Concession Area at any time by order of the President if the President considers it desirable in the interests of the indigenous inhabitants of the Concession Area.

12. The provisions of regulation 17 of the Reserves Regulations shall not apply to the Concession Area.

* Under the Fees and Fines Act No. 13 of 1994, this converts to three thousand penalty units.Saving

SCHEDULE

(Regulation 2)

Starting at the confluence of the Luswishi River and the Muchema (or Mukema) River, the boundary follows the Muchema River upstream in an easterly and northerly direction to its confluence with the Luambwo (or Sowa) Stream; thence south-eastwards up the Luambowo Stream to its source; thence eastwards in a straight line to the source of the Chinemu Stream; thence down the Chinemu Stream to its confluence with the Lufwanyama River; thence down the Lufwanyama River in a southerly direction for a distance of approximately 28.962 kilometres to its confluence with the Katembula River; thence in a straight line in an easterly direction along the northern boundary of the Lamba-Lima Reserve No. X for a distance of approximately 22,860 metres to the Kafubu River; thence in a straight line on a true bearing of approximately 143 degrees for a distance of approximately 202,692 metres to the source of an unnamed tributary of the Kafubu River; thence down this unnamed stream in a south-easterly direction for a distance of approximately 8,839.2 metres to its junction with an unnamed tributary flowing northwards; thence up this unnamed stream in a south-westerly direction for a distance of approximately 3,048 metres to its source; thence in a straight line on a true bearing of approximately 260 degrees for a distance of approximately 3,291.84 metres to the confluence of the Lufwanyama River and an unnamed tributary near Beacon AC13; thence westwards and north-westwards up this unnamed stream to its source, thence north-westwards in a straight line for a distance of approximately 3,048 metres to the source of an unnamed tributary of the Funda River; thence south-westwards down this unnamed stream to its confluence with the Funda River; thence south-westwards down the Funda River to its confluence with the Luswishi River; thence in a general northerly direction up the Luswishi River for a distance of approximately 96.54 kilometres to its confluence with the Muchema (or Mukema) River, the point of starting.

The above-described area, in extent 299,599.41 hectares approximately, is shown on Plan No. F.R. 64, deposited in the office of the Surveyor-General and dated
the 26th June, 1963.

THE RESERVES (APPLICATION OF LEGISLATION) REGULATIONS

The President under Paragraph (4) of Article 6 of the Zambia (State Lands and Reserves) Orders, 1928 to 1964, was revoked by section 2 of the Order of 1964.* Paragraph (4) of Article 6 of the Zambia (State Lands and Reserves) Orders, 1928 to 1964, was revoked by section 2 of the Order of 1964.

1. These Regulations may be cited as the Reserves (Application of Legislation) Regulations.

2. The Roads and Road Traffic Act and the Fish Conservation Act shall apply to Reserves without modification.

3. The Natural and Historical Monuments and Relics Act shall apply to Reserves subject to the following exceptions and modifications:
   (a) the provisions of paragraph (e) of subsection (1) of section seven and the provisions of section eleven of the said Act shall not apply in Reserves;
   (b) the word "owner" as it appears in section ten of the said Act shall in relation to any area of Reserves within the control of a rural council be deemed to mean such rural council.

4. The Forests Act shall apply to Reserves subject to the following modifications:
   (a) before the Minister may exercise any of the powers conferred upon him by sections three and five of the said Act, the rural council having control within any such area of Reserves as is to be declared to be a Forest Reserve or Protected Forest Area shall be consulted;
   (b) such proportion as the President may direct of revenue accruing under the provisions of the said Act in its application to Reserves shall be paid into the Trust Land Fund.

* Paragraph (4) of Article 6 of the Zambia (State Lands and Reserves) Orders, 1928 to 1964, was revoked by section 2 of the Order of 1964.

5. The Game Act shall apply to Reserves subject to the following modifications:

Before the President may exercise his powers under section three of the said Act to declare any Reserve to be a national park or to alter the limits of any national park within Reserves, the rural council having control within such area as is to be included within the national park by such declaration or alteration shall be consulted.
6. Part VIII of the Town and Country Planning Act* The Town and Country Planning is Cap. 283 in this Edition.* shall apply to Reserves subject to the following modifications:


Before any regional plan may be approved or modified in accordance with the provisions of sections forty-six and forty-seven of the said Act, the rural council having control within any area of Reserve to which such regional plan relates shall be consulted. Application of Cap. 475 of the 1971 Edition of the Laws

7. The Water Act The Water Act is Cap. 198 in this Edition.* shall apply to Reserves subject to the following modifications:

* The Water Act is Cap. 198 in this Edition.

Before any application for a grant under the provisions of Part V of the said Act of any right to take water from Reserves or any right in or over Reserves may be approved, the rural council having control within the area to which such application relates shall be consulted. Application of Cap. 312 of the 1971 Edition of the Laws

8. The Natural Resources Act shall apply to Reserves subject to the following exceptions and modifications:

(a) the words "occupier", "owner" and "tenant" wherever they occur in the said Act or in this regulation shall be deemed to include the following: Application of Cap. 315

   (i) any person to whom a grant or disposition of land has been made in terms of sub-article (1) of Article 6A of the Zambia (State Lands and Reserves) Orders, 1928 to 1964;

   (ii) any person occupying land by special permission in terms of paragraph (a) of sub-article (2) of Article 6 of the Zambia (State Lands and Reserves) Orders, 1928 to 1964;

   (iii) any person occupying land in accordance with customary law;


The Water Act is Cap. 198 in this Edition.

(b) (i) before the Board may give any order in accordance with the provisions of subsections (1) and (2) of section eleven of the said Act it shall first consult the Resident Secretary for the Province in which any area of Reserve to which such order relates is situate;

   (ii) the Resident Secretary shall thereupon consult the rural council having control within the said area and shall forward the views of such rural
council together with his own views to the Board;

(iii) in the event of the rural council opposing the giving of an order, the Board shall either-

A. inform the Resident Secretary and the rural council that it does not intend to give such order; or

B. refer the matter to the President;

(iv) where on a reference made under the requirements of the preceding paragraph, the President is satisfied that the rural council has had a reasonable opportunity of expressing its views and that the giving of an order would be in the best interests of the occupiers of land within the geographical limits of control of the said rural council he may, on such terms as he shall think fit, direct the Board to give an order;

(v) the Board shall send any order relating to any area of Reserve to the Resident Secretary concerned who shall forward it to the rural council concerned who shall make such order known to the occupiers in the area to which the order relates in such manner as is customary in such area;

(vi) any occupier of land to which an order given by the Board in accordance with this regulation relates who contravenes or fails to comply with such order shall be guilty of an offence and may be tried before any subordinate court or local court within whose jurisdiction the said land is situate;

(vii) where the Minister is of the opinion that the provisions of an order issued in terms of section eleven of the said Act as modified by this regulation are not being complied with, he may cause to be carried out or completed any works which are necessary to give effect to the order and subject to the agreement of the Resident Secretary he may impose such conditions as to payments as he shall deem fit;

(viii) the provisions of subsections (5), (10) and (11) of section eleven of the said Act shall not apply to Reserves;

(c) the provisions of section twelve of the said Act shall not apply to Reserves;

(d) before the President may consider any recommendation by the Board under the provisions of section fourteen of the said Act relating to any area of Reserve, the rural council having control within the said area shall be consulted;

(e) no conservation committee or natural resources committee or natural resources sub-committee shall be constituted in accordance with the provisions of sections sixteen or twenty of the said Act without the agreement of the rural council having control within any area of Reserve with reference to which any such committee or sub-committee is formed;

(f) neither Part IV nor Part V of the said Act shall be applied to any area of Reserve within the geographical limits of control of any rural council without the agreement of such rural council, provided that where a rural council withholds its agreement the Minister may refer the matter to the President; and
the President may, if he thinks fit, authorise the Minister to apply Parts IV and V or either of such Parts without the agreement of the rural council;

(g) section fifty-one of the said Act shall not apply to Reserves.

9. The Fauna Conservation Act shall apply to Reserves subject to the following modifications:

Before any Reserve may be declared to be a game reserve, private game area, game management area or controlled hunting area or the boundaries of any such reserve or area as is within such Reserve may be altered, the rural council having control within such Reserve as is to be included within the reserve or area by such declaration or alteration shall be consulted.

The Reserve Grants Regulations
Government Notices
258 of 1962
497 of 1964

Regulations by the President under Article 7 of the Zambia (State Lands and Reserves) Orders, 1928 to 1964

1. These Regulations may be cited as the Reserve Grants Regulations.

2. The President may make a grant, hereinafter called a Reserve Grant, of any land within a Reserve to any African recommended for that purpose in accordance with the provisions of a law enacted by the Parliament of Zambia.

3. Subject to the other provisions of these Regulations, a Reserve Grant made to an African shall vest in such African an estate in fee simple in the land comprised in the Reserve Grant.

4. (1) A Reserve Grant made to an African shall not enable any dealing, without the prior consent of the President, with the land comprised in the Reserve Grant or any part thereof - Restrictions on dealing with land in Reserve Grant

(a) whereby any interest in such land or part thereof is granted to any person who is not an African; or

(b) within five years of the commencement of the grant.

(2) A Reserve Grant made to an African shall not enable, without the prior consent of the President, any subdivision of the land comprised therein.

(3) Save as may be provided by a law enacted by the Parliament of Zambia, a Reserve Grant made to an African shall not enable any disposition by will of the land comprising the grant, or any part thereof or interest therein.

5. Any instrument purporting to deal with land within a Reserve contrary to any of the provisions of regulation 4 shall to the extent that it so purports be void.

6. The transmission of land comprised in a Reserve Grant upon the death of the holder of such grant shall be as determined by a law enacted by the Parliament of Zambia.
7. The President may delegate to any person the power to give consent for the purposes of regulation 4. Delegation of power

KAFUE NATIONAL PARK Government Notices
210 of 1961
497 of 1964

Proclamation by the President under Section 5 (1) (e) of the Zambia (Trust Land) Orders, 1947 to 1964

The area of Trust Land set out in the Schedule has been set aside as a National Park.

SCHEDULE

Starting from Ndumdumwense Hill on the boundary of the Ila-Tonga Reserve, No. XXII, the boundary runs due west to a point on the eastern boundary of the Nkoya Reserve, No. XXIII; thence in a northerly and westerly direction to the point where the boundary of the Nkoya Reserve meets the boundary of the Western Province; thence in a northerly direction along the latter boundary to the source of the Lalafuta River; thence in a north by north-easterly direction to the source of the Kasompe Stream; thence down the Kasompe Stream to its confluence with the Lufupa River; thence in an easterly direction to the confluence of the Kabanga East and Ntemwa Streams; thence up the Kabanga East Stream to its source; thence in a south-easterly direction to the source of the Kayefu Stream; thence down the Kayefu Stream to its confluence with the Lunga River; thence in an easterly direction to the point where the Kasempa-Mumbwa motor road is intersected by the Lupemba Stream; thence southwards along this motor road to the Kafue River; thence up the Kafue River to a point therein on the prolongation north-westwards of the western boundary of Farm No. 3132; thence south-eastwards and eastwards along the western and southern boundaries of this farm through Beacons KY3, KY9, KY10, KY11, KY12, KY13, KY2 andKY14 to Beacon KY1 on the western boundary of Farm No. 156a "The Big Concession" (Remaining Extent), thence south-eastwards along this boundary for a distance of approximately 8.045 kilometres; thence southwards to a point on the Mumbwa-Kaoma road approximately 6.1142 kilometres east of the Nalusanga road bridge; thence in a westerly direction along the Mumbwa-Kaoma road to the Kafue River; thence down the Kafue River to its junction with the Musa River; thence up the Musa River to the crossing of the old Barotse-Namwala Cattle Cordon Road, thence along this road in a southerly direction to Cordon Post No. 3; thence in a straight line south-eastwards crossing the Nanzhila River approximately 8.045 kilometres south of the Nanzhila Mission to a point on the western boundary of the Ila-Tonga Reserve No. XXII, thence along this boundary in a southerly direction to the point of starting.

GAME RESERVES Government Notices
1 of 1962
497 of 1964

Notice by the President under Section 5 (1) (e) of the Zambia (Trust Land) Orders, 1947 to 1964

The areas described in the Schedule, being within and part of Trust Land No. I, have been set aside as game reserves.

SCHEDULE
MUSHINGASHI GAME AREA: CHIEF MUJIMANZOVU

Starting at the confluence of the Lunga River and Ndesha Stream, the boundary follows this stream to its source; thence on a true bearing of approximately 91 degrees for a distance of approximately 1.7699 kilometres; thence on a true bearing of approximately 182 degrees for a distance of approximately 7.5623 kilometres to the source of the Selauke Stream, thence down this stream to its confluence with the Chipupushi Stream; thence down this stream to its confluence with the Mushingashi River, thence down this river to its confluence with the Lunga River; thence up this river to its confluence with the Ndesha Stream, the point of starting.

LUBANZHILA GAME AREA: CHIEF KAPIJIMPANGA

Starting at the confluence of the Milu and Lunga Rivers, the boundary follows the latter river upstream to its confluence with the Luanzhila River; thence up this river to its confluence with the Mpembela Stream, thence up this stream to its source; thence southwards along the watershed between the Mikillingi and Nkyingwe Rivers to the point nearest the easterly source of this latter river; thence to that source; thence down the Nkyingwe River to its confluence with the Kachingwana Stream; thence up this stream to its source; thence in a straight line in a south-easterly direction to the nearest point on the watershed between the Kachingwana Stream and the Musankazhi River, thence generally south-westwards along this watershed to the point thereon nearest to the source of the Milu River; thence to the source of this river; thence down this river to its confluence with the Lunga River, the point of starting.

JIWUNDU GAME AREA: CHIEF MUSELE

Starting at a point on the Zambia-Congo International Boundary on the watershed between the Kamikora and Jiwundu Rivers, the boundary follows this watershed southwards for a distance of approximately 23.8132 kilometres; thence on a true bearing of approximately 283 degrees for a distance of approximately 12.3893 kilometres to the point where the Kamaboka Stream enters the Jiwundu Swamp; thence up this stream to its source; thence to the nearest point on the watershed between the Ngoshe and Jiwundu Rivers; thence northwards along this watershed to the point where it meets the Zambia-Congo International Boundary; thence southwards, north-eastwards and south-eastwards along this international boundary to the point thereon on the watershed between the Kamikora and Jiwundu Rivers, the point of starting.

THE TRUST LAND GRANTS REGULATIONS

Government Notices

257 of 1962
497 of 1964

Regulations by the President under Section 10 of the Zambia
(Trust Land) Orders, 1947 to 1964

1. These Regulations may be cited as the Trust Land Grants Regulations.

2. The President may make a grant (hereinafter called a Trust Land Grant) of any land within Trust Land to any African recommended for that purpose in accordance with the provisions of a law enacted by the Parliament of Zambia. Power to make grants of land in Trust Land
3. Subject to the other provisions of these Regulations, a Trust Land Grant made to an African shall vest in such African an estate in fee simple in the land comprised in the Trust Land Grant.

