



# Zambia Law Development Commission



## REVIEW OF THE PUBLIC ORDER ACT, CHAPTER 113 OF THE LAWS OF ZAMBIA

ZAMBIA LAW DEVELOPMENT COMMISSION  
PLOT 26F, CHEETAH ROAD,  
KABULONGA, LUSAKA  
DECEMBER, 2022

**SUMMARISED  
PROJECT REPORT**





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## PREFACE

The Zambia Law Development Commission is a semi-autonomous statutory body established under the Zambia Law Development Commission Act, Chapter 32 of the Laws of Zambia. The primary mandate of the Commission is law reform.

The functions of the Commission are to:

- i. recommend the revision and reform of the law in Zambia;
- ii. recommend the codification of unwritten laws in Zambia;
- iii. review and consider proposals for law reform referred to the Commission by the Minister or the members of the public;
- iv. hold seminars and conferences on legal issues;
- v. translate any piece of legislation into local languages; and
- vi. research and make recommendations on:
  - a) the socio-political values of the Zambian people that should be incorporated into legislation;
  - b) the anomalies that should be eliminated from the statute book;
  - c) new and more effective methods of administration of the law and the dispensation of justice that should be adopted and legislated;
  - d) the removal of archaic pieces of legislation from the statute book;
  - e) *new areas of the law that should be developed which are responsive to the changing needs of the Zambian society.*

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## ACRONYMS.

1. CSOs Civil Society Organisations
2. DCAF Geneva Centre for Security Sector Governance
3. POA Public Order Act
4. SACCORD Southern African Centre for the Constructive Resolution of Disputes
5. ZLDC Zambia Law Development Commission.

## 1.0 Introduction

In 1996, the Supreme Court of Zambia delivered a landmark judgment in the case of ***Christine Mulundika and 7 Others vs Attorney General***.<sup>1</sup> This was a case in which the applicants challenged the constitutionality of certain provisions of the Public Order Act then, particularly section 5(4) which required a person intending to assemble or convene a public meeting, procession or demonstration to obtain a permit from the Police. The applicants based their challenge on the fundamental rights and freedom to expression, assembly and association guaranteed by Articles 20 and 21 of the Constitution. The applicants also challenged the exemption of certain office-holders from the need to obtain a permit. The Supreme Court held that section 5(4) of the Public Order Act contravened Articles 20 and 21 of the Constitution and was therefore null and void. The Court further held that the exemption granted to certain office-holders was discriminatory and contrary to Article 23 of the Constitution.

This judgment prompted the amendment of the Public Order Act in 1996 with regards to time within which notice must be given for an event to be held. Further, the amendments replaced the requirement for one to obtain a permit with the need to only give notice.

Notwithstanding the landmark Christine Mulundika judgment and subsequent 1996 amendments to the Public Order Act, the Act has, to date, not been applied in a corresponding manner. To this effect, stakeholders have cited the Act as being a general hindrance to the enjoyment of the fundamental freedoms of assembly, association and expression in Zambia. Stakeholders indicate that the Act presents a challenge for citizens to enjoy the rights and freedoms by allowing the police to either deny the rights or restrict them.

<sup>1</sup>S.C.Z Judgment 25 of 1995 [1996] ZMSC 26 (09 December 1996)

Freedom of assembly, freedom of expression and freedom of association are fundamental rights that form the foundations of democratic societies. They are at the heart of an active and free civil society and they allow citizens to engage in issues that affect them.<sup>2</sup> Freedom of assembly enables individuals to express themselves as part of a collective, by engaging in public meetings, processions, protests, and demonstrations. Assemblies can be platforms to advocate for change and for people to raise awareness about the issues that matter to them, whether it relates to human rights or otherwise.<sup>3</sup> States have an obligation to ensure that the right to freedom of assembly is protected. Effective protection of the right to freedom of peaceful assembly strengthens democracies and it helps promote a culture of open democracy, enables non-violent participation in public affairs, and invigorates discussions on important issues. Public assemblies also help to promote good governance by providing opportunities for the public to hold to account people and organisations with power, including corporate entities, public bodies and government officials.<sup>4</sup>

Freedom of expression includes the freedom to hold, share and explore opinions and ideas. This includes the right for individuals to express their views through public meetings, processions, protest and demonstration, and so this right is closely related to the right to peaceful assembly. Freedom of expression offers protection for types of discourse, including political and religious.

Freedom of association is crucial to the functioning of a democracy and is related to freedom of assembly. It protects the right to form and be part of democratic institutions such as political parties, trade unions, NGOs, religious organisations and other associations.

The fundamental rights and freedoms of assembly, freedom of expression and freedom of association are the foundations

<sup>2</sup> <https://cfnhri.org/human-rights-topics/freedom-of-expression-association-and-peaceful-assembly/>

<sup>3</sup> *ibid*

<sup>4</sup>*ibid*



of a democratic society in which individuals and groups with different backgrounds and beliefs can interact peacefully with one another. As such, they enable the enjoyment of other fundamental rights. They can help give voice to minority opinions and support the voices of marginalised or underrepresented groups to be heard.

The Public Order Act may, therefore, on one hand be misused as a tool to restrict the freedoms of expression and assembly and on the other hand, if applied as intended, may be used to ensure that public order is maintained and promote good governance in society whilst facilitating the enjoyment of the aforementioned rights.

## **1.1 Historical Development of the Public Order Act<sup>5</sup>**

The Public Order Act of Zambia is a legacy of the colonial era. It is said to have been adopted from the Public Order Act of the United Kingdom, which was enacted in 1936.

In the 1930s, the British Union of Fascists (BUF) had adopted the black-shirted uniform of their Italian fascist counterparts which they wore at public meetings. A serious riot took place in 1936 when the BUF marched through the Jewish areas of London. The police failed to force a route for the march down Cable Street, where barricades had been erected and the anti-fascists had massed.

The Government concluded that the existing laws and powers available to the police had not been up to dealing

<sup>5</sup> General information on this part was drawn from the following sources: From; [The Cable Street Riots. On the 80th anniversary of the Cable... | by University of Northampton | History at the University of Northampton | Medium](#); [Public Order Act 1986 \(lawteacher.net\)](#); Debates of the Second Session of the 10th Legislative Council, Hansard No 85 (5th July-19th August 1955, Government Printers Lusaka); The Constitutionality/Necessity of the Public Order Act of Zambia and its Impact on Human Rights in a democratic Zambia: Dissertation by Munakopa Lloyd Sikaulu, UNZA 1995

with the disorder and passed the Public Order Act 1936. The law was even-handed, targeting both sides. Section 1 addressed the black-shirted BUF: “any person who in any public place or at any public meeting wears uniform signifying his association with any political organisation or with the promotion of any political object shall be guilty of an offence”.

Section 5<sup>6</sup> was aimed at the antifascists who had stood behind barricades in Cable Street to stop Mosley’s march: “any person who in any public place or at any public meeting uses threatening, abusive or insulting words or behaviour with intent to provoke a breach of the peace. Shall be guilty of an offence”.

It can be noted that the provisions in the 1936 Act were similar to the Public Order Ordinance of Northern Zambia of 1955. Eight of the ten (10) clauses of the Ordinance were replicated from the UK Law with a minor difference in Clause 3(3) in the Zambian law and an inclusion of clause 8 on penalties for making statements or doing acts intended to promote hostilities between sections of the community. However, unlike the Zambian law the UK law has been substantially modified over time to suit changing circumstances, particularly by the Public Order Act 1986.

Debates recorded in the Hansard,<sup>7</sup> reveal that the Public Order Ordinance was proposed in order to give the Northern Rhodesia Government the powers in the UK Act of 1936. On the one hand, it was believed by the United Federal Party Government that the Bill was specifically to contribute towards public confidence and towards ensuring that the rights of individuals are exercisable without the infringement of the rights of others. On the other hand, the African members of the legislative council who were in the minority believed the Bill was introduced to impede the activities of

<sup>6</sup> Section 5 was repealed by the 1986 Act

the African National Congress who had shown a tendency of wearing uniforms or flying flags at their meetings.<sup>8</sup> From the time of enactment in 1955, the POA of Zambia has been amended numerous times with the two amendments of 1996 speaking to the period of time to give notice being the most significant.<sup>9</sup>

In contrast to its Zambian counterpart, what stands out in the evolution of the United Kingdom Public Order Act is the recognition of the changes that have occurred in policing needs connected to public order in the United Kingdom. The first Public Order Act of 1936 was passed in response to a large-scale violent encounter at a political rally, culminating from a build-up of earlier less severe similar incidents. Its successor, the 1986 Act creates a number of public order offences whilst abolishing some common law offences. This enactment was informed by occurrences during the period of its enactment, where there was an evolution from “policing the margins” of society to control riotous behaviour of large blocks of the populations.<sup>10</sup> Riots arose for various reasons including political protest in the context of industrial disputes; or as a reaction to feelings of disconnection between different parts of the community.<sup>11</sup>

The Public Order Bill of 2022 was introduced into Parliament in the UK in a bid to crack down on protest zealots creating disruption, by increasing the anti-protest powers of the police.<sup>12</sup> This followed the observation of a minority of protestors using guerrilla tactics that cause misery to the hard-working public, disrupt businesses, interfere with emergency services, cost millions in taxpayers’ money, divert the police from tackling crime and put lives at risk.<sup>13</sup>

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<sup>8</sup> Ibid and Dissertation by Sikaulu

<sup>9</sup> Amendments Acts Number 1 and 36 of 1996 respectively

<sup>10</sup> [Public Order Act 1986 \(lawteacher.net\)](#)

<sup>11</sup> Ibid

<sup>12</sup> [Public Order Bill: The government's new anti-protest law explained \(bigissue.com\)](#) accessed 11/08/22

<sup>13</sup> [Public Order Bill - Hansard - UK Parliament](#) accessed 10/08/2022

However, unlike the *Zambian law* the *United Kingdom law* has been substantially modified over time to suit changing circumstances, particularly by the *Public Order Act 1986*. Since its enactment in 1955, the *Public Order Act of Zambia* has had only two key amendments, these being *Act No. 1 of 1996* and *Act No. 36 of 1996* which provide for a period for giving notice to police.<sup>14</sup>

## 1.2 Rationale and Significance of the Review.

The *Public Order Act* was enacted in 1955, and one of its purposes is to make provision for the preservation and regulation of public order in the country. The Act has been a subject of much public discussions and there have been subsequent public outcry and court proceedings over the provisions and implementation of the Act, some calling for its amendments and others calling for its repeal.<sup>15</sup> Much of the debate has been with regard to the provisions of sections 5 to 7 of the Act,<sup>16</sup> which many stakeholders argue infringe upon their rights guaranteed under Articles 20 and 21 of the Constitution, respectively.

Article 20 guarantees the freedom of expression, whilst Article 21 guarantees freedom of Assembly and Association. The *Public Order Act* has gone through amendments in response to emerging issues largely attributed to changes in political and social dynamics in the governance systems of Zambia, the region and the world.<sup>17</sup>

Notwithstanding the amendments, stakeholders have observed and experienced that the law still impedes on the

<sup>14</sup> Amendments Act No. 1 & 36 of 1996 respectively

<sup>15</sup> [lusakatimes.com/2022/07/01/public-order-act-and-the-right-to-assembly-a-case-of-the-planned-protest-by-unemployed-teachers-and-health-workers/](https://www.lusakatimes.com/2022/07/01/public-order-act-and-the-right-to-assembly-a-case-of-the-planned-protest-by-unemployed-teachers-and-health-workers/) accessed on 19/09/22

<sup>16</sup> Section 5-Regulation of assemblies, public meetings and processions. Section 6-Penalty for disobeying a direction or violating conditions of permit issued under section 5. Section

<sup>17</sup> Unauthorised assemblies.

<sup>17</sup> Cabinet Memo on the review of the Public Order Act

right of freedom of assembly. The manner of implementation of the Public Order Act by the Police in the regulation of public gatherings is one of the major causes of much grievance towards the Act, with many accusing the Police of abusing their powers provided for under the Act. The challenges of enforcement of the Public Order Act relate among others, to both the requirement to notify the police, the criminal sanctions which accrue based on the absence of such notifications and non-application of the Act fairly across different groups in society and non-application of the Act fairly across different groups in society. Therefore, the Public Order Act when reviewed must provide safeguards against arbitrary decisions by those in authority to avoid abuse in the administration of the law.

The review of the Public Order Act Chapter 113 of the Laws of Zambia is important as it will deal with provisions of the Act that stifle the enjoyment of the freedom of assembly, association and expression in the conduct of public assemblies, processions and other forms of public gatherings. It is also significant in the development of a legal framework that guarantees autonomy, to law enforcement agencies, in the policing of public assemblies, processions and other forms of public gatherings while being anchored on constitutionally guaranteed fundamental rights and freedoms.