4. (1) A Trust Land Grant made to an African shall not enable any dealing, without the prior consent of the President, with the land comprised in the Trust Land Grant or any part thereof—Restrictions on dealing with land in Trust Land Grant

(a) whereby any interest in such land or part thereof is granted to any person who is not an African; or

(b) within five years of the commencement of the grant.

(2) A Trust Land Grant made to an African shall not enable, without the prior consent of the President, any subdivision of the land comprised therein.

(3) Save as may be provided by a law enacted by the Parliament of Zambia, a Trust Land Grant made to an African shall not enable any disposition by will of the land comprising the grant or any part thereof or interest therein.

5. Any instrument purporting to deal with Trust Land contrary to any of the provisions of regulation 4 shall to the extent that it so purports be void. Invalidity of certain instruments

6. The transmission of land comprised in a Trust Land Grant upon the death of the holder of such grant shall be as determined by a law enacted by the Parliament of Zambia. Transmission of Trust Land Grant

7. The President may delegate to any person the power to give consent for the purposes of regulation 4. Delegation of power

THE TRUST LAND (APPLICATION OF LEGISLATION) REGULATIONS

Regulations by the President under * Section 10B of the Zambia (Trust Land) Orders, 1947 to 1964, was revoked by section 2 of the Order of 1964.*

*Section 10B of the Zambia (Trust Land) Orders, 1947 to 1964, was revoked by section 2 of the Order of 1964.

1. These Regulations may be cited as the Trust Land (Application of Legislation) Regulations. Government Notices 339 of 1963 497 of 1964 Title


3. The Natural and Historical Monuments and Relics Act shall apply to Trust Land subject to the following exceptions and modifications:
(a) the provisions of paragraph (e) of subsection (1) of section seven and
the provisions of section eleven of the said Act shall not apply in Trust Land;

(b) the word "owner" as it appears in section ten of the said Act shall in
relation to any area of Trust Land within the control of a rural council be
deemed to mean such rural council.

Application of Cap. 266 of the 1971 Edition of the Laws

4. The Forests Act

The Forests Act is Cap. 199 in this Edition. shall apply to Trust Land, subject to the following modifications:

* The Forests Act is Cap. 199 in this Edition.

(a) before the Minister may exercise any of the powers conferred upon him by
sections three and five of the said Act, the rural council having control within
any such area of Trust Land as is to be declared to be a Forest Reserve or
Protected Forest Area shall be consulted;

(b) such proportion as the President may direct of revenue accruing under the
provisions of the said Act in its application to Trust Land shall be paid into
the Trust Land Fund.

Application of Cap. 311 of the 1971 Edition of the Laws

5. The Game Act

shall apply to Trust Land subject to the following modifications:

Before the President may exercise his powers under section three of the
said Act to declare any Trust Land to be a national park or to alter the limits
of any national park within Trust Land, the rural council having control within
such area as is to be included within the national park by such declaration or
alteration shall be consulted.

* Section 10B of the Zambia (Trust Land) Orders, 1947 to 1964, was revoked by
section 2 of the Order of 1964.

The Forests Act is Cap. 199 in this Edition.

Application of Cap. 106 of the 1962 Edition of the Laws

6. Part VIII of the Town and Country Planning Act

* The Town and Country Planning Act is Cap. 283 in this Edition.* shall apply to Trust Land subject to the following modifications:


Before any regional plan may be approved or modified in accordance with
the provisions of sections forty-six and forty-seven of the said Act, the rural
council having control within any area of Trust Land to which such regional plan
relates shall be consulted.


7. The Water Act

The Water Act is Cap. 198 in this Edition.* shall apply to Trust Land subject to the following modifications:
Before any application for a grant under the provisions of Part V of the said Act or any right to take water from Trust Land or any right in or over Trust Land may be approved, the rural council having control within the area to which such application relates shall be consulted.

The Natural Resources Act shall apply to Trust Land subject to the following exceptions and modifications:

(a) the words "occupier", "owner" and "tenant" wherever they occur in the said Act or in this regulation shall be deemed to include the following:

(i) any person to whom a grant or disposition of land has been made in terms of section five (1) (a) of the Zambia (Trust Land) Orders, 1947 to 1964;

(ii) any person who holds a Right of Occupancy granted in terms of section five (1) (b) of the said Orders;

(iii) any person occupying land in accordance with customary law;

(b) (i) before the Board may give any order in accordance with the provisions of subsections (1) and (2) of section eleven of the said Act, it shall first consult the Resident Secretary for the Province in which any area of Trust Land to which such order relates is situate;

(ii) the Resident Secretary shall thereupon consult the rural council having control within the said area and shall forward the views of such rural council together with his own views to the Board;

(iii) in the event of the rural council opposing the giving of an order, the Board shall either-

A. inform the Resident Secretary and the rural council that it does not intend to give such order; or

B. refer the matter to the President;

(iv) where on a reference made under the requirements of the preceding paragraph, the President is satisfied that the rural council has had a reasonable opportunity of expressing its views and that the giving of an order would be in the best interests of the occupiers of land within the geographical limits of control of the said rural council he may, on such terms as he shall think fit, direct the Board to give an order;

(v) the Board shall send any order relating to any area of Trust Land to the Resident Secretary concerned who shall forward it to the rural council concerned who shall make such order known to the occupiers in the area to which the order relates in such manner as is customary in such area;

(vi) any occupier of land to which an order given by the Board in
accordance with this regulation relates who contravenes or fails to comply with such order shall be guilty of an offence and may be tried before any subordinate court or local court within whose jurisdiction the said land is situate;

(vii) where the Minister is of the opinion that the provisions of an order issued in terms of section eleven of the said Act as modified by this regulation are not being complied with, he may cause to be carried out or completed any works which are necessary to give effect to the order and subject to the agreement of the Resident Secretary he may impose such conditions as to payments as he shall deem fit;

(viii) the provisions of subsections (5), (10) and (11) of section eleven of the said Act shall not apply to Trust Land;

(c) the provisions of section twelve of the said Act shall not apply to Trust Land;

(d) before the President may consider any recommendation by the Board under the provisions of section fourteen of the said Act relating to any area of Trust Land, the rural council having control within the said area shall be consulted;

(e) no conservation committee or natural resources committee or natural resources sub-committee shall be constituted in accordance with the provisions of sections sixteen or twenty of the said Act without the agreement of the rural council having control within any area of Trust Land with reference to which any such committee or sub-committee is formed;

(f) neither Part IV nor Part V of the said Act shall be applied to any area of Trust Land within the geographical limits of control of any rural council without the agreement of such rural council, provided that where a rural council withholds its agreement the Minister may refer the matter to the President, and the President may, if he thinks fit, authorise the Minister to apply Parts IV and V or either of such Parts without the agreement of the rural council;

(g) section fifty-one of the said Act shall not apply to Trust Land.

9. The Fauna Conservation Act shall apply to Trust Land subject to the following modifications:

Before any Trust Land may be declared to be a game reserve, private game area, game management area or controlled hunting area or the boundaries of any such reserve or area as is within Trust Land may be altered, the rural council having control within such Trust Land as is to be included within the reserve or area by such declaration or alteration shall be consulted. Application of Cap. 241 of the 1964 Edition of Laws

DESIGNATION OF AREAS

Notices by the President under Section 6 of the Zambia (Gwembe District) Orders, 1959 and 1964

The areas of land described in the Schedule are hereby designated for the purposes of section 6 of the Zambia (Gwembe District) Orders, 1959 and 1964. Government Notice 1985 of 1962
SCHEDULE

1. Island No. 31 in Reserve No. XXI.
2. Island No. 32 in Reserve No. XXI.
3. Island No. 47 in Reserve No. XX.
4. Island No. 48 in Reserve No. XX.
5. Island No. 102 in Trust Land No. VII.
6. Gwena Peninsula in Trust Land No. VII.

All the above as shown in Plan No. SDT/352 deposited with the Surveyor-General on 14th April, 1962.

The areas of land described in the Schedule are hereby designated for the purposes of section 6 of the Zambia (Gwembe District) Orders, 1959 and 1964. Government Notice 15 of 1863

SCHEDULE

SINAZONGWE

Starting at map reference 483 924 on an unnamed stream, the boundary proceeds on a grid bearing of 70 degrees approximately to the 1590 foot contour on the shore of Lake Kariba and continues in the same straight line for 91.44 metres; thence starting eastwards and continuing southwards, south-eastwards, westwards and finally northwards it follows a line parallel to and 91.44 metres offshore from the 1590 foot contour to the point where the aforesaid stream enters the lake; thence up this stream to the point of starting.

The above description is by reference to the 1/50,000 Federal Map No. 1727A4.

CHIPEPO

Starting at map reference 903 424, the boundary proceeds in a straight line on a grid bearing of 68 degrees approximately to the 1590 foot contour on the shore of Lake Kariba and continues in the same straight line for 91.44 metres; thence starting north-eastwards and continuing generally southwards and westwards, it follows a line parallel to and 91.44 metres offshore from the 1590 foot contour to a point due south of the starting point; thence due north to the latter.

The above description is by reference to the 1/50,000 Federal Map No. 1627D4.

The areas of land described in the Schedule are hereby designated for the purposes of section 6 of the Zambia (Gwembe District) Orders, 1959 and 1964. Government Notice 238 of 1964

SCHEDULE

1. That area of land in the Tonga (Sigongo) Reserve, No. XIX, approximately 696.084 hectares in extent and 51.89025 kilometres in length on the route of the Kariba-Copperbelt power transmission line shown on map No. MISC. R.21 dated 5th
April, 1960, and deposited in the office of the Surveyor-General extending 39.624 metres to the east and 94.488 metres to the west of the transmission line.

2. That area of land in the Trust Land No. VII approximately 226.632 hectares in extent and 16.95886 metres in length on the route of the Kariba-Copperbelt power transmission line shown on map No. MISC. R.21 dated 5th April, 1960, and deposited in the office of the Surveyor-General, extending 39.624 metres to the east and 94.488 metres to the west of the transmission line.

THE FISH CONTROL (KARIBA) REGULATIONS

Government Notices
325 of 1960
73 of 1964
103 of 1964
497 of 1964

Regulations by the President, after consultation with the Gwembe Rural Council, under Section 8 (1) of the Zambia (Gwembe District) Orders, 1959 and 1964

1. These Regulations may be cited as the Fish Control (Kariba) Regulations.

2. In these Regulations, unless the context otherwise requires—

"the area" means that area of the District which is inundated by reason of the construction of the Kariba Dam, and includes the waters of all rivers flowing into the lake so formed for a distance of 457.2 metres upstream from the point of entry of such rivers into such lake, together with the verges of such lake and of such part of such rivers respectively to a distance of 182.88 metres from the water mark as it may vary from time to time;

"authorised officer" in relation to any matter means a person duly authorised by the Minister to act in such matter;

"the District" means the Gwembe Administrative District;

"fish" means any vertebrate fish;

"fishing" includes any act directed at the taking, killing or injuring of any fish or the eggs thereof, and "to fish" with its grammatical variations shall be construed accordingly;

"gill net" means any net used for fishing which is customarily left drifting or stationary in the water;

"long-line" means a line bearing 4 or more fish hooks and set in or drawn through the water for the purpose of fishing;

"rod and line" means a rod and line used for fishing and furnished with not more than 3 fish hooks at any one time.

3. (1) Except as may be otherwise provided by these Regulations, any person who fishes, or who is found in circumstances showing that it is his intention to fish, within the area by any means other than—Restrictions on means of fishing
(a) a gill net which complies with such measurements as the Minister may, from time to time by statutory notice, prescribe; or

(b) rod and line; or

(c) long-line; or

(d) a spear;

shall be guilty of an offence.

(2) Nothing in this regulation contained shall be deemed-

(a) to prohibit the use of a gaff or a landing net to remove from the water any fish being lawfully taken on a line;

(b) to relieve any person from the necessity to take out any licence which may be required by the provisions of any other law;

(c) to prohibit fishing by means of a gill net by any person holding a licence mentioned in regulation 6 of the Fishing Industry (Kariba) Regulations.

(As amended by No. 73 of 1964)

4. (1) The Minister or an authorised officer may, by statutory notice, at any time declare that such part of the area as may be specified in such notice shall be closed, either permanently or for such period as may be so specified, for fishing therein by any means whatsoever or by such means as may be so specified.

Temporary closure of water

(2) Any person who fishes, or is found in circumstances showing that it is his intention to fish, in contravention of any notice issued under sub-regulation (1) shall be guilty of an offence.

(As amended by No. 73 of 1964)

5. Any person who, within the area, sets, shoots or works any net, or constructs any weir, in such a manner that such net or weir stretches across more than two-thirds of the width, measured from bank to bank, of any river, channel or lagoon shall be guilty of an offence.

Prohibition of obstruction of waters

6. (1) The Minister may, for the furtherance of any scientific purpose, give written permission to any person to fish within the area in such manner and at such time or times as may be specified in such permission, and, notwithstanding any other provision of these Regulations, the person to whom such permission is given shall be entitled to fish in compliance therewith.

Fishing for scientific purposes

(2) A permission given under sub-regulation (1) shall be subject to such conditions, if any, as the Minister may impose, and any person who contravenes or fails to comply with any such condition or any of the terms of such permission shall be guilty of an offence.

7. (1) Any person who, within the area, possesses or uses for fishing any apparatus or other thing designed or adapted for the taking of fish otherwise than in accordance with the provisions of these Regulations shall be guilty of
an offence. Illegal apparatus, etc.

(2) The Minister may, by statutory notice, declare that the provisions of sub-regulation (1) shall not, from such date as may be specified in such notice, apply to any apparatus or thing so specified, and may, at any time and in like manner, vary, suspend or revoke any such notice.

8. Any person guilty of an offence under these Regulations shall be liable to a fine not exceeding two hundred kwacha. Under the Fees and Fines Act, No. 13 of 1994, this converts to three thousand penalty units. or to imprisonment for a period not exceeding twelve months, or to both such fine and imprisonment.

* Under the Fees and Fines Act, No. 13 of 1994, this converts to three thousand penalty units.

Penalty

TEMPORARY CLOSURE OF WATER

Government Notice 398 of 1963

Declaration by the Minister under Regulation 4 (1) of the Fish Control (Kariba) Regulations

No person during the months of November, December and January in any year shall fish by means of any type of gill net in that part of the area enclosed within a boundary starting at the mouth of the Zambezi River on the west bank of Devil's Gorge, thence in a north-easterly direction following the highwater mark on the west bank of the area to the northernmost point of the area opposite the Sebungwe narrows, thence to the thalweg of the narrows and down the thalweg to a point opposite the original starting point, and thence to the original starting point on the west bank of the area.

RESTRICTION ON MEANS OF FISHING

Government Notice 71 of 1964

Declaration by the Minister under Regulation 4 (1) of the Fish Control (Kariba) Regulations

No person shall fish at any time within any part of the area defined by regulation 2 of the Fish Control (Kariba) Regulations by the driving of fish into any type of net which method of fishing is known as "Kutumpula".

THE FISHING INDUSTRY (KARIBA) REGULATIONS

Government Notices 326 of 1960
72 of 1964
103 of 1964
497 of 1964

Regulations by the President under Section 8 (2) of the Zambia (Gwembe District) Orders, 1959 and 1964

1. These Regulations may be cited as the Fishing Industry (Kariba) Regulations. Title

2. In these Regulations, unless the context otherwise requires- Interpretation
"the area" means that area of the District which is inundated by reason of the construction of the Kariba Dam, and includes the waters of all rivers flowing into the lake so formed for a distance of 457.2 metres upstream from the point of entry of such rivers into such lake, together with the verges of such lake and of such part of such rivers respectively to a distance of 182.88 metres from the high water mark as it may vary from time to time;

"the Control Regulations" means the Fish Control (Kariba) Regulations;

"the District" means the Gwembe Administrative District;

"fish" means any vertebrate fish;

"fishing" includes any act directed at the taking, killing, or injuring of any fish or the eggs thereof, and "to fish" with its grammatical variations shall be construed accordingly;

"gill net" means any net used for fishing which is customarily left drifting or stationary in the water;

"licence" means any licence issued or recognised as valid under the provisions of these Regulations;

"licensing authority" means the District Secretary of, or any Assistant District Secretary stationed in, the District, and any official of the Gwembe Rural Council duly authorised by the said District Secretary in that behalf.

3. (1) Notwithstanding the provisions of sub-regulation (2) of regulation 3 of the Control Regulations, any person who possesses or uses for fishing any gill net within the area except under the authority of a valid licence shall be guilty of an offence.

Gill net licences

(2) The Minister may, in his discretion, exempt any person or persons from the provisions of sub-regulation (1).

4. (1) Licences shall be in the form set out in the Schedule to these Regulations and, upon payment of a fee of one kwacha in respect of each 22.86 metres length or part of 14,287.5 metres length, of gill net authorised by such licence, may be issued by any licensing authority.

Issues, etc., of licences

(2) Fees received in respect of licences shall be paid into the general revenues of the Republic.

(3) Every licence shall expire on the 31st December next following the date of issue thereof.

(No. 72 of 1964)

5. (1) Every licence issued under the provisions of these Regulations shall be personal to the person to whom it is issued and shall not be transferable.

Licences not transferable

(2) Any person who-

(a) makes any alteration or erasure in any licence; or

(b) allows any licence issued to him to be carried by any other person for
the purpose of concealing any offence against these Regulations;

shall be guilty of an offence.

6. (1) Where the Minister is satisfied that reciprocal provisions have been made by or under the legislation of Southern Rhodesia entitling the holders of licences issued under the provisions of these Regulations to fish in the waters of Lake Kariba in Southern Rhodesia he may, by statutory notice, declare that licences issued in Southern Rhodesia shall be deemed to be valid licences for the purposes of these Regulations and, notwithstanding the provisions of regulation 3 of the Control Regulations, so long as such licences are carried by the persons to whom they were issued, such persons may fish by means of a gill net within the area. Reciprocity for Southern Rhodesia licences

(2) The Minister may at any time vary, suspend or revoke any notice issued under sub-regulation (1).

7. Any person who, without the written permission of the Minister, introduces into any water within the area any fish not natural to such water shall be guilty of an offence. Introduction of exotic fish

8. (1) Any person duly authorised in that behalf by the Minister may, for the purpose of keeping records and statistics, demand the production, by any person who is in possession within the District of fish taken in the area, of such fish, and may measure and check such fish. Records and statistics

(2) Any person who, without reasonable excuse, fails to comply with any demand made under the provisions of subregulation (1), or who hinders or obstructs any person making such demand in the carrying out of his duties shall be guilty of an offence.

9. Any person guilty of an offence under these Regulations shall be liable to a fine not exceeding two hundred kwacha* Under the Fees and Fines Act, No. 13 of 1994, this converts to three thousand penalty units.* or to imprisonment for a period not exceeding twelve months, or to both such fine and imprisonment.

* Under the Fees and Fines Act, No. 13 of 1994, this converts to three thousand penalty units. Penalty

SCHEDULE

(Regulation 4)

THE FISHING INDUSTRY (KARIBA) REGULATIONS

GILL NET LICENCE

Name .......................................................... of .......................................................... village

Chief .......................................................... District ......................................................

is hereby authorised to possess and use .......................................................... (number) gill nets
within the area defined by regulation 2 of the Regulations.

FEE PAID K.......................... kwacha

Amount in words ......................... kwacha

FEE Fee units

For each 22.86 metres length, or part of 22.86 metres length . 15

................................................

Licensing Authority

NOTE.—This licence shall expire on the 31st December next following the date of issue thereof.

(No. 72 of 1964)

* Under the Fees and Fines Act, No. 13 of 1994, this converts to three thousand penalty units.

REPUBLIC OF ZAMBIA

RETIRING BENEFITS

APPENDIX 10 TO THE LAWS OF ZAMBIA

THE ZAMBIA (COMPENSATION AND RETIRING BENEFITS) ORDER, 1964

AT THE COURT AT BUCKINGHAM PALACE, THE 15TH DAY OF OCTOBER, 1964

Present :

THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL

HER MAJESTY, by virtue and in exercise of the powers in that behalf by the Foreign Jurisdiction Act, 1890(a) 53 & 54 Vict. c. 37.(a) or otherwise in Her Majesty vested, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:

(a) 53 & 54 Vict. c. 37.

1. (1) This Order may be cited as the Zambia (Compensation and Retiring Benefits) Order, 1964. Citation and commencement

(2) This Order shall come into operation immediately before 24th October, 1964.

2. (1) In this Order—Interpretation

(a) "Zambia" means the territories that immediately before 24th October, 1964 are comprised in the Protectorate of Northern Rhodesia and, in relation to any
period prior to the commencement of this Order, that Protectorate;

(b) "the limited compensation scheme" means the scheme of retirement benefits for pensionable overseas officers who retire in the interests of localisation or are required to retire to facilitate the introduction of constitutional changes that was published by the Government of Northern Rhodesia on 6th January, 1964 and "the general compensation scheme" means the Scheme of retirement benefits for members of Her Majesty's Overseas Civil Service and for officers designated under the Overseas Service (Northern Rhodesia) Agreement, 1961 that was published by the Government of Northern Rhodesia on 6th January, 1964.

(2) The Interpretation Act, 1889(b) 52 & 53 Vict. c. 63.(b) shall apply, with the necessary adaptations, for the purpose of interpreting this Order and otherwise in relation thereto as it applies for the purpose of interpreting, and in relation to, Acts of Parliament of the United Kingdom.

(b) 52 & 53 Vict. c. 63.

3. The provisions contained in the Schedule to this Order shall have effect in relation to the public service of Zambia.

Application of Schedule

4. (1) Where any officer or authority has before the commencement of this Order in pursuance of any provision of the limited compensation scheme or the general compensation scheme given any permission or consent or prescribed any condition or granted any benefit or made any payment or made any declaration or done any other thing for the purposes of that scheme, that permission, consent, condition, benefit, payment, declaration or other thing shall be deemed to have been given, prescribed, granted, made or done, as the case may be, under the corresponding provision of the Schedule to this Order, and the provisions of that Schedule shall have effect accordingly.

(a) 53 & 54 Vict. c. 37.

(b) 52 & 53 Vict. c. 63. Transitional provisions

(2) Where any officer has before the commencement of this Order in pursuance of any provision in the limited compensation scheme or the general compensation scheme given any undertaking or given or received any notice or retired or received any benefit he shall, provided that any conditions prescribed or deemed to have been prescribed by or under the Schedule to this Order are satisfied, be deemed to have given that undertaking, to have given or received that notice, or to have retired, or to have been granted or received that benefit, as the case may be, under the corresponding provision in that Schedule, and the provisions of that Schedule shall have effect accordingly.

(3) Any officer who has, before the commencement of this Order, been required under the provisions of the general compensation scheme, to retire to facilitate the localisation of the public service of Northern Rhodesia shall, for the purposes of the Schedule to this Order, be deemed to have retired under section 16 of the Zambia Independence Order, 1964(a) S.I. 1964/1652.(a).

(a) S.I. 1964/1652.
(4) The notice prescribed by the general compensation scheme to be given by officers who elect to retire from the public service shall be deemed to have been prescribed by the appropriate Service Commission under paragraph 4 of the Schedule to this Order; any declaration made by the Governor under the limited or general compensation scheme as to whether an officer has been or is required to retire in the circumstances described in paragraph 9 of that Schedule shall be deemed to have been made by the appropriate Service Commission under that paragraph; and any permission to retire given by the Governor under the limited compensation scheme in the circumstances described in paragraph 10 of that Schedule shall be deemed to have been given by the appropriate Service Commission under that paragraph.

(5) Any conditions or notices prescribed by the appropriate Service Commission for the purpose of paragraph 4 or paragraph 8 of the Schedule to this Order shall be not less favourable to any officer than any condition or notices prescribed by or for the purpose of the corresponding provision of the limited compensation scheme or the general compensation scheme, as the case may be.

(6) Any compensation, gratuity, disturbance grant or interest paid under the limited compensation scheme or the general compensation scheme in Northern Rhodesia before the commencement of this Order may, if the person entitled to the payment so requests, be transferred to any one of the countries to which reference is made in head (a), (c), (d) or (e) of paragraph 15 of the Schedule to this Order.

5. If the Government of the United Kingdom and the Government of Zambia agree that, in their application to any officer, the foregoing provisions of this Order and the provisions of the Schedule thereto shall have effect subject to such modifications or exceptions as those Governments may agree, then those provisions shall have effect accordingly.

W. G. AGNEW Modified application

SCHEDULE

COMPENSATION AND RETIREMENT BENEFITS FOR CERTAIN OFFICERS IN THE PUBLIC SERVICE OF ZAMBIA

1. (1) In this Schedule, unless the context otherwise requires-

"appropriate law" in relation to an officer in the public service means the law in force in Zambia that governs the grant of pensions, gratuities and other like benefits in respect of the service of that officer in the public service;

"appropriate Service Commission"-

(a) in relation to an officer who can be removed from his office by the Judicial Service Commission, means that Commission; and

(b) in any other case, means the Public Service Commission;

"entitled officer" means an overseas officer in the public service who on the operative date has not attained the age of fifty-five years or, in the case of a judge of the Court of Appeal or the High Court, sixty-two years and who-

(a) was before the operative date appointed or selected for appointment to an office in the public service being a pensionable office for the purposes of the
appropriate law;

(b) was on the operative date the substantive holder of an office that was at that date a pensionable office for the purposes of the appropriate law;

(c) is a member of Her Majesty's Overseas Civil Service or Her Majesty's Overseas Judiciary, or a designated officer for the purposes of the Overseas Service (Northern Rhodesia) Agreement, 1961;

(d) has since the operative date been the substantive holder of an office service in which may during his tenure thereof be taken into account in computing his pension under the appropriate law; and

(e) has been confirmed in his appointment, where his appointment is subject to confirmation;

and includes an officer in the public service on and since the operative date to whom the provisions of the Overseas Superannuation Scheme (Consolidation) Regulations apply;

"General Orders" means the General Orders of the Government;

"Government" means the Government of Zambia;

"operative date" means 1st May, 1964;

"Oversea Superannuation Scheme (Consolidation) Regulations" means any regulations so entitled made by a Secretary of State;

"overseas officer" means an officer who has not at any time accepted transfer to the Northern Rhodesia Civil Service (Local Conditions) whether or not that officer's transfer to the said Northern Rhodesia Civil Service (Local Conditions) was subsequently cancelled unless such cancellation was made with the concurrence of Her Majesty's Government;

"pensionable emoluments" means emoluments that may be taken into account in computing the pension of an officer under the appropriate law or the Oversea Superannuation Scheme (Consolidation) Regulations, as the case may be;

"pensionable service" means the aggregate amount of service that may be taken into account for the purpose of computing the pension of an officer under the appropriate law or the Oversea Superannuation Scheme (Consolidation) Regulations, as the case may be, and in the case of an officer to whom the Oversea Superannuation Scheme (Consolidation) Regulations apply includes service that could be taken into account for the purpose of computing pensions under the European Officers' Pensions Ordinan ce of Zambia;

"public service" means the public service of Zambia;

"substantive holder" in relation to any office includes a person serving in that office on probation but does not include a person (other than a person serving under a probationary agreement) serving in that office for a specified term under a contract.

(2) For the purposes of this Schedule-

(a) a person shall not be regarded as holding any office on the operative
date if on that date he was on leave of absence pending his retirement otherwise than under this Schedule;

(b) a person whose office has been abolished and who retires in consequence of the abolition of his office shall be deemed to be the substantive holder of that office during the period between the date on which the office was abolished and the date of expiration of any leave of absence granted to him pending his retirement;

(c) when an officer on probation is required to retire-

(i) under section 16 of the Zambia Independence Order, 1964;

(ii) to facilitate the introduction of constitutional changes;

(iii) in consequence of injury or ill health;

(iv) in consequence of the abolition of his office or for the purpose of facilitating improvements in the organisation of that part of the public service to which he belongs by which greater economy or efficiency may be effected; or

(v) on the grounds of age in accordance with the provisions of the appropriate law;

he shall be deemed to have been confirmed in his appointment immediately before the day upon which he was given notice requiring him to retire;

(d) subject to the provisions of head (a) of this sub-paragraph, an officer who satisfies the conditions specified in heads (a), (b), (c) and (e) of the definition of "entitled officer" in sub-paragraph (1) of this paragraph, and who has, before the date of the commencement of this Order, retired or died, shall be deemed to have become entitled to compensation under paragraph 2 or paragraph 9, as the case may be, of this Schedule and the provisions of this Schedule shall have effect in relation to such officer as if he were an entitled officer immediately before such retirement or death.

(3) For the purposes of calculating the compensation to which an officer is entitled under this Schedule, where the officer is seconded to the service of another government or authority on the date taken for calculation, he shall be deemed to have such annual pensionable emoluments on that date as he would have had on that date if he had not been so seconded but had continued until that date to hold the office in the public service that he was holding immediately before his secondment and had been granted all increments and other increases of salary for which he would thus have been eligible.

(4) An entitled officer who is required to retire and who, immediately before being so required acted for a period of six months to the satisfaction of the appropriate Service Commission in a pensionable office the pensionable emoluments of which were higher than those of the office of which he was the substantive holder, shall be deemed to have been confirmed in the pensionable office in which he was acting.

(5) Where an officer was on any date appointed or selected for appointment to an office in the public service upon transfer from pensionable employment under the Government of the United Kingdom in a public office as defined by the Superannuation Act, 1892(a) 55 & 56 Vict. c. 40.(a) and for any period thereafter was entitled to return to such pensionable employment he shall not
for the purposes of this Schedule be regarded as having been on that date
appointed or, as the case may be, selected for appointment as the substantive
holder of an office in the public service but shall for those purposes be
regarded as having been so appointed or selected on the date on which he ceases
to be entitled to return to such pensionable employment if on that date he was
holder of an office in the public service.

(As amended by Statutory Instrument No. 168 of 1965) Cap. 400* Cap. 266 in this

(a) 55 & 56 Vict. c. 40.

* Cap. 266 in this Edition.