It is against this backdrop that on 23rd June 2022, the Minister of Home Affairs and Internal Security Honourable Jack Mwiimbu requested the Zambia Law Development Commission to facilitate the review of the Public Order Act, Chapter 113 of the Laws of Zambia.

During the launch for the review of the Public Order Act, the Minister stated that freedom of assembly is recognised as a human right, a political freedom and a civil liberty and

such a right must be protected in a functioning democracy. The Minister further stated that the Constitution of Zambia which is the supreme law of the land, guarantee the right to freedom of expression and freedom of assembly and association which rights must be protected.

Further, the Minister His Excellence Mr. Hakainde Hichilema made reference to the statement made by the President of the Republic of Zambia on the official opening of the First Session of the 13<sup>th</sup> National Assembly on the need to review the Public Order Act in order to enhance democratic dispensation in the country.

The 8<sup>th</sup> National Development Plan also reiterates the need to comprehensively conduct Constitutional reforms to enhance good governance and strengthen the protection of human rights which are critical ingredients to the wellbeing of citizens and review subsidiary laws to align them with the constitution. It is against this background, that Government identified the need to review the Public Order Act.

### **1.3 General Objective**

The general objective of the review was to facilitate the development of a comprehensive legal framework to govern the convening and regulation of public gathering that facilitate the promotion and protection of human rights and the social and political values of the Zambian people.

#### **1.3.1 Specific Objectives**

The specific objectives were to:

- i) Recommend removal from the statute book

of archaic provisions of the law that stifle the enjoyment of the freedoms of assembly, association and expression in the conduct of public assemblies, processions and other forms of public gatherings.

- ii) Develop a legal framework that:
  - a. Facilitate the realisation and implementation of the freedoms of assembly, association, expression and related rights as guaranteed in the Constitution of Zambia;
  - b. Guarantees autonomy to an authorising authority in the regulation of public assemblies, processions and other forms of public gathering; and
  - c. Encompass measures to prevent arbitrary decisions and abuse of the law in its application and enforcement.
- iii) Review and document regional and international standards and best practices vis-a-vis public gatherings.

## **2.0 The Review Process**

This part of the report presents the review process of the Public Order Act. The review process was conducted using a descriptive study design which helped in understanding the history of the Public Order Act, legal challenges and its application. This part therefore, includes a description of the stages that were used to engage stakeholders and to gather submissions constitutes the review design, research population, sampling techniques as well as instruments and tools that were used for collection and analysis of submissions.

## **2.1. Stakeholder Engagement**

Stakeholder engagement is a key component in law review. It helps to ensure that laws are in the public interest by involving those that are affected by the laws. Stakeholder engagement was necessitated by the need to collect ideas, expertise and evidence from stakeholders on the challenges of the provisions of the Public Order Act and possible resolutions to address them. By consulting all affected parties, stakeholder engagement enhances the inclusiveness and supports the development of a sense of ownership. This in turn strengthens trust in Government and compliance with the laws. The engagement process is explained below.

### **2.1.1. Target Population**

The Public Order Act affects stakeholders from various sectors of society. The target population for the review process was therefore members of the general public and institutions or organisations identified in an initial stakeholder mapping exercise undertaken by the Commission.



### **2.1.2. Stakeholder Mapping**

The stakeholder mapping exercise was undertaken in order to identify and determine institutions and organizations working in the country's governance sector and those with practical experience with the application of the Public Order Act and the possible gaps in it in order to inform the development of concrete recommendations based on practical stakeholder experiences. The mapping exercise was also utilized to identify stakeholders requested for submissions to the process and to participate in the national stakeholder consultative meetings.

### **2.1.3. Call for Submissions**

The Commission developed a public call for submissions to guide stakeholder submissions. In order to ensure the widest possible participation, the call made provision for stakeholders and members of the public to make written or oral submissions by sending their submissions to the Commission through the post, email or on WhatsApp messenger in English or in any of the seven (7) major local languages. Stakeholders and members of the public were also encouraged to deposit their submissions at the municipal councils around the country. The call was placed on the ZLDC website, the websites of the Ministries of Home Affairs and Internal Security and Justice as well as in the public and private electronic and print media which included the Zambia National Broadcasting Corporation (ZNBC) TV and ZNBC radio stations (in the seven major local languages) Prime Television Zambia, Zambia Daily Mail and the News Diggers.

In addition, using the purposive sampling technique the call

for submissions was sent to institutions purposively selected for their interaction with or knowledge of the application of the Public Order Act. The Commission sent the call to 432 institutions and individuals who comprised the Speaker of the National Assembly and all Members of Parliament, the judiciary, the Town Clerks and the Councillors in the 10 provincial centres, 40 political parties (being members of the Zambia Centre for Inter-Party Dialogue) civil society organizations, church mother bodies, academia, media, professional bodies or associations, youth organisations, trade and student unions, and various statutory bodies and government departments. The call for submissions was also distributed at the 2022 Agricultural and Commercial show held in Lusaka from the 27th July to 1st August, 2022.

The table below shows information on the call for submissions.

Call for submission		Summary of Submissions received from stakeholders	
Institutions	Letters sent	Stakeholders	
Speaker of the National Assembly and all members of Parliament	173	CSOs <sup>[1]</sup>	16
Town Clerks in the 10 provincial centres	10	Individuals	13
Political parties	40	Political Parties	8

Civil society organisations	51	Statutory bodies	5
Religious organisations	13	Religious Organisations	3
Academia	9	Associations	2
Student unions	12	Council	1
Statutory bodies	42	Trade Unions	1
Trade Unions	13	National Assembly	1
Professional bodies and Associations	33	Judiciary	1
Judiciary	1	Academia	2
Government Ministries and Departments	22		
<b>TOTAL</b>	<b>432</b>		<b>53</b>

## 2.1.4. Stakeholder Consultative Meetings<sup>18</sup>

The National Stakeholder Consultative meeting was held at Mulungushi International Conference Centre from 29<sup>th</sup> – 30<sup>th</sup> August, 2022. A total of 129 stakeholders identified during the stakeholder mapping exercise and stakeholders who made written or oral submissions participated at the national consultative meeting.

The purpose of the meeting was to subject the proposed draft Bill to stakeholders for comments and to reach consensus on the proposed provisions. In exceptional situations where consensus could not be reached, the decision was made by voting. In addition, the meeting assisted in discovering the point of consensus or shared concerns on the proposed provisions. The ultimate aim of conducting the national stakeholder meeting was to enhance the procedural legitimacy of the review process as the piece of legislation under review had been a subject of debate for a long time.

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<sup>18</sup> The Southern African Centre for the Constructive Resolution of Disputes (SACCORD) and the Geneva Centre for Security Sector Governance (DCAF) conducted independent nationwide provincial stakeholder consultations where 376 stakeholder participated broken down as follows: (96) CSOs, (59) Political Parties, (74) media, (24) Senior Citizens, (29) Church, (24) Trade Unions, (5) Academia and 12 Government departments/ Zambia Police Service. Further, GEARS Initiative Zambia made the submission on behalf of other 30 CSOs.

## **Round Table Discussions with the Law Association of Zambia and Defence and Security Wings**

As part of the stakeholder consultations, the Commission held Roundtable Discussion Meetings with members of the Law Association of Zambia and members of the Defence and Security wings. However, in place of the physical meeting, the Judiciary opted to send written submission to the Commission. The Defence and Security Wings comprised of representatives from the Zambia Police Service, the Zambia Army, the Zambia Air Force, the Zambia National Service and the Zambia Correctional Service. The purpose of the roundtable meeting with members of LAZ was to solicit views on how they can contribute to the development of the new law as they hold a very special relationship with the judiciary and law enforcement wings. The meeting with representatives of defence and security was aimed at getting submissions regarding the principal Act and the proposed Bill with special consideration on the application of the Act.

### **2.2 The Desk Review**

As part of the review process, the review team undertook a desk review of secondary data sources. The desk review process involved gathering and reviewing existing literature on the application and implementation of the Public Order Act; documenting regional and international standards as set out in various applicable treaties and principles on the management of public gatherings and related rights to which Zambia is Party and regional and international best practices. During the desk review, the review team further identified and documented gaps in the application and implementation of the Public Order Act, allied domestic legislation and analysed national, regional and international judicial decisions on the Public Order Act and other similar legislation.

## 2.3 Analysis of Data

The Commission employed thematic and content analysis methods to the data gathered during the desk review and the stakeholder engagement activities. The data was categorised into sections as follows:

- (a) Organisation of submissions from stakeholders- The Commission organised the submissions using a matrix categorised by sections of the Act, name of the stakeholder, proposed amendment and the justification.
- (b) Aggregation of submissions- This stage involved arranging and categorising submissions in accordance with the provisions notes of the principal Act.
- (c) Desk review findings- The analysis involved the selection of relevant literature and other pieces of legislation that were applicable to the review process.

The findings from the data analysis revealed the current Public Order Act has many gaps in relation to the promotion and enjoyment of the fundamental freedoms of assembly, association and expression as guaranteed in the Constitution. Therefore, these gaps have necessitated the need to repeal and replace the Act in order to respond to the changing needs of the Zambian society. The findings are discussed in detail under ZLDC Specific Findings and Recommendations.

## 3.0 Comparative Study Findings.

During the desk review, a comparative study was carried out to review the relevant legislation of selected countries, to serve as benchmarks upon which Zambia can base its evidence on the need to adopt best practice as prevailing in other countries. The countries that were considered in this regard were England (Public Order Act 1986 Chapter

64); Nigeria (Public Order Act, 1979); Sierra Leone (Public Order Act of 1965); Uganda (Public Order Management Act, 2013); Malawi (Malawi Police Act); Brunei (Public order Act Chapter 148 of the Laws of Brunei); South Africa (Regulation of Gathering Act No. 205 of 1993); Kenya (Public Order Act Chapter 56). These jurisdictions were selected because they have legislation addressing issues pertaining to public meetings and processions which address the various issues raised by stakeholders which require to be addressed.

The key areas of focus for the comparative study were based on problematic areas identified by the review team and stakeholders during the consultative meetings. These included the need to: rename the Act; provide for a shorter notice period; provide for the acknowledgment of notices; include provisions relating to spontaneous gatherings; provide for the restriction of gatherings; to introduce a provision providing for a register of notices; provide for an appeals process; the implementer of the Act; and ensure adherence to the law (compliance).

The countries that were considered in this regard were England (Public Order Act 1986 Chapter 64); Nigeria (Public Order Act, 1979); Sierra Leone (Public Order Act of 1965); Uganda (Public Order Management Act, 2013); Malawi (Malawi Police Act); Brunei (Public order Act Chapter 148 of the Laws of Brunei); South Africa (Regulation of Gathering Act No. 205 of 1993); Kenya (Public Order Act Chapter 56). These jurisdictions were selected because they have legislation addressing issues pertaining to public meetings and processions which address the various issues raised by stakeholders which require to be addressed.

### **(i) Title (Name of the Act)**

The comparative study with regard to the name of the Acts regulating public meetings, gatherings or processions revealed that Sierra Leone, Nigeria, England, Kenya and

Brunei have the same names called Public Order Act, while Uganda has Public Management Act, in South Africa it is called Regulations of Gatherings, while Malawi does not have a specific public order Act and public meetings are regulated by the Police Act.

### **(ii) Non-Application of the Act**

It was observed that all the countries under review such as Sierra Leone, Nigeria, Brunei, Malawi, Uganda South Africa do not have a provision for application of the Act. However, their laws make provision for exceptions and exclusions of particular categories of persons or organisations from writing a notice or obtaining a permit required for holding of meetings and processions in public places in comparison to the Zambian Public Order Act, it was observed that the Zambian laws on exemptions and application are not sufficient.

### **(iii) Notice of Intention to Hold a Public Meeting**

The general thread in all the countries looked at with regard to a notice is that for any person to hold a public meeting, they are required to give notice to the responsible officer. The notice is also attached with conditions and if the conditions are not adhered to, the public meeting may not take place. Further, countries provided for shorter periods within which a notice must be given. For example, Malawi provided for 48 hours for a person to give a notice.

### **(iv) Spontaneous Gatherings**

The comparative study reviewed that Uganda, South Africa and Malawi made provision for spontaneous gatherings that were considered as unplanned or unintended gatherings (that may happen at any time and anywhere without



notice). It was noted that the current **Zambian Public Order Act** has no provision on spontaneous gatherings and demonstrations.

### **(v) Restriction of Public Gatherings**

The comparative study reviewed that England, Uganda, Malawi, Nigeria and Brunei had provisions that empower relevant authorities to impose restrictions on public gathering or disallow public gatherings where there are threats to life, public disorder, defence or property. These provisions appear to be similar with the provisions of the **Public Order Act of Zambia** which equally provide for circumstances under which the right to freedom of assembly may be departed from.