2. (1) Subject to the provisions of this Schedule, every entitled officer
shall, at the commencement of this Order or, in the case of a person who becomes
an entitled officer after that date, at the date on which he becomes an entitled
officer, become entitled to compensation which shall be assessed in accordance
with the provisions of this paragraph and at each assessment shall be calculated
by multiplying the amount of his annual pensionable emoluments on the date taken
for calculation by the appropriate factor and the resulting amount, or twelve
thousand pounds, whichever is the less, shall be the amount to which he is
entitled.

(2) The compensation of each entitled officer under this paragraph which has not
already been provisionally assessed shall be provisionally assessed as soon as
is reasonably practicable after the commencement of this Order or, in the case
of a person who becomes an entitled officer after the commencement of this
Order, as soon as is reasonably practicable after that person becomes an
entitled officer and for that purpose the date to be taken for calculation shall
be the operative date or, in the case of a person who becomes an entitled
officer after the operative date, the date on which that person became an
entitled officer.

(3) The compensation under this paragraph of each person who is serving as an
entitled officer shall be provisionally reassessed upon each anniversary of the
date in relation to which his compensation was assessed under subparagraph (2)
of this paragraph and shall be finally assessed upon his retirement or death
while still serving as an entitled officer and for the purposes of this
sub-paragraph the date to be taken for calculation shall be such date (not being
earlier than the date in relation to which his compensation was assessed under
sub-paragraph (2) of this paragraph or later than the date upon which his
compensation is provisionally reassessed or finally assessed, as the case may
be) as is most advantageous in relation to the officer.

(4) In this paragraph "the appropriate factor" in relation to an officer means
the factor obtained from Table I of the Annex to this Schedule (or, in the case
of a judge of the Court of Appeal or the High Court, Table II of that Annex)
that is appropriate to the age and pensionable service of that officer on the
date taken for calculation reckoned in completed years and months or if it is
more favourable to the officer, reckoned in completed years without regard to
parts of a year. Entitlement to compensation

3. (1) When the compensation of an entitled officer has been provisionally
assessed under paragraph 2 (2) of this Schedule, a payment shall be made to that
officer, which—
(a) in the case of an entitled officer who has undertaken, otherwise than in relation to his promotion in the public service, to serve as such for any period (not being less than two years beginning on the operative date, or, if he was not an entitled officer on the operative date, on the date on which he became an entitled officer, exclusive of any period in which he is on leave of absence) shall be an amount equal to the amount of the compensation or two thousand pounds, whichever is the less;

(b) in any other case, shall be an amount equal to the amount of the compensation as so assessed or, if that amount exceeds one thousand pounds, then one-sixth of the amount of compensation or one thousand pounds, whichever is the greater:

Provided that if an entitled officer gives such an undertaking after a payment has been made to him under this sub-paragraph, but not later than twelve months after the date in relation to which his compensation was assessed under paragraph 2 (2) of this Schedule, he shall be paid as soon as is reasonably practicable after the date on which he gave that undertaking and in any case within three months of that date, an amount which when added to the amount already paid to him equals the amount he would have been paid under this sub-paragraph if he had given that undertaking before any payment had been made to him under this sub-paragraph.

(2) Subject to the provisions of paragraph 13 of this Schedule, a further payment shall be made to every person who has become entitled to compensation under paragraph 2 of this Schedule and who has not already received the whole of that compensation (whether that person is serving as an entitled officer or has retired) upon each anniversary of the date in relation to which his compensation was assessed under sub-paragraph (2) of that paragraph, which-

(a) in the case of a payment made upon the first, second, third or fourth anniversary, shall be an amount equal to the appropriate fraction of the balance of compensation then outstanding; and

(b) in the case of a payment made upon the fifth or any later anniversary, shall be an amount equal to the balance of compensation then outstanding:

Provided that-

(i) where the balance of compensation outstanding upon the first, second, third or fourth anniversary exceeds five hundred pounds and, in the case of an officer to whom sub-paragraph (1) (a) of this paragraph applies, where that balance, if added to the amount of compensation already paid under this paragraph, would exceed two thousand pounds, an amount equal to the appropriate fraction of that balance or four hundred pounds, whichever is the greater, shall be paid;

(ii) where the balance so outstanding is less than five hundred pounds, or, in the case of an officer to whom sub-paragraph (1) (a) of this paragraph applies, where that balance exceeds five hundred pounds but would not, if added to the amount of compensation already paid under this paragraph, exceed two thousand pounds, an amount equal to that balance shall be paid.

(3) In this section "the appropriate fraction"-

(a) in relation to an assessment made upon the first anniversary, means one-fifth;
(b) in relation to an assessment made upon the second anniversary, means one-quarter;

(c) in relation to an assessment made upon the third anniversary, means one-third; and

(d) in relation to an assessment made upon the fourth anniversary, means one-half.

Payment of compensation

4 (1) Subject to the provisions of this paragraph, an entitled officer may, after giving such notice as may be prescribed by the appropriate Service Commission, retire at any time.

(2) An entitled officer who has given notice of his intention to retire under this paragraph on any date may, with the consent of the appropriate Service Commission, withdraw the notice at any time before that date.

(3) No entitled officer shall retire under this paragraph without the permission of the appropriate Service Commission:

Provided that the Commission shall not withhold permission unless disciplinary proceedings are being taken, or are about to be taken, against the officer and those proceedings might lead to his dismissal.

(4) An entitled officer-

(a) who is permitted to retire by reason of injury or ill health;

(b) who is required to retire on or after his attainment of any age prescribed by law;

(c) who is required to retire in consequence of the abolition of his office or for the purpose of facilitating improvements in the organisation of the part of the public service to which he belongs by which greater economy or efficiency may be effected;

(d) who is required to retire in the public interest;

(e) who is required to retire under section 16 of the Zambia Independence Order, 1964; or

(f) in the case of a woman officer, who is required to retire upon her marriage;

shall be deemed to have retired under this paragraph.

(5) In the case of an entitled officer who retires under sub-paragraph (1) of this paragraph and-

(a) who is on leave of absence after completing a tour of residential service-

(i) if he returns to Zambia for further duty at the requirement of the Government he shall be provided with such passages for himself and his family and such baggage facilities as an officer of similar status is entitled to under General Orders when returning to Zambia for a tour of duty, and when retiring
from the public service having attained the age of fifty-five years and having completed a final tour of residential service;

(ii) if he returns to Zambia to settle his affairs and on his return completes a tour of residential service of not less than twelve months, he will be paid the cost of the passages for himself and his family and of transporting his baggage to Zambia (but not exceeding the cost of such passages and baggage facilities as an officer of similar status is entitled to under General Orders when returning to Zambia for a tour of duty) and provided with such passages for himself and his family and such baggage facilities as an officer of similar status is entitled to under General Orders when retiring from the public service having attained the age of fifty-five years and having completed a final tour of residential service;

(iii) if he does not return to Zambia, he shall be provided with such baggage facilities as an officer of similar status is entitled to under General Orders when retiring from the public service having attained the age of fifty-five years and having completed a final tour of residential service;

(b) who retires in any other circumstances, he shall be provided with such passages and baggage facilities for himself and his family as an officer of similar status is entitled to under General Orders when retiring from the public service having attained the age of fifty-five years and having completed a final tour of residential service.

(6) In the case of the retirement of an entitled officer who is required to retire in the circumstances described in sub-paragraph (4) (c) or (e) of this paragraph (except in the case of an officer to whom paragraph 16 of this Schedule applies) and-

(a) who is on leave of absence after completing a tour of residential service-

(i) he shall, if the period of leave on full pensionable emoluments for which he is eligible on the date upon which he is given notice under that section requiring him to retire is less than six months, be granted such additional leave on full pensionable emoluments as will bring the aggregate period of such leave of absence from that date up to six months;

(ii) he shall (if he returns to Zambia to settle his affairs) be provided with a passage to Zambia for his own use as if he were returning to Zambia for a further tour of residential service and such passage and such baggage facilities as an officer of similar status is entitled to under General Orders when retiring from the public service having attained the age of fifty-five years and having completed a final tour of residential service; and

(iii) in the case of the retirement of an entitled officer who is required to retire in circumstances described in sub-paragraph (4) (e) of this paragraph and who returns to Zambia to settle his affairs, he shall be paid a subsistence allowance at the rate prescribed by General Orders for the period (but not exceeding twenty-one days) of his stay in Zambia;

(b) who retires in any other circumstances-

(i) he shall not be required to depart from Zambia on leave of absence pending his retirement until the expiration of a period of six months from the date upon which he was given notice requiring him to retire;
(ii) he shall be provided with such passages and baggage facilities as an officer of similar status is entitled to under General Orders when retiring from the public service having attained the age of fifty-five years and having completed a final tour of residential service;

(iii) he shall, if the period of leave on full pensionable emoluments for which he is eligible is less than six months, be granted such additional leave on full pensionable emoluments as will bring the aggregate period of such leave of absence pending his retirement up to six months. Retirement

5. (1) Where an entitled officer dies and it is lawful under the provisions of the appropriate law for a gratuity to be granted to his personal representatives, there shall be granted to his personal representatives either that gratuity or a gratuity equal to the maximum gratuity that could have been granted to that officer under the provisions of paragraph 11 of this Schedule if he had retired under this Schedule at the date of his death, whichever is the greater: Special gratuity on the death of certain officers

Provided that, in the case of an officer to whom Part II of the European Officers' Pensions Regulations of Zambia applied, in respect of that proportion of the pensions for which he would have been eligible, if he had retired under this Schedule at the date of his death and which is attributable to his pensionable service otherwise than in the public service, the provisions of paragraph 11 (1) (c) of this Schedule shall not apply and the permitted fraction referred to in that paragraph shall not be less than three-quarters.

(2) For the purposes of the proviso to sub-paragraph (1) of this paragraph the proportion of a pension which is attributable to the pensionable service of an officer otherwise than in Zambia shall be that proportion of the pension for which the officer would have been eligible if his pensionable service had been wholly in Zambia as the aggregate amount of his pensionable emoluments during his pensionable service otherwise than in Zambia bears to the aggregate amount of his pensionable emoluments throughout his pensionable service.

(3) Where an entitled officer to whom the Oversea Superannuation Scheme (Consolidation) Regulations apply dies and a gratuity is payable to his personal representatives under those Regulations, there shall be granted to his personal representatives a gratuity equal to the amount produced by subtracting the amount of the gratuity payable under those Regulations from the amount of the maximum gratuity which could have been granted to that officer under paragraph 11 of this Schedule if that paragraph and the European Officers' Pensions Ordinance of Zambia had applied to him and he had retired under this Schedule at the date of his death. Cap. 400* Cap 266 in this Edition.* of the 1971 Edition of the Laws

(4) The Permanent Secretary, Ministry of Finance, may direct that instead of being paid to the personal representatives, any gratuity payable under this paragraph shall be paid to one of the dependants of the deceased or to two or more of those dependants in such proportions as the Permanent Secretary may think fit. Cap. 400* Cap. 400 in this Edition.* of the 1971 Edition of the Laws

6. (1) This paragraph applies to an entitled officer or an officer to whom paragraph 9 or 10 of this Schedule applies, who has retired under this Schedule and-

(a) who was transferred to the public service from pensionable employment
under the Government of the United Kingdom either in a public office as defined by the Superannuation Act, 1892 or in employment pensionable under the Federated Superannuation System for Universities; and

(b) who not later than twelve months after he retired has (other than as the result of a competition conducted by the Civil Service Commissioners of the United Kingdom) returned to such pensionable employment.

(2) A person to whom this paragraph applies shall cease to be entitled to compensation under paragraph 2 or paragraph 9 or paragraph 10 of this Schedule, as the case may be, but shall be entitled to compensation of an amount equal to-

(a) one-half of the amount he would receive if he were entitled to compensation under paragraph 2 of this Schedule; or

(b) the amount he would receive if he were entitled to compensation under paragraph 7 of this Schedule, having been transferred to the pensionable employment referred to in sub-paragraph (1) (b) of this paragraph on the date on which he retired;

whichever is the less.

(3) If the provisions of this paragraph become applicable to any person, his compensation shall forthwith be reassessed, and-

(a) if the amount of compensation as so reassessed exceeds the amount he has already received under this Schedule, the balance of compensation then outstanding shall be paid, together with any unpaid interest that has accrued under this Schedule before the reassessment, in the manner prescribed by paragraph 3 of this Schedule for the payment of compensation assessed under paragraph 2 of this Schedule; or

(b) if the amount of compensation he has already received under this Schedule exceeds the amount of compensation to which he is entitled under this paragraph, the excess shall forthwith become repayable, but in any such case any interest received on account of such excess shall not be repayable.

Officers reappointed to United Kingdom service

7. (1) This paragraph applies to an entitled officer and to an officer to whom paragraph 10 of this Schedule applies who is transferred from the public service to other public service

(a) to the service of a government or authority that is a Scheduled Government for the purposes of Part II of the European Officers' Pensions Regulations of Zambia in circumstances in which he remains eligible for the grant of a pension under the appropriate law or the Oversea Superannuation Scheme (Consolidation) Regulations, as the case may be, upon his eventual retirement; or

(b) to service in the office of Governor in such circumstances that he is or may become eligible for a pension under the Governors' Pensions Act, 1957(a) 5 & 6 Eliz. 2. c. 62.(a);

Provided that-
(a) it does not apply to an officer to whom paragraph 6 of this Schedule applies;

(b) it applies to any officer-

(i) who but for the provisions of paragraph 1 (5) of this Schedule, would be an entitled officer; and

(ii) who in the opinion of the appropriate Service Commission, would have had a reasonable prospect of becoming an entitled officer if no constitutional changes had been introduced; and

(iii) who unless prevented by circumstances beyond his control, serves for a period of not less than two years' residential service beginning on the operative date; and

(iv) who returns to pensionable employment under the Government of the United Kingdom in a public office as defined in the Superannuation Act, 1892; as if he were an entitled officer.

(a) 5 & 6 Eliz. 2. c. 62.
* Cap 266 in this Edition.

(2) An officer to whom this paragraph applies shall cease to be entitled to compensation under paragraph 2 or 10 of this Schedule, as the case may be, but if the amount of his annual pensionable emoluments immediately before his transfer exceeds the amount of the annual emoluments payable to him immediately after his transfer (being emoluments that may be taken into account for the purposes of his pension under the law or regulations relating to his service in that other public service) he shall be entitled to compensation equal to-

(a) the amount of the excess multiplied by the appropriate factor; or

(b) the amount he would receive if he were entitled to compensation under paragraph 2 of this Schedule, having retired on the date of his transfer;

whichever is the less.

(3) If the provisions of this paragraph become applicable to any person, his compensation shall forthwith be reassessed, and-

(a) if the amount of compensation as so reassessed exceeds the amount he has already received under this Schedule, the balance of compensation then outstanding shall be paid, together with any unpaid interest that has accrued under that paragraph before the reassessment, in the manner prescribed by paragraph 3 of this Schedule for the payment of compensation assessed under paragraph 2 of this Schedule; or

(b) if the amount of compensation which has already been received under that paragraph exceeds the amount of compensation to which he is entitled under this paragraph, the excess shall forthwith become repayable, but in any such case any interest received on account of such excess shall not be repayable.
In this paragraph "the appropriate factor" in relation to an officer means the factor obtained from Table III of the Annex to this Schedule that is appropriate to the age of the officer at the date of his transfer reckoned in completed years and completed months.