### **(vi) Register of Notices and Its Accessibility**

The comparative study revealed that Uganda and Kenya provided that the authorised officer must maintain a register of notices that should be available for inspection by any person during working hours.

### **(vii) Appeals**

It was observed that the countries reviewed under the comparative study varied with regard to the appeal process. In South Africa, Uganda and Malawi, their Acts made provision for an appeal to a competent Court while in Nigeria and Brunei, aggrieved parties appeal to the Governor and Minister respectively. It was further observed that both

England and Sierra Leone did not make provision for an appeal process in their respectful Public Order Acts.

Similar to the Public Order Act in Brunei, section 5(8) of the Public Order Act in Zambia provides that unsatisfied conveners may appeal to the Minister as this portfolio function is vested in the Minister by virtue of the Statutory Functions Act<sup>19</sup>.

### **(viii) Penalties**

It was observed that all the countries under review provided for offences and penalties in the Public Order Act. It was further observed that where the Act did not provide for penalties it crossed referenced to the Penal Code Act that provided for similar offences.

## **4.0 ZLDC FINDINGS AND RECOMMENDATIONS.**

This part outlines the main findings and recommendations of the ZLDC. A complete account of the research findings and recommendations can be found in the full review report on Facebook Page: Zambia Law Development Commission, Twitter Account: @zambia\_law and on [www.zambialawdevelopment.org](http://www.zambialawdevelopment.org)

Based on the research that was undertaken, the commission made the following findings and recommendations on the key issues:

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<sup>19</sup>Chapter 4 of the laws of Zambia

## **a) Repeal and Replace the Public Order Act'**

### **Finding:**

The findings of the review process revealed that the provisions of the Public Order Act prevent the enjoyment of the freedom of assembly, association and expression in the conduct of public assemblies, processions and other forms of public gatherings notwithstanding the amendments that it has undergone. Further the Act does not adhere to the international instruments which provide that every person has the inalienable right to take part in any peaceful assemblies and places an obligation on the State to facilitate and protect assemblies. It was the stakeholder's submission that the Public Order Act is a colonial legacy and was meant to curtail the freedom of assembly and association and should therefore be repealed and replaced.

### **Recommendation**

It is recommended that the Public Order Act Chapter 113 of the Laws of Zambia be repealed and replaced as it does not facilitate the enjoyment of the right to assembly, association and expression as guaranteed in the Constitution.

## **b) Name of Act**

### **Finding:**

The findings revealed that countries like Sierra Leone, Nigeria, England and Brunei have the same title called Public Order Act, while Uganda has Public Management while South Africa is called Regulations of Gatherings. Malawi does not have a specific public order Act. However, public meetings are regulated by the Police Act.

## **Recommendation:**

It is recommended that the Zambian Public Order Act should be renamed as “The Public Gatherings Act” because this name is more encompassing as it includes issues such as assembly, association and expression.

### **c) Non- Application of the Act**

#### **Finding:**

It was observed that all the countries under review such as Sierra Leone, Nigeria, Brunei, Malawi, Uganda South Africa do not have a provision for application of the Act. However, their laws make provision for exceptions and exclusions of particular categories of persons or organisations from writing a notice or obtaining a permit required for holding of meetings and processions in public places in comparison to the Zambian Public Order Act, it was observed that the Zambian laws on exemptions and application are not sufficient.

#### **Recommendation**

It is recommended that the proposed law should have a provision stating who the law applies to and those it does not apply to. The proposed law must also have a provision for exempting certain classes of people or organisations (i.e. the President, Vice President, and funeral gatherings) from notifying the law enforcement agencies for holding of meetings and processions in public places.

## **d) Notice:**

### **Finding:**

The findings revealed that countries like England, Uganda, Kenya, South Africa required a person intending to hold a public meeting, gathering or procession to give notice to the responsible officer. The notice is also attached to conditions and if the conditions are not adhered to, the public meeting may not take place. Further, these countries provide for shorter periods within which a notice must be given. For example Malawi provided for 48 hours for a person to give a notice.

### **Recommendation:**

The law under review must provide that any person intending to hold a public meeting must give a notice within a reasonable time to the authorised officer. The law must also provide the form that the notice must take.

## **e) Spontaneous Gathering**

### **Finding:**

The findings revealed that most countries considered in the study as best practice provided for different types of

public gatherings, these include meetings, processions, demonstrations and spontaneous gatherings. International instruments and treaties provide that States have the obligation to facilitate and protect assemblies which include spontaneous assemblies, simultaneous assemblies and counter-protests. Countries such as Uganda, England and Malawi provide for spontaneous assemblies in their laws.

Further, stakeholders submitted that the proposed law should provide for provision on different types of gathering like multiple concurrent assembly (simultaneous assembly) Protests (demonstrations) and spontaneous assembly.

It was also noted that the definition of simultaneous assemblies found in the Guidelines on Freedom of Association and Assembly of the African Commission on Human and Peoples rights is more encompassing and therefore the need to adopt it in our Bill.

## **Recommendation**

It is recommended that the proposed law should regulate meetings, demonstration and processions, and have a provision on spontaneous gatherings and multiple concurrent gatherings, and place an obligation on the authorised officer to facilitate the holding of such gatherings where practicable.

It is further recommended that the definition of Spontaneous assemblies be adopted from the Guidelines on Freedom of Association and Assembly of the African Commission on Human and Peoples rights to read: “assemblies that occur as immediate reaction to events, and planned assemblies that necessarily occur within a tighter deadline that that required relative to notification”.

## **f) Restrictions of Public Gathering**

### **Finding:**

The comparative study revealed that countries such as England, Brunei, Sierra Leone and Uganda provided for restrictions on public gatherings, or for conditions to be imposed on the holding of a public gathering, based on concerns relating to the maintenance of public order or public safety.

Article 21 of the ICCPR provides that the freedom of association and assembly may be restricted in the interest of the safety and protection of the rights and freedoms of others in a democratic society.

In *Hague v Committee for Industrial Organisation*. 307 US 496 at 515-516 (1939), the primary holding of the Court was that the government may regulate the privilege to express views on national questions in public streets and parks, but it may not withhold this privilege altogether.

During stakeholder consultations, it was submitted that section 7 of the Public Order Act which provides for unauthorised assemblies gives the police excessive discretion to prevent a person from exercising their right to hold a public gathering for reasons that are many times falsified, such as insufficient man-power. Others submitted that once a notice of intention to hold a public gathering is given, the organiser should be allowed to proceed to hold the meeting without restriction, but the police should avail themselves to maintain law and order.

### **Recommendation:**

It is recommended that the law must therefore provide for circumstances under which the relevant authorizing authority may restrict public gatherings. It is recommended that the word restriction be replaced with limitation to include circumstances under which the holding of a public gathering may be limited. The term restriction is not in the spirit of the promotion of the right to assemble, the term limitations is more suitable. These provisions should be consistent with Articles 20 and 21 of the Constitution as well as tenets of democracy. The authorised officer should be obligated to provide reasons for the restriction in writing, and the convener should be invited to address the reasons given, and to proceed with the holding of the public gathering.

### **g) Implementer of the Act (Authorising Authority)**

### **Findings:**

The findings revealed that in Uganda, Kenya, Sierra Leone, and England the implementer of the Act is the police. Further,



the 10 principles for proper management of assemblies recognise the role that law enforcers play in facilitation and maintaining order at public meetings. The majority of the stakeholders also submitted that the proposed law must be implemented by the police, because issues of public security and maintenance of order are the preserve of the police service and other security wings.

### **Recommendation:**

It is recommended that the proposed law be implemented by the Zambia Police Service.

### **h) Register of Notices and Its Accessibility**

#### **Finding:**

The findings revealed that Uganda and Kenya provide that the authorised officer must maintain a register of notices that should be available for inspection by any person during working hours.

#### **Recommendation:**

The law must provide for a register of notices and the register must be available for persons to inspect at any time during working hours.

### **i) Penalties**

#### **Finding:**

The Public Order Act in Zambia provides for several offences

that include: convening or presiding a public meeting where the National anthem has not been played; having in possession weapons at public meetings and processions; acting in a manner conducive to breaches of peace; and organising or taking part in an assembly deemed to be unlawful by the Act.

The Act also provides for a general penalty of imprisonment for three months or to a fine of one thousand five hundred penalty units, or to both for the offences aforementioned. The Act further includes the offence of organising or training or equipping quasi-military organisations of which a person found guilty is liable to imprisonment for six months or to a fine of three thousand penalty units or to both such imprisonment for the quasi-military organisations.

The findings revealed that some of the offences provided in the Public Order Act are duplicated in the Penal Code Act. These include the prohibition of quasi-military organisations under section 4 of the Public Order Act which is similar to the offence of unlawful drilling, which is provided for under section 66 of the Penal Code Act and offensive conduct conducive to breaches of peace under section 11 of the POA which is similar to the offence of use of insulting language the Penal Code.

The findings also revealed that all the countries in the Comparative Study provided for penalties for offences such as unlawful assembly, formation of quasi-military organisations and the possession or use of weapons in public gathering.

During the stakeholder consultations, stakeholders submitted that there was a need to include a penalty for unlawful assembly in the proposed law. However, stakeholders were of the view that the penalty should not be a punitive custodial sentence but rather community service or probation.

Further, stakeholders submitted that there was need to include a provision prohibiting the wearing of an attire that is in connection with the defence force and security officers at public gatherings. Though section 182(3) of the Penal Code provides for the prohibition of wearing an official uniform, stakeholders were of the view that there was a need to include the offence in the proposed law so as to address a specific mischief that has occurred in past where uniforms in connection with defence were worn at public gatherings to intimidate people.

Additionally, stakeholders submitted that the proposed law should include a provision prohibiting the possession of a firearm or weapon at a public gathering, other than in the course of duty, so as to ensure public safety.

### **Recommendation:**

It is recommended that the proposed law must include a penalty for unlawful assembly to compel organisers to notify the police of a public gathering and to ensure adherence to the law. The penalty should include the option of a fine, community service and probation. Further, the penalties for offences which also sit in other laws such as the Firearms Act and Penal Code Act, should be in cross reference with the penalties sitting in the other laws.

It is further recommended that the proposed law should repeal the offence relating to the singing of the National Anthem as the National Anthem Act Chapter 7 of the laws of Zambia empowers the President to prescribe the occasions upon which the National Anthem may be sung and is therefore adequate.

## j) Appeals:

### Finding:

The Public Order Act provides that aggrieved parties may appeal to the Minister. If unsatisfied with the Minister's decision, an aggrieved party may appeal to the High Court. Stakeholders were of the view that appeals should not be handled by the Minister who is an interested party and subject to political interference but rather, aggrieved parties should appeal directly to the High Court and subsequently to the Constitutional Court. Other stakeholders felt that the appeal should go to the Magistrate in charge of the district instead of the Minister. It was noted in the Comparative Study that Malawi provides for an appeal to the High Court while both South Africa and Uganda appeal to a Magistrate Court. The findings further revealed that in Nigeria and Brunei, aggrieved parties appeal to the Governor and Minister respectively.

The desk review revealed that the ICCPR's Monitoring Body-the Human Rights Committee stipulates in its General Comments,<sup>20</sup> that States parties must ensure independent and transparent oversight of all bodies involved with peaceful assemblies, including through timely access to effective remedies, including judicial remedies. The UN Principles for the proper management of assemblies further specifically stipulate that exhaustion of administrative remedies is not a prerequisite for an organiser to seek judicial review or the applicable judicial remedy.

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<sup>20</sup>See Human Rights Committee General Comment No. 37 (2020), CCPR/C/GC/37 of 17 September 2020.

## **Recommendation:**

While it is noted that administrative measures expedite the process of hearing grievances, there is need to ensure that there is impartiality, both real and perceived, in the appeal process. It is, therefore, recommended that the appeals should lie to the Magistrate in charge of a district and must be lodged within 24 hours of the refusal by the authorising officer and heard within 48 hours of been filled. In case of dissatisfaction with the decision of the Magistrate, the appeal should follow the same channel as any matter which graces the Subordinate Court but within a stipulated time frame.

# **ANNEX 1- SUMMARY OF THE PROPOSED PUBLIC GATHERINGS BILL**

## **THE PUBLIC GATHERING BILL, 2022**

### **INTRODUCTION**

The Public Gatherings Bill in general is intended to repeal and replace the Public Order Act, Chapter 113 of the laws of Zambia. This is with a view to facilitate the exercise of the fundamental rights and freedoms of expression, assembly and association at any public gathering in accordance with Article 20 and 21 of the Constitution.