8. (1) If an entitled officer who has given an undertaking for the purposes of paragraph 3 (1) (a) of this Schedule ceases to serve in accordance with the terms of that undertaking at any time before the end of the period to which the undertaking relates otherwise than with the consent of the Government or by reason of his death, his retirement in circumstances beyond his control or his transfer to other public service in the circumstances described in paragraph 7 of this Schedule, then the amount of compensation to which he would otherwise be entitled under paragraph 2 of this Schedule shall be reduced by an amount equal to one-half per centum for each month or part of a month during that period in which he has not served in accordance with the undertaking, or two hundred pounds, whichever is the less. Penalties for breach of undertakings

(2) If an entitled officer has been granted promotion in the public service after the operative date upon his giving an undertaking to serve upon such conditions as may be prescribed by the appropriate Service Commission for any period ceases to serve in accordance with the terms of that undertaking at any time before the end of the period to which the undertaking relates otherwise than with the consent of the Government or by reason of his death or his retirement in circumstances beyond his control, then the amount of compensation to which he is entitled under paragraph 2 of this Schedule shall be reassessed and the amount of his compensation shall be determined as if his annual pensionable emoluments in relation to the date of his promotion or any subsequent date were the amount of the pensionable emoluments which would have been used in accordance with regulation 9 of the European Officers' Pensions Regulations of Zambia for the purpose of pension as if he had retired on that date, and in the case of a judge of the Court of Appeal or the High Court promoted to that office after the commencement of this Order on the basis that the appropriate factor is that obtained from Table I of the Annex to this Schedule.

(3) If any of the provisions of this paragraph become applicable to any entitled officer, his compensation shall be reassessed accordingly and paid in accordance with paragraph 3 of this Schedule and if the amount of compensation he has already received under that paragraph exceeds the amount of compensation to which he is entitled under the reassessment the excess shall forthwith become repayable.


9. (1) This paragraph applies—

(a) to any officer in the public service who has been declared by the appropriate Service Commission to be an officer required before the operative date to retire to facilitate the reconstruction of the Government; and

(b) to any entitled officer who is declared by the appropriate Service Commission to be an officer required to relinquish the duties of his office and thereafter to retire in order to facilitate the introduction of constitutional
changes.

(2) An officer to whom this paragraph applies shall retire at the expiration of the period of leave of absence for which he is eligible:

Provided that if the period of leave of absence on full pensionable emoluments for which he is eligible is less than six months he shall be granted such additional leave on full pensionable emoluments as will bring the aggregate period of such leave of absence up to six months and shall retire at the expiration of that additional leave of absence.

(3) (a) An officer to whom sub-paragraph (1) (a) of this paragraph applies shall not be entitled to compensation under paragraph 2 of this Schedule but shall be entitled to and shall as soon as reasonably practicable be paid compensation equal to the amount he would be entitled to if he were entitled to compensation under that paragraph; and

(b) the compensation of an entitled officer to whom sub-paragraph (1) (b) of this paragraph applies and to whom paragraph 16 of this Schedule does not apply shall as soon as reasonably practicable be finally assessed and paid to him:

Provided that for the purposes of calculating the compensation to which an officer to whom this paragraph applies is entitled, the date to be taken for calculation shall be such date (not being earlier than the operative date or, in the case of an officer who was, before the operative date, notified that he would be required to retire, the date on which he was so notified or later than the date of the expiration of his leave of absence pending retirement) as is most advantageous to the officer.

(4) An officer to whom this paragraph applies shall as soon as reasonably practicable be paid a disturbance grant equal to one-quarter of his annual pensionable emoluments at his retirement.

(5) An officer to whom this paragraph applies shall be provided with such passages and baggage facilities as an officer of similar status is entitled to under General Orders when retiring from the public service having attained the age of fifty-five years and having completed a final tour of residential service.

(6) The provisions of paragraphs 5, 11, 12, 15 and 16 of this Schedule shall apply to an officer to whom sub-paragraph (1) (a) of this paragraph applies as if that officer were an entitled officer.

Retirement to facilitate constitutional changes

10. (1) This paragraph shall apply to an officer in the public service who has before the operative date been given permission to retire from that public service by the appropriate Service Commission on the ground that his retirement will enable a qualified local candidate to be appointed to an office in that public service, or that that officer has been superseded for promotion by a local officer in pursuance of the policy of the Government of giving preference to local officers in respect of promotion.

(2) An officer to whom this paragraph applies shall not be entitled to compensation under paragraph 2 of this Schedule but shall (except in the case of an officer to whom paragraph 16 of this Schedule applies), on the date upon which he was given permission to retire by the appropriate Service Commission,
be entitled to compensation calculated by multiplying the amount of his annual pensionable emoluments on the date to be taken for calculation by the appropriate factor and the resulting amount or twelve thousand pounds whichever is the less, shall be the amount to which he is entitled.

(3) For the purposes of this paragraph the date to be taken for calculation shall be such date (not being earlier than the date upon which the officer was given permission to retire by the appropriate Service Commission or later than the date of the expiration of his leave of absence pending retirement) as is most advantageous to the officer.

(4) Subject to the provisions of paragraph 13 of this Schedule, the compensation to which an officer to whom this paragraph applies becomes entitled under this paragraph shall be paid to him in the manner following, that is to say-

(a) a payment to be made at least three months before the date upon which such officer departs from Zambia on leave of absence pending retirement, which payment shall be an amount equal to the amount of compensation to which the officer is entitled or if that amount exceeds one thousand pounds then one-sixth of the amount of that compensation or one thousand pounds, whichever is the greater;

(b) a second payment to be made to every such officer who has not already received the whole of that compensation, at the expiration of six months from the date upon which his leave of absence pending retirement commenced, and further payments on the first, second, third and fourth anniversaries of the date upon which the second payment was made, which-

(i) in the case of the second payment and the payment made on the first, second or third anniversary, shall be an amount equal to the appropriate fraction of the balance of compensation then outstanding; and

(ii) in the case of the payment made on the fourth anniversary, shall be equal to the balance of compensation then outstanding:

Provided that-

(a) where the balance of compensation outstanding at the date when the second payment is due to be made or upon the first, second or third anniversary of that date exceeds five hundred pounds an amount equal to the appropriate fraction of that balance or four hundred pounds, whichever is the greater, shall be paid; and

(b) where the balance so outstanding is less than five hundred pounds an amount equal to that balance shall be paid.

(5) In this paragraph-

(a) "the appropriate factor" has the same meaning as in paragraph 2 of this Schedule;

(b) "the appropriate fraction"-

(i) in relation to the second payment means one-fifth;

(ii) in relation to the first anniversary means one-quarter;
(iii) in relation to the second anniversary means one-third; and

(iv) in relation to the third anniversary means one-half.

(6) Subject to the provisions of paragraph 13 of this Schedule, if an officer to whom this paragraph applies does not retire from the public service in accordance with the permission given to him by the appropriate Service Commission he shall cease to be entitled to compensation under this paragraph and any compensation that may have been paid to him under the provisions of sub-paragraph (4) of this paragraph shall be repaid by him to the Government.

(7) The provisions of paragraphs 4 (6) (a) (ii), 5, 11, 12, 13, 15 and 16 of this Schedule shall apply in relation to an officer to whom this paragraph applies as if that officer were an entitled officer.

Voluntary retirement on permission given before operative date

11. (1) Subject to the provisions of paragraphs 16 and 17 of this Schedule, an entitled officer, on his retirement under this Schedule, may be granted at his option (such option to be exercised in accordance with the provisions of regulation 16 of the European Officers’ Pensions Regulations of Zambia) either-

(a) a pension of such amount as may be granted under the appropriate law;

(b) a reduced pension equal to such fraction as he may desire of the pension that may be granted under the appropriate law (not being, in the case of an officer who retires within twelve years of the operative date, less than the permitted fraction) together with a gratuity equal to the annual amount of the remaining fraction of that pension multiplied by the appropriate factor; or

(c) in the case of an officer who retires not less than twelve years after the operative date, a gratuity equal to the annual amount of the pension that may be granted under the appropriate law multiplied by the appropriate factor.

(2) For the purposes of this paragraph an officer shall be deemed to be eligible for the grant of a pension under the appropriate law-

(a) notwithstanding that he may have retired before attaining the age specified in the appropriate law as qualifying him for the grant of a pension; and

(b) notwithstanding that he may not have completed at the date of his retirement the period of qualifying service required by the appropriate law to render him eligible for the grant of a pension.

(3) Where an officer retires by reason of injury or ill health in circumstances in which he could under the appropriate law be granted an additional pension the provisions of this paragraph shall have effect in relation to that officer as if references to the pension that may be granted under the appropriate law included references to that additional pension.

(4) Where an officer to whom this paragraph applies retires in consequence of the abolition of his office or for the purpose of facilitating improvements in the organisation of the part of the public service to which he belongs by which greater economy or efficiency may be effected in circumstances in which he could under the appropriate law be granted an additional pension, the provisions of this paragraph shall have effect in relation to that officer as if references to the pension that may be granted under the appropriate law did not include
references to that additional pension.

(5) For the purposes of this paragraph the amount of the pension or gratuity that an officer who is required to retire in the circumstances described in paragraph 4 (4) (c) or (e) or paragraph 9 of this Schedule or on the grounds of age before attaining the age of fifty-five years or in the case of a judge of the Court of Appeal or the High Court, sixty-two years may be granted under the appropriate law shall be calculated by reference to the full annual pensionable emoluments enjoyed by him on the date immediately prior to his retirement.

(6) If an officer has not exercised the option conferred upon him by subparagraph (1) of this paragraph within the period in which it is required to be exercised he shall be deemed to have opted for the grant of a pension of such amount as may be granted under the appropriate law.

(7) In this paragraph-

"the appropriate factor" in relation to an officer means the factor obtained from Table IV of the Annex to this Schedule that is appropriate to the age of that officer on the date immediately prior to his retirement reckoned in completed years and completed months;

"the permitted fraction"-

Grant of pensions and gratuities

Cap. 266

(a) in relation to an officer who retires within one year of the operative date, means three-quarters;

(b) in relation to an additional pension granted on account of injury under regulation 13 (1) of the European Officers' Pensions Regulations of Zambia, means three-quarters; and

(c) subject to head (b) of this definition, in relation to an officer who retires within not less than one and not more than twelve years of the operative date, means such fraction as is obtained by subtracting one-sixteenth for each complete year of his pensionable service after the operative date from three-quarters:

Provided that in reckoning for the purposes of this sub-paragraph the years of pensionable service of an officer who is granted leave of absence pending his retirement, leave of absence granted in respect of service prior to the operative date the enjoyment of which had on the operative date been deferred shall not be taken into account.

(As amended by Statutory Instrument No. 168 of 1965) Cap. 266

12. (1) Subject to the provisions of paragraphs 16 and 17 of this Schedule, where any entitled officer to whom Part II of the European Officers' Pensions Regulations of Zambia applies retires under this Schedule and is granted by any government or other authority that is a Scheduled Government for the purposes of that Part both a pension and a gratuity, having elected to receive that pension and that gratuity in lieu of a pension of greater amount, he may be granted (in addition to any gratuity that may be granted to him under paragraph 11 of this Schedule) a gratuity equal to the amount (if any) by which the amount produced by-
(i) subtracting the annual amount of the pension granted to him by the Scheduled Government from the annual amount of the pension that would have been granted to him by that Government had he not elected to receive the gratuity granted to him by the Scheduled Government; and

(ii) multiplying the resulting amount by the appropriate factor;

exceeds the amount of the gratuity granted to him by the Scheduled Government.

(2) Subject to the provisions of paragraphs 16 and 17 of this Schedule, where an entitled officer to whom the provisions of the Oversea Superannuation Scheme (Consolidation) Regulations apply retires under this Schedule and is granted under those Regulations a pension and a lump sum—Special gratuity for certain officers

(a) he may be granted a gratuity equal to the amount produced by subtracting that lump sum from the sum arrived at by multiplying by the appropriate factor one-quarter of the annual amount of the pension he would have received if his pension had been calculated under the European Officers' Pensions Ordinance of Zambia; and

(b) he may be granted (in addition to any gratuity that may be granted to him under head (a) of this sub-paragraph) at his option—

(i) on assigning to the Government a part of the annual amount of the pension granted to him under those Regulations (not being in the case of an officer who retires within twelve years of the operative date, more than the permitted fraction); or

(ii) in the case of an officer who retires not less than twelve years after the operative date, on assigning the whole of the annual amount of such pension; such option to be exercised before the date of retirement or, in the case of an officer to whom paragraph 4 (4) of this Schedule applies, within one month after that date.

* Cap. 266 in this Edition.

(3) In this paragraph—

"the appropriate factor" has the same meaning as in paragraph 11 of this Schedule;

"the permitted fraction"—

(a) in relation to an officer who retires within not less than one year but within two years of the operative date, means one-twelfth;

(b) in relation to an officer who retires within not less than two years of the operative date, means the fraction obtained by adding one-twelfth for each completed year of his pensionable service after the operative date to one-twelfth:
Provided that in reckoning for the purposes of this sub-paragraph the years of pensionable service of an officer who is granted leave of absence pending his retirement leave of absence granted in respect of service prior to the operative date enjoyment of which had on the operative date been deferred shall not be taken into account. Cap. 400* of the 1971 Edition of the Laws

13. (1) Whenever-

(a) a person who has become entitled to compensation under paragraph 2 or paragraph 10 of this Schedule but who has not already received the whole of that compensation (and in the case of an entitled officer whether he is still serving as such or has already retired) attains the age of fifty-five years or, in the case of a person who is or was when he retired a judge of the Court of Appeal or the High Court, sixty-two years, or dies before attaining that age;

(b) an entitled officer who has not already received the whole of the compensation to which he is entitled under paragraph 2 retires in the circumstances described in paragraph 4 (4) (a), (c) or (d) of this Schedule before he has attained that age or is required to retire in the circumstances described in paragraph 4 (4) (b) of this Schedule; or

(c) an entitled officer who has not already received the whole of the compensation to which he is entitled under paragraph 2 or paragraph 10 of this Schedule retires in any other circumstances before he has attained that age but on or after the fifth anniversary of the operative date or, in the case of a person who became an entitled officer after that date, of the date on which he became an entitled officer;

the balance then outstanding of the compensation to which he is entitled shall be paid to that person or, if that person is dead, to his personal representatives.

(2) Whenever an entitled officer, who has not already received the whole of the compensation to which he is entitled under paragraph 2 of this Schedule, is required to retire under section 16 of the Zambia Independence Order, 1964 before attaining the age of fifty-five years, or, in the case of a person who is or was when he retired a judge of the Court of Appeal or the High Court, sixty-two years, the balance then outstanding of the compensation to which he is entitled under that paragraph shall be paid to him-

(a) if notice requiring him to retire is given to him while he is engaged upon a tour of residential service, before his departure from Zambia; or

(b) if such notice is given to him while on leave of absence after completing a tour of residential service, as soon as reasonably practicable after the date upon which such notice is given to him.