Specifically, the objects of the Bill are to—

- a) Facilitate the exercise of the freedom of assembly and association at a public gathering;
- b) Regulate the conduct of public gatherings for the preservation of public order and public safety;
- c) Repeal and replace the Public Order Act, 1955; and
- d) Provide for matters connected with, or incidental to, the foregoing.

The Bill is divided in 3 parts. Part 1 headed Preliminary Provisions, highlights the short title of the Bill, the scope of the application of the Bill, and provides interpretation of key words used in the Bill. Part 2 of the Bill outlines provisions that are pertinent in the regulation of public gatherings which include among others; notice of public gathering; acknowledgement of notices; spontaneous public gatherings; and restrictions of public gathering and register of notices. Part 3 of the Bill outlines the general provisions.

## **PART I**

### **PRELIMINARY PROVISIONS**

#### **Section 2: Interpretation**

In this section key terms used in the Bill are defined. Some of the definitions in the current Public Order Act which remain applicable are maintained. Novel definitions which among other things speak to the protection of assembly are also introduced. The following are some of the new definitions introduced in this Bill; -

“Assistive device” means a device that is designed, made or adapted to assist a person with disability to perform a particular task;

“Authorised officer” means the Inspector-General of Police, Divisional Commander, Officer Commanding- District, officer- in-charge of a police station, or any other police officer authorised by the Inspector-General of Police;

“Concurrent assemblies” means public gatherings held at the same place and at the same time;

“Organiser” means a person who is responsible for the organisation and holding of a public gathering;

“Person with disability” has the meaning assigned to the words in the Persons with Disability Act, 2012.

“Protected area” has the meaning assigned to the words in the Protected Places and Areas Act;

“Public body” has the meaning assigned to the words in the Public Finance Management Act, 2018; “public gathering” means an assembly, meeting, procession or demonstration of twenty or more people in a public place;

“Spontaneous public gathering” means an unplanned, unscheduled or unintended public gathering; and

“Weapon” means an object or article made or adapted for use which is likely to cause or threaten injury or death to a person and includes a knife, machete, spear, axe, arrow, sjambok, stick, stone, axe handle or similar object or article but does not include an assistive device that is used for the purpose for which it was intended.

### **Section 3: Application**

This section sets out the scope of application of the Act. It stipulates that the Act shall not apply to the President; Vice President; Speaker or Deputy Speaker; Minister; Member of Parliament in the performance of that members’ functions under any written law, in that members’ constituency; Mayor, Council Chairperson and Councilor in the performance of a civic duty; public officers in the performance of government functions and others as contained in the bill. However, the exemption under subsection (1) (c), (d), (e) and (f) shall not apply during an election campaign or election or where Parliament is dissolved in accordance with the Constitution



## **PART II**

### **REGULATIONS OF PUBLIC GATHERING**

#### **Section 4: Notice of public gathering**

This section requires any person who intends to hold a public gathering to notify an authorised officer at least five (5) days before the proposed date of the public gathering. Further, it provides that an authorised officer can accept a notice of not less than two (2) days, where five days' notice is impracticable.

#### **Section 5: Acknowledgment of notice**

This section compels an authorised officer, within 24 hours of receiving the notice to acknowledge receipt of the notice in the prescribed manner and form. Where the authorised officer does not acknowledge receipt of the notice within the period specified the notice shall be considered to have been received.

#### **Section 6: Restriction of public gathering**

This section outlines circumstances when an authorised officer may restrict the holding of a public gathering. These include where;

(a) the authorised officer is in receipt of a prior notice to hold a public gathering on the same date and at the same time and venue as the public gathering,

(b) the venue for the public gathering –

(i) is unsuitable for purposes of crowd and traffic control;

(ii) shall interfere with other lawful business; or

(iii) is within a protected area, a protected place, or a restricted area.

c) the authorised officer reasonably believes that the public gathering is likely to result in public disorder, damage to property, or a danger to public safety.

However, an authorised officer who restricts the holding of a public gathering on a ground specified above shall within the time stipulated in the Bill, invite the organiser to take remedial measures to address the reasons he would advance for the restriction.

## **Section 7: Spontaneous meetings**

This section exempts spontaneous public gathering from the notification required under section 4. Nevertheless, an authorised officer may direct a spontaneous public gathering to disperse where-

(a) the authorised officer is in receipt of a notice to hold a public gathering on the same date and at the same time and venue as the spontaneous public gathering;

(b) the venue for the spontaneous public gathering -

(i) is unsuitable for purposes of crowd and traffic control;

(ii) shall interfere with other lawful business; or

(iii) is within a protected area, a protected place, or a restricted area as prescribed by the Minister

### **Section 8: Multiple notices**

This section introduces the holding of concurrent public gatherings. An authorised officer shall facilitate the holding of concurrent public gatherings on the same date and at the same time and venue, where the authorised officer reasonably believes that the holding of concurrent public gatherings on the same date and at same time and venue is not likely to result in an imminent danger to public order or public safety. However, an authorised officer who reasonably believes that the holding of concurrent public gatherings on the same date and at same time and venue is likely to result in an imminent danger to public order or public safety shall restrict the holding of one or more of the public gatherings.

### **Section 8: Duties and obligation of authorised officer**

The section lists the duties and obligations of an authorised officer subject to the Constitution. These include:

(a) protect and promote the freedom—

(i) of peaceful assembly and association;

(ii) of expression;

(iii) of movement;

(iv) from arbitrary arrest; (v) from torture, or to inhuman or degrading punishment or other like treatment; and

(vi) from partiality in the administration of the law;

(b) ensure that the right to freedom of assembly is exercised with due regard to the interests of public order, public health and public safety;

(c) intervene in the conduct of a public gathering if the failure to do so gives rise to imminent danger to public order and safety.

### **Section 10: Obligation of Organiser**

Section 10 requires an organiser to cooperate with the police regarding the planning and adoption of measures for the maintenance of public order and safety at the public gathering; and to ensure that the participants comply with the law and any condition attached to the holding of a public gathering.

### **Section 11: Monitoring of public gathering by media and stakeholders**

The section requires an authorised officer, organizer, participant and any other person shall respect and uphold the rights of the media to monitor a public gathering.

### **Section 12: Register of notices**

This section provides that an authorised officer shall keep

and maintain a register in the prescribed manner and form of notices received under section 4. The register shall be open for inspection by the public during normal working hours. Further, an authorised officer shall, on application by a person, issue to the person a certified extract from the register on payment of a prescribed fee.

### **Section 13: Prohibition of attire in connection with defence force and security officers**

This section prohibits the wearing of an attire at a public gathering that signifies an association or connection with the defence force or a national security service of the Republic or of a foreign state, except an officer of the defence force or a national security service.

### **Section 14: Prohibition of firearms or weapons at public gathering**

Section 14 proscribes any person from being in possession of a firearm or weapon at a public gathering, otherwise than in the course of a public duty.

### **Section 15: Unauthorised public gathering**

This section stipulates that a person shall not hold a public gathering if that person does not give the notice required to be given in section 4, or contravenes directives issued under section 6 providing restrictions of public gatherings.

## **PART III**

### **GENERAL PROVISION**

#### **Section 16: Appeals**

The section outlines the appeal procedure and stipulates that a person aggrieved with a decision or action of an authorised officer under this Act may within 14 days of the decision or action appeal to the High Court.

#### **Section 17: Immunity**

Section 17 provides for the immunity of an authorised officer and stipulates that an action or other proceedings shall not lie or be instituted against a police officer or authorised officer in respect of an act or thing done or omitted to be done in good faith in the exercise or performance of any of the functions or duties conferred under this Bill.

#### **Section 18: Regulation**

This section empowers the Minister, by statutory instrument, to make regulations for the better carrying out of the provisions of this Bill.

#### **Section 20: Savings and transitional provisions**

This section provides that on the coming into operation of this Act, a gathering that was notified under the repealed Act shall be regulated as if the gathering had been notified under this Bill.

## The Public Gathering (General) Regulations, 2022

The regulations are made in exercise of the powers contained in section 18 of the Public Gathering Act, 2022.

Regulation 2 requires a person who intends to hold a public gathering to notify an authorised officer of the persons' intention in Form I set out in the 1<sup>st</sup> Schedule.

Regulation 3 provides for acknowledgement of notice. An authorised officer shall acknowledge receipt of the notice referred to under Regulation 2 by stamping two copies of the notice, and returning one stamped copy to the organizer

Regulation 4 provides for a register of notices. An authorised officer shall keep and maintain a register of notices in the form and with the particulars set out in Form II, in the 1<sup>st</sup> Schedule.

Regulation 5 is a declaration of restricted areas. The areas set out in the 2nd Schedule are restricted from public gatherings for the purposes of the Act, namely:

- i) State Lodges and their precincts
- ii) Hospitals and clinics, and their precincts
- iii) Prisons or Correctional Centres and precincts
- iv) Premises of the defence force, and national security and intelligence services and their precincts

A person shall not hold a public gathering in a restricted area unless that person obtains authorisation in writing from an authorised office

## ANNEX 2 - LIST OF TECHNICAL COMMITTEE MEMBERS

- 1) Mr. Josephs R. Akafumba -Ministry of Home Affairs and Internal Security-Chairperson
- 2) Mr. McDonald Chipenzi Gears - Vice Chairperson
- 3) Mr. Yengwe Kakusa - Ministry of Justice
- 4) Mr. Francis Chilunga - Ministry of Justice
- 5) Ms. Masiliso Sitali Chibambo - Ministry of Justice
- 6) Mr. Goodson Sinyenga - Ministry of Home Affairs and Internal Security
- 7) Ms. Hope N. Chanda - Zambia Law Development Commission
- 8) Ms. Inutu Akolwa - Zambia Law Development Commission
- 9) Mr. James Masiye - Zambia Police Service
- 10) Ms. Cecilia Bwalya - Ministry of Home Affairs and Internal Security
- 11) Mrs. Chipo Mushota Nkhata - Mushota and Associates
- 12) Bishop Bilon Kalumbinga - Evangelical Fellowship of Zambia
- 13) Mr. Mbinji Mufalo - University of Zambia
- 14) Fr. Dr. Gabriel Mapulanga - Zambia Conference of Catholic Bishops
- 15) Mr. Mweelwa Muleya - Human Rights Commission
- 16) Ms. Kawana Lipalile -Ministry of Local Government and Rural Development
- 17) Mr. Abyudi J. Shonga S.C - Law Association of Zambia
- 18) Mr. Bornface Cheembe - Southern African Centre for Constructive Resolutions of Disputes (SACCORD)
- 19) Ms. Doreen Njovu Zambia Centre for Interparty Dialogue



## **ANNEX 3 - THE DRAFTING TEAM MEMBERS**

- 1) Mrs. Hope N. Chanda - Zambia Law Development Commission
- 2) Mr. Mwiba Mwenda - Zambia Law Development Commission
- 3) Ms. Inutu Akolwa - Zambia Law Development Commission
- 4) Ms. Lina Jere - Zambia Law Development Commission
- 5) Mr. Yamikani Ngoma - Zambia Law Development Commission
- 6) Mrs. Mwila Chikwanda - Zambia Law Development Commission
- 7) Mrs. Chiluba Moyo - Zambia Law Development Commission
- 8) Innocent Siachitoba - Zambia Law Development Commission
- 9) Ngela Munalula - Zambia Law Development Commission
- 10) Mr. Mordecai Mweene - Zambia Law Development Commission
- 11) Ms. Precious Simuchoba - Zambia Law Development Commission
- 12) Mr. Noel J Chulu - Zambia Law Development Commission
- 13) Ms. Dorica Pelemba - Zambia Law Development Commission

- 14) Ms. Chipego Mugoba - Zambia Law Development Commission
- 15) Mrs. Annie Banda - Zambia Law Development Commission
- 16) Mr. Goodson Sinyenga - Ministry of Home Affairs and Internal Security
- 17) Mr. Bwalya C Soko - Ministry of Home Affairs and Internal Security
- 18) Ms. Annie Malaya - Ministry of Home Affairs and Internal Security
- 19) Ms. Faith Mazhanu - Ministry of Home Affairs and Internal Security
- 20) Ms. Mariah Mulenga - Ministry of Home Affairs and Internal Security
- 21) Mr. Nephas Chifuta - Ministry of Home Affairs and Internal Security
- 22) Mr. Vincent Malata - Ministry of Home Affairs and Internal Security
- 23) Mr. Rodney Machila - Ministry Of Justice
- 24) Mr. Francis Chilunga - Ministry of Justice
- 25) Mr. Yengwe Kakusa - Ministry of Justice
- 26) Mr. Pelani Ndovi - Ministry of Justice
- 27) Ms. Elizabeth M. Silungwe - Ministry of Justice
- 28) Ms. Masiliso S Chibumbo - Ministry of Justice
- 29) Mr. Chiwala Banda - Zambia Police Service
- 30) Mr. Eric Sindandumuna - Zambia Police Service
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