(3) The Permanent Secretary, Ministry of Finance, may direct that instead of any payment being made to the personal representatives of a deceased person payment shall be made to one of the dependants of the deceased or to two or more of those dependants in such proportions as the Permanent Secretary may think fit.

(4) Whenever any payment of compensation becomes due under paragraph 3, paragraph 9 (1) (b) or paragraph 10 of this Schedule interest at the rate of five per centum per annum shall accrue from day to day-

(a) in cases where the compensation has not been finally assessed, during the
period between the date on which the amount of the compensation was last due to be assessed and the date on which the next following assessment is to be made;

(b) in cases where the compensation has been finally assessed, during the period between the date on which that payment of compensation became due and the date on which the next following payment of compensation will become due;

upon any part of the compensation that did not then become payable and that interest shall become payable at the end of the period during which it accrued:

Provided that in the case of compensation payable under paragraph 10 of this Schedule the period during which interest accrues shall begin at the date upon which the first payment of compensation becomes payable under paragraph 10 (4) (a) of this Schedule or the date on which the officer was given permission to retire under that paragraph, whichever is the later.Special provisions as to compensation

14. (1) When disciplinary proceedings are taken, or are about to be taken, against any person who is serving as an entitled officer and those proceedings might lead to his dismissal, the payment of compensation under this Schedule and interest thereon shall be withheld pending the determination of those proceedings.

(2) Where any person who is serving as an entitled officer is dismissed, any compensation that he has not already received may, with the approval of the appropriate Service Commission, be withheld.Disciplinary proceedings and dismissal

15. Any compensation, gratuity, disturbance grant or interest payable under this Schedule to an officer or to his personal representatives or dependants shall be paid, in accordance with any request made from time to time by such officer, his personal representatives or his dependants, as the case may be, in any of the following countries-

(a) in the United Kingdom;
(b) in Zambia;
(c) in the country from which the officer was recruited or where he intends to reside;
(d) in the case of payment to the personal representatives of an officer or his dependants, in the country in which the personal representatives or the dependants, as the case may be, reside; or
(e) in such other country as the officer or his personal representatives or dependants may, with the concurrence of the Permanent Secretary, Ministry of Finance, select;

in the currency of the country in which payment is to be made; and, where payment is to be made in a country other than Zambia, the amount of the payment shall be such as would produce, at the official rate of exchange prevailing at the date of the payment, the amount in sterling of the compensation, gratuity, disturbance grant or interest as calculated at the official rate of exchange prevailing on the operative date.Place of payment and rate of exchange

16 (1) An entitled officer who, before he receives his initial payment of
compensation, gives notice of retirement under paragraph 4 of this Schedule, or
is required to retire under section 16 of the Zambia Independence Order 1964 or
paragraph 9 (1) (b) or 10 of this Schedule may at his option (such option to be
exercised within three months of the commencement of this Order or, in the case
of an officer who was not an entitled officer on the operative date, within
three months of the date on which he became an entitled officer) become an
officer to whom this paragraph applies.

(2) An officer to whom this paragraph applies shall not be entitled to
compensation under this Schedule or be granted a pension, gratuity or
disturbance grant under this Schedule but, subject to the provisions of
paragraph 17 of this Schedule may, on his retirement under this Schedule, be
granted such benefits as may be granted under the appropriate law to an officer
whose office has been abolished.

(3) An officer to whom this paragraph applies shall repay the amount of any
compensation that may have been paid to him.

Right to opt for abolition

17. The provisions of the appropriate law shall, subject to the provisions of
this Schedule, apply in relation to the grant of any pension or gratuity under
this Schedule and to any pension or gratuity granted thereunder as they apply in
relation to the grant of a pension or gratuity, and to any pension or gratuity
granted, under the appropriate law:

Application of appropriate law

Provided that * Repealed by Statutory Instrument No. 144 of 1965.* section 11 of
the European Officers' Pensions Ordinance of Zambia or any law amending or
replacing that section shall not apply in relation to any pension granted under
the provisions of this Schedule.

* Repealed by Statutory Instrument No. 144 of 1965. Cap. 400 Cap. 266 in this

* Cap. 266 in this Edition.

18. Any compensation, gratuity or disturbance grant payable under any of the
provisions of this Schedule shall be exempt from tax under any law in force in
Zambia relating to the taxation of incomes or imposing any other form of
taxation:

Exemption from tax

19. Any option exercisable by any person for the purposes of this Schedule-
(a) shall be irrevocable after the end of the period within which it is to be
exercised;

(b) shall be exercised by notice in writing to the appropriate Service
Commission;

(c) shall be deemed to have been exercised on the date on which the notice is
received:

* Cap. 266 in this Edition.
Provided that the appropriate Service Commission may, if it thinks fit, generally or in respect of a particular person and subject or not to conditions, extend the period for the exercise of an option.

Exercise of options

ANNEX

INSTRUCTIONS FOR OBTAINING THE APPROPRIATE FACTOR FROM TABLE I

FOR OFFICERS AGED 28 YEARS OR MORE

I. Read off from the table the factor for the officer's age at his last birthday and his completed years of service.

II. Read off from the table the factor for ten years' service and the officer's age in years and completed months by interpolation arithmetically.

III. Divide II by 120 and multiply the result by the number of completed months of service not exceeding 120, adjusting the answer to the nearest second decimal place (when the third decimal place is 5 exactly, take the next highest second place).

IV. The greater of I and III is the factor required.

For Officers under the age of 28 years

I. Read off from the table the factor for the officer's age at his last birthday and his completed years of service.

II. Read off from the table the highest factor given against the officer's age in completed years and interpolate arithmetically for the factor corresponding to his age in years and completed months.

III. Divide II by the figure corresponding to the number of months contained in the years of service against which the factor in II was read off and multiply the result by the number of completed months of service, adjusting the answer to the nearest second decimal place (when the third decimal place is 5 exactly, take the next highest second place).

IV. The greater of I and III is the factor required.

INSTRUCTIONS FOR OBTAINING THE APPROPRIATE FACTOR FROM TABLE II, III OR IV

I. Read off from the Table the factors for the officer's age-

(a) at his last birthday;

(b) at his next birthday.

II. Divide the difference between I(a) and I(b) by twelve and multiply by the number of completed months of age since the last birthday.

III. If I(b) is greater than I(a), add II to I(a).
III. If \( I(b) \) is less than \( I(a) \), subtract II from I(a).

III. III is the factor required.

In calculating factors by interpolation in respect of Tables II to IV the calculations should be taken to three places of decimals.

Table I

The Schedule, Paragraphs 2, 8 (2) and 10

<table>
<thead>
<tr>
<th>Factor When Length of Service is</th>
<th>Age of Officer</th>
</tr>
</thead>
<tbody>
<tr>
<td>10 years</td>
<td>Officer 3 years</td>
</tr>
<tr>
<td>7 years</td>
<td>4 years</td>
</tr>
<tr>
<td>6 years</td>
<td>5 years</td>
</tr>
<tr>
<td>5 years</td>
<td>6 years</td>
</tr>
<tr>
<td>more</td>
<td>7 years</td>
</tr>
<tr>
<td>21.1622.19.2523.22.29.3624.25.33.41.4925.28.37.46.55</td>
<td>.6426.31.41.52.62</td>
</tr>
<tr>
<td>.72</td>
<td>.8227.34.46.58.69</td>
</tr>
<tr>
<td>.80</td>
<td>.921.0428.39.52.64.77</td>
</tr>
<tr>
<td>.901.031.161.2929.44.58.73.881.021.171.311.46</td>
<td>.64</td>
</tr>
</tbody>
</table>

| 30 .50 .67 .841.001.171.341.501.6731 .58 .77 .961.161.351.541.741.9332 .68 .901.121.351.581.802.022.2533 | .781.041.301.571.832.092.352.6134 |
| .891.191.491.792.092.382.682.98351.001.341.672.002.342.673.303.4361.101.471.842 |
| .724.13391.281.702.122.552.983.403.824.25401.291.722.162.593.023.453.884.31411.3 |
| 01.732.162.593.023.463.894.32421.281.702.132.562.983.413.834.26431.241.652.062.4 |
| 73.63461.001.341.672.002.342.673.013.3447 .911.221.521.822.132.432.743.0448 |
| .851.061.281.491.701.922.1351 .54 .72 .901.081.261.441.621.8052 .43 .57 .72 |
| .861.001.141.291.4353 .30 .40 .50 .60 .70 .80 .901.0054 .15 .20 .25 .30 .35 .40 |
| .45 .5055 andaboveNILNILNILNILNILNILNILNIL |

Table II

The Schedule, Paragraphs 2 and 10

| Age of OfficerFactorAge of OfficerFactor |
|-------------------------|-------------------------|
| 40                      | 3.94                   |
| 55                      | 2.48                   |
| 41                      | 4.12                   |
| 56                      | 2.26                   |
| 42                      | 4.24                   |
| 57                      | 2.03                   |
| 43                      | 4.31                   |
| 58                      | 1.76                   |
| 44                      | 4.32                   |
| 59                      | 1.42                   |
| 45                      | 4.28                   |
| 60                      | 1.00                   |
| 46                      | 4.19                   |
| 61                      | .50                    |
| 47                      | 4.07                   |
| 62                      | NIL                    |
| 48                      | 3.92                   |
| 63                      | NIL                    |
| 49                      | 3.75                   |
| 64                      | NIL                    |
| 50                      | 3.57                   |
| 65                      | NIL                    |
| 51                      | 3.37                   |
| 66                      | NIL                    |
| 52                      | 3.15                   |
| 67                      | NIL                    |
| 53                      | 2.93                   |
| 68                      | NIL                    |
| 54                      | 2.70                   |
| 69                      | NIL                    |
| 55                      | 2.45                   |
| 70                      | NIL                    |
| 56                      | 2.20                   |
| 71                      | NIL                    |
| 57                      | 1.94                   |
| 72                      | NIL                    |
| 58                      | 1.67                   |
| 73                      | NIL                    |
| 59                      | 1.40                   |
| 74                      | NIL                    |
| 60                      | 1.13                   |
| 75                      | NIL                    |
| 61                      | 0.86                   |
| 76                      | NIL                    |
| 62                      | 0.59                   |
| 77                      | NIL                    |
| 63                      | 0.32                   |
| 78                      | NIL                    |
| 64                      | 0.05                   |
| 79                      | NIL                    |

Note.-These factors apply where the judge has at least ten years' service.

Table III

The Schedule, Paragraph 7

<table>
<thead>
<tr>
<th>Age</th>
</tr>
</thead>
<tbody>
<tr>
<td>30 and below ... ... ... ...</td>
</tr>
<tr>
<td>31 ... ... ... ... ...</td>
</tr>
<tr>
<td>Factor</td>
</tr>
<tr>
<td>---------</td>
</tr>
<tr>
<td>50 and above</td>
</tr>
</tbody>
</table>
Table IV
The Schedule, Paragraphs 11 and 12

<table>
<thead>
<tr>
<th>Age of Officer</th>
<th>Factor</th>
<th>Age of Officer</th>
<th>Factor</th>
</tr>
</thead>
<tbody>
<tr>
<td>25 or under</td>
<td>17.08</td>
<td>40</td>
<td>15.07</td>
</tr>
<tr>
<td>26</td>
<td>16.97</td>
<td>41</td>
<td>14.90</td>
</tr>
<tr>
<td>27</td>
<td>16.86</td>
<td>42</td>
<td>14.73</td>
</tr>
</tbody>
</table>
* On the coming into operation of Part X of the Extradition Act (Cap. 94), this Act shall cease to apply to Zambia. *FUGITIVE OFFENDERS ACT, 1881

* On the coming into operation of Part X of the Extradition Act (Cap. 94), this Act shall cease to apply to Zambia.

44 & 45 Vict. c. 69

[Printed as amended by the Statute Law Revision Act, 1894 (57 & 58 Vict. c. 56)]

An Act to amend the Law with respect to Fugitive Offenders in Her Majesty's Dominions, and for other Purposes Connected with the Trial of Offenders.

[27th August, 1881]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows; that is to say:

1. This Act may be cited as the Fugitive Offenders Act, 1881. Short title

PART I-RETURN OF FUGITIVES
2. Where a person accused of having committed an offence (to which this Part of this Act applies) in one part of Her Majesty's dominions has left that part, such person (in this Act referred to as a fugitive from that part) if found in another part of Her Majesty's dominions, shall be liable to be apprehended and returned in manner provided by this Act to the part from which he is a fugitive. Liability of fugitive to be apprehended and returned

A fugitive may be so apprehended under an endorsed warrant or a provisional warrant.

3. Where a warrant has been issued in one part of Her Majesty's dominions for the apprehension of a fugitive from that part, any of the following authorities in another part of Her Majesty's dominions in or on the way to which the fugitive is or is suspected to be; that is to say:

(1) A judge of a superior court in such part; and

(2) In the United Kingdom a Secretary of State and one of the magistrates of the metropolitan police court in Bow Street; and

(3) In a British possession the Governor of that possession;

if satisfied that the warrant was issued by some person having lawful authority to issue the same, may endorse such warrant in manner provided by this Act, and the warrant so endorsed shall be a sufficient authority to apprehend the fugitive in the part of Her Majesty's dominions in which it is endorsed, and bring him before a magistrate.

On the coming into operation of Part X of the Extradition Act (Cap. 94), this Act shall cease to apply to Zambia. Endorsing of warrant for apprehension of fugitive

4. A magistrate of any part of Her Majesty's dominions may issue a provisional warrant for the apprehension of a fugitive who is or is suspected of being in or on his way to that part on such information, and under such circumstances, as would in his opinion justify the issue of a warrant if the offence of which the fugitive is accused had been committed within his jurisdiction, and such warrant may be backed and executed accordingly. Provisional warrant for apprehension of fugitive

A magistrate issuing a provisional warrant shall forthwith send a report of the issue, together with the information or a certified copy thereof, if he is in the United Kingdom, to a Secretary of State, and if he is in a British possession, to the Governor of that possession, and the Secretary of State or Governor may, if he think fit, discharge the person apprehended under such warrant.

5. A fugitive when apprehended shall be brought before a magistrate, who (subject to the provisions of this Act) shall hear the case in the same manner and have the same jurisdiction and powers, as near as may be (including the power to remand and admit to bail), as if the fugitive were charged with an offence committed within his jurisdiction. Dealing with fugitive when apprehended

If the endorsed warrant for the apprehension of the fugitive is duly authenticated, and such evidence is produced as (subject to the provisions of this Act) according to the law ordinarily administered by the magistrate, raises a strong or probable presumption that the fugitive committed the offence.
mentioned in the warrant, and that the offence is one to which this Part of this Act applies, the magistrate shall commit the fugitive to prison to await his return, and shall forthwith send a certificate of the committal and such report of the case as he may think fit, if in the United Kingdom to a Secretary of State, and if in a British possession to the Governor of that possession.

Where the magistrate commits the fugitive to prison he shall inform the fugitive that he will not be surrendered until after the expiration of fifteen days, and that he has a right to apply for a writ of habeas corpus, or other like process.

A fugitive apprehended on a provisional warrant may be from time to time remanded for such reasonable time not exceeding seven days at any one time as under the circumstances seems requisite for the production of an endorsed warrant.

6. Upon the expiration of fifteen days after a fugitive has been committed to prison to await his return, or if a writ of habeas corpus or other like process is issued with reference to such fugitive by a superior court, after the final decision of the court in the case:

(1) if the fugitive is so committed in the United Kingdom, a Secretary of State; and

(2) if the fugitive is so committed in a British possession, the Governor of that possession;

may, if he thinks it just, by warrant under his hand order that fugitive to be returned to the part of Her Majesty's dominions from which he is a fugitive, and for that purpose to be delivered into the custody of the persons to whom the warrant is addressed, or some one or more of them, and to be held in custody, and conveyed by sea or otherwise to the said part of Her Majesty's dominions, to be dealt with there in due course of law as if he had been there apprehended, and such warrant shall be forthwith executed according to the tenor thereof.

Return of fugitive by warrant

The governor or other chief officer of any prison, on request of any person having the custody of a fugitive under any such warrant, and on payment or tender of a reasonable amount for expenses, shall receive such fugitive and detain him for such reasonable time as may be requested by the said person for the purpose of the proper execution of the warrant.

7. If a fugitive who, in pursuance of this Part of this Act, has been committed to prison in any part of Her Majesty's dominions to await his return, is not conveyed out of that part within one month after such committal, a superior court, upon application by or on behalf of the fugitive, and upon proof that reasonable notice of the intention to make such application has been given, if the said part is the United Kingdom to a Secretary of State, and if the said part is a British possession to the Governor of the possession, may, unless sufficient cause is shown to the contrary, order the fugitive to be discharged out of custody.

Discharge of person apprehended if not returned within one month

8. Where a person accused of an offence and returned in pursuance of this Part of this Act to any part of Her Majesty's dominions, either is not prosecuted for the said offence within six months after his arrival in that part, or is acquitted of the said offence, then if that part is the United Kingdom a Secretary of State, and if that part is a British possession the Governor of that possession, may, if he think fit, on the request of such
person, cause him to be sent back free of cost and with as little delay as possible to the part of Her Majesty's dominions in or on his way to which he was apprehended. Sending back of persons apprehended if not prosecuted within six months or acquitted

9. This Part of this Act shall apply to the following offences, namely, to treason and piracy, and to every offence, whether called felony, misdemeanour, crime, or by any other name, which is for the time being punishable in the part of Her Majesty's dominions in which it was committed, either on indictment or information, by imprisonment with hard labour for a term of twelve months or more, or by any greater punishment; and for the purposes of this section, rigorous imprisonment, and any confinement in a prison combined with labour, by whatever name it is called, shall be deemed to be imprisonment with hard labour. Offences to which this Part of this Act applies

This Part of this Act shall apply to an offence notwithstanding that by the law of the part of Her Majesty's dominions in or on his way to which the fugitive is or is suspected of being it is not an offence, or not an offence to which this Part of this Act applies; and all the provisions of this Part of this Act, including those relating to a provisional warrant and to a committal to prison, shall be construed as if the offence were in such last-mentioned part of Her Majesty's dominions an offence to which this Part of this Act applies.

10. Where it is made to appear to a superior court that by reason of the trivial nature of the case, or by reason of the application for the return of a fugitive not being made in good faith in the interests of justice or otherwise, it would, having regard to the distance, to the facilities for communication, and to all the circumstances of the case, be unjust or oppressive or too severe a punishment to return the fugitive either at all or until the expiration of a certain period, such court may discharge the fugitive, either absolutely or on bail, or order that he shall not be returned until after the expiration of the period named in the order, or may make such other order in the premises as to the court seems just. Powers of superior court to discharge fugitive when case frivolous or return unjust

11. In Ireland the Lord Lieutenant, also the chief secretary, may, as well as a Secretary of State, execute any portion of the powers by this Part of this Act vested in a Secretary of State. * As amended by 57 & 58 Vict. c. 56.*

* As amended by 57 & 58 Vict. c. 56. Power of Lord Lieutenant in Ireland

PART II-INTER-COLONIAL BACKING OF WARRANTS, AND OFFENCES

Application of Part of Act

12. This Part of this Act shall apply only to those groups of British possessions to which, by reason of their contiguity or otherwise, it may seem expedient to Her Majesty to apply the same. Application of Part of Act to group of British possessions

It shall be lawful for Her Majesty from time to time by Order in Council to direct that this Part of this Act shall apply to the group of British possessions mentioned in the Order, and by the same or any subsequent Order to except certain offences from the application of this Part of this Act, and to
limit the application of this Part of this Act by such conditions, exceptions, and qualifications as may be deemed expedient.

Backing of Warrants

13. Where in a British possession of a group to which this Part of this Act applies a warrant has been issued for the apprehension of a person accused of an offence punishable by law in that possession, and such person is or is suspected of being in or on the way to another British possession of the same group, a magistrate in the last-mentioned possession, if satisfied that the warrant was issued by a person having lawful authority to issue the same, may endorse such warrant in manner provided by this Act, and the warrant so endorsed shall be a sufficient authority to apprehend, within the jurisdiction of the endorsing magistrate, the person named in the warrant, and bring him before the endorsing magistrate or some other magistrate in the same British possession.

* As amended by 57 & 58 Vict. c. 56.Backing in one British possession of warrant issued in another of same group

14. The magistrate before whom a person so apprehended is brought, if he is satisfied that the warrant is duly authenticated as directed by this Act and was issued by a person having lawful authority to issue the same, and is satisfied on oath that the prisoner is the person named or otherwise described in the warrant, may order such prisoner to be returned to the British possession in which the warrant was issued, and for that purpose to be delivered into the custody of the persons to whom the warrant is addressed, or any one or more of them, and to be held in custody and conveyed by sea or otherwise into the British possession in which the warrant was issued, there to be dealt with according to law as if he had been there apprehended. Such order for return may be made by warrant under the hand of the magistrate making it, and may be executed according to the tenor thereof. Return of prisoner apprehended under backed warrant

A magistrate shall, so far as is requisite for the exercise of the powers of this section, have the same power, including the power to remand and admit to bail a prisoner, as he has in the case of a person apprehended under a warrant issued by him.

15. Where a person required to give evidence on behalf of the prosecutor or defendant on a charge for an offence punishable by law in a British possession of a group to which this Part of this Act applies, is or is suspected of being in or on his way to any other British possession of the same group, a judge, magistrate, or other officer who would have lawful authority to issue a summons, requiring the attendance of such witness, if the witness were within his jurisdiction, may issue a summons for the attendance of such witness, and a magistrate in any other British possession of the same group, if satisfied that the summons was issued by some judge, magistrate, or officer having lawful authority as aforesaid, may endorse the summons with his name, and the witness, on service in that possession of the summons, so endorsed, and on payment or tender of a reasonable amount for his expenses, shall obey the summons, and in default shall be liable to be tried and punished either in the possession in which he is served or in the possession in which the summons was issued, and shall be liable to the punishment imposed by the law of the possession in which he is tried for the failure of a witness to obey such a summons. The expression "summons" in this section includes any subpoena or other process for requiring the attendance of a witness. Backing in one British possession of summons, etc., of witness issued in another possession of same group
16. A magistrate in a British possession of a group to which this Part of this Act applies, before the endorsement in pursuance of this Part of this Act of a warrant for the apprehension of any person, may issue a provisional warrant for the apprehension of that person, on such information and under such circumstances as would in his opinion justify the issue of a warrant if the offence of which such person is accused were an offence punishable by the law of the said possession, and had been committed within his jurisdiction, and such warrant may be backed and executed accordingly; provided that a person arrested under such provisional warrant shall be discharged unless the original warrant is produced and endorsed within such reasonable time as may under the circumstances seem requisite. Provisional warrant in group of British possessions

17. If a prisoner in a British possession whose return is authorised in pursuance of this Part of this Act is not conveyed out of that possession within one month after the date of the warrant ordering his return, a magistrate or a superior court, upon application by or on behalf of the prisoner, and upon proof that reasonable notice of the intention to make such application has been given to the person holding the warrant and to the chief officer of the police of such possession or of the province or town where the prisoner is in custody, may, unless sufficient cause is shown to the contrary, order such prisoner to be discharged out of custody.

Any order or refusal to make an order of discharge by a magistrate under this section shall be subject to appeal to a superior court.

Discharge of prisoner not returned within one month to British possession of same group

18. Where a prisoner accused of an offence is returned in pursuance of this Part of this Act to a British possession, and either is not prosecuted for the said offence within six months after his arrival in that possession or is acquitted of the said offence, the Governor of that possession, if he thinks fit, may, on the requisition of such person, cause him to be sent back, free of cost, and with as little delay as possible, to the British possession in or on his way to which he was apprehended. Sending back of prisoner not prosecuted or acquitted to British possession of same group

19. Where the return of a prisoner is sought or ordered under this Part of this Act, and it is made to appear to a magistrate or to a superior court that by reason of the trivial nature of the case, or by reason of the application for the return of such prisoner not being made in good faith in the interests of justice or otherwise, it would, having regard to the distance, to the facilities of communication, and to all the circumstances of the case, be unjust or oppressive, or too severe a punishment, to return the prisoner either at all or until the expiration of a certain period, the court or magistrate may discharge the prisoner either absolutely or on bail, or order that he shall not be returned until after the expiration of the period named in the order, or may make such other order in the premises as to the magistrate or court seems just.

Any order or refusal to make an order of discharge by a magistrate under this section shall be subject to an appeal to a superior court.

Refusal to return prisoner where offence too trivial

PART III-TRIAL, ETC., OF OFFENCES
20. Where two British possessions adjoin, a person accused of an offence committed on or within the distance of five hundred yards from the common boundary of such possessions may be apprehended, tried, and punished in either of such possessions. Offences committed on boundary of two adjoining British possessions

21. Where an offence is committed on any person or in respect of any property in or upon any carriage, cart or vehicle whatsoever employed in a journey, or on board any vessel whatsoever employed in a navigable river, lake, canal, or inland navigation, the person accused of such offence may be tried in any British possession through a part of which such carriage, cart, vehicle, or vessel passed in the course of the journey or voyage during which the offence was committed; and where the side, bank, centre, or other part of the road, river, lake, canal, or inland navigation along which the carriage, cart, vehicle, or vessel passed in the course of such journey or voyage is the boundary of any British possession, a person may be tried for such offence in any British possession of which it is the boundary: Offences committed on journey between two British possessions

Provided that nothing in this section shall authorise the trial for such offence of a person who is not a British subject, where it is not shown that the offence was committed in a British possession.

22. A person accused of the offence (under whatever name it is known) of swearing or making any false deposition, or of giving or fabricating any false evidence, for the purposes of this Act, may be tried either in the part of Her Majesty's dominions in which such deposition or evidence is used, or in the part in which the same was sworn, made, given, or fabricated, as the justice of the case may require. Offence of false swearing or giving false evidence

23. Where any Part of this Act provides for the place of trial of a person accused of an offence, that offence shall, for all purposes of and incidental to the apprehension, trial, and punishment of such person, and of and incidental to any proceedings and matters preliminary, incidental to, or consequential thereon, and of and incidental to the jurisdiction of any court, constable, or officer with reference to such offence, and to any person accused of such offence, be deemed to have been committed in any place in which the person accused of the offence can be tried for it; and such person may be punished in accordance with the Courts (Colonial) Jurisdiction Act, 1874. Supplemental provision as to trial of person in any place

37 & 38 Vict. c. 27

24. Where a warrant for the apprehension of a person accused of an offence has been endorsed in pursuance of any Part of this Act in any part of Her Majesty's dominions, or where any Part of the Act provides for the place of trial of a person accused of an offence, every court and magistrate of the part in which the warrant is endorsed or the person accused of the offence can be tried shall have the same power of issuing a warrant to search for any property alleged to be stolen or to be otherwise unlawfully taken or obtained by such person, or otherwise to be the subject of such offence, as that court or magistrate would have if the property had been stolen or otherwise unlawfully taken or obtained, or the offence had been committed wholly within the jurisdiction of such court or magistrate. Issue of search warrant

25. Where a person is in legal custody in a British possession either in pursuance of this Act or otherwise, and such person is required to be removed in custody to another place in or belonging to the same British possession, such
person, if removed by sea in a vessel belonging to Her Majesty or any of Her Majesty's subjects, shall be deemed to continue in legal custody until he reaches the place to which he is required to be removed; and the provisions of this Act with respect to the retaking of a prisoner who has escaped, and with respect to the trial and punishment of a person guilty of the offence of escaping or attempting to escape, or aiding or attempting to aid a prisoner to escape, shall apply to the case of a prisoner escaping while being lawfully removed as aforesaid, in like manner as if he were being removed in pursuance of a warrant endorsed in pursuance of this Act.

Removal of prisoner by sea from one place to another

PART IV—SUPPLEMENTAL

Warrants and Escape

26. An endorsement of a warrant in pursuance of this Act shall be signed by the authority endorsing the same, and shall authorise all or any of the persons named in the endorsement, and of the persons to whom the warrant was originally directed, and also every constable, to execute the warrant within the part of Her Majesty's dominions or place within which such endorsement is by this Act made a sufficient authority, by apprehending the person named in it, and bringing him before some magistrate in the said part or place, whether the magistrate named in the endorsement or some other.

Endorsement of warrant

For the purposes of this Act every warrant, summons, subpoena, and process, and every endorsement made in pursuance of this Act thereon, shall remain in force, notwithstanding that the person signing the warrant or such endorsement dies or ceases to hold office.

27. Where a fugitive or prisoner is authorised to be returned to any part of Her Majesty's dominions in pursuance of Part One or Part Two of this Act, such fugitive or prisoner may be sent thither in any ship belonging to Her Majesty or to any of her subjects.

Conveyance of fugitives and witnesses

17 & 18 Vict. c. 104

For the purpose aforesaid, the authority signing the warrant for the return may order the master of any ship belonging to any subject of Her Majesty bound to the said part of Her Majesty's dominions to receive and afford a passage and subsistence during the voyage to such fugitive or prisoner, and to the person having him in custody, and to the witnesses, so that such master be not required to receive more than one fugitive or prisoner for every hundred tons of his ship's registered tonnage, or more than one witness for every fifty tons of such tonnage.

The said authority shall endorse or cause to be endorsed upon the agreement of the ship such particulars with respect to any fugitive prisoner or witness sent in her as the Board of Trade from time to time require.

Every master who fails on payment or tender of a reasonable amount for expenses to comply with an order made in pursuance of this section, or to cause a fugitive or prisoner committed to his charge to be given into custody as required by this section, shall be liable on summary conviction to a fine not
exceeding fifty pounds, which may be recovered in any part of Her Majesty's dominions in like manner as a penalty of the same amount under the Merchant Shipping Act, 1854, and the Acts amending the same.

28. If a prisoner escapes, by breach of prison or otherwise, out of the custody of a person acting under a warrant issued or endorsed in pursuance of this Act, he may be retaken in the same manner as a person accused of a crime against the law of that part of Her Majesty's dominions to which he escapes may be retaken upon an escape. Escape of prisoner from custody

A person guilty of the offence of escaping or of attempting to escape, or of aiding or attempting to aid a prisoner to escape, by breach of prison or otherwise, from custody under any warrant issued or endorsed in pursuance of this Act, may be tried in any of the following parts of Her Majesty's dominions, namely, the part to which and the part from which the prisoner is being removed, and the part in which the prisoner escapes and the part in which the offender is found.

Evidence

29. A magistrate may take depositions for the purposes of this Act in the absence of a person accused of an offence in like manner as he might take the same if such person were present and accused of the offence before him. Depositions to be evidence, and authentication of depositions and warrants

Depositions (whether taken in the absence of the fugitive or otherwise) and copies thereof, and official certificates of or judicial documents stating facts, may, if duly authenticated, be received in evidence in proceedings under this Act:

Provided that nothing in this Act shall authorise the reception of any such depositions, copies, certificates, or documents in evidence against a person upon his trial for an offence.

Warrants and depositions, and copies thereof, and official certificates of or judicial documents stating facts, shall be deemed duly authenticated for the purposes of this Act if they are authenticated in manner provided for the time being by law, or if they purport to be signed by or authenticated by the signature of a judge, magistrate, or officer of the part of Her Majesty's dominions in which the same are issued, taken, or made, and are authenticated either by the oath of some witness, or by being sealed with the official seal of a Secretary of State, or with the public seal of a British possession, or with the official seal of a Governor of a British possession, or of a colonial secretary, or of some secretary or minister administering a department of the government of a British possession.

And all courts and magistrates shall take judicial notice of every such seal as is in this section mentioned, and shall admit in evidence without further proof the documents authenticated by it.

Miscellaneous

30. The jurisdiction under Part One of this Act to hear a case and commit a fugitive to prison to await his return shall be exercised:

(1) In England, by a chief magistrate of the metropolitan police courts or one of the other magistrates of the metropolitan police court at Bow Street; and
(2) In Scotland, by the sheriff or sheriff substitute of the county of Edinburgh; and

(3) In Ireland, by one of the police magistrates of the Dublin metropolitan police district; and

(4) In a British possession, by any judge, justice of the peace, or other officer having the like jurisdiction as one of the magistrates of the metropolitan police court in Bow Street, or by such other court, judge, or magistrate as may be from time to time provided by an Act or ordinance passed by the legislature of that possession. Provision as to exercise of jurisdiction by magistrates

If a fugitive is apprehended and brought before a magistrate who has no power to exercise the jurisdiction under this Act in respect of that fugitive, that magistrate shall order the fugitive to be brought before some magistrate having that jurisdiction, and such order shall be obeyed.

31. It shall be lawful for Her Majesty in Council from time to time to make Orders for the purposes of this Act, and to revoke and vary any Order so made, and every Order so made shall while it is in force have the same effect as if it were enacted in this Act. Power as to making and revocation of Orders in Council

An Order in Council made for the purposes of this Act shall be laid before Parliament as soon as may be after it is made if Parliament is then in session, or if not, as soon as may be after the commencement of the then next session of Parliament.

32. If the legislature of a British possession pass any Act or ordinance:

(1) For defining the offences committed in that possession to which this Act or any Part thereof is to apply; or

(2) For determining the court, judge, magistrate, officer, or person by whom and the manner in which any jurisdiction or power under this Act is to be exercised; or

(3) For payment of the costs incurred in returning a fugitive or a prisoner, or in sending him back if not prosecuted or if acquitted, or otherwise in the execution of this Act; or

(4) In any manner for the carrying of this Act or any Part thereof into effect in that possession;

it shall be lawful for Her Majesty by Order in Council to direct, if it seems to Her Majesty in Council necessary or proper for carrying into effect the objects of this Act, that such Act or ordinance, or any part thereof, shall with or without modification or alteration be recognised and given effect to throughout Her Majesty's dominions and on the high seas as if it were part of this Act. Power of legislature of British possession to pass laws for carrying into effect this Act

Application of Act

33. Where a person accused of an offence can, by reason of the nature of the offence, or of the place in which it was committed, or otherwise, be, under this
Act or otherwise, tried for or in respect of the offence in more than one part of Her Majesty's dominions, a warrant for the apprehension of such person may be issued in any part of Her Majesty's dominions in which he can, if he happens to be there, be tried; and each Part of this Act shall apply as if the offence had been committed in the part of Her Majesty's dominions where such warrant is issued, and such person may be apprehended and returned in pursuance of this Act, notwithstanding that in the place in which he is apprehended a court has jurisdiction to try him: Application of Act to offences at sea or triable in several parts of Her Majesty's dominions

Provided that if such person is apprehended in the United Kingdom a Secretary of State, and if he is apprehended in a British possession, the Governor of such possession, may, if satisfied that, having regard to the place where the witnesses for the prosecution and for the defence are to be found, and to all the circumstances of the case, it would be conducive to the interests of justice so to do, order such person to be tried in the part of Her Majesty's dominions in which he is apprehended, and in such case any warrant previously issued for his return shall not be executed.

34. Where a person convicted by a court in any part of Her Majesty's dominions of an offence committed either in Her Majesty's dominions or elsewhere, is unlawfully at large before the expiration of his sentence, each Part of this Act shall apply to such person, so far as is consistent with the tenor thereof, in like manner as it applies to a person accused of the like offence committed in the part of Her Majesty's dominions in which such person was convicted. Application of Act to convicts

35. Where a person accused of an offence is in custody in some part of Her Majesty's dominions, and the offence is one for or in respect of which, by reason of the nature thereof or of the place in which it was committed or otherwise, a person may under this Act or otherwise be tried in some other part of Her Majesty's dominions, in such case a superior court, and also if such person is in the United Kingdom a Secretary of State, and if he is in a British possession the Governor of that possession, if satisfied that, having regard to the place where the witnesses for the prosecution and for the defence are to be found, and to all the circumstances of the case, it would be conducive to the interests of justice so to do, may by warrant direct the removal of such offender to some other part of Her Majesty's dominions in which he can be tried, and the offender may be returned, and, if not prosecuted or acquitted, sent back free of cost in like manner as if he were a fugitive returned in pursuance of Part One of this Act, and the warrant were a warrant for the return of such fugitive, and the provisions of this Act shall apply accordingly. Application of Act to removal of person triable in more than one part of Her Majesty's dominions

36. It shall be lawful for Her Majesty from time to time by Order in Council to direct that this Act shall apply as if, subject to the conditions, exceptions, and qualifications (if any) contained in the Order, any place out of Her Majesty's dominions in which Her Majesty has jurisdiction, and which is named in the Order, were a British possession, and to provide for carrying into effect such application. Application of Act to foreign jurisdiction

37. This Act shall extend to the Channel Islands and Isle of Man as if they were part of England and of the United Kingdom, and the United Kingdom and those islands shall be deemed for the purpose of this Act to be one part of Her Majesty's dominions; and a warrant endorsed in pursuance of Part One of this Act may be executed in every place in the United Kingdom and the said islands
38. This Act shall apply where an offence is committed before the commencement of this Act, or, in the case of Part Two of this Act, before the application of that Part to a British possession or to the offence, in like manner as if such offence had been committed after such commencement or application.

Definitions and Repeal

39. In this Act, unless the context otherwise requires:

The expression "British possession" means any part of Her Majesty's dominions, exclusive of the United Kingdom, the Channel Islands, and Isle of Man; all territories and places within Her Majesty's dominions which are under one legislature shall be deemed to be one British possession and one part of Her Majesty's dominions: "British possession"

The expression "legislature", where there are local legislatures as well as a central legislature, means the central legislature only: "Legislature"

The expression "governor" means any person or persons administering the government of a British possession: "Governor"

The expression "constable" means, out of England, any policeman or officer having the like powers and duties as a constable in England: "Constable"

The expression "magistrate" means, except in Scotland, any justice of the peace, and in Scotland means a sheriff or sheriff substitute, and in the Channel Islands, Isle of Man, and a British possession means any person having authority to issue a warrant for the apprehension of persons accused of offences and to commit such persons for trial: "Magistrate"

The expression "offence punishable on indictment" means, as regards India, an offence punishable on a charge or otherwise: "Offence punishable on indictment"

The expression "oath" includes affirmation or declaration in the case of persons allowed by law to affirm or declare instead of swearing, and the expression "swear" and other words relating to an oath or swearing shall be construed accordingly: "Oath"

The expression "deposition" includes any affidavit, affirmation, or statement made upon oath as above defined: "Deposition"

The expression "superior court" means:

(1) In England, Her Majesty's Court of Appeal and High Court of Justice; and

(2) In Scotland, the High Court of Justiciary; and

(3) In Ireland, Her Majesty's Court of Appeal and Her Majesty's High Court of Justice at Dublin; and

(4) In a British possession, any court having in that possession the like criminal jurisdiction to that which is vested in the High Court of Justice in England, or such court or judge as may be determined by any Act or ordinance of
that possession.


40 and 41. (Repealed by Statute Law Revision Act, 1894, 57 & 58 Vict. c. 56)

REPUBLIC OF ZAMBIA

RELIEF FROM DOUBLE TAXATION

APPENDIX 12 TO THE LAWS OF ZAMBIA

APPLICATION TO THIS TERRITORY OF SECTION 20 (3) OF THE FINANCE ACT, 1894, AS MODIFIED BY ARTICLE 14 OF THE GOVERNMENT OF IRELAND (ADAPTATION OF THE TAXING ACTS) ORDER, 1922, AND BY ARTICLE 2 OF THE IRISH FREE STATE (CONSEQUENTIAL ADAPTATION OF ENACTMENTS) ORDER, 1923, IN RESPECT OF DEATH DUTIES PAYABLE IN GREAT BRITAIN

Published under Government Notice 195 of 1939

AT THE COURT AT BUCKINGHAM PALACE, THE 28TH DAY OF SEPTEMBER, 1939

Present:

THE KING'S MOST EXCELLENT MAJESTY

LORD PRESIDENT LORD ATKIN

EARL OF LUCAN SECRETARY SIR KINGSLEY WOOD

WHEREAS by subsection (3) of section 20 of the Finance Act, 1894, as modified by Article 14 of the Government of Ireland (Adaptation of the Taxing Acts) Order, 1922, and by Article 2 of the Irish Free State (Consequential Adaptation of Enactments) Order, 1923, it is provided that His Majesty may, by Order in Council, apply that section to any British possession where His Majesty is satisfied that, by the law of such possession, either no duty is leviable in respect of property situate in Great Britain when passing on death, or that the law of such possession as respects any duty so leviable is to the like effect as the foregoing provisions of that section:

AND WHEREAS by virtue of section 5 of the Foreign Jurisdiction Act, 1890, and the First Schedule to that Act, as amended by the Foreign Jurisdiction Act, 1913, it is lawful for His Majesty in Council by Order to direct that section 20 of the Finance Act, 1894, shall extend, with or without any exceptions, adaptations or modifications in the Order mentioned, to any foreign country in which for the time being His Majesty has jurisdiction, and that thereupon the said section shall, to the extent of that jurisdiction, operate as if that country were a British possession:

AND WHEREAS His Majesty is satisfied that the law of Northern Rhodesia as respects the duty leviable in respect of property situate in Great Britain and passing on death is to the like effect as the provisions of subsection (1) of section 20 of the Finance Act, 1894:

AND WHEREAS it is expedient that section 20 of the Finance Act, 1894, should be
extended and applied to Northern Rhodesia accordingly:

AND WHEREAS by treaty, grant, usage, sufferance and other lawful means His Majesty has power and jurisdiction in Northern Rhodesia:

NOW, THEREFORE, His Majesty, by virtue and in exercise of the powers conferred on Him by the Foreign Jurisdiction Acts, 1890 and 1913, and the Finance Act, 1894, and of all other power's enabling Him in that behalf, is pleased, by and with the advice of His Privy Council to order, and it is hereby ordered, that section 20 of the Finance Act, 1894, shall extend and apply to Northern Rhodesia as from the sixth day of January, one thousand nine hundred and thirty-nine.

RUPERT B. HOWARTH

APPLICATION TO THIS TERRITORY OF SECTION 20 (3) OF THE FINANCE ACT, 1894, IN RESPECT OF DEATH DUTIES PAYABLE IN NORTHERN IRELAND

Published under Government Notice 196 of 1939

AT THE COURT AT BUCKINGHAM PALACE THE 28TH DAY OF SEPTEMBER, 1939

Present:

THE KING'S MOST EXCELLENT MAJESTY

       LORD PRESIDENT   LORD ATKIN

       EARL OF LUCAN    SECRETARY SIR KINGSLEY WOOD

WHEREAS by subsection (3) of section 20 of the Finance Act, 1894, it is enacted that His Majesty may, by Order in Council, apply that section to any British possession where His Majesty is satisfied that, by the law of such possession, either no duty is leviable in respect of property situate in the United Kingdom when passing on death, or that the law of such possession as respects any duty so leviable is to the like effect as the foregoing provisions of that section:

AND WHEREAS by Article 14 of the Government of Ireland (Adaptation of the Taxing Acts) Order, 1922, it is provided that the reference to the United Kingdom in the said section 20 of the Finance Act, 1894, shall in the application of the provisions of that section to Northern Ireland, be construed as a reference to Northern Ireland:

AND WHEREAS by virtue of section 5 of the Foreign Jurisdiction Act, 1890, and the First Schedule to that Act, as amended by the Foreign Jurisdiction Act, 1913, it is lawful for His Majesty in Council by Order to direct that section 20 of the Finance Act, 1894, shall extend, with or without any exceptions, adaptations or modifications in the Order mentioned, to any foreign country in which for the time being His Majesty has jurisdiction, and that thereupon the said section shall, to the extent of that jurisdiction, operate as if that country were a British possession:

AND WHEREAS His Majesty is satisfied that the law of Northern Rhodesia as respects the duty leviable in respect of property situate in Northern Ireland when passing on death is to the like effect as the provisions of subsection (1) of section 20 of the Finance Act, 1894:

AND WHEREAS it is expedient that section 20 of the Finance Act, 1894, should be
extended and applied as respects death duties payable in Northern Ireland to Northern Rhodesia accordingly:

AND WHEREAS by treaty, grant, usage, sufferance and other lawful means His Majesty has power and jurisdiction in Northern Rhodesia:

NOW, THEREFORE, His Majesty, by virtue and in exercise of the powers conferred on Him by the Foreign Jurisdiction Acts, 1890 and 1913, and the Finance Act, 1894, and of all other powers enabling Him in that behalf, is pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered, that section 20 of the Finance Act, 1894, as in force in Northern Ireland, shall extend and apply, as respects death duties payable in Northern Ireland, to Northern Rhodesia as from the sixth day of January, one thousand nine hundred and thirty-nine.

RUPERT B. HOWARTH

NOTE.—See the Income Tax Act, Chapter 323 of the Laws of Zambia, for an Agreement for the Avoidance of DoubleTaxation and the Prevention of Fiscal Evasion with respect to Taxes on Income concluded with the Government of the United Kingdom of Great Britain and Northern Ireland